

RESOLUTION LIST

SEPTEMBER 4, 2013

- Res. #616 East Creek Improvements Budget Adjustment**
- Res. #617 2012 General Fund Budget Adjustment**
- Res. #618 General Fund GIS Support Budget Adjustment**
- Res. #619 2012 General Fund Debt Service Budget Adjustment**
- Res. #620 Recreation Fund Fall Brochure Budget Adjustment**
- Res. #621 Recreation Fund Budget Adjustment**
- Res. #622 Street Lighting Budget Adjustment**
- Res. #623 Authorizes Settlement with Dunn Engineering Associates, P.C.**
- Res. #624 Reappoints Member to the Board of Assessment Review**
- Res. #625 Authorizes Town Clerk to Publish and Post the Attached Notice to Bidders for Fire and Security Alarms Systems Contract**
- Res. #626 Accepts Highway Superintendent's Personnel Report & Request for Town Board Resolution to Effectuate Personnel Request (Arthur Fogel)**
- Res. #627 Accepts Highway Superintendent's Personnel Report & Request for Town Board Resolution to Effectuate Personnel Request (William Renten, Jr.)**
- Res. #628 Accepts Highway Superintendent's Personnel Report & Request for Town Board Resolution to Effectuate Personnel Request (Michael Smith)**
- Res. #629 Classifies Action, Declares Lead Agency and Determines Significance on Site Plan of Woolworth Revitalization, LLC**
- Res. #630 Authorization to Publish Advertisement for DowflakeXtra Calcium Chloride**
- Res. #631 Set Registration Fees for the Recreation Department**
- Res. #632 Ratifies the Appointment of a Call-In Bus Driver to the Recreation Department (Antonia Turner)**
- Res. #633 Appoints a Call-In Recreation Aide I to the Recreation Department (Mary Reiter)**

- Res. #634 Approves Chapter 90 Application of Polish Town Civic Association (“Polish Town Civic Association Fundraiser Featuring the Band, “Beer Money” – September 14, 2013)**
- Res. #635 Grants Land Clearing Permit to 1998 Peconic, LLC as Provided by Chapter 62 of the Riverhead Town Code**
- Res. #636 Amends Resolution #281 of 2010 (Approves Amended Site Plan of Zenith Building)**
- Res. #637 Authorizes the Supervisor to Execute a Construction Staging Area License Agreement with the Zenith Organization**
- Res. #638 Authorizes the Supervisor to Execute a Professional Services Agreement with converged Technology Group, Inc. (CTG) for Ongoing IT Support Services for Network/VMWare**
- Res. #639 Authorization to Publish Advertisement for Purchase of One(1) 2012 or 2013 New or Used Honda Civic Natural Gas Vehicle for Use by the Town of Riverhead Senior Citizen Department**
- Res. #640 Authorizes the Supervisor to Execute a Musical Works License Agreement with SESAC LLC**
- Res. #641 Authorizes the Supervisor to Execute a Rider Agreement for Consultant/Professional Services with Nextiraone, LLC D/B/A Black Box Network Services**
- Res. #642 Authorizes the Supervisor to Execute a License Agreement with the Survival Race LLC for Utilization of Town Police Personnel and Vehicles**
- Res. #643 Awards Bid for Light Poles for Main Street**
- Res. #644 Grants Land Clearing Permit to Riverhead Charter School as Provided by Chapter 62 of the Riverhead Town Code**
- Res. #645 Denies Permit/Exemption Application of Driftwood Family Farms LLC Under Chapter 62 “Excavations” of the Riverhead Town Code**
- Res. #646 Approves the Chapter 90 Application of Marianne Katusha (Power Bike Run Fundraiser Event at Riverhead Elks Lodge #2044 – September 21, 2013)**
- Res. #647 Approves the Chapter 90 Application of George M. Bartunek (15th Annual Antique Car Show – September 29, 2013)**

- Res. #648 Approves the Chapter 90 Application of Hallockville Inc. (33rd Annual Fall Festival September 14th and 15th, 2013)**
- Res. #649 Approves Extension to License Agreement with Wadington Realty Corp.**
- Res. #650 APPROVES CHAPTER 90 APPLICATION OF THE SURVIVAL RACE, LLC
(September 7th and 8th, 2013)**
- Res. #651 Ratifies Reappointment of Member to the Town of Riverhead Ethics Board
(Jeanmarie Costello)**
- Res. #652 Authorizes the Release of Site Plan Security of Jontori Enterprises, LTD.**
- Res. #653 2013 General Fund Police Budget Adjustment**
- Res. #654 Authorizes the Supervisor to Execute a Professional Services Agreement
with Converged Technology Group, Inc. (CTG) for Lan Infrastructure
Upgrade**
- Res. #655 Authorization to Publish Advertisement of a Request for Proposal for Sale
and/or Sale with Option for Town to Lease Real Property Located at 24 East
Second Street, Riverhead, NY (SCTM #600-128-5-25)**
- Res. #656 Authorizes Town Clerk to Publish and Post a Public Notice
to Consider a Local Law To Amend Chapter 108 Entitled
“Accessory Apartments” of the Riverhead Town Code**
- Res. #657 Authorizes Town Clerk to Publish and Post Public Notice to Consider a
Local Law to Amend Chapter 108 of the Riverhead Town Code Entitled
“Zoning” (Parking Schedule)**
- Res. #658 Authorization to Publish Advertisement of a Request for Proposals
for Sale and/or Sale with Option for Town to Lease Real Property Located at
542 East Main Street, Riverhead, NY (SCTM# 600-129-3-35.2)**
- Res. #659 Authorizes Town Clerk To Publish And Post Public Notice To Consider A
Local Law To Amend Chapter 108 Of The Riverhead Town Code Entitled “Zoning”
(Non - Disturbed Transitional Yards And Screening.)**
- Res. #660 Pays Bills**
- Res. #661 Awards Request for Proposal for Professional Engineering and Design
Services for Armory Building Modifications for Use as Justice Court and
Police Headquarters**

Res. #662 Authorizes Bow Hunting for Deer on Town Property at Enterprise Park at Calverton (SCTM No. 600-135-1-7.33, et al.) and 1751 Sound Avenue, Calverton (SCTM No. 600-60-1-2) from October 7, 2013 to December 1, 2013, Inclusive

Res. #663 Authorizes Shotgun Hunting for Deer on Town Property at Enterprise Park at Calverton (SCTM No. 600-125-1-7.33, et al.) and 1751 Sound Avenue, Calverton (SCTM No. 600-60-1-2) from January 6, 2014 to January 31, 2014, inclusive

09.04.13
130616

ADOPTED

TOWN OF RIVERHEAD

Resolution # 616

EAST CREEK

IMPROVEMENTS

BUDGET ADJUSTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Superintendent of Recreation requests a budget transfer for improvements to East Creek Dock.

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

		<u>FROM</u>	<u>TO</u>
122.072300.548300	Insurance	13,000	
122.072300.523011	Miscellaneous Plant Improvements		13,000

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Recreation 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

09.04.13
130617

ADOPTED

TOWN OF RIVERHEAD

Resolution # 617

2012 GENERAL FUND

BUDGET ADJUSTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, negative budget variances require 2012 budget adjustments in certain overspent appropriations.

NOW THEREFORE BE ITRESOLVED, that the Riverhead Town Board authorizes the following budget adjustment:

		<u>FROM</u>	<u>TO</u>
001.099010.595384	Transfer to Debt Service	325,000	
001.090600.584500	Non-Uniform Dental, Hosp	43,500	
001.031200.511100	Police Personnel		147,000
001.031200.512100	Police Overtime Pay		67,000
001.031200.512500	Non-Uniform OT		76,000
001.031200.518605	Seasonal Employees		64,000
001.040200.515502	Personal Services		3,000
001.070200.541000	Repair & Maintenance Expenses		11,500

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting Department.

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

09.04.13
130618

ADOPTED

TOWN OF RIVERHEAD

Resolution # 618

GENERAL FUND
GIS Support

BUDGET ADJUSTMENT

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Information Technology Division is requesting a transfer of funds for an upgrade to the existing network infrastructure;

WHEREAS, the upgrade is required to implement the Town's virtual solution, upgrade the Town's financial software and to enhance network capabilities;

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

		<u>FROM</u>	<u>TO</u>
001.090600.584500	Non-Uniform Hospitalization	180,000	
001.016800.524000	I.T. Equipment		180,000

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the IT 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

09.04.13
130619

ADOPTED

TOWN OF RIVERHEAD

Resolution # 619

2012 GENERAL FUND DEBT SERVICE

BUDGET ADJUSTMENT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Resolution# 136 dated 2/22/12 authorized a Refunding Bond Resolution; and

WHEREAS, negative budget variances resulted from this 2012 Refunding.

NOW THEREFORE BE ITRESOLVED, that the Riverhead Town Board authorizes the Accounting Department correct the negative budget variances by modifying the budget:

		<u>FROM</u>	<u>TO</u>
384.095750.473000	Premium \$ Accrued Interest on Bond	3,622,112	
384.097100.570000.00000	Debt Service – Interest		1,622,112
384.097100.560000.00000	Debt Service – Principal		1,000,000
384.097100.571000.00000	Bond Issuance Costs		1,000,000

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting Department.

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

09.04.13
130620

ADOPTED

TOWN OF RIVERHEAD

Resolution # 620

RECREATION FUND

FALL BROCHURE

BUDGET ADJUSTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Superintendent of Recreation requests a budget transfer to fund the Fall Brochure printing expenses.

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

		<u>FROM</u>	<u>TO</u>
006.071100.542512	Signage	2,500	
006.073105.543601	Playground Program expenses	1,500	
006.076200.542600	Printing		4,000

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Recreation 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

09.04.13
130621

ADOPTED

TOWN OF RIVERHEAD

Resolution # 621

RECREATION FUND

BUDGET ADJUSTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Superintendent of Recreation requests a budget transfer to a concession stand for the Calverton Softball Complex.

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

		<u>FROM</u>	<u>TO</u>
006.071100.542000	Park Supplies	2,500	
006.076250.543607	Softball Umpire	1,000	
006.076250.524000	Softball Equipment	1,400	
006.071100.524700	Improvements –Concession Stand		4,900

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Recreation 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

09.04.13
130622

ADOPTED

TOWN OF RIVERHEAD

Resolution # 622

STREET LIGHTING

BUDGET ADJUSTMENT

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Engineer is requesting a transfer of funds from Fund Balance to purchase new Street Light Poles to be installed on Main Street.

NOW THEREFORE BE ITRESOLVED, that the Riverhead Town Board authorizes the following budget adjustment:

		<u>FROM</u>	<u>TO</u>
116.000000.499999	Fund Balance	60,000	
116.051820.541414	Street Lighting Maintenance		60,000

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting 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 <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

09.04.13
130623

ADOPTED

TOWN OF RIVERHEAD

Resolution # 623

**AUTHORIZES SETTLEMENT WITH
DUNN ENGINEERING ASSOCIATES, P.C.**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, on Dunn Engineering Associates, P.C. (Dunn) has provides engineering and design services in connection with numerous projects within the Town of Riverhead; and

WHEREAS, from time to time, due to site and other conditions, change orders were agreed to by and between the parties; and

WHEREAS, Dunn has submitted invoices for payment in the total sum of \$54,665.18 for the following projects: Safe Routes to Schools, Alt Transportation, CR 63, Grangabel, Dam at Grangabel; and

WHEREAS, due to alleged unforeseen conditions Dunn's invoices exceed the approved amounts and change orders; and

WHEREAS, the Town has advised Dunn that the services exceeded the approved amounts; and

WHEREAS, Dunn has asserted that they proceeded with an understanding they would be paid, that all sums have been properly earned with possible legal action ensuing; and

WHEREAS, the parties have reached an agreement settling all claims by Dunn for the sum of \$43,385.90.

NOW BE IT RESOLVED, that the Town Board of the Town of Riverhead, be and hereby authorizes the settlement proposal; and it is further

RESOLVED, that the Town Board authorizes execution of any and all necessary documents to achieve settlement with Dunn for the sum of \$43,385.90 by the Town Supervisor; and it is further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Community Development Agency, Town Engineer, the Accounting Department, and the Town Attorney.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

09.04.13
130624

ADOPTED

TOWN OF RIVERHEAD

Resolution # 624

REAPPOINTS MEMBER TO THE BOARD OF ASSESSMENT REVIEW

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the term of Board of Assessment Review member James Kane is to expire on September 30, 2013, and,

WHEREAS, James Kane has expressed a desire to continue to serve on said Board.

NOW, THEREFORE, BE IT RESOLVED, that James Kane is hereby reappointed to the Board of Assessment Review, whose term shall be October 1, 2013 to September 30, 2018, in accordance with Section 523 of the Real Property Tax Law, at the annual salary established under Town resolution #2008-625, and,

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to James Kane, PO Box 311, Aquebogue, NY 11931, the Assessor's Office, Suffolk Co. Real Property Tax Service Agency, 300 Center Drive, Riverhead NY 11901, the Personnel Office, and the Accounting Department, and,

BE IT FURTHER RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the 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

09.04.13
130625

ADOPTED

TOWN OF RIVERHEAD

Resolution # 625

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST THE ATTACHED NOTICE
TO BIDDERS FOR FIRE AND SECURITY ALARMS SYSTEMS CONTRACT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders for the Fire and Security Alarm Systems Contract in the September 12, 2013 issue of the official Town newspaper; and

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

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
NOTICE TO BIDDERS

Sealed proposals for the Fire and Security Alarm Systems Contract will be received by the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 4:00 pm on September 26, 2013 and will be publicly opened and read aloud at 11:00 am on September 27, 2013 in the Office of the Town Clerk.

Plans and specifications may be examined and/or obtained on or about September 13, 2013 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website:

www.townofriverheadny.gov and click on Bid Requests.

A fee \$50.00 *refundable fee (*subject to terms, conditions and instructions to be provided by Town Clerk/Receipt of Fee form) will be required for each hard copy of the contract documents obtained from the Office of the Town Clerk.

Each proposal must be submitted on the form provided and must be in a sealed envelope clearly marked, "Fire and Security Alarm Systems Contract".

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 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 RIVERHEAD TOWN BOARD
DIANE M. WILHELM, TOWN CLERK
Riverhead, NY 11901

Dated: September 4, 2013

09.04.13
130626

ADOPTED

TOWN OF RIVERHEAD

Resolution # 626

**ACCEPTS HIGHWAY SUPERINTENDENT'S PERSONNEL REPORT & REQUEST
FOR TOWN BOARD RESOLUTION TO EFFECTUATE PERSONNEL REQUEST**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, pursuant to Town Law § 64(1), the Town Board has general management and control of the finances of the Town; and

WHEREAS, pursuant to Town Law § 64(3), the Town Board has general management and control of Town property; and

WHEREAS, pursuant to Town Law § 20 and except as otherwise provided by law, the Town Board has the responsibility to employ such persons as the Town Board deems necessary for the proper conduct of the affairs of the Town; and

WHEREAS, pursuant to Town Law § 27, the Town Board shall fix, from time to time, the salaries of all officers, officials and employees of said town, whether elected or appointed, and determine when the same shall be payable; and

WHEREAS, pursuant to Highway Law § 140(4), the Highway Superintendent shall employ such persons as may be necessary for the maintenance and repair of Town highways and removal of obstructions caused by snow and provide for the supervision over such employees, subject to the provisions of law recited above and, including but not limited to, available appropriations for such purpose, any applicable civil service requirements (see e.g. Civil Service Law § 75), and any applicable collective bargaining agreement provisions; and

WHEREAS, the Highway Superintendent filed a Personnel Report and Request for Town Board Resolution to Effectuate Personnel Request, to wit: promote Arthur Fogal to the position of Heavy Equipment Operator effective September 9, 2013; and

WHEREAS, the Highway Superintendent's report stated that said promotion is necessary for the repair and maintenance of Town highways, allowing Fogal to assume a wider range of job duties.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board accepts the Highway Superintendent's Personnel Report and Request Town Board Resolution to Effectuate Personnel Request, to wit: to promote Arthur Fogal to the position of Heavy

Equipment Operator as found on Group 7, Step 13 of the Operational and Technical Salary Schedule of the CSEA contract effective September 9, 2013; and be it further

RESOLVED, that the Personnel Officer and Financial Administrator are hereby directed to take such action to effectuate this personnel matter on behalf of the Highway Superintendent; and be it further

RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the Town Highway Superintendent, Personnel Officer, Financial Administrator and Town Attorney's Office; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from 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

09.04.13
130627

ADOPTED

TOWN OF RIVERHEAD

Resolution # 627

**ACCEPTS HIGHWAY SUPERINTENDENT'S PERSONNEL REPORT & REQUEST
FOR TOWN BOARD RESOLUTION TO EFFECTUATE PERSONNEL REQUEST**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, pursuant to Town Law § 64(1), the Town Board has general management and control of the finances of the Town; and

WHEREAS, pursuant to Town Law § 64(3), the Town Board has general management and control of Town property; and

WHEREAS, pursuant to Town Law § 20 and except as otherwise provided by law, the Town Board has the responsibility to employ such persons as the Town Board deems necessary for the proper conduct of the affairs of the Town; and

WHEREAS, pursuant to Town Law § 27, the Town Board shall fix, from time to time, the salaries of all officers, officials and employees of said town, whether elected or appointed, and determine when the same shall be payable; and

WHEREAS, pursuant to Highway Law § 140(4), the Highway Superintendent shall employ such persons as may be necessary for the maintenance and repair of Town highways and removal of obstructions caused by snow and provide for the supervision over such employees, subject to the provisions of law recited above and, including but not limited to, available appropriations for such purpose, any applicable civil service requirements (see e.g. Civil Service Law § 75), and any applicable collective bargaining agreement provisions; and

WHEREAS, the Highway Superintendent filed a Personnel Report and Request for Town Board Resolution to Effectuate Personnel Request, to wit: promote William Renten, Jr. to the position of Heavy Equipment Operator effective September 9, 2013; and

WHEREAS, the Highway Superintendent's report stated that said promotion is necessary for the repair and maintenance of Town highways, allowing Renten to assume a wider range of job duties.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board accepts the Highway Superintendent's Personnel Report and Request Town Board Resolution to Effectuate Personnel Request, to wit: to promote William Renten, Jr. to the position of

Heavy Equipment Operator as found on Group 7, Step 6A of the Operational and Technical Salary Schedule of the CSEA contract effective September 9, 2013; and be it further

RESOLVED, that the Personnel Officer and Financial Administrator are hereby directed to take such action to effectuate this personnel matter on behalf of the Highway Superintendent; and be it further

RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the Town Highway Superintendent, Personnel Officer, Financial Administrator and Town Attorney's Office; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from 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

09.04.13
130628

ADOPTED

TOWN OF RIVERHEAD

Resolution # 628

**ACCEPTS HIGHWAY SUPERINTENDENT'S PERSONNEL REPORT & REQUEST
FOR TOWN BOARD RESOLUTION TO EFFECTUATE PERSONNEL REQUEST**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, pursuant to Town Law § 64(1), the Town Board has general management and control of the finances of the Town; and

WHEREAS, pursuant to Town Law § 64(3), the Town Board has general management and control of Town property; and

WHEREAS, pursuant to Town Law § 20 and except as otherwise provided by law, the Town Board has the responsibility to employ such persons as the Town Board deems necessary for the proper conduct of the affairs of the Town; and

WHEREAS, pursuant to Town Law § 27, the Town Board shall fix, from time to time, the salaries of all officers, officials and employees of said town, whether elected or appointed, and determine when the same shall be payable; and

WHEREAS, pursuant to Highway Law § 140(4), the Highway Superintendent shall employ such persons as may be necessary for the maintenance and repair of Town highways and removal of obstructions caused by snow and provide for the supervision over such employees, subject to the provisions of law recited above and, including but not limited to, available appropriations for such purpose, any applicable civil service requirements (see e.g. Civil Service Law § 75), and any applicable collective bargaining agreement provisions; and

WHEREAS, the Highway Superintendent filed a Personnel Report and Request for Town Board Resolution to Effectuate Personnel Request, to wit: promote Michael Smith to the position of Heavy Equipment Operator effective September 9, 2013; and

WHEREAS, the Highway Superintendent's report stated that said promotion is necessary for the repair and maintenance of Town highways, allowing Smith to assume a wider range of job duties.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board accepts the Highway Superintendent's Personnel Report and Request Town Board Resolution to Effectuate Personnel Request, to wit: to promote Michael Smith to the position of

Heavy Equipment Operator as found on Group 7, Step 13A of the Operational and Technical Salary Schedule of the CSEA contract effective September 9, 2013; and be it further

RESOLVED, that the Personnel Officer and Financial Administrator are hereby directed to take such action to effectuate this personnel matter on behalf of the Highway Superintendent; and be it further

RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the Town Highway Superintendent, Personnel Officer, Financial Administrator and Town Attorney's Office; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from 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 # 629

CLASSIFIES ACTION, DECLARES LEAD AGENCY AND DETERMINES SIGNIFICANCE ON SITE PLAN OF WOOLWORTH REVITALIZATION, LLC

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Riverhead Town Board is in receipt of a site plan petition pursuant to Article XXVI and Sections 108-298 A.(12) and B.(4) of the Riverhead zoning code from Woolworth Revitalization, LLC. to renovate approx. 21,000sq.ft. of the first floor of an existing two story building for use as a gym and another 4,800sq.ft. of the first floor for retail space with 19 apartments proposed for the second floor of the 41,458sq.ft. structure located on a 0.636ac. parcel zoned Downtown Center 1 (DC-1,Main Street): such property located at 130 East Main Street, Riverhead Hamlet and more particularly described as SCTM 0600-129-1-8.2, and

WHEREAS, a Full Environmental Assessment Form and supporting documentation were submitted as part of the petition and the applicant has sought and been awarded the requisite special permit for the gym as an indoor recreation use under Section 108-298 B. (4) of the Town Code, and,

WHEREAS, the Riverhead Planning Department has reviewed these materials and has prepared a SEQR report identifying the petition as an Unlisted action pursuant to 6NYCRR Part 617 and further assessed the project's impacts upon the natural and social environment and has recommended a negative declaration be rendered, now

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board declares itself to be the lead agency for the site plan application of Woolworth Revitalization, LLC which it classifies as an Unlisted action for the purposes of SEQR compliance and further declares the action to have no significant environmental impact and that an Environmental Impact Statement need not be prepared, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Planning Department and to Michael Butler, P.O. Box 92, Sag Harbor, NY 11963, 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

09.04.13
130630

ADOPTED

TOWN OF RIVERHEAD

Resolution # 630

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR DOWFLAKE XTRA
CALCIUM CHLORIDE**

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 a DOWFLAKE XTRA CALCIUM CHLORIDE for the Town of Riverhead and;

WHEREAS, bids were scheduled to be and opened on August 15th, 2013, no one responded to the bid.

WHEREAS, the Town Clerk is hereby authorized to publish and post the following public notice in the SEPTEMBER 19, 2013 issue of the News Review and;

NOW, THEREFORE, BE IT 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

NOTICE TO BIDDERS

Sealed bids for the purchase of **DOWFLAKE XTRA CALCIUM CHLORIDE** for use by the TOWN OF RIVERHEAD will be received by the Town Clerk at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on SEPTEMBER 30, 2013.**

Bid packets, including Specifications, may be obtained on line on our website @ www.townofriverheadny.gov or at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m..

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR DOWFLAKE XTRA CALCIUM CHLORIDE.**

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

Diane M. Wilhelm, Town Clerk

09.04.13
130631

ADOPTED

TOWN OF RIVERHEAD

Resolution # 631

SET REGISTRATION FEES FOR THE RECREATION DEPARTMENT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

NOW THEREFORE BE IT RESOLVED, that the Town Board sets the Registration Policy and fees for the 2013 Fall Brochure.

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

09.04.13
130632

ADOPTED

TOWN OF RIVERHEAD

Resolution # 632

RATIFIES THE APPOINTMENT OF A CALL-IN BUS DRIVER TO THE RECREATION DEPARTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, a Bus Driver is needed by the Riverhead Town Recreation Department for work in recreation programs,

NOW THEREFORE BE IT RESOLVED, that effective August 26, 2013 through and including December 31, 2013, this Town Board hereby appoints Antonia Turner to the position of A Call-In Bus Driver, Level 3, to be paid the rate of \$13.00 per hour and

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

09.04.13
130633

ADOPTED

TOWN OF RIVERHEAD

Resolution # 633

APPOINTS A CALL-IN RECREATION AIDE I TO THE RECREATION DEPARTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, a Recreation Aide is needed by the Riverhead Town Recreation Department for work in recreation programs,

NOW THEREFORE BE IT RESOLVED, that effective September 20th,2013 this Town Board hereby appoints Mary Reiter to the position of Call-in Recreation Aide I, Level 1, to be paid the rate of \$7.50 per hour and

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 # 634

APPROVES CHAPTER 90 APPLICATION OF POLISH TOWN CIVIC ASSOCIATION
("Polish Town Civic Association fundraiser featuring the band, 'Beer Money'" –
September 14, 2013)

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, on August 22, 2013, the Polish Town Civic Association submitted a Chapter 90 Application for the purpose of conducting a fundraiser event entitled "Beer Bash", to be held at the Polish Town Civic Association Pavilion located at 300 Lincoln Street, Riverhead, New York, on Saturday, September 14, 2013 between the hours of 7:00 p.m. and 11:00 p.m.;

WHEREAS, the Polish Town Civic Association has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

WHEREAS, the Polish Town Civic Association has requested the Chapter 90 Application fee for this event be waived due to their not-for-profit status; and

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

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

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

RESOLVED, that the Chapter 90 Application of the Polish Town Civic Association for the purpose of conducting a fundraiser event featuring the band, 'Beer Money', to be held at the Polish Town Civic Association Pavilion located at 300 Lincoln Street, Riverhead, New York, on Saturday, September 14, 2013 between the hours of 7:00 p.m. and 11:00 p.m. is hereby approved; and be it further

RESOLVED, that approval for this event shall be subject to receipt of proof of adequate liquor liability limits **no later than September 12th, 2013**; and be it further

RESOLVED, that the Town Board hereby waives the Chapter 90 Application fee in connection with this event due to the applicant's not-for-profit status; and be it further

RESOLVED, should any tent(s) be utilized, the necessary tent permit(s) must be obtained, and the tent installation and all electric shall comply with the applicable requirements of the NFPA Life Safety Code (NFPA 101), the NFPA Temporary Membrane Structures/Tents (NFPA 102) and the Fire Code of New York State and the Building Code of New York State; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Polish Town Civic Association, 300 Lincoln 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 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

09.04.13
130635

TABLED

TOWN OF RIVERHEAD

Resolution # 635

**GRANTS LAND CLEARING PERMIT TO 1998 PECONIC, LLC AS PROVIDED
BY CHAPTER 62 OF THE RIVERHEAD TOWN CODE**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, 1998 Peconic, LLC, Paul Elliot, is the owner of the subject property located at Miller Road, Calverton, New York, further described as Suffolk County Tax Map Number 0600-117.-2-2.8; and

WHEREAS, 1998 Peconic, LLC has petitioned the Town Board for an Excavation/Land Clearing Permit pursuant to Chapter 62 of the Riverhead Town Code for the exportation of 5,467 cubic yards of soil in connection with the construction of an industrial building as depicted on a survey dated June 28, 2013, prepared by Young & Young Land Surveyors; and

WHEREAS, the Town Board has reviewed and considered the application for the aforementioned Excavation/Land Clearing Permit; and

WHEREAS, the applicant's Engineers, Thomas C. Wolpert and Howard M. Young, has submitted a map, dated June 28, 2013, indicating a total of 5,467 cubic yards of soil to be exported from the site and such removal of material will be supported by a manifest from the owner and approved by the Town of Riverhead Engineering and Building Departments.

NOW THEREFORE BE IT RESOLVED, that based upon the foregoing, the Town Board hereby grants the Excavation/Land Clearing Permit requested by the applicant, such excavation permit authorizing the exportation of not more than 5,467 cubic yards of soil in accordance with the application and calculations of Young & Young Land Surveyors, pursuant to map submitted with the application for Excavation/Land Clearing dated July 28, 2013; and be it further

RESOLVED, the Building Department is hereby authorized to accept and collect all Excavation/Land Clearing Permit fees concurrently with the issuance of a Building Permit, in the amount of Ten Thousand Nine Hundred and Thirty-Four (\$10,934.00) Dollars calculated at \$2.00 per cubic yard for the exportation of said soils, in addition to a permit fee of \$100.00; be it further

RESOLVED, that the Excavation Permit is conditioned upon specific hours of operation, between the hours of 7:00 a.m. and 5:00 p.m., Monday through Saturday only; and be it further

RESOLVED, that the applicant grants permission to the Town of Riverhead to randomly oversee the exportation of said soils and to enter upon the site to perform soil boring tests, if necessary, during the construction of the said project; be it further

RESOLVED, that upon conclusion of the excavation operations that the applicant's engineer will provide certification to the Building Department confirming the total of 5,467 cubic yards was removed from the property, 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 **TABLED**

09.04.13
130636

ADOPTED

TOWN OF RIVERHEAD

Resolution # 636

AMENDS RESOLUTION #281 OF 2010
(APPROVES AMENDED SITE PLAN OF ZENITH BUILDING)

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Resolution #281 adopted by the Riverhead Town Board on April 6, 2010, approved the site plan submitted by Ray Castronovo, to construct a four-story mixed building, with related improvements, upon real property located at 12 McDermott Street, Riverhead, New York, further described as Suffolk County Tax Map #0600-129-4-5.2; and

WHEREAS, said approval was conditioned upon certain conditions, including the requirement of the submission of a properly executed agreement specifying that all parking spaces required by the Parking Schedule shall be improved upon subsequent findings by the appropriate Board; and

WHEREAS, the subject real property is located within the Town of Riverhead Public Parking District and as such, this condition is not applicable.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby amends Resolution #281 dated April 6, 2010 to delete the condition of the requirement of an agreement in connection with the parking spaces at the subject real property; and be it further

RESOLVED, that all other terms and conditions of Resolution #281 of 2010 shall remain in full force and effect; 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 - ABSTAIN
Wooten Yes No
Gabrielsen Yes No
Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

09.04.13
130637

ADOPTED

TOWN OF RIVERHEAD

Resolution # 637

AUTHORIZES THE SUPERVISOR TO EXECUTE A CONSTRUCTION STAGING AREA LICENSE AGREEMENT WITH THE ZENITH ORGANIZATION

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Town of Riverhead is the owner of property currently used for sidewalk purposes and known as adjacent road right-of-way located on the east side of McDermott Avenue, Riverhead, NY; and

WHEREAS, The Zenith Group Inc. is proposing to redevelop a portion of its real property known as 12 McDermott Avenue, Riverhead, New York, further described as SCTM # 0600-129-4-5.2, which redevelopment will provide a substantial benefit to the economic vitality of the downtown area of the Town of Riverhead as well as sales and property tax revenue to the Town eventually; and

WHEREAS, the nature of redevelopment in the downtown area requires the use of the entire parcel of property being redeveloped for the building being constructed and parking facilities, leaving no property available for a construction staging area during the construction process, presenting substantial practical difficulties and expense for redevelopment in the downtown area; and

WHEREAS, the Town of Riverhead has agreed to allow The Zenith Group temporary use of said public properties for a construction staging area pursuant to the terms and conditions set forth in the attached License Agreement;

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached License Agreement with The Zenith Group; and be it further

RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to The Zenith Group, 12 McDermott 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 copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Giglio - ABSTAIN Gabrielsen Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

COPY

CONSTRUCTION STAGING AREA LICENSE AGREEMENT

THIS CONSTRUCTION STAGING AREA LICENSE AGREEMENT ["License"] is entered into by and between the TOWN OF RIVERHEAD, 200 Howell Avenue, Riverhead, NY ("Licensor") and THE ZENITH ORGANIZATION, with offices located at 12 McDermott Avenue, Riverhead, NY, ("Licensee").

RECITALS

WHEREAS, Licensor is the owner of property currently used for sidewalk purposes and known as adjacent road right-of-way located on McDermott Avenue, Riverhead, NY 11901; and

WHEREAS, the Licensee is proposing to demolish existing building and reconstruct a new building a, portion of its real property known as 12 McDermott Avenue, Riverhead NY 11901 and known as SCTM #0600/129.-4-5.2 which redevelopment will provide a substantial benefit to the economic vitality of the downtown area of Riverhead Town as well as sales and property tax revenue to the Town eventually, and

WHEREAS, the nature of redevelopment in the downtown area does not require the use of the entire parcel of property being redeveloped for the building being constructed and parking facilities, leaving limited property available for a construction staging area during the construction process, described on Exhibit B, ("Site Plan Memo" received from Vincent A. Gaudiello, P.E.) which is attached to and made a part of this Agreement, presenting substantial practical difficulties for redevelopment in the downtown area, and

WHEREAS, the Licensor has agreed to allow Licensee temporary use of said public properties for a construction staging area pursuant to the terms and conditions set forth in this License Agreement.

NOW, THEREFORE, the Licensor and Licensee agree as follows:

1. LICENSE. Licensor hereby grants to Licensee a temporary and nonexclusive license to use the portion of said sidewalk legally together with lot 0600/129.-4-5.2, depicted in red, described on Exhibit A Drawing SP-2 dated 03/22/13, ("the staging area"), which is attached to and made a part of this Agreement, for the purpose of a construction staging area for construction taking place on the property depicted in green on Exhibit A ("the construction area") and known as 0600/129.-4-5.2. The rights of the Licensee under this License shall include a nonexclusive right of Licensee over and across the staging area for storage and operation of construction equipment and supplies and for ingress and egress. The Licensee shall cooperate with the Licensor in determining the layout and exact use of the staging area and in protecting the Licensor's permanent use of the staging area as a sidewalk after this license has terminated.

2. TERM. The term of this License shall begin on the date of the issuance of a building permit to the Licensee for the construction area and may continue for so long as said building permit shall remain in full force and effect provided that the Town's Building Department Administrator determines that use of the staging area is necessary for the construction taking place at the construction area. Either the Licensor or the Licensee may terminate this License at any time upon thirty (30) days written notice to the other party. If this License is terminated pursuant to this provision, the Licensee shall remove all equipment, fencing, materials and so forth from the staging area and return the site to its original or better condition within 30 business days after termination as directed by the Building Department Administrator.

3. FEE. No fee shall be required for this License.

4. USE. The rights of the Licensee hereunder shall be to temporarily use the designated area of the staging area for necessary construction related purposes, such as a construction trailer, construction equipment, a materials trailer, building materials and other related uses, all as determined by the Building Department Administrator and as

specified in a Site Plan, including fencing and access, as approved by the Building Department Administrator. Licensee shall not permit any permanent waste or damage to be done to the staging area and shall maintain the staging area and keep the said area in good condition and repair and free of any litter, construction debris or any other waste and not allow any such litter or debris to blow away from the site. The site shall be returned to the Licensor in its original or better than original condition when a temporary or permanent Certificate of Occupancy is issued for the construction area, and no permanent Certificate of Occupancy shall be issued unless and until the Licensor has approved the condition of the staging area. No materials, equipment or anything else not intended and used for the construction area specified in Exhibit B shall be stored at this site.

5. INDEMNIFICATION. Licensee shall indemnify, defend protect and hold harmless the Licensor, and its officers, agents, and employees from and against any and all liens and encumbrances of any nature whatsoever which may arise in the exercise of Licensee's rights hereunder, and from all claims, causes of action, liabilities, costs and expenses (including all reasonable attorney's and in-house counsel fees), losses or damages arising from Licensee's use of the staging area, any breach of this License, or any act or failure to act of Licensee or Licensee's agents, employees, construction workers, or invitees, except those arising out of the sole negligence or willful misconduct of the Licensor, its officers, agents and employees.

6. RISK OF DAMAGE OR LOSS. Licensee, as a material part of the consideration to Licensor, hereby assumes all risk of damage to its property or injury to all persons and personal property in or upon the staging area. Licensee hereby releases and relieves Licensor, and waives its entire right of recovery against Licensor, for any loss or damage arising out of or incident to the Licensee's use of the staging area.

7. HAZARDOUS MATERIALS. Licensee shall not use, generate, manufacture, store or transport or dispose of, on or over the staging area, any flammable liquids, radioactive materials, hazardous materials, hazardous wastes, hazardous or toxic substances, or any other "hazardous materials" as that term may be defined under federal or state laws,

except for the hazardous materials which may be in the vehicles that Licensee will park or store on the staging area. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the staging area as a result of Licensee's use and occupancy thereof, Licensee shall provide notice as required by law and Licensee, at its sole cost and expense, shall undertake all appropriate remediation on all the property affected, whether owned by Licensor or any third party, to the satisfaction of the Licensor and any governmental body having jurisdiction thereof. Licensee must also notify Licensor as required by law of any release of hazardous materials that have come or will come to be located on or beneath the staging area.

8. ALTERATIONS. Licensee shall not alter the staging area or any improvements on the staging area except as specifically authorized by the Building Department Administrator.

9. RESTORATION. Licensee shall maintain the staging area in its current condition and will restore the staging area to its pre-construction condition to include repair to any damaged pavement, curbs, markings, or other public infrastructure components. All repairs must be completed thirty [30] days after completion of the term outlined in paragraph 2 above.

10. LIENS, TAXES AND ASSESSMENTS. Licensee shall keep the staging area free from all liens, taxes and assessments resulting from or caused by the Licensee's use of the staging area, and shall operate the staging area in full compliance with all federal, state and municipal laws, ordinances and regulations governing the use and occupancy of the staging area.

11. FENCING AND SIGNAGE. Licensee may, with the advance approval of the Building Department Administrator, erect fencing and post signage at the entry to the staging area indicating that the use of the staging area is restricted to the Licensee during the term of this Agreement.

12. SURRENDER. Upon the termination of this license, all rights, title, use and interest of the Licensee in and to

this License shall be surrendered peaceably to the Licensor and the Licensee shall remove all property from the staging area and restore the staging area and, if needed, any adjoining property, to its former condition or better.

13. INSURANCE. Licensee shall maintain in full force and effect during the term of this License, at Licensee's sole cost and expense, a policy of comprehensive general liability insurance in terms and amounts satisfactory to the Licensor and approved in writing by the Licensor's Risk Manager and naming the Licensor as an additional insured.

14. DEFAULT. In the event of a breach by Licensee of any of the terms of this License, all rights of Licensee hereunder shall cease and terminate, and in addition to all other rights Licensor may have at law or in equity. Licensor may re-enter the staging area and take possession thereof without notice and may remove any and all persons and property therefrom, and may also cancel and terminate this License; upon any such cancellation, all rights of Licensee in and to the staging area shall cease and terminate.

15. RULES AND REGULATIONS. The Building Department Administrator shall have the right to establish and enforce reasonable rules and regulations concerning the management, use and operation of the staging area, and compliance with said rules and regulations by the Licensee and his officers, agents and employees is expressly made a term of this License Agreement.

16. ASSIGNMENT AND SUBLETTING. This License is personal to the Licensee and Licensee agrees not to sublease, assign, sell, transfer, encumber, pledge or otherwise hypothecate any part of the License or Licensee's interest in the staging area to any other person or entity without the prior written consent of the Building Department Administrator, which consent may be withheld in the Building Department Administrator's or Licensor's sole and absolute discretion. Any purported assignment or sublease by Licensee of this License shall be void *ab initio* and a basis for immediate termination of this License. In the event that the Building Department Administrator or the Licensor shall provide such prior written consent to an assignment or sublease by Licensee, any such assignment or sublease shall not relieve Licensee of its obligations under this License.

17. ATTORNEY'S FEES. If any party named herein brings an action to enforce the terms hereof or to declare its rights hereunder, the prevailing party in any such action, on trial and appeal, shall be entitled to recover its costs and reasonable attorney's fees, including those of in-house counsel.

18. NOTICES. All notices, consents, requests, demands, approvals, waivers, and other communications desired or required to be given hereunder shall be in writing and signed by the party so giving notice, and shall, with respect to the Licensor, be delivered, received and time stamped in the office of the Town Attorney, 200 Howell Avenue, Riverhead, NY, 11901 with respect to the Licensee, the notices shall be given to: The Zenith Organization, Attn: Raymond Castronovo, 12 McDermott Avenue, Riverhead, NY 11901. Either party may, from time to time, change the designated party and address for its notices in the manner outlined above.

19. GOVERNING LAW. This License Agreement shall be interpreted, enforced and governed by the laws of the State of New York.

20. AMENDMENTS. No provision of this License Agreement may be amended or modified except by an agreement in writing executed by both parties hereto.

21. SEVERABILITY. In the event that one or more of the provisions contained in this License shall for any reason be held by a court of competent jurisdiction to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof, and the remainder of the provisions of this License shall continue in full force and effect without impairment.

22. SOLE AGREEMENT. This License constitutes the sole agreement between the Licensor and the Licensee with respect to the staging area.

IN WITNESS WHEREOF, each of the parties has caused its authorized representative to execute triplicate original counterparts of this License this 20th day of August, 2013.

Licensor:
Town of Riverhead
By: Sean M. Walter, Supervisor

Licensee: The Zenith Organization
BY: 
RAYMOND CASTRONOVO

Sworn before me this 20th day
of AUGUST, 2013


Notary Public

LISA C. IRISH
Notary Public - State of New York
No. 01IR6196364
Qualified in Suffolk County
My Commission Expires November 17, 2016

09.04.13
130638

ADOPTED

TOWN OF RIVERHEAD

Resolution # 638

AUTHORIZES THE SUPERVISOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH CONVERGED TECHNOLOGY GROUP, INC. (CTG) FOR ONGOING IT SUPPORT SERVICES FOR NETWORK/VMWARE

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, Converged Technology Group, Inc. (CTG) has provided professional services to the Town of Riverhead consisting of the installation and configuration of VMWare (software) and Cisco hardware for a Virtual Desktop solution in Phases; and

WHEREAS, Converged Technology Group, Inc. (CTG) has proposed to provide professional services to provide for on-going support of Storage/Network/datacenter/VMWare, including remote networking monitoring as outlined in proposal dated August 15, 2013 for the period beginning on September 1, 2013 and ending on December 31, 2016 for sum not to exceed \$49,640.00; and

WHEREAS, the IT Department has recommended that CTG be approved by the Town Board of Riverhead to provide professional services to provide for on-going support of Storage/Network/datacenter/VMWare, including remote networking monitoring upgrade of the LAN Infrastructure; and

WHEREAS, CTG is an approved New York State Vendor for said professional services.

NOW THEREFORE BE IT RESOLVED, that the Town Board be and hereby agrees to the terms and conditions of the scope of work by CTG for on-going support of Storage/ Network/datacenter/VMWare, including remote networking monitoring as outlined in proposal dated August 15, 2013 for the period beginning on September 1, 2013 and ending on December 31, 2016 for sum not to exceed \$49,640.00; and be it further

RESOLVED, that the Town Board be and hereby authorizes the Supervisor to execute a Professional Services Agreement with CTG for LAN Infrastructure Upgrade for on-going support of Storage/Network/datacenter/VMWare, including remote networking monitoring as outlined in proposal dated August 15, 2013 for the period beginning on September 1, 2013 and ending on December 31, 2016 for sum not to

exceed \$49,640.00, which Professional Services Agreement shall be in a form determined to be satisfactory and acceptable to the Town Attorney; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to CTG, 1377 Motor Parkway, Suite 402, Islandia, New York 11749; 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



Assist 360 Basic Ongoing Support Agreement

Created for: Town of Riverhead

Prepared By:

George Mouzithras
Converged Technology Group
631.468.5714
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August 15, 2013

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August 15, 2013

Lori U Pipczynski
Town of Riverhead
1295 Pulaski Street
Riverhead, NY 11901

Subject: Assist 360 Basic Ongoing Support Agreement

Lori,

Converged Technology Group is pleased to offer this on-going support agreement for your review. We are looking forward to the opportunity to work with Town of Riverhead to support your Networking and Datacenter environment moving forward.

Please indicate your acceptance of the included agreement by faxing a signed copy to 631.468.5766.

Sincerely,

Steven Schietel
631-468-5716
schietel@convergedtechgroup.com

Executive Overview

Town of Riverhead has requested that CTG provide them with a cost effective helpdesk and priority response solution which will enable their IT staff to predictably respond to helpdesk requests and troubleshooting emergencies.

Based on these requirements CTG is recommending that Town of Riverhead subscribe to a Assist 360 Basic support agreement which is a combination of a Priority Response Services, 24x7x365 Remote Monitoring, Networking Helpdesk Support, Datacenter Helpdesk Support and Vendor Management. This solution was specifically designed to provide our customers with priority response in the event that there is a network/datacenter device failure on our customers network and includes a 24x7x365 monitoring platform which manages the up/down status of the devices. This monitoring information can be used for troubleshooting and also provides CTG with proactive notifications when a device fails. As part of this offering, CTG also provides our customers with unlimited access to our networking helpdesk which is available 8:30 a.m. – 5:30 p.m. Monday through Friday EST.

Converged Technology Group Overview

Converged Technology Group is an advanced technology solutions provider who offers full life cycle data, voice, video, security and wireless solutions to our customers. The members of the CTG team have extensive experience in preparing, planning, designing, implementing, operating and optimizing comprehensive, end to end datacenter and networking solutions for our clients. CTG's engineering holds some of the highest levels of certifications with Cisco, VMWare and EMC and is looking forward to showcasing our value to Town of Riverhead.

Statement of Work

Agreement Goals

The following goals have been identified for this project:

- ▶ 24x7x365 Network Monitoring – Remotely monitor the up/down status of the critical network and datacenter devices on Town of Riverhead’s network
- ▶ 24x7x365 Priority Response – Provide Town of Riverhead with 1 Hour Response time in the event of a network and datacenter device failure (Listed in Appendix B of this document) identified on the network
- ▶ Normal business hour (Monday – Friday 8:30 a.m. – 5:30 p.m. EST) access to Helpdesk Services – Provide Town of Riverhead unlimited access to CTG’s networking helpdesk for networking and datacenter support
- ▶ Vendor Management Services – Provide Town of Riverhead simplified management of IT vendors

Remote Monitoring Overview

CTG's remote monitoring offering was designed to meet the need of monitoring critical device availability on CTG's customers' networks. As networks have converged it has become even more critical to monitor the status of these devices to help maximize the availability of IT services. By leveraging a 24x7x365 remote network monitoring solution CTG will be proactively alerted of potential service impacting issues as they occur. This will enable us to respond quicker to outages and utilize device information to more quickly determine the root cause of the issue and remediate it faster.

Scope of Services

This service will be implemented as an on-site appliance at Town of Riverhead's Datacenter location and will send alerts to CTG's operations center in the event of an issue. The devices which will be monitored by this platform are included in the device list in Appendix B.

This solution will be monitoring device availability 24x7x365 and will be leveraged to provide Town of Riverhead with a device availability report on a monthly basis. This report along with proactive alerting will enable CTG to work with Town of Riverhead IT staff to provide maximum uptime for Town of Riverhead's network and datacenter environment.

The deliverables provided as part of the remote monitoring solution are as follows:

- Device Up/Down Status and Alerting
 - Device Up/Down Status Monitoring
 - E-mail Alerting Based on Device Failure
- Threshold Management and Alerting
 - Custom Threshold Settings Based on Device Type With Alerting
- Monthly Reports
 - Device Availability Report
 - Daily Device Availability Trend
 - Windows Server Health Report
 - Server Availability Trend
 - CPU Usage
 - Page File Usage
 - Memory Usage
 - Network Service Availability
 - Disk Utilization
 - Patch Status

-
- Top 5 Windows Events
 - Top N Site Report
 - Top 10 Devices by Downtime
 - Top 10 Network Services by Round Trip Time
 - Top Devices by CPU Utilization
 - Top Devices by Average Memory Utilization
 - Top 5 Devices by Hard Drive Space (Windows Servers)
 - SNMP Performance Counter Report (Non Cisco / Windows Devices)
 - CPU Usage
 - Memory Usage
 - Disk Utilization
 - Up to (7) Additional Custom Counters (per device type)

NOTE: Additional custom WMI and SNMP counter tracking is included at no charge as part of this agreement.

Priority Response Services Overview

CTG's suite of Priority Response Services is designed to meet the escalating need for timely availability of high-level engineering talent. As network and datacenter infrastructures become increasingly mission-critical to an organization's core business, the demand for accessibility to high-level engineers who can support such environments is intensifying. CTG's Priority Response Service ("PRS") is aimed at CTG clients who have implemented an advanced network and datacenter solution and cannot afford downtime. The Priority Response Service guarantees that a Engineer will be assigned to all service affecting networking or datacenter problems within a predetermined period of time.

Scope of Services

This service is designed to guarantee quick response to network and datacenter problems that affect Town of Riverhead day-to-day business processes, with regards to networking and datacenter, as specified in Appendix B. The PRS provides one-hour response by a Network Engineer, 24 hours a day, 7 days a week, 365 days a year. Whenever Town of Riverhead experiences a problem Town of Riverhead IT staff may place a call to CTG's PRS center. Once CTG's PRS operator logs the call, a service ticket is opened and the response-time clock begins. From this point, a CTG Engineer will respond to the ticket, contact Town of Riverhead and begin working on a resolution within one hour.

Normal Business Hour and After Hour Priority Response Services will be invoiced to Town of Riverhead on a Monthly basis based on the following rate schedule.

Unlimited PRS are included as part of this agreement.

This contract does not include Cisco SMARTnet maintenance for hardware replacement. Town of Riverhead should purchase the appropriate level of Cisco SMARTnet in order to cover replacement equipment in the event of a hardware failure.

Performance Metrics and Goals

This offering guarantees that, once Town of Riverhead IT staff logs a trouble-call, a CTG Engineer will respond to Town of Riverhead and begin troubleshooting the problem within one hour. In addition, there is a built in escalation procedure which ensures that the appropriate parties are notified and engaged within a predetermined period of time. Please refer to the following matrix (“Service Level Agreement” or “SLA”) for detail on the escalation procedure:

Response Time	1 Hour Response- 24x7
1 Hour	Engineer Call-Back
4 Hours	Remote Remediation, Escalation to Dir. of Professional Services
8 Hours	Escalation to Sr. Engineer & Account Manager
24 Hours	Escalation to CTG CTO

As additional resources are engaged, they will remain involved until the problem is resolved or a sufficient work-around is provided.

Tracking Performance

At the point of a ticket creation, at every point in the escalation procedure, and at ticket resolution, Town of Riverhead will be notified via e-mail. This notification will indicate the current status of the ticket, the current level of escalation, as well as the time at which the ticket will be escalated again. Upon request Town of Riverhead will receive a case-resolution report that includes a synopsis of the problem found, the resolution, and any intermediate ticket notifications.

Constraints

The SLA stated above excludes CTG’s ability to provide these services in the event that there are:

Circumstances beyond reasonable control, including, without limitation, acts of any governmental body, war, insurrection, sabotage, embargo, "Acts of God" (e.g., fire, flood, earthquake, tornado, etc.), strike or other labor disturbance, interruption of or delay in transportation, unavailability of or interruption or delay in telecommunications or third party services, failure of third party software or inability to obtain raw materials, supplies, or power used in or equipment needed for provision of the Service Level Agreement.

Town of Riverhead is responsible for notifying the CTG Priority Response Team in the event of any network configuration change that may affect CTG's ability to service Town of Riverhead with regard to this agreement. This includes configuration changes or upgrades to switches, routers, Virtualization and SAN Technologies, and the addition, deletion, or replacement of infrastructure equipment, such as switches, routers, servers and SAN Technology. Changes to the environment may result in additional charges.

Network and Datacenter Helpdesk

CTG's networking helpdesk was designed to help our customers meet the need of timely response for operational support related issues which arise while maintaining network and datacenter environments. In many instances, our customers choose to implement additional advanced features available within the network and datacenter environment during the systems lifetime and need access to engineering who can assist them with implementing these new features. This offering provides our customers with a predictable way to gain access to experienced engineers who are intimately familiar with their environment who can answer any questions they might have regarding the implementation of new features or for any component of on-going support.

Scope of Services

This service is offered as a remote helpdesk offering. Town of Riverhead IT staff will be able to dial into CTG's networking helpdesk to gain access to an engineer to assist with operational support issues which are not network down related

CTG has included unlimited networking and datacenter helpdesk support as part of this agreement with regards to networking and datacenter equipment, as specified in Appendix B.

Vendor Management

In many cases CTG clients rely on a number of external vendors to provide some level of ongoing support for certain aspects of their IT environment. These vendors range from custom software support organizations to Internet service providers who provide Internet access. Vendor Management is a key component of Assist 360 Basic which enables our customers to simplify the management of their vendors by providing a single number to call for IT support.

Typical vendors include:

- Internet Service Provider
- Hosting / Co-Location Provider
- IT Equipment
- Phone System
- Telco / Long Distance / Teleconferencing

The list of vendors CTG will manage under this agreement is included in Appendix –B- of this document.

Assumptions and Responsibilities

This scope of work is based on the following key assumptions:

- ▶ A member of Town of Riverhead IT staff will work with the CTG support team to associate all applicable Town of Riverhead Cisco SmartNet contracts to the CTG support alias. This will allow the CTG support team to open and escalate Cisco TAC cases on behalf of Town of Riverhead.
- ▶ Although CTG is not a Managed Security Services Provider, we will monitor the IDS/IPS hardware and maintain its operation. CTG will configure the IDS/IPS to send alerts when specific signatures are triggered as defined by the client. CTG will not monitor or analyze the alerts and/or logs for security breaches but will assist the client in the event they feel the alerts are showing a positive security breach.
- ▶ A member of Town of Riverhead IT staff will work with the CTG support team to associate all applicable Town of Riverhead Datacenter contracts to the CTG support alias. This will allow the CTG support team to open and escalate support cases on behalf of Town of Riverhead.
- ▶ A member of Town of Riverhead IT staff will be available to work with CTG's Network Engineering during the troubleshooting of a service impacting issue.
- ▶ CTG's Network and Datacenter Engineer will have physical or remote access to the core network and datacenter devices which will be reviewed and reconfigured as part of this contract.
- ▶ The Assist 360 Basic onsite agent will require a rack shelf and at least 4RU of rack space.
- ▶ Town of Riverhead agree to keep Assist 360 Basic in service for a minimum of 12 months upon signing this contract and turning up the service.
- ▶ Either party can cancel this contract for any reason given ninety (90) days notice. Notification of the contract termination needs to be submitted in writing. Prior to termination, payment must be made by Town of Riverhead for (i) all hourly-billed services incurred prior to the termination date, and (ii) for any monthly payments of the fixed annual contract (as described on page 12) due prior to the termination date; provided, however, that CTG will reimburse Town of Riverhead the prorated portion of the last monthly payment, based on the number of days between the termination date and the end of the applicable monthly period (such reimbursement to be made by check from CTG to Town of Riverhead within ten (10) days after the termination). If the contract is terminated, no additional payments will be required after the termination date.

-
- ▶ This scope of work, all other information associated with this scope of work and all information regarding Town of Riverhead's businesses which is considered by Town of Riverhead to be confidential or proprietary, including but not limited to, customer lists, product information, vendor information and other business and strategic information ("Confidential Information") provided by Town of Riverhead to CTG will be treated as confidential, and CTG agrees to make all necessary and appropriate efforts to safeguard the Confidential Information contained herein from disclosure during the term of this scope of work and thereafter for a period of one (1) year.

Services Pricing

CTG is presenting this solution to Town of Riverhead as a fixed fee that will be billed twice a year [starting 01.01.14] in the amount of \$7,446.00 for 3 years. There is also a balance of \$4,964.00 which will be due upon signing to cover [4] months of service for the remainder of this year [2013], starting on 09.01.13 and ending on 12.31.13

The total value of this agreement is \$49,640.00. This price is valid for 30 days from the date of this proposal.

The term of this agreement is from September 01, 2013 through December 31, 2016.

One-Time Setup Fee

CTG has agreed to waive the setup fee of \$1,815.00

Assist 360 Basic Setup Fee: \$0.00

Payment Schedule

CTG will invoice Town of Riverhead twice a year with the first quarter due upon execution of the agreement.

- Coverage 09.01.13 - 12.31.13 = \$4,964.00
- Coverage 01.01.14 - 12.31.16 = \$44,676.00

Agreement Acceptance

The parties have executed this statement of work, effective _____, 2013.

By: Converged Technology Group

By: Town of Riverhead

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Appendix –A-

Contact Information

Town of Riverhead Customer Contacts	Contact Information
Lori U Pipczynski	Phone: 631-727-3200 Ext. 280 Email: pipczynski@townofriverheadny.gov
CTG Contacts	Contact Information
Steven Schietel	Phone: 631-468-5716 Email: sschietel@convergedtechgroup.com
George Mouzithras	Phone: 631-468-5714 Email: gmouzithras@convergedtechgroup.com

Appendix –B-

Device Information

Location: Town Of Riverhead

Device Type	Qty	Monitoring Level
Workgroup Switches	24	ICMP/SNMP
Firewalls	2	ICMP/SNMP
WAN Routers	1	ICMP/SNMP
IPS	1	ICMP/SNMP
Vendor Management	6	
Storage Array	1	ICMP/SNMP
ESX Server Node	2	ICMP/SNMP
Application Servers	3	ICMP/SNMP

09.04.13
130639

ADOPTED

TOWN OF RIVERHEAD

Resolution # 639

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR PURCHASE OF ONE (1)
2012 OR 2013 NEW OR USED HONDA CIVIC NATURAL GAS VEHICLE FOR USE
BY THE TOWN OF RIVERHEAD SENIOR CITIZEN DEPARTMENT**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town of Riverhead Senior Citizen Department provides a host of activities, services, and support for the older residents of the Town of Riverhead, including but not limited to, nutritionally balanced meals offered either at the Senior Center or delivered by “meals on wheels” program; assistance for funding through Town of Riverhead and Suffolk County Office of the Aging for home aides, light housekeeping, and minor house repairs; blood pressure screening; and transportation for weekly food shopping, monthly banking and medical appointments and transportation to and from the Senior Center; and

WHEREAS, for the past year the Town of Riverhead Senior Citizen Department had use of a Honda Civic, natural gas vehicle (NGV) and utilized the vehicle for transportation of older residents for weekly food shopping, monthly banking and medical appointments and trips to and from the Senior Center; and

WHEREAS, the Senior Citizen Director reported that Senior Citizen Department staff members and senior residents expressed satisfaction with the ease of access, comfortable ride, spacious interior and good fuel economy offered by the Honda Civic (NGV); and

WHEREAS, Town of Riverhead Senior Citizen Department requested that the Town Board approve purchase of a new or used 2012 or 2013 Honda Civic Natural Gas Vehicle for the transportation of older residents for the purposes set forth above, and

WHEREAS, the Town of Riverhead supports use of natural gas which burns cleaner and does not emit nearly as many pollutants and green house gases when compared to petroleum products and desires to acquire, through the use of competitive bidding, one (1) 2012 or 2013 new or used Honda Civic natural gas vehicle for use by the Town Senior Citizen Department.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk is hereby authorized to publish and post the following notice to bidders in the September 12, 2013 issue of the News Review for proposals for one (1) 2012 or 2013 new or used Honda

Civic natural gas vehicle for use by the Town of Riverhead Senior Citizen Department;
and

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
NOTICE TO BIDDERS**

Sealed bids for **One (1) 2012 Or 2013 New Or Used Honda Civic Natural Gas Vehicle** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York until 11:00 a.m. on October 15, 2013 at which time they will be publicly opened and read aloud.

Bid specifications may be examined and/or obtained on September 12, 2013 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays, or by visiting the Town of Riverhead website at www.townofriverheadny.gov and click on Bid Requests.

Any and all exceptions to the specifications must be listed on the sheet provided in the Bid Specification at **VI. Exceptions to Specifications** and attached to the bid form.

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

All bids are to be submitted to the Town Clerk's Office, at the address stated above, in a sealed envelope bearing the designation "**ONE (1) 2012 OR 2013 NEW OR USED HONDA CIVIC NATURAL GAS VEHICLE**". 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 the date and time so specified.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

09.04.13
130640

ADOPTED

TOWN OF RIVERHEAD

Resolution # 640

**AUTHORIZES THE SUPERVISOR TO EXECUTE A MUSICAL WORKS
LICENSE AGREEMENT WITH SESAC LLC**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town of Riverhead plays pre-recorded music in the form of compact discs, digital video discs, cassettes, and other media in Town facilities and at Town events (e.g. the senior center, teen activities); and

WHEREAS, many of these musical works are protected by U.S. Copyright Law; and

WHEREAS, a municipality requires permission from the holders of such copyrights to use the musical works in a public forum; and

WHEREAS, SESAC LLC represents the holders of copyrights for many of such musical works; and

WHEREAS, SESAC LLC will provide a license granting permission to the Town of Riverhead to play all of the works of copyright holders SESAC LLC represents for a fee of \$652.00 for calendar year 2013.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached license agreement with SESAC LLC for the right to play pre-recorded music represented by SESAC LLC; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to SESAC LLC, 55 Music Square East, Nashville, TN, 37203; the Accounting Department; Parks and Recreation; Senior Citizen's Services and the 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.

THE VOTE

Giglio Yes No Gabrielsen Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No
The Resolution Was Thereupon Duly Declared Adopted

SESAC PERFORMANCE LICENSE for MUNICIPALITIES

Agreement made in New York by and between SESAC LLC ("SESAC"), a Delaware limited liability company, with offices at 55 Music Square East, Nashville, TN 37203 and

(Legal Name of Entity) Town of Riverhead ("LICENSEE")

(Billing Address) 200 Howell Avenue

(City, State, ZIP) Riverhead, NY 11901

Telephone: (631) 727-3200 Fax: (631) 727-6152 E-mail: mccormick@townofriverheadny.gov

SESAC and LICENSEE hereby mutually agree as follows:

1. GRANT OF RIGHTS: Effective as of **January 1, 2013** (the "Effective Date") SESAC grants to LICENSEE the non-exclusive right and license to publicly perform live or recorded non-dramatic renditions of the musical compositions, the performance rights to which SESAC controls and/or is empowered to license (the "Compositions") solely on and in connection with the following:

Name **Town of Riverhead**
Location **Riverhead, NY** (the "Municipality")

As used herein, "Municipality" shall include those locations owned, operated, and/or leased by LICENSEE which are used as governmental offices or for related purposes; those locations at which events are held under LICENSEE's sole control and attended by LICENSEE's employees, their families, social acquaintances, citizens, and other members of the public; and those areas owned, operated, and/or leased by LICENSEE which are under LICENSEE's sole control.

2. LIMITATIONS OF RIGHTS: The Rights granted pursuant to Paragraph 1 above shall specifically exclude:

A. the right to perform, broadcast, televise or otherwise transmit the Compositions to any location (unless and to the extent otherwise expressly permitted in Schedule "A");

B. the right to grant the Rights to any third party;

C. "Grand Rights" in and to the Compositions ("Grand Rights" include, but are not limited to, the right to perform in whole or in part, dramatico-musical and dramatic works in a dramatic setting);

D. performances of the Compositions (i) which are part of a background music service originating from any location including the Municipality, for which SESAC performance license fees are otherwise paid, regardless of the means by which such performances are transmitted on or to the Municipality, and/or (ii) by coin-operated phonorecord players ("jukeboxes"), as defined in 17 U.S.C. § 116.

E. This license shall specifically exclude concerts. "Concerts" are those performances by an entertainer, group, or performer for which an admission or other fee is charged and which are not solely promoted by LICENSEE.

F. This license shall specifically exclude "Sporting events." "Sporting events" are professional, semi-professional, major or minor league athletic competitions.

G. This license shall specifically exclude Colleges and/or Universities.

3. TERM OF LICENSE:

A. The term of the Agreement shall be for an initial period that commences upon the Effective Date and continues for a period of one (1) year (the "Initial Period"). ~~Thereafter, the Agreement shall automatically continue in full force and effect for successive additional periods of one (1) year ("Renewal Period(s)").~~ SESAC and /or LICENSEE shall have the right to terminate this Agreement as of the last day of the Initial Period or as of the last day of any Renewal Period(s) upon giving written notice to the other party by certified mail, return receipt requested, at least thirty (30) days prior to the commencement of any Renewal Period(s). The Initial Period and Renewal Period(s) are sometimes collectively referred to herein as the "Term."

B. Notwithstanding anything to the contrary contained herein, SESAC shall have the right to terminate this Agreement upon thirty (30) days written notice by reason of any law, rule, decree, or other enactment having the force of law, by any authority, whether federal, state, local, territorial or otherwise, which shall result in substantial interference in SESAC's operation or any substantial increase in the cost of conducting its business.

4. LICENSE FEE:

A. As consideration for the Rights granted herein, LICENSEE shall pay to SESAC the annual "License Fee" then in effect in accordance with the "Fee Schedule" set forth in Schedule "A" attached hereto.

B. In the event that SESAC is determined by the taxing authority or courts of any state, territory, or possession in which LICENSEE conducts its operation to be liable for the payment of a gross receipts, sales, use, business use or other tax which is based on the amount of SESAC's receipts from LICENSEE, then LICENSEE shall reimburse SESAC, within thirty (30) days of notification therefor, for LICENSEE's pro rata share of any such tax derived from receipts received from LICENSEE, unless by constitution or statute, LICENSEE is exempt from any such tax whether applied directly or indirectly to LICENSEE.

~~C. SESAC shall have the right to impose a late payment charge of one and one-half percent (1.5%) per month for any License Fee payment that is more than thirty (30) days past due. In the event that SESAC incurs any costs or fees in connection with the collection of any amounts past due to SESAC hereunder, including without limitation reasonable attorney's fees, then LICENSEE shall be responsible for paying such amounts to SESAC unless by constitution or statute, LICENSEE is exempt from any such charge whether applied directly or indirectly to LICENSEE.~~

D. Effective January 1 of each calendar year the License Fee Schedule may be increased by an amount (rounded to the nearest dollar) equivalent to the percent increase in the Consumer Price Index – All Urban Consumer (CPI-U) as published by the Bureau of Labor Statistics, U.S. Department of Labor, between the most recent October and the preceding October or five percent (5%), whichever amount is greater.

5. MISCELLANEOUS:

A. In the event LICENSEE fails to pay the License Fee when due or is otherwise in default of any other provision of this Agreement, then SESAC shall have the right to terminate this Agreement in addition to pursuing any and all other rights and/or remedies available if LICENSEE has not cured such breach within thirty (30) days following SESAC's written notice of such default.

B. SESAC shall have the right to withdraw from the scope of this License, upon written notice, the right to perform any musical composition licensed hereunder as to which any action has been threatened, instituted, or a claim made that SESAC does not have the right to license the performance rights in such composition.

C. This Agreement shall be binding upon and inure to the benefit of SESAC's and LICENSEE's legal representatives, successors, and assigns, but no assignment shall relieve SESAC or LICENSEE of their obligation under this Agreement.

D. This Agreement supersedes and cancels all prior negotiations and understandings between SESAC and LICENSEE in connection with the Municipality. No modification of this Agreement shall be valid or binding unless in writing and executed by SESAC and LICENSEE. If any part of this Agreement shall be determined to be invalid or unenforceable by a court of competent jurisdiction or by any other legally constituted body having the jurisdiction to make such determination, the remainder of this Agreement shall remain in full force and effect. No waiver of any breach of this Agreement shall be deemed a waiver of any preceding, continuing or succeeding breach of the same, or any other provision of this Agreement.

IN WITNESS THEREOF, the parties have caused this Agreement to be duly signed as of _____
Please insert today's date

LICENSEE Town of Riverhead

SESAC LLC

BY: _____

BY: _____

(please sign here)
Sean M. Walter

(Type or print name)

TITLE: Supervisor _____

TITLE: _____

Please mail signed license to:

SESAC
55 Music Square East
Nashville, TN 37203

Schedule "A"
MUNICIPALITY - 2013

I. Municipality. "Municipality," as used in the SESAC Performance License effective **January 1, 2013** (the "Agreement") to which this Schedule "A" is attached, shall be defined as the following Municipality:

Name **Town of Riverhead**
Location **Riverhead, NY** (the "Municipality")

II. Fee Schedule/License Fee.

A. The annual License Fee shall be based upon the "Population" of the Municipality as noted below:

<u>"Population"</u>	<u>License Fee for calendar year 2013</u>
25,000 or less	\$ 327
25,001 - 50,000	\$ 652
50,001 - 100,000	\$ 1,062
100,001 - 150,000	\$ 1,549
150,001 - 250,000	\$2,117
250,001 - 500,000	\$2,769
500,001 And over	\$3,504 + \$327 for each additional 100,000 population

Population: _____

This license will authorize **audio and/or audio/visual musical performances** (radio, records, tapes, compact discs, videocassettes, laser discs, television, and similar media), and **live musical performances**. This license will also authorize performances via **music on hold** systems operated by LICENSEE.

B. As used herein, "Population" shall mean the total population of the Municipality as of the most recent United States Census.

C. LICENSEE shall pay the License Fee to SESAC upon execution of this Agreement, with license fees due and payable in advance. The initial License Fee payment shall be a pro-rated amount calculated using the then current License Fee rate(s) from the Effective Date through the end of the current billing period. Subsequent payments shall be made annually in one (1) payment on or before the first day of January, for the billing period of January 1 through December 31 of each calendar year of the Term.

D. Upon execution of this Agreement, LICENSEE shall provide SESAC with a report detailing the Population as of the Effective Date. Thereafter, on or before October 1 of each calendar year, in the event that a change in the Population results in a change in fee category, LICENSEE shall submit an updated report of the Population. License fees will be adjusted effective the following January 1. SESAC retains the right to obtain these figures through United States Census Data and make appropriate adjustments to the License Fee.

E. Notwithstanding anything to the contrary contained in this Agreement, upon written notice to LICENSEE, SESAC shall have the right to adjust the rates set forth in the Fee Schedule. In the event that LICENSEE's License Fee increases as a result of such adjustment to the Fee Schedule, LICENSEE shall have the right to terminate this Agreement as of the date such increase is to take effect. LICENSEE must give SESAC written notice of such termination by certified mail, return receipt requested, not later than thirty (30) days after written notice of such increase is sent to LICENSEE by certified mail. This paragraph shall not apply to paragraph 4.D of the Agreement.

III. This Schedule is incorporated and made part of the Agreement. Unless otherwise indicated, all capitalized terms in this Schedule "A" shall have the same meaning as set forth in the Agreement.

Please do not detach, must accompany license
Please mail completed license to: SESAC, 55 Music Sq. E., Nashville, TN 37203

09.04.13
130641

ADOPTED

TOWN OF RIVERHEAD

Resolution # 641

**AUTHORIZES THE SUPERVISOR TO EXECUTE A RIDER
AGREEMENT FOR CONSULTANT/PROFESSIONAL SERVICES WITH
NEXTIRAONE, LLC D/B/A BLACK BOX NETWORK SERVICES**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, by Resolution #790 adopted by the Riverhead Town Board on October 19, 2010, the Supervisor was authorized to enter into an Amended Renewal Agreement with NextiraOne, LLC d/b/a Black Box Network Services for telephone service and maintenance at various Town buildings, which included a term period from November 1, 2012 to October 31, 2012; and

WHEREAS, by Resolution #856 adopted by the Riverhead Town Board on November 7, 2012, the Supervisor was authorized to execute a Rider Agreement which extended the term period of the Agreement ending October 31, 2012 from November 1, 2012 to February 28, 2013; and

WHEREAS, by Resolution #156 adopted by the Riverhead Town Board on February 20, 2013, the Supervisor was authorized to execute a Rider Agreement which extended the term period of the Agreement ending February 28, 2013 from March 1, 2013 to August 31, 2013; and

WHEREAS, such Rider Agreement with NextiraOne, LLC d/b/a Black Box Network Services requires an amendment to extend the term period from September 1, 2013 to February 28, 2014; and

WHEREAS, NextiraOne, LLC d/b/a Black Box Network Services is ready, willing and able to continue to provide maintenance of the subject buildings' telephone systems for a fee of \$10,418.20 for the period September 1, 2013 to February 28, 2014.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a Rider Agreement for Consultant/Professional Services with NextiraOne, LLC d/b/a Black Box Network in substantially the same form as annexed hereto and subject to review and recommendation by the Office of the Town Attorney; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to NextiraOne, LLC d/b/a Black Box Network Services, Attn: Patty Lewis, 122 E. 42nd Street, Suite 630, New York, NY 10168; 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

RIDER AGREEMENT FOR CONSULTANT/PROFESSIONAL SERVICES

This Rider Agreement made the _____ day of September, 2013, between the TOWN OF RIVERHEAD, a municipal corporation organized and existing under the laws of New York, with its office located at 200 Howell Avenue, Riverhead, New York 11901 (hereinafter referred to as "Town") and NextiraOne, LLC, d/b/a Black Box Network Services, with a principal place of business at 5050 Lincoln Drive, Suite 300, Minneapolis, MN 55436 (hereinafter referred to as "Consultant").

In consideration of the mutual promises herein contained, Town and Consultant agree as follows:

1. SCOPE OF SERVICES

Town and Consultant executed an Agreement regarding telephone service and maintenance on November 1, 2010, which included a term period from November 1, 2010 to October 31, 2012. Town and Consultant extended the term period of the above-referenced Agreement from November 1, 2012 to February 28, 2013. Town and Consultant extended the term period of the above-referenced Agreement from March 1, 2013 to August 31, 2013. Town and Consultant hereby mutually agree to extend the term period of the above-referenced Agreement from September 1, 2013 to February 28, 2014. Town and Consultant hereby agree that all of the terms and conditions incorporated in the Agreement ending October 31, 2012, with the exception of the pricing for maintenance services, shall be extended and in effect during this Rider period from September 1, 2013 to February 28, 2014, and such terms and conditions are incorporated by reference herein as if recited in their entirety herein. During the term of this Agreement, Consultant shall also furnish the services set forth in Schedule A attached hereto and made a part hereof. In the event of a conflict between this Rider Agreement and the attached Schedule A, this Rider Agreement shall control. These services are to be rendered by Consultant as an independent contractor and not as an employee of the Town.

2. TERM OF AGREEMENT

This Rider Agreement shall commence on September 1, 2013, and terminate on February 28, 2014.

3. PAYMENT

Town will pay Consultant in the amount of \$10,418.20 (TEN THOUSAND FOUR HUNDRED EIGHTEEN DOLLARS and TWENTY CENTS) for maintenance services payable within 60 days of receipt of a fully executed Rider Agreement and submission of a proper invoice with all attendant documentation. The Town shall not have any liability for any other expenses or costs incurred by Consultant. Invoices for services and reimbursable expenses shall contain the following statement signed by Consultant, or if this Rider Agreement is with a firm, an officer or authorized representative of the firm: "I hereby certify, to the best of my knowledge and belief, that this invoice is correct, and that all items invoiced are based upon actual costs incurred or services rendered consistent with the terms of the professional services agreement." Each invoice for reimbursable expenses shall be supported by: (a) an itemized description of expenses claimed; (b) pertinent information relative to the expenses; and (c) attached receipts. Invoices

shall reference this Rider Agreement or otherwise be identified in such a manner as Town may reasonably require.

4. RIGHTS TO DOCUMENTS OR DATA

All information and data, regardless of form, generated in the performance of, or delivered under this Rider Agreement, as well as any information provided to Consultant by Town, shall be and remain the sole property of Town. Consultant shall keep all such information and data in confidence and not disclose or use it for any purpose other than in performing this Rider Agreement, except with Town's prior written approval. In the event that the legal right in any data and information generated in the performance of this Rider Agreement does not vest in Town by law, Consultant hereby agrees and assigns to Town such legal rights in all such data and information. Final payment shall not be due hereunder until after receipt by Town of such complete document and data file, or a certification that there is no such information created by the services performed under this Rider Agreement, and receipt of all information and data which is the property of Town. These obligations shall survive the termination of this Rider Agreement.

5. PUBLICITY

Consultant shall not, without the prior written consent of Town, in any manner advertise or publish the fact that Town has entered into this Rider Agreement with Consultant. Consultant shall not, without the prior written consent of the Town, provide, release or make available for inspection any documents, data, written material of any kind without the prior written consent of at least three members of the Town board or by resolution of the Town Board.

6. ASSIGNMENT AND SUBCONTRACTING

Performance of any part of this Rider Agreement may not be subcontracted nor assigned without, in each case, the prior written consent of at least three members of the Town Board or by resolution of the Town Board.

7. RECORDS

Consultant shall keep accurate records of the time spent in the performance of services hereunder. The Town shall, until the expiration of seven years after final payment under this Rider Agreement, have access to and the right to examine any directly pertinent books, documents, papers and records of Consultant involving transactions related to this Rider Agreement.

8. CHANGES

The Town, by resolution of the Town Board or written request by at least three members of the Town Board, within the general scope of this Rider Agreement, may, at any time by written notice to Consultant, issue additional instructions, require additional services or direct the omission of services covered by this Rider Agreement. In such event, there will be made an equitable adjustment in price and time of performance, but any claim for such an adjustment must be made within 15 days of the receipt of such written notice. In the event that the Consultant determines that a change order is required, Consultant shall obtain written approval of the Town, by resolution or written consent of at least three members of the Town Board, and if

the change shall require the payment of additional compensation, Consultant must obtain the written approval of three members of the Town Board or resolution of the Town Board for the additional compensation prior to commencement of work regarding the change order. It is agreed and understood that no oral agreement, conversation, or understanding between the Consultant and the Town, its departments, officers, agents and employees shall effect or modify any of the terms or obligations of this Rider Agreement or schedules annexed hereto and made a part hereof.

9. NOTICES

Any notice shall be considered as having been given: (i) to Town of Riverhead if mailed by certified mail, postage prepaid to Town of Riverhead, Attention: Daniel P. McCormick, Esq., Deputy Town Attorney, 200 Howell Avenue, Riverhead, New York 11901; or (ii) to Consultant if mailed by certified mail, postage prepaid to NextiraOne, LLC, d/b/a Black Box Network Services, 5050 Lincoln Drive, Suite 300, Minneapolis, MN 55436, with a copy to Black Box Corporation, 1000 Park Drive, Lawrence, PA 15055, Attn: General Counsel.

10. COMPLIANCE WITH LAWS

Consultant shall comply with all applicable federal, state and local laws and ordinances and regulations in the performance of its services under this Rider Agreement. Consultant will notify Town immediately if Consultant's work for Town becomes the subject of a government audit or investigation. Consultant will promptly notify Town if Consultant is indicted, suspended or debarred. With the exception of Consultant's April 30, 2006, guilty plea to one count of wire fraud in the District of South Dakota arising from its participation in the E-Rate Program, a program supervised by the Federal Communications Commission ("FCC") to provide discounted telecommunications products and services to schools and libraries, Consultant represents that Consultant has not been convicted of fraud or any other felony arising out of a contract with any local, state or federal agency. In carrying out the work required hereunder, Consultant agrees not to make any communication to or appearance before any person in the executive or legislative branches of the local, state or federal government for the purpose of influencing or attempting to influence any such persons in connection with the award, extension, continuation, renewal, amendment or modification of any contract or agreement. Consultant may perform professional or technical services that are rendered directly in the preparation, submission or negotiation activities preceding award of a Town agreement/contract or to meet requirements imposed by law as a condition for receiving the award but only to the extent specifically detailed in the statement of work. Professional and technical services are limited to advice and analysis directly applying Consultant's professional and technical discipline.

11. INSURANCE, INDEMNITY AND LIABILITY

Consultant shall carry Comprehensive General Liability Insurance and, if applicable, worker's compensation insurance. Consultant hereby indemnifies and holds the Town, its departments, officers, agents and employees, harmless against any and all claims, actions or demands against Town, its departments, officers, agents and employees and against any and all damages, liabilities or expenses, including counsel fees, arising out of the acts or omissions of Consultant under this Rider Agreement.

12. CONFLICT OF INTEREST

Consultant hereby represents and covenants that neither it nor any of its employees or representatives has or shall have, directly or indirectly, any agreement or arrangement with any official, employee or representative of the Town of Riverhead which any such official, employee, representative shall receive either directly or indirectly anything of value whether monetary or otherwise as the result of or in connection with any actual or contemplated application before any department of the Town, contract with the Town for sale of any product or service. Consultant further represents and covenants that neither it nor any of its employees or representatives has offered or shall offer any gratuity to the Town, its officers, employees, agents or representatives with a view toward obtaining this Rider Agreement or securing favorable treatment with respect thereto. Consultant further represents that it will not engage in any activity which presents a conflict of interest in light of its relationship with Town.

13. DISCLOSURE

The Town shall have the right, in its discretion, to disclose the terms and conditions of this Rider Agreement (as it may be amended from time to time), including but not limited to amounts paid pursuant hereto, to agencies of the local, state and federal government.

14. DISPUTES

If Consultant fails to perform any of its obligations hereunder in accordance with the terms hereof, then after reasonable notice to Consultant not to exceed thirty (30) days, and an opportunity for Consultant to cure such failure (except in case of emergency), the Town may (but shall not be obligated to) cure such failure at the expense of the Consultant, and the amount incurred by the Town on demand. Notwithstanding the above, any dispute arising under this Rider Agreement which is not settled by agreement of the parties may be settled by appropriate legal proceedings, such venue being Suffolk County, New York. Pending any decision, appeal or judgment in such proceedings or the settlement of any dispute arising under this Rider Agreement, Consultant shall proceed diligently with the performance of this Rider Agreement in accordance with the decision of Town.

IN WITNESS WHEREOF, the parties hereto have executed this Rider Agreement as of the date first above written.

By: Sean M. Walter, Supervisor
Town of Riverhead

By:
Title:
NextiraOne, LLC,
d/b/a as Black Box Network Services

09.04.13
130642

ADOPTED

TOWN OF RIVERHEAD

Resolution # 642

AUTHORIZES THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH THE SURVIVAL RACE LLC FOR UTILIZATION OF TOWN POLICE PERSONNEL AND VEHICLES

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, The Survival Race, LLC has expressed its desire to enter into a license agreement with the Town of Riverhead for purposes of hosting a 5-K Survival Race, Obstacle Course and Mud Run (collectively the “events”) at 3180 Sound Avenue, Riverhead, New York, on the dates of Saturday, September 7, 2013 and Sunday, September 8, 2013; and

WHEREAS, the Town Board desires to grant the license to Survival Race LLC for those two days.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a License Agreement in substantially the form attached for the dates of September 7, 2013 and September 8, 2013; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to The Survival Race LLC, 3080 Route 112, Suite D, Medford, New York, 11763; 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
THE SURVIVAL RACE LLC FOR UTILIZATION OF TOWN POLICE
PERSONNEL AND VEHICLES**

This Agreement is made and entered into as of this _____ day of August, 2013 by and between The Survival Race LLC, a limited liability company existing under laws of the State of New York, having a principal place of business at 3080 Route 112, Suite D, Medford, New York 11763 and the Town of Riverhead, a municipal corporation with offices located at 200 Howell Avenue, County of Suffolk and State of New York:

WHEREAS, The Survival Race LLC, wishes to utilize the Town of Riverhead Police Department for the purposes of hosting a 5-K Survival Race, Obstacle Course and Mud Run (collectively the “events”) at 3180 Sound Avenue, Riverhead, New York on the dates of September 7, 2013 and September 8, 2013; and

WHEREAS, the Town of Riverhead has agreed to permit the utilization of police personnel and vehicles for the events on September 7, 2013 and September 8, 2013; and

WHEREAS, The Survival Race LLC, agreed to terms under which it will be granted the use of said personnel and vehicles of the Riverhead Police Department for traffic control.

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

1. Use of Property: the Town of Riverhead hereby grants The Survival Race, LLC permission to utilize two (2) uniformed police officers and two police vehicles to provide traffic control for the events commencing at 9:00

a.m. and ending at 3:00 p.m. on September 7, 2013 and September 8, 2013.

The Survival Race, LLC may not use any images of the police personnel and/or the police vehicles.

2. Cleanup: The Survival Race LLC agrees to provide cleanup and removal of any debris or props deposited by reason of its actions in connection with the agreement.

3. Compliance With Laws: The Survival Race LLC, agrees at all times 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.

4. Compensation: In exchange for police personnel and/or the police vehicles as set forth above, The Survival Race LLC, as required, will pay the Town \$157.67 per hour for the utilization of each police officer and \$10.00 per hour for the utilization of each police vehicle. The Survival Race LLC shall pay a sum of \$4,024.08 for utilization of two (2) police officers and two (2) police vehicles for a period commencing at 9:00 a.m. and continuing to 3:00 p.m. on September 7, 2013 and September 8, 2013. This sum shall be made payable to the Town of Riverhead and shall be paid at the time The Survival Race LLC signs this Agreement. On the dates of the events, The Survival Race LLC may request assistance from the police officers beyond 3:00 p.m. for the hourly rate listed above and the Town of Riverhead will use its best efforts to provide such assistance. Any

additional sums payable by The Survival Race LLC under this Agreement shall be made within 30 days of the date hereof.

5. Responsibilities of The Survival Race LLC: Subject to the terms of this Agreement, The Survival Race LLC, will be responsible for carrying out and shall have exclusive control of all operations associated with the events and related activities occurring upon the premises at 3180 Sound Avenue, Riverhead, New York. The Survival Race LLC, shall diligently and continuously engage in such cleanup efforts, if any, upon Sound Avenue so that the entrance/exit area to the events remains completely clean and free of clutter and debris.

6. Insurance and Indemnification: The Survival Race LLC, will be responsible for providing commercial general liability insurance in the amount of not less than \$2,000,000.00 with a company or companies reasonably satisfactory to the Town. The Survival Race LLC shall provide certificate(s) of the foregoing insurance, showing the Town of Riverhead as additional insured to the extent of their interest. Finally, The Survival Race LLC 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 events and related activities described herein, including actions, lawsuits, claims, 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 The Survival Race LLC and its employees, agents, representatives and concessionaires, except to the extent caused by the negligence or willful misconduct by the Town of Riverhead. With respect to any suit or claim by Town of Riverhead whether under this indemnification provision or otherwise, The Survival Race LLC 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.

7. 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.

8. 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.

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

In Witness Whereof, The Survival Race LLC has caused this instrument to be signed in its corporate name and 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.

The Survival Race LLC

By: _____
Name:

The Town of Riverhead

By: _____
Name: Sean M. Walter, Supervisor

09.04.13
130643

ADOPTED

TOWN OF RIVERHEAD

Resolution # 643

AWARDS BID FOR LIGHT POLES FOR MAIN STREET

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the Purchase of Street Light Poles for Main Street, Riverhead, New York; and

WHEREAS, six (6) bids were received, opened and read aloud on the 28th day of June, 2013 at 11:00 am in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the purchase of street light poles for Main Street, Riverhead be and is hereby awarded to Kelly and Hayes Electrical Supply of LI, Inc. in the amount of Fifty Nine Thousand Six Hundred Forty and 00/100 (\$59,640.00); and

BE IT FURTHER RESOLVED, that the Town Board be and does hereby authorize the Town Clerk to return any and all bid bonds received in connection with the above; and

BE IT FURTHER RESOLVED, that the Town Board be and does hereby authorize the Engineering Department to secure a Town of Riverhead purchase order from the Purchasing Department in the amount of \$59,640.00; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Kelly & Hayes Electrical Supply of LI, Inc., 66 Southern Blvd, Nesconset, NY 11767, Engineering Department, Chris Kempner, Director, Community Development, Purchasing Department, IT Department and the Office of Accounting.

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

09.04.13
130644

ADOPTED

TOWN OF RIVERHEAD

Resolution # 644

**GRANTS LAND CLEARING PERMIT TO RIVERHEAD CHARTER SCHOOL
AS PROVIDED BY CHAPTER 62 OF THE RIVERHEAD TOWN CODE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Riverhead Charter School is the owner of the subject property located at 3685 Middle Country Road, Calverton, New York, further described as Suffolk County Tax Map Number 0600-99.-02-09.01; and

WHEREAS, Karalisa Grundner, AIA, of BBS Architects, Landscape Architects, and Engineers, PC, as agent for the Riverhead Charter School, has petitioned the Town Board for a Excavation/Land Clearing Permit, pursuant to Chapter 62 of the Riverhead Town Code, for the exportation of 4,075 cubic yards of soil in connection with the construction of a two-story school building as depicted on a survey last dated February 27, 2013, prepared by BBS Architects Landscape Architects and Engineers, PC; and

WHEREAS, the Town Board has reviewed and considered the application for the aforementioned Excavation/Land Clearing Permit; and

WHEREAS, the applicant's engineers, Cragolin Engineering & Design Associates, DPC, has submitted a report dated August 21, 2013, indicating a total of 4,075 cubic yards of soil to be exported from the site and such removal of materials will be supported by a manifest from the owner and approved by the Town of Riverhead Engineering and Building Departments.

NOW THEREFORE BE IT RESOLVED, that based upon the foregoing, the Town Board hereby grants the Excavation/Land Clearing Permit requested by the applicant, such Excavation/Land Clearing Permit authorizing the exportation of not more than 4,075 cubic yards of soil in accordance with the application and calculations of Cragolin Engineering & Design Associates, DPC, pursuant to map submitted with the application for excavation dated February 27, 2013; and be it further

RESOLVED, the Building Department is hereby authorized to accept and collect all excavation permit fees concurrently with the issuance of a Building Permit, in the amount of Eight Thousand One Hundred Fifty (\$8,150.00) Dollars calculated at \$2.00 per cubic yard for the exportation of said soils, in addition to a permit fee of \$100.00; be it further

RESOLVED, that the Excavation/Land Clearing Permit is conditioned upon specific hours of operation, between the hours of 7:00 a.m. and 5:00 p.m. specifically, and Monday through Saturday only; and be it further

RESOLVED, that the applicant grants permission to the Town of Riverhead to randomly oversee the exportation of said soils and to enter upon the site to perform soil boring tests, if necessary, during the construction of the said project; and be it further

RESOLVED, that upon conclusion of the excavation operations, that the applicant's engineer will provide certification to the Building Department confirming the total of 4,075 cubic yards was removed from the property; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Karalisa Grundner, AIA, of BBS Architects, Landscape Architects, & Engineers, PC., 244 E Main Street, Patchogue, New York 11772; 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 # 645

**DENIES PERMIT/EXEMPTION APPLICATION OF DRIFTWOOD FAMILY FARMS LLC
UNDER CHAPTER 62 "EXCAVATIONS" OF THE RIVERHEAD TOWN CODE**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, Driftwood Family Farms, LLC, is the owner of real property located at 3795 Middle Country Road, Calverton, New York, said property being further described as Suffolk County Tax Map Numbers 0600-117.00-01.00-003.000 (the "premises"); and

WHEREAS, Driftwood Family Farms, LLC, purchased the premises on or about July 2012; and

WHEREAS, by application dated January 29, 2013 Driftwood Family Farms, LLC, has petitioned the Town Board, in the alternative for a Chapter 62 permit or for an exemption for agricultural production under Chapter 62 of the Town Code of the Town of Riverhead for the exportation and importation of materials from and to the premises with a net exportation of 415,160 cubic yards of materials from the premises (the "Chapter 62 Application"); and

WHEREAS, Driftwood Family Farms, LLC alleges that the net removal of 415,160 cubic yards of materials from the premises is related to or incidental to the harvesting of crops or such other agricultural production; and

WHEREAS, as part of the Chapter 62 Application, Driftwood Family Farms, LLC submitted a Conservation Plan from the Natural Resources Conservation Services dated January 29, 2013 (the "NCRS Plan"); and

WHEREAS, the NCRS Plan at page 1 describes the project as a "massive land reclamation project on this farm to make it more farmable"; and

WHEREAS, the NCRS Plan at page 1 elaborates further that, "A good portion of the soil is very sandy and not suitable for cultivation. The topography is very steep and cultivation would subject it to potential erosion problems"; and

WHEREAS, Driftwood Family Farms, LLC, has acknowledged that prior to purchasing the premises it was aware of and had knowledge of the existing conditions of the premises and the limitations it presented for farming; and

WHEREAS, Driftwood Family Farms, LLC, has further acknowledged that the application for removal of soils was intended to supplement lands that it owns in Orient which sustained damage during Sandy in 2012; and

WHEREAS, the New York State Department of Agriculture and Markets has reviewed the application and by correspondence dated August 2013 from Bob Somers, PhD., has determined that the removal of the soils was not in aid of agricultural activities; and

WHEREAS, the Town Board has reviewed and considered the Chapter 62 Permit/Exemption Application dated January 29, 2013.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby denies the Chapter 62 Permit/Exemption Application of Driftwood Family Farms, LLC; and be it further

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

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the 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 TABLED

09.04.13
130646

ADOPTED

TOWN OF RIVERHEAD

Resolution # 646

APPROVES THE CHAPTER 90 APPLICATION OF MARIANNE KATUSHA
(Poker Bike Run Fundraiser Event at
Riverhead Elks Lodge #2044 - September 21, 2013)

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, on August 15, 2013, Marianne Katusha submitted a Chapter 90 Application for the purpose of conducting a fundraiser to support and defer the costs of hospice and lung cancer care for Thomas Jasinski, a local Riverhead resident and veteran of the Riverhead Fire Department, to be held at the Riverhead Elks Lodge located at 1239 East Main Street, Riverhead, New York, on Saturday, September 21, 2013 between the hours of 9:00 a.m. and 11:00 a.m. and 1:00 p.m. and 3:00 p.m.; and

WHEREAS, the applicant submitted and completed a Short Environmental Assessment Form pursuant to 6 NYCRR Part 617 identifying the potential adverse environmental impacts of the event; and

WHEREAS, the applicant has requested the Chapter 90 Application fee for this event be waived; and

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

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

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

RESOLVED, that this event shall be subject to the provisions of Chapter 46 (Alcoholic Beverages) of the Riverhead Town Code; and be it further

RESOLVED, that the sale and/or consumption of alcoholic beverages shall be contained within the Lodge and shall be strictly prohibited outdoors at this event; and be it further

RESOLVED, that there shall be no music played out of doors before 12:30 p.m. or after 5:30 p.m. on the day of the event, including music played from vehicles; and be it further

RESOLVED, that due to the nature and purpose of this event, the Town Board of the Town of Riverhead hereby waives the Chapter 90 Application fee ; and be it further

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

RESOLVED, that any necessary tent permits must be obtained and the tent installation and all electric shall comply with the applicable requirements of the NFPA Life Safety Code (NFPA 101), the NFPA Temporary Membrane Structures/Tents (NFPA 102), the Fire Code of New York State and the Building Code of New York State; and be it further

RESOLVED, that should the conditions of this approval be violated that the Riverhead Police Department shall have the authority to revoke the permit and require the public to vacate the premises; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Marianne Katusha, 67 Grove Drive, Riverhead, New York, 11901; and be it

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

09.04.13
130647

ADOPTED

TOWN OF RIVERHEAD

Resolution # 647

**APPROVES THE CHAPTER 90 APPLICATION OF GEORGE M. BARTUNEK
(15th Annual Antique Car Show – September 29, 2013)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, on August 15, 2013, George M. Bartunek submitted a Chapter 90 Application for the purpose of conducting an Antique Car Show to be held at the Hallockville Farm Museum, located at 6038 Sound Avenue, Riverhead, New York, on Sunday, September 29, 2013, having a rain date of Sunday, October 6, 2013, between the hours of 9:00 a.m. and 4:00 p.m.; and

WHEREAS, George M. Bartunek has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

WHEREAS, the applicant has requested that the applicable Chapter 90 Application Fee be waived due to its not-for-profit status; and

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

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

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

RESOLVED, that the Chapter 90 Application of Hallockville Inc. for the purpose of conducting an Antique Car Show to be held at the Hallockville Farm Museum, located at 6038 Sound Avenue, Riverhead, New York, on Sunday, September 29, 2013, having a rain date of Sunday, October 6, 2013, between the hours of 9:00 a.m. and 4:00 p.m., is hereby approved; and be it further

RESOLVED, that approval for this event shall be subject to the following:

G:\090413\647 - TA HallockvilleAntiqueCarShow2013.doc

- Receipt of required Suffolk County Department of Health Vendors Temporary Food Service Permit;
- Receipt of required Emergency Medical Services (EMS) information;

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

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the Chapter 90 Application fee due to the applicant's not-for-profit status; and be it further

RESOLVED, that the necessary tent permit must be obtained and the tent installation and all electric shall comply with the applicable requirements of the NFPA Life Safety Code (NFPA 101), the NFPA Temporary Membrane Structures/Tents (NFPA 102) and the Fire Code of New York State and the Building Code of New York State; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to George M. Bartunek, 21 Silver Beech Lane, Calverton, New York, 11931; 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 <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

09.04.13
130648

ADOPTED

TOWN OF RIVERHEAD

Resolution # 648

APPROVES THE CHAPTER 90 APPLICATION OF HALLOCKVILLE INC.
(33rd Annual Fall Festival – September 14th and 15th, 2013)

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, on July 26, 2013, Hallockville Inc. submitted a Chapter 90 Application for the purpose of conducting their “33rd Annual Fall Festival” to be held at the Hallockville Farm Museum, located at 6038 Sound Avenue, Riverhead, New York, on Saturday, September 14th, 2013 and Sunday, September 15th, 2013, between the hours of 10:00 a.m. and 5:00 p.m.; and

WHEREAS, Hallockville Inc. has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

WHEREAS, a certificate of insurance (general liability only) has been received naming the Town of Riverhead as an additional insured; and

WHEREAS, the applicant has requested the Chapter 90 Application fee be waived due to its not-for-profit status; and

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

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

RESOLVED, that the Chapter 90 Application of Hallockville Inc. for the purpose of conducting their “33rd Annual Fall Festival” to be held at the Hallockville Farm Museum, located at 6038 Sound Avenue, Riverhead, New York, on Saturday, September 14th, 2013 and Sunday, September 15th, 2013, between the hours of 10:00 a.m. and 5:00 p.m., is hereby approved; and be it further

RESOLVED, that the Riverhead Town Board hereby waives the Chapter 90

Application fee for this event due to the applicant's not-for-profit status; and be it further

RESOLVED, that approval for this event shall be subject to the following:

- Receipt of required Suffolk County Department of Health Vendors Temporary Food Service Permit;
- Receipt of required Emergency Medical Services (EMS) information; and
- Receipt of a Certificate of Insurance evidencing liquor liability having adequate limits acceptable to the Town Attorney **no later than September 11, 2013**; and be it further

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

RESOLVED, that this approval is subject to receipt of an Outdoor Public Safety Plan, to be submitted to the Fire Marshal's office **no later than September 11, 2013**; and be it further

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

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Hallockville, Inc, 6038 Sound Avenue, Riverhead, New York, 11901; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the 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

09.04.13
130649

ADOPTED

TOWN OF RIVERHEAD

Resolution # 649

**APPROVES EXTENSION TO LICENSE AGREEMENT WITH
WADINGTON REALTY CORP.**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, by Resolution # 219 adopted on March 17, 2009, the Town Board of the Town of Riverhead authorized the Deputy Supervisor to execute a License Agreement with Wadington Realty Corp. to utilize Town of Riverhead parking facilities; and

WHEREAS, on or about April 17, 2009, a License Agreement was entered into between the Town of Riverhead and Wadington Realty Corp. for a term beginning on May 1, 2009 and ending on May 1, 2010; and

WHEREAS, under that License Agreement, the term of the Agreement may be renewed each year upon written request made by Wadington Realty Corp.; and

WHEREAS, Wadington Realty Corp. has requested in writing that the License be renewed for one year from May 1, 2013 to May 1, 2014 ; and

WHEREAS, Wadington Realty Corp. has submitted payment in the sum of \$2,250.00 as required under the License Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby grants the extension requested by Wadington Realty Corp. for one year beginning on May 1, 2013 and ending on May 1, 2014;

RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to Wadington Realty Corp. 131 Creek Road, Wading River, NY, 11792; 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 - ABSTAIN

The Resolution Was Thereupon Duly Declared Adopted

09.04.13
130650

ADOPTED

TOWN OF RIVERHEAD

Resolution # 650

APPROVES CHAPTER 90 APPLICATION OF THE SURVIVAL RACE, LLC
(September 7th and 8th, 2013)

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, on March 19, 2013, James Villepigue of Survival Race, LLC, submitted a Chapter 90 Application for the purpose of conducting a family focused 5K Run, obstacle course and Mud Run, to include a food concession, music and the sale and service of alcoholic beverages, to be held at the Cornell Cooperative Extension of Nassau County property a/k/a 4-H Camp, located at 3186 Sound Avenue, Riverhead, New York, on Saturday, September 7, 2013 and Sunday, September 8, 2013, between the hours of 9:00 a.m. and 3:00 p.m.; and

WHEREAS, James Villepigue has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

WHEREAS, the applicant has paid the applicable Chapter 90 Fee; and

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

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

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

RESOLVED, that the application of James Vullepigue of Survival Race, LLC for the purpose of conducting a family focused 5K Run, obstacle course and Mud Run, to include a food concession, music and the sale and service of alcoholic beverages, to be held at the Cornell Cooperative Extension of Nassau County property a/k/a 4-H Camp, located at 3186 Sound Avenue, Riverhead, New York, on Saturday, September 7, 2013

and Sunday, September 8, 2013, between the hours of 9:00 a.m. and 3:00 p.m., is hereby approved; and be it further

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

RESOLVED, that this approval is subject to receipt of a fully executed license agreement, together with the requisite license fee as stated in said license agreement , for purposes of the utilization of Police personnel and patrol vehicles, **no later than September 4, 2013**; and be it further

RESOLVED, that this approval is subject to receipt of an Outdoor Public Safety Plan, to be submitted to the Fire Marshal’s office no later than August 1, 2013; and be it further

RESOLVED, that a certificate of insurance has been received naming all property owners having right, title and interest to Farm Terry Road, as additional insured’s; and be it further

RESOLVED, that any necessary tent permit(s) must be obtained and the tent installation and all electric shall comply with the applicable requirements of the NFPA Life Safety Code (NFPA 101), the NFPA Temporary Membrane Structures/Tents (NFPA 102) and the Fire Code of New York State and the Building Code of New York State; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to James Villepigue, 3080 Route 112, Suite D, Medford, New York, 11763; 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

09.04.13
130651

ADOPTED

TOWN OF RIVERHEAD

Resolution # 651

**RATIFIES REAPPOINTMENT OF MEMBER TO THE
TOWN OF RIVERHEAD ETHICS BOARD**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, on November 16, 2004, the Town Board adopted Chapter 18 “Code of Ethics” of the Town Code of the Town of Riverhead; and

WHEREAS, Chapter 18-§§18-18 (A) and (B) of the Code of Ethics authorized the Town Board to appoint five individuals, no more than two individuals from the same political party, to the Ethics Board; and

WHEREAS, pursuant to the provisions of the Code of Ethics, Chapter 18-§18-18(E) the members of the Board of Ethics are to serve staggered terms;

WHEREAS, Jeanmarie Costello was first appointed on June 1, 2011 for a two year term and has been held over since June 1, 2013 to the present; and

WHEREAS, the Town Board wishes to ratify the reappointment of Jeanmarie Costello for a two year term such that the term will be deemed to have commenced on June 1, 2013 and will expire on June 1, 2015;

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby reappoints Jeanmarie Costello to the Town of Riverhead Board of Ethics for a two year term deemed to have commenced on June 1, 2013 and will expire on June 1, 2015; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Jeanmarie Costello, 836 Pond View Road, 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.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

09.04.13
130652

ADOPTED

TOWN OF RIVERHEAD

Resolution # 652

**AUTHORIZES THE RELEASE OF SITE PLAN SECURITY OF
JONTORI ENTERPRISES, LTD.**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Jontori Enterprises Ltd. posted cash security (Capital One Bank Cashier's Check #7000197975 dated August 26, 2011) in the sum of Three Thousand Five Hundred Dollars (\$3,500.00) representing the 100% site plan security in connection with Riverhead Planning Board Resolution #31-2010, dated May 6, 2010, for the demolition of an existing one story building and to construct a 2,500 sq. ft. one story retail building associated improvements, upon real property located at 427-429 Pulaski Street, Riverhead, New York, further described as Suffolk County Tax Map #0600-128-1-5, pursuant to Section 108-133 (l) of the Riverhead Town Code; and

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction resulting in the issuance of Certificate of Occupancy #25169 and the Planning Department is satisfied with the completed site improvements.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the aforementioned site plan security in the sum of \$3,500.00; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Jontori Enterprises Ltd., 230 Hamilton 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 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

09.04.13
130653

ADOPTED

TOWN OF RIVERHEAD

Resolution # 653

2013 GENERAL FUND
POLICE
BUDGET ADJUSTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Police Chief is requesting a transfer of funds for Uniform replacement.

NOW THEREFORE BE ITRESOLVED, that the Riverhead Town Board authorizes the following budget adjustment:

		<u>FROM</u>	<u>TO</u>
001.031200.524912	Scuba Gear Equipment	3,000	
001.031200.542405	Uniform Replacement		3,000

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting Department.

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

09.04.13
130654

ADOPTED

TOWN OF RIVERHEAD

Resolution # 654

AUTHORIZES THE SUPERVISOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH CONVERGED TECHNOLOGY GROUP, INC. (CTG) FOR LAN INFRASTRUCTURE UPGRADE

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, Converged Technology Group, Inc. (CTG) has provided professional services to the Town of Riverhead in the past which consisting of the installation and configuration of VMWare (software) and Cisco hardware for a Virtual Desktop solution in Phases; and

WHEREAS, Converged Technology Group, Inc. (CTG) has proposed to provide professional services to provide for the upgrade of the LAN Infrastructure of the Town of Riverhead as outlined in proposal dated August 19, 2013 for a fixed price of \$26,366.00; and

WHEREAS, Converged Technology Group, Inc. (CTG) has identified as a solution that it achieve the following goals: detailed configuration review and planning; implement one (1) Cisco Catalyst 4510 Data Center Switch; implement two (2) Cisco Catalyst 3850 Server Access Switches; implement six (6) Cisco Catalyst 2960X Access Switches; migrate two (2) Cisco Catalyst 2960S access switches from Town Hall West; and provide First Day in Service (FDiS) support for each of four (4) cutover events; and

WHEREAS, the IT Department has recommended that CTG be approved by the Town Board of Riverhead for the upgrade of the LAN Infrastructure; and

WHEREAS, CTG is an approved New York State Vendor for said professional services.

NOW THEREFORE BE IT RESOLVED, that the Town Board be and hereby agrees to the terms and conditions of the scope of work by CTG for the LAN Infrastructure Upgrade as set forth in the Statement of Work dated August 19, 2013; and be it further

RESOLVED, that the Town Board be and hereby authorizes the Supervisor to execute a Professional Services Agreement with CTG for LAN Infrastructure Upgrade for a fixed sum not to exceed \$26,366.00, which Professional Services Agreement shall

be in a form determined to be satisfactory and acceptable to the Town Attorney; and be it further

RESOLVED, that Town Clerk the Town Clerk be and is hereby directed to forward a certified copy of this resolution to CTG, 1377 Motor Parkway, Suite 402, Islandia, New York 11749; 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

09.04.13
130655

ADOPTED

TOWN OF RIVERHEAD

Resolution # 655

AUTHORIZATION TO PUBLISH ADVERTISEMENT OF A REQUEST FOR PROPOSALS FOR SALE AND/OR SALE WITH OPTION FOR TOWN TO LEASE REAL PROPERTY LOCATED AT 24 EAST SECOND STREET, RIVERHEAD, NY (SCTM# 600-128-5-25)

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town of Riverhead owns property located at 24 East Second Street, Riverhead, NY, SCTM# 600-128-5-25 ("Subject Property"),and

WHEREAS, the Town has evaluated several town-owned parcels and buildings for possible sale or renovation, including 24 East Second Street, Riverhead, NY, in an effort to centralize government services and/or provide space to meet the demands of Town programs, departments, and personnel; and

WHEREAS, in order to evaluate possible sale or renovation, the Town seeks to issue a Request for Proposals for the sale and/or sale with option for Town to lease a portion of the subject property.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached Request for Proposals for Sale and/or Sale with option to Lease Real Property Located at 24 East Second Street, Riverhead, NY in the September 12, 2013 issue of the News Review newspaper; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the Engineering Department, Purchasing Department, IT Department and the Office of Accounting; 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

NOTICE TO BIDDERS

TAKE NOTICE that sealed proposals will be received by the Office of the Town Clerk at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on or before **October 22, 2013 at 11:00 am**, prevailing time, for:

REQUEST FOR PROPOSALS

The Town of Riverhead is seeking proposals for **SALE AND/OR SALE WITH OPTION FOR TOWN TO LEASE REAL PROPERTY LOCATED AT 24 EAST SECOND STREET, RIVERHEAD, NY (SCTM# 600-128-5-25)**.

Specifications and guidelines for submission of proposals are available on the Town website at www.townofriverheadny.gov, click on Bid Requests, or at the Office of the Town Clerk and may be picked up between the hours of 8:30 am and 4:30 pm Monday through Friday, beginning **September 12, 2013**.

The Town is scheduling a **Mandatory Pre-Bid Meeting and Inspection** for September 25, 2013 at 11:00 am. The Mandatory Pre-Bid Meeting will be held at Town Hall Auditorium, 200 Howell Avenue, Riverhead, NY followed by inspection at the site of the Second Street Firehouse, Riverhead, New York. Note, the failure to attend the Mandatory Pre-Bid Meeting and Inspection will result in disqualification of the bidder. (See Bid Specifications "Instructions to Bidders").

Each RFP Proposal must be submitted in a sealed envelope clearly marked "**SALE AND/OR SALE WITH OPTION FOR TOWN TO LEASE REAL PROPERTY LOCATED AT 24 EAST SECOND STREET**". Proposals must be received by the Office of the Town Clerk by no later than **11:00 am on October 22, 2013**.

This RFP is not an offer or a binding commitment to contract on the part of the Town. The Town retains the right to postpone or cancel the RFP or to reject all proposals, if the Town determines, in its sole discretion, that the best interests of the Town will be served thereby.

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

09.04.13
130656

ADOPTED

TOWN OF RIVERHEAD

Resolution # 656

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE
TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED
“ACCESSORY APARTMENTS” OF THE RIVERHEAD TOWN CODE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice to consider a proposed local law to amend Chapter 108 entitled “Accessory Apartments” of the Riverhead Town Code once in the September 12, 2013 issue of the News-Review, the newspaper hereby designated as the official newspaper for this purpose, and post same on the sign board at Town Hall; 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
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 17th day of September, 2013 at 7:25 o'clock p.m. to consider a local law amending Chapter 108 entitled "Accessory Apartments" of the Riverhead Town Code as follows:

Article VIII. Accessory Apartments

§ 108-37. Accessory Apartment Committee~~Review Board~~Application Review Process

- D. All applications made to the Committee~~Board~~ shall be in writing, on forms prescribed by the Committee~~Board~~. ~~The Accessory Apartment Committee Review Board shall fix a reasonable time for the hearing of the application and give public notice thereof, as well as due notice to the applicant. The applicant shall mail notice of the hearing posted at least seven days prior to the date of the public hearing by either certified or registered mail, return receipt requested, to every property owner, as shown on the current Riverhead assessment rolls, owning property immediately adjacent and contiguous to that of the applicant. For purposes of this section, property separated from that of the application by a public road or right of way shall be deemed contiguous.~~
- E. The following shall be submitted with such application:
- ~~(1)~~ (1) A copy of the notice sent to property owners.
 - ~~(2)~~ (2) A list, in duplicate, containing the names and addresses of the owners to whom notices were sent.
 - ~~(3)~~ (3) Return receipts.
 - ~~(4)~~ (4) An affidavit of mailing of the aforesaid notices.
 - ~~(5)~~ (1) A valid certificate of occupancy issued at least three years prior to the date of application.
 - ~~(6)~~ (2) Proof of ownership.
 - ~~(7)~~ (3) Proof of residency.
 - ~~(8)~~ (4) Personal identification.
 - ~~(9)~~ (5) Three surveys giving the exact description and location of property with all existing and proposed structures and setback from all property lines.

Underline represents addition(s)
Strikethrough represents deletion(s)

Dated: Riverhead, New York
September 4, 2013

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

09.04.13
130657

ADOPTED

TOWN OF RIVERHEAD

Resolution # 657

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO
CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN
CODE ENTITLED "ZONING"
(Parking Schedule - §108 Attachment 1:2)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

RESOLVED, that the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (Parking Schedule - §108 Attachment 1:2) once in the September 12, 2013 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; 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
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York on the 1st day of October, 2013 at 2:10 o'clock p.m. to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled "Zoning" (Parking Schedule - §108 Attachment 1:2) as follows:

RIVERHEAD CODE

Number of Parking Use	Minimum Spaces
Any public assembly area without fixed seats	1 per 100 square feet of floor area
Elementary schools	1 per classroom
Office buildings ¹	1 per 150 <u>200</u> square feet of floor area
Restaurants	1 per 3 seats
Retirement community	1 ½ per dwelling unit
Marinas	1 per every 2 boat slips or mooring stations
Retail stores ¹	1 per 200 <u>250</u> square feet of floor area
Industrial or manufacturing establishments ¹	1 per each 2 employees, computed on the basis of the greater number of persons to be employed at peak employment, but not less than 1 per 400 square feet of floor area
Any commercial or business use not otherwise expressly provided for ¹	1 per 300 square feet of floor area

¹Refer to the definition of "floor area, commercial" w set forth in § 108-3 for computation of floor area and which areas may be excluded.

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

Dated: Riverhead, New York
September 4, 2013

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution #658

AUTHORIZATION TO PUBLISH ADVERTISEMENT OF A REQUEST FOR PROPOSALS FOR SALE AND/OR SALE WITH OPTION FOR TOWN TO LEASE REAL PROPERTY LOCATED AT 542 EAST MAIN STREET, RIVERHEAD, NY (SCTM# 600-129-3-35.2)

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town of Riverhead owns property located at 542 East Main Street, Riverhead, NY, SCTM# 600-129-3-35.2 ("Subject Property"); and

WHEREAS, the Town has evaluated several town-owned parcels and buildings for possible sale or renovation, including 542 East Main Street, Riverhead, NY, in an effort to centralize government services and/or provide space to meet the demands of Town programs, departments, and personnel; and

WHEREAS, in order to evaluate possible sale or renovation, the Town seeks to issue a Request for Proposals for the sale or lease of the subject property.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached Request for Proposals for Sale and/or Sale with Option for Town to Lease Real Property Located at 542 East Main Street, Riverhead, NY in the September 12, 2013 issue of the News Review newspaper; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the Engineering Department, Purchasing Department, IT Department and the Office of Accounting; 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

NOTICE TO BIDDERS

TAKE NOTICE, that sealed proposals will be received by the Office of the Town Clerk at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on or before **October 22, 2013 at 11:05 o'clock am**, prevailing time, for:

REQUEST FOR PROPOSALS

The Town of Riverhead is seeking proposals for **SALE AND/OR SALE WITH OPTION FOR TOWN TO LEASE REAL PROPERTY LOCATED AT 542 EAST MAIN STREET, RIVERHEAD, NY (SCTM# 600-129-3-35.2)**.

Specifications and guidelines for submission of proposals are available on the Town website at www.townofriverheadny.gov click on bids or at the Office of the Town Clerk and may be picked up between the hours of 8:30 am and 4:30 pm, Monday through Friday, beginning **September 12, 2013**.

The Town is scheduling a **Mandatory Pre-Bid Meeting and Inspection** for September 25, 2013 at 9:30 am. The Mandatory Pre-Bid Meeting will be held at Town Hall Auditorium, 200 Howell Avenue, Riverhead, NY followed by inspection at the site of the Second Street Firehouse, Riverhead, New York. Note, the failure to attend the Mandatory Pre-Bid Meeting and Inspection will result in disqualification of the bidder. (See Bid Specifications "Instructions to Bidders").

Each proposal must be submitted in a sealed envelope clearly marked "**SALE AND/OR SALE WITH OPTION FOR TOWN TO LEASE REAL PROPERTY LOCATED AT 542 EAST MAIN STREET, RIVERHEAD, NY**". Proposals must be received by the Office of the Town Clerk by no later than **11:05 am on October 22, 2013**.

This RFP is not an offer or a binding commitment to Lease/Contract on the part of the Town. The Town retains the right to postpone or cancel the RFP or to reject all proposals if the Town determines, in its sole discretion, that the best interests of the Town will be served thereby.

BY ORDER OF THE TOWN BOARD

TOWN OF RIVERHEAD

Diane M. Wilhelm, TOWN CLERK

09.04.13
130659

ADOPTED

TOWN OF RIVERHEAD

Resolution # 659

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED "ZONING" (Non—disturbed transitional yards and screening.)

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

RESOLVED, that the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" once in the September 12, 2013 issue of the News- Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; 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
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 1st day of October, 2013 at 2:15 o'clock p.m. to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled "Zoning" as follows:.

Chapter 108
ZONING

**Article XLVI
Destination Retail Center (DRC) Zoning Use District**

§108-259. Lot, yard, bulk and height requirements.

- A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.
- B. No individual retail store shall have a floor area of less than 10,000 square feet, excepting that 10% of the total floor area may be improved with retail stores of less than 10,000 square feet with a minimum size per retail store of 3,500 square feet.
- C. In order to maintain the Town's scenic and rural quality, properties shall provide a contiguous landscaped area equal to at least 20% of the lot area. Such open space area shall be landscaped with shrubs, flowers, rock gardens, ornamental grasses, or other plantings rather than grass lawns.
- D. The following minimum required non-disturbed transitional yards and screening shall be provided within nonresidential districts in order to assure orderly and compatible relationships along certain boundary lines:

(1) Adjoining residential districts and uses.

(a) The minimum required non-disturbed transitional side and rear yards shall be 50 feet. When buildings are less than 5,000 square feet in size, the required side and rear transition yards shall be 25 feet adjacent to the residential district.

(b) The minimum required screening within such non-disturbed transitional side and rear yards shall be a six-foot-high stockade-type fence or equal and landscape plantings to be erected and maintained by the nonresidential property owner along the side and rear property lines; provided, however, that the Planning Board may modify these requirements for screening where the same screening effect is accomplished by the natural terrain or foliage.

(c) The minimum required non-disturbed transitional side and rear yards provided for in this section may be modified by the Planning Board as part of site plan review where the subject premises is a single lot which lies across district boundaries or where natural, physical or other existing features are present and the goals of this section will be accomplished.

(d) Where a site does not have existing vegetation within the required non-disturbed transitional yard sufficient to screen the proposed development from the adjacent residential zone or use, a landscaping plan shall be submitted to the Planning Board. In addition to the existing vegetation in the required non-disturbed transitional yard, the landscaping plan shall include plantings, berms and/or fencing in this area to visually screen and reduce noise impacts of the proposed development.

Article XLVII Shopping Center (SC) Zoning Use District

§ 108-263. Lot, yard, bulk and height requirements.

- A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.
- B. In order to maintain the Town's scenic and rural quality, properties shall provide a contiguous landscaped area equal to at least 5% of the lot area. Such open space area shall be landscaped with shrubs, flowers, rock gardens, ornamental grasses, or other plantings rather than grass lawns.
- C. The following minimum required non-disturbed transitional yards and screening shall be provided within nonresidential districts in order to assure orderly and compatible relationships along certain boundary lines:
- (1) Adjoining residential districts and uses.
- (a) The minimum required non-disturbed transitional side and rear yards shall be 50 feet. When buildings are less than 5,000 square feet in size, the required side and rear transition yards shall be 25 feet adjacent to the residential district.
- (b) The minimum required screening within such non-disturbed transitional side and rear yards shall be a six-foot-high stockade-type fence or equal and landscape plantings to be erected and maintained by the nonresidential property owner along the side and rear property lines; provided, however, that the

Planning Board may modify these requirements for screening where the same screening effect is accomplished by the natural terrain or foliage.

(c) The minimum required non-disturbed transitional side and rear yards provided for in this section may be modified by the Planning Board as part of site plan review where the subject premises is a single lot which lies across district boundaries or where natural, physical or other existing features are present and the goals of this section will be accomplished.

(d) Where a site does not have existing vegetation within the required non-disturbed transitional yard sufficient to screen the proposed development from the adjacent residential zone or use, a landscaping plan shall be submitted to the Planning Board. In addition to the existing vegetation in the required non-disturbed transitional yard, the landscaping plan shall include plantings, berms and/or fencing in this area to visually screen and reduce noise impacts of the proposed development.

Article XLVIII Business Center (BC) Zoning Use District

§ 108-267. Lot, yard, bulk and height requirements.

- A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.
- B. In order to maintain the Town's scenic and rural quality, properties shall provide a contiguous landscaped area equal to at least 5% of the lot area. Such open space area shall be landscaped with shrubs, flowers, rock gardens, ornamental grasses, or other plantings rather than grass lawns.
- C. The following minimum required non-disturbed transitional yards and screening shall be provided within nonresidential districts in order to assure orderly and compatible relationships along certain boundary lines:

(1) Adjoining residential districts and uses.

(a) The minimum required non-disturbed transitional side and rear yards shall be 50 feet. When buildings are less than 5,000 square feet in size, the required side and rear transition yards shall be 25 feet adjacent to the residential district.

(b) The minimum required screening within such non-disturbed transitional side and rear yards shall be a six-foot-high stockade-type fence or equal and landscape plantings to be erected and maintained by the nonresidential property

owner along the side and rear property lines; provided, however, that the Planning Board may modify these requirements for screening where the same screening effect is accomplished by the natural terrain or foliage.

(c) The minimum required non-disturbed transitional side and rear yards provided for in this section may be modified by the Planning Board as part of site plan review where the subject premises is a single lot which lies across district boundaries or where natural, physical or other existing features are present and the goals of this section will be accomplished.

(d) Where a site does not have existing vegetation within the required non-disturbed transitional yard sufficient to screen the proposed development from the adjacent residential zone or use, a landscaping plan shall be submitted to the Planning Board. In addition to the existing vegetation in the required non-disturbed transitional yard, the landscaping plan shall include plantings, berms and/or fencing in this area to visually screen and reduce noise impacts of the proposed development.

Article L Industrial A (IA) Zoning Use District

§ 108-275. Lot, yard, bulk and height requirements.

- A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.
- B. In order to preserve the Town's scenic and rural quality, properties shall provide attractively landscaped contiguous open space area(s) equal to at least 15% of the lot area. Preference is given to preservation of existing habitat (such as meadows or forests) rather than clearance and creation of new habitat. The open space should serve to provide on-site stormwater management.
- C. The following minimum required non-disturbed transitional yards and screening shall be provided within nonresidential districts in order to assure orderly and compatible relationships along certain boundary lines:
- (1) Adjoining residential districts and uses.
- (a) The minimum required non-disturbed transitional side and rear yards shall be 50 feet. When buildings are less than 5,000 square feet in size, the required side and rear transition yards shall be 25 feet adjacent to the residential district.
- (b) The minimum required screening within such non-disturbed transitional side and rear yards shall be a six-foot-high stockade-type fence or equal and

landscape plantings to be erected and maintained by the nonresidential property owner along the side and rear property lines; provided, however, that the Planning Board may modify these requirements for screening where the same screening effect is accomplished by the natural terrain or foliage.

(c) The minimum required non-disturbed transitional side and rear yards provided for in this section may be modified by the Planning Board as part of site plan review where the subject premises is a single lot which lies across district boundaries or where natural, physical or other existing features are present and the goals of this section will be accomplished.

(d) Where a site does not have existing vegetation within the required non-disturbed transitional yard sufficient to screen the proposed development from the adjacent residential zone or use, a landscaping plan shall be submitted to the Planning Board. In addition to the existing vegetation in the required non-disturbed transitional yard, the landscaping plan shall include plantings, berms and/or fencing in this area to visually screen and reduce noise impacts of the proposed development.

Article LI Industrial C (IC) Zoning Use District

§ 108-279. Lot, yard, bulk and height requirements.

- A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.

- B. In order to foster environmental conservation as well as preservation of the Town's scenic and rural quality, properties shall provide attractively landscaped contiguous open space areas, equal to at least 20% of the lot area, that shield views of the development from arterial roads and the Long Island Expressway. Preference is given to preservation of existing habitat (such as meadows or forests) rather than clearance and creation of new habitat. The open space should serve to provide on-site stormwater management

- D. The following minimum required non-disturbed transitional yards and screening shall be provided within nonresidential districts in order to assure orderly and compatible relationships along certain boundary lines:

(1) Adjoining residential districts and uses.

(a) The minimum required non-disturbed transitional side and rear yards shall be 50 feet. When buildings are less than 5,000 square feet in size, the required side and rear transition yards shall be 25 feet adjacent to the residential district.

(b) The minimum required screening within such non-disturbed transitional side and rear yards shall be a six-foot-high stockade-type fence or equal and landscape plantings to be erected and maintained by the nonresidential property owner along the side and rear property lines; provided, however, that the Planning Board may modify these requirements for screening where the same screening effect is accomplished by the natural terrain or foliage.

(c) The minimum required non-disturbed transitional side and rear yards provided for in this section may be modified by the Planning Board as part of site plan review where the subject premises is a single lot which lies across district boundaries or where natural, physical or other existing features are present and the goals of this section will be accomplished.

(d) Where a site does not have existing vegetation within the required non-disturbed transitional yard sufficient to screen the proposed development from the adjacent residential zone or use, a landscaping plan shall be submitted to the Planning Board. In addition to the existing vegetation in the required non-disturbed transitional yard, the landscaping plan shall include plantings, berms and/or fencing in this area to visually screen and reduce noise impacts of the proposed development.

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

Dated: Riverhead, New York
September 4, 2013

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 660

PAYS BILLS

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

ABSTRACT #13-32 August 22, 2013 (TBM 9/4/13)			
FUND NAME		Ckrun Total	GRAND TOTALS
GENERAL FUND	1	1,039,531.19	1,039,531.19
POLICE ATHLETIC LEAGUE	4	2,434.96	2,434.96
RECREATION PROGRAM FUND	6	49,149.03	49,149.03
HIGHWAY FUND	111	174,031.86	174,031.86
WATER DISTRICT	112	60,842.38	60,842.38
RIVERHEAD SEWER DISTRICT	114	42,525.33	42,525.33
REFUSE & GARBAGE COLLECTION DIST	115	214,708.04	214,708.04
STREET LIGHTING DISTRICT	116	8,916.35	8,916.35
PUBLIC PARKING DISTRICT	117	360.20	360.20
AMBULANCE DISTRICT	120	23.72	23.72
EAST CREEK DOCKING FACILITY FUND	122	1,141.08	1,141.08
CALVERTON SEWER DISTRICT	124	1,210.73	1,210.73
RIVERHEAD SCAVENGER WASTE DIST	128	27,544.09	27,544.09
RISK RETENTION FUND	175	2,613.25	2,613.25
CDBG CONSORTIUM ACCOUNT	181	807.43	807.43
TOWN HALL CAPITAL PROJECTS	406	1,502.13	1,502.13
CALVERTON SEWER CAPITAL PROJECT	424	43,005.65	43,005.65
TRUST & AGENCY	735	1,172,001.53	1,172,001.53
		2,842,348.95	2,842,348.95

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 # 660

PAYS BILLS

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

ABSTRACT #13-33 August 30, 2013 (TBM 9/4/13)			
FUND NAME		Ckrun Total	GRAND TOTALS
GENERAL FUND	1	198,615.69	198,615.69
POLICE ATHLETIC LEAGUE	4	1,983.84	1,983.84
RECREATION PROGRAM FUND	6	5,038.31	5,038.31
HIGHWAY FUND	111	153,988.53	153,988.53
WATER DISTRICT	112	33,372.40	33,372.40
RIVERHEAD SEWER DISTRICT	114	12,332.15	12,332.15
REFUSE & GARBAGE COLLECTION	115	993.00	993.00
STREET LIGHTING DISTRICT	116	1,756.74	1,756.74
AMBULANCE DISTRICT	120	6,157.60	6,157.60
EAST CREEK DOCKING FACILITY	122	2,152.30	2,152.30
CALVERTON SEWER DISTRICT	124	110.00	110.00
RIVERHEAD SCAVENGER WASTE D	128	508.69	508.69
RISK RETENTION FUND	175	17,681.31	17,681.31
TOWN HALL CAPITAL PROJECTS	406	28,418.19	28,418.19
TRUST & AGENCY	735	25,268.11	25,268.11
CALVERTON PARK - C.D.A.	914	556.00	556.00
TOTAL ALL FUNDS		488,932.86	488,932.86

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

09.04.13
130661

ADOPTED

TOWN OF RIVERHEAD

Resolution # 661

AWARDS REQUEST FOR PROPOSAL FOR PROFESSIONAL ENGINEERING AND DESIGN SERVICES FOR ARMORY BUILDING MODIFICATIONS FOR USE AS JUSTICE COURT AND POLICE HEADQUARTERS

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Town Board of the Town of Riverhead, by Resolution #296 adopted on April 2, 2013, authorized the issuance of a Request for Proposals for Architectural/Engineering services for the evaluation, analysis, schematic design and cost estimation for the conversion of the Armory Building located on County Road 58, Riverhead, New York, into a modern, secure and efficient Police and Justice Court which meets all of the requisite codes, rules, and regulations required for court and police facilities; and

WHEREAS, pursuant to the terms of the Request for Proposals, each proposal was required to comply with the instructions in the Notice to Bidders and required that all proposals be submitted on or before 11:00 am on May 2, 2013; and

WHEREAS, seven (7) responses to the Request for Proposals were received, opened and read aloud on May 2, 2013 at 11:00 am in the office of the Town Clerk, 200 Howell Avenue, Riverhead, New York; and

WHEREAS, a committee consisting of seven members: Justice Richard Ehlers, Justice Allen Smith, Deputy Supervisor Jill Lewis, Police Chief David Hegermiller, Captain Richard Smith, Lt. David Lessard, and Town Engineer Kenneth Testa, reviewed all of the Request for Proposal submissions, ranked the proposals, interviewed the top four firms, researched references and qualifications, and finally, determined that EGA Architects P.C./Cashin Associates, P.C. had the requisite qualifications and experience related to judicial/police facilities and made a recommendation to the Town Board that EGA Architects P.C./Cashin Associates, P.C. be deemed the best qualified firm to undertake this phase of the project.

NOW, THEREFORE, BE IT RESOLVED, that the proposal for Architectural/Engineering services for the evaluation, analysis, schematic design and cost estimation for the conversion of the Armory Building located on County Road 58, Riverhead, New York be and is hereby awarded to EGA Architects P.C./Cashin Associates, P.C. in an amount not to exceed \$87,500.00; and be it further

RESOLVED, that the Town Board be and does hereby authorize the Town Clerk to return any and all bid bonds received in connection with the above; and be it further

RESOVLED, that the Town Board be and does hereby authorize the Supervisor to execute a professional services agreement which has been prepared and approved by the Office of Town Attorney in substantially the same form as annexed hereto, and thereafter secure a purchase order from the Town Purchasing Department in the amount reflected in the professional services agreement; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized directed to forward a copy of this resolution to EGA Architects P.C./Cashin Associates, P.C., Town Engineering Department, Town Accounting Department and Town 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 #661 was **TAKEN OFF THE FLOOR**

The vote was unanimous. The motion carried

THE VOTE

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

09.04.13
130662

ADOPTED

TOWN OF RIVERHEAD

Resolution # 662

AUTHORIZES BOW HUNTING FOR DEER ON TOWN PROPERTY AT ENTERPRISE PARK AT CALVERTON (SCTM No. 600-135-1-7.33, et al.) and 1751 SOUND AVENUE, CALVERTON (SCTM No. 600-60-1-2) FROM OCTOBER 7, 2013, to DECEMBER 1, 2013, inclusive

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, Town of Riverhead residents and Town of Riverhead real property owners have requested permission to engage in bow hunting for deer only on Town property at Enterprise Park at Calverton, SCTM No. District 600, Section 135, Block 1, Lot 7.33, et al., (hereinafter referred to as "EPCAL") and 1751 Sound Avenue, District 600, Section 60, Block 1, Lot 2, (hereinafter referred to as "SOUND") from October 7, 2013, to December 1, 2013, inclusive; and

WHEREAS, the Town Board of the Town of Riverhead wishes to provide bow hunting for deer only to Town of Riverhead residents and Town of Riverhead real property owners on Town property at EPCAL and SOUND, from October 7, 2013, to December 1, 2013, inclusive; and

WHEREAS, deer hunting by bow in New York State is a regulated activity by New York State and is subject to the laws, rules and regulations of New York State as enforced in whole or in part by the New York State Department of Environmental Conservation; and

WHEREAS, Town of Riverhead residents and Town of Riverhead real property owners who wish to engage in hunting activity in New York State are bound by applicable laws, rules and regulations of New York State.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead authorizes the Wildlife Management Advisory Committee (WMAC) to conduct a lottery to establish a list of those qualified hunters who are either residents of the Town of Riverhead or Town of Riverhead real property owners who shall be permitted to hunt for deer only by bow in EPCAL and SOUND in designated sections and at designated time periods as determined by the WMAC.

BE IT FURTHER RESOLVED THAT, all designated and qualified hunters must possess a valid New York State deer hunting license, big game tag, bowhunter education certificate, landowner's endorsement as well as all other attendant-required documentation and shall abide by the laws, rules and regulations of New York State

regarding deer hunting as well as the directives of the Wildlife Management Advisory Committee and/or Town officials and employees, failure of which to abide by shall subject the hunter to immediate revocation of the non-transferable hunting privilege.

BE IT FURTHER RESOLVED THAT, designated and qualified hunters shall only hunt in areas designated on the attached maps, from October 7, 2013, to December 1, 2013, inclusive, sunrise to sunset, in one-week time slots, and as per the directives of the Wildlife Management Advisory Committee and/or Town officials and employees.

BE IT FURTHER RESOLVED THAT, designated and qualified hunters shall be required to review and execute a revocable license agreement in a form approved by the Town Attorney at the time they are selected as a designated hunter in the lottery system.

BE IT FURTHER RESOLVED THAT the Town Supervisor is authorized to sign the respective landowner's endorsement and revocable license agreement on behalf of the Town Board.

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 #662 was **TAKEN OFF THE FLOOR**

The vote was unanimous. The motion carried

THE VOTE

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

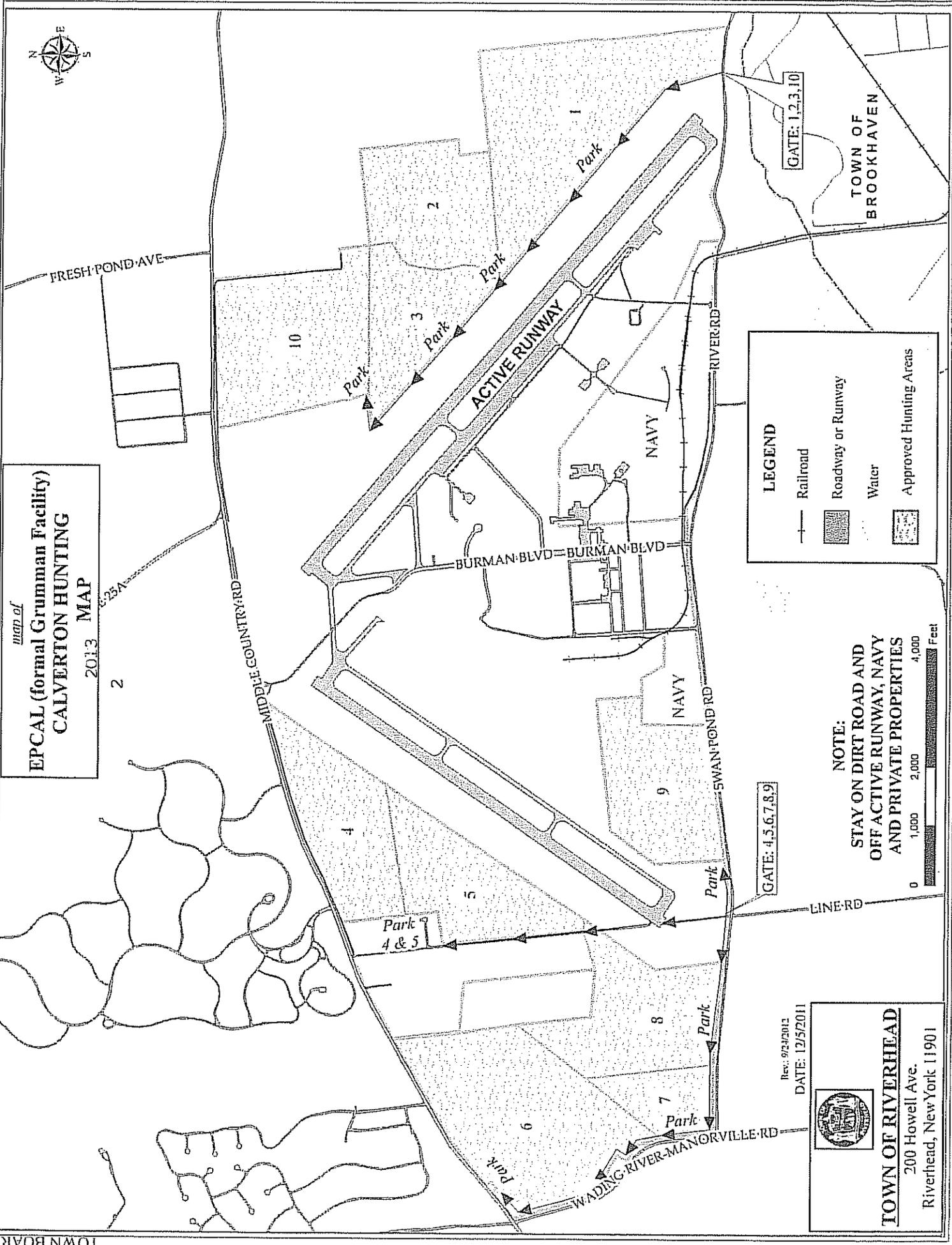
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

low



map of
**EPCAL (formal Grumman Facility)
CALVERTON HUNTING**
2013 MAP



LEGEND

- Railroad
- Roadway or Runway
- Water
- Approved Hunting Areas

NOTE:
STAY ON DIRT ROAD AND
OFF ACTIVE RUNWAY, NAVY
AND PRIVATE PROPERTIES



Rev: 9/2/2012
DATE: 12/5/2011



TOWN OF RIVERHEAD
200 Howell Ave.
Riverhead, New York 11901

TOWN BOARD

09.04.13
130663

ADOPTED

TOWN OF RIVERHEAD

Resolution # 663

AUTHORIZES SHOTGUN HUNTING FOR DEER ON TOWN PROPERTY AT ENTERPRISE PARK AT CALVERTON (SCTM No. 600-135-1-7.33, et al.) and 1751 SOUND AVENUE, CALVERTON (SCTM No. 600-60-1-2) FROM JANUARY 6, 2014, to JANUARY 31, 2014, inclusive

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Town of Riverhead residents and Town of Riverhead real property owners have requested permission to engage in shotgun hunting for deer only on Town property at Enterprise Park at Calverton, SCTM No. District 600, Section 135, Block 1, Lot 7.33, et al., (hereinafter referred to as "EPCAL") and 1751 Sound Avenue, District 600, Section 60, Block 1, Lot 2, (hereinafter referred to as "SOUND") from January 6, 2014, to January 31, 2014, inclusive, week days only; and

WHEREAS, the Town Board of the Town of Riverhead wishes to provide shotgun hunting for deer only to Town of Riverhead residents and Town of Riverhead real property owners on Town property at EPCAL and SOUND, from January 6, 2014, to January 31, 2014, inclusive, week days only; and

WHEREAS, deer hunting by shotgun in New York State is a regulated activity by New York State and is subject to the laws, rules and regulations of New York State as enforced in whole or in part by the New York State Department of Environmental Conservation; and

WHEREAS, Town of Riverhead residents and Town of Riverhead real property owners who wish to engage in hunting activity in New York State are bound by applicable laws, rules and regulations of New York State.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead authorizes the Wildlife Management Advisory Committee (WMAC) to conduct a lottery to establish a list of those qualified hunters who are either residents of the Town of Riverhead or Town of Riverhead real property owners who shall be permitted to hunt for deer only by shotgun in EPCAL and SOUND in designated sections at designated time periods as determined by the WMAC.

BE IT FURTHER RESOLVED THAT, all designated and qualified hunters must possess a valid New York State deer hunting license, big game tag, landowner's endorsement as well as all other attendant-required documentation and shall abide by the laws, rules and regulations of New York State regarding deer hunting as well as the

directives of the Wildlife Management Advisory Committee and/or Town officials and employees, failure of which to abide by shall subject the hunter to immediate revocation of the non-transferable hunting privilege.

BE IT FURTHER RESOLVED THAT, designated and qualified hunters shall only hunt in areas designated on the attached maps, from January 6, 2014, to January 31, 2014, inclusive, week days only, sunrise to sunset, in one-week time slots, and as per the directives of the Wildlife Management Advisory Committee and/or Town officials and employees.

BE IT FURTHER RESOLVED THAT, designated and qualified hunters shall be required to review and execute a revocable license agreement in a form approved by the Town Attorney at the time they are selected as a designated hunter in the lottery system.

BE IT FURTHER RESOLVED THAT the Town Supervisor is authorized to sign the respective landowner's endorsement and revocable license agreement on behalf of the Town Board.

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 #663 was **TAKEN OFF THE FLOOR**

The vote was unanimous. The motion carried

THE VOTE

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted