

TOWN OF RIVERHEAD

Resolution # 743

AUTHORIZES CO-SPONSORSHIP OF THE “RIVERHEAD COUNTRY FAIR” STREET FESTIVAL ON SUNDAY, OCTOBER 8, 2017, 8:00 A.M. TO 5:00 P.M., WITH RIVERHEAD TOWNSCAPE INCORPORATED, ALONG MAIN STREET, BETWEEN GRIFFING AVENUE AND UNION AVENUE, INCLUSIVE OF PECONIC AVENUE AND THE RIVERFRONT; AUTHORIZES THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH DESIGNATED CRAFT/FOOD VENDORS, ALCOHOL VENDORS, AND OTHER PARTICIPANTS; SUSPENDS ENFORCEMENT OF RIVERHEAD TOWN CODE SECTION 205-3

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, upon the request of Riverhead Townscape Incorporated (RTI), the Town of Riverhead wishes to co-sponsor with RTI the *Riverhead Country Fair* street festival, on Sunday, October 8, 2017, 8:00 a.m. to 5:00 p.m., along Main Street, between Griffing Avenue and Union Avenue, inclusive of Peconic Avenue and the riverfront; and

WHEREAS, due to its co-sponsorship with the Town of Riverhead, RTI has requested the Chapter 255 Application fee for this event be waived; and

WHEREAS, RTI has completed and filed a Special Events Large Gathering Application together with a Short Environmental Assessment Form in accordance with 6 NYCRR 617.6(b).

NOW THEREFORE BE IT RESOLVED, that the Town of Riverhead shall co-sponsor with RTI, a street festival entitled “*Riverhead Country Fair*” on Sunday, October 8, 2017, 8:00 a.m. to 5:00 p.m., along Main Street, between Griffing Avenue and Union Avenue, inclusive of Peconic Avenue and the riverfront, comprised of craft, food and/or alcohol service and other activities, **subject to the following conditions:**

- 1. Each participating craft, food, alcohol and other activity vendor shall comply with New York State Alcohol Beverage Control Laws, NYS Liquor Authority Rules and Regulations and the Town of Riverhead Alcohol Policy, as applicable.**
- 2. Each participating craft, food, alcohol and other activity vendor shall execute a license agreement in a form to be approved by the Town Attorney’s Office.**
- 3. Each participating craft, food and/or alcohol vendor shall procure a general liability insurance policy for the subject activity naming the Town of Riverhead and Riverhead Townscape Incorporated, as “additional**

insureds” on a primary and non-contributory basis, with policy limits of at least \$1,000,000 per occurrence/ \$2,000,000 aggregate, including food/product service liability protection, if applicable. In addition to the above referenced insurance requirements, alcohol vendors shall also procure an additional insurance liability policy regarding alcohol service liability with policy limits of at least \$1,000,000.00 dollars per occurrence/\$2 million dollars aggregate which shall name the above-referenced parties as additional insureds also on a primary and non-contributory basis.

4. Alcohol service shall also be subject to the following conditions:
- a. All alcohol servers must be TIPS (Training for Intervention Procedures) approved by New York State.
 - b. Alcohol service and consumption shall be limited to the authorized and approved alcohol vendors as limited to the licensed premises (as delineated on the Riverhead Country Fair map), as follows.
 - c. Alcohol service shall be solely limited to beer, cider, wine and/or champagne.
 - d. Alcohol service shall be limited to two (2) drinks per age-appropriate customer at a time.
 - e. Licensee shall possess and provide, prior to participation, a valid New York State Liquor Authority catering permit, or other appropriate permit, regarding off-premises alcohol service and comply with all applicable permit requirements including all other applicable municipal laws, rules and regulations.
 - f. Alcohol service shall be served in clear plastic cups and contain an identifying symbol and/or logo uniquely identifying the vendor. Each such cup shall be limited in size to 12 oz. for beer/cider; 5 oz. for wine/champagne.
 - g. Alcohol servers must personally affix wristbands to the wrists of age-appropriate customers in a manner that prevents easy removal and transferability, no exceptions.
 - h. Such other conditions more fully delineated in the alcohol vendor license agreement and Town alcohol policy.
 - i. The following entities are hereby authorized and approved to serve alcohol, in compliance with the afore-mentioned laws, rules, regulations, terms and conditions: **Digger’s Ales N’ Eats, Pera Bell Food Bar East , Rotary Club of Riverhead, Cliff’s Rendezvous, Crooked Ladder Brewing Company, Tweeds Restaurant & Buffalo Bar and Dark Horse Restaurant**; and be it further

RESOLVED, that the Riverhead Town Code section 205-3, which prohibits the consumption of any alcoholic beverages in any public place within the Town of Riverhead and also prohibits the possession of any open or unsealed container of an alcoholic beverage while in a public place for the purposes of consumption, is hereby suspended for enforcement purposes solely regarding the “*Riverhead Country Fair*” street festival on Sunday, October 8, 2017, 8:00 a.m. to 5:00 p.m., solely limited to the licensed premises as delineated on the Riverhead Country Fair map and subject to the New York State Alcohol Beverage Control Law and NYS Liquor Authority Rules and Regulations; and it be further

RESOLVED, that the Town of Riverhead waives the Town of Riverhead alcohol policy requirement regarding submission of a security/damage deposit by participating alcohol vendors; and be it further

RESOLVED, that the Town Supervisor is authorized to execute license agreements regarding craft, food, alcohol vendors and other participants in a form to be approved by the Town Attorney's Office; and be it further

RESOLVED, pursuant to RTI's request and co-sponsor status with the Town of Riverhead, the Town shall afford RTI general liability and alcohol service liability insurance coverage for the subject event; and be it further

RESOLVED, whereas RTI prepared a short Environmental Assessment Form on or about August 13, 2017, which upon review, offered the basis for the Riverhead Town Board to declare itself lead agency on the action; and be it further

RESOLVED, that the Riverhead Town Board declares itself lead agency regarding the subject event and hereby classifies the subject event as an Unlisted action pursuant to 6 NYCRR Part 617 and further declares that the action shall not have a significant impact on the natural or social environment and that a negative declaration of significance is hereby issued; and be it further

RESOLVED, that tent permit(s) regarding 20' x 20' tent dimensions, must be obtained and the tent installation and all electric shall comply with the applicable requirements of the National Fire Protection Association Life Safety Code (NFPA 101), the NFPA Temporary Membrane Structures/Tents (NFPA 102) and the New York State Fire Prevention and Building Code; 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; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the Chapter 255 Application fee for this event due to the applicant's co-sponsorship with the Town of Riverhead; and be it further

RESOLVED, that employees of the Riverhead Buildings and Grounds Department, the Riverhead Police Department, the Riverhead Highway Department, the Sanitation Department and the Riverhead Fire Marshal's Office are hereby authorized to utilize overtime expenditures to ensure the necessary public safety and security in connection with this event subject to proper documentation and respective supervisor review and approval; and be it further

RESOLVED, that RTI shall provide all documentation regarding valid and proper expenditures for this event, and any other relevant documentation pursuant to co-sponsor status, in a timely manner, to the Riverhead Town Accounting Department or other designated Town officials; and be it further

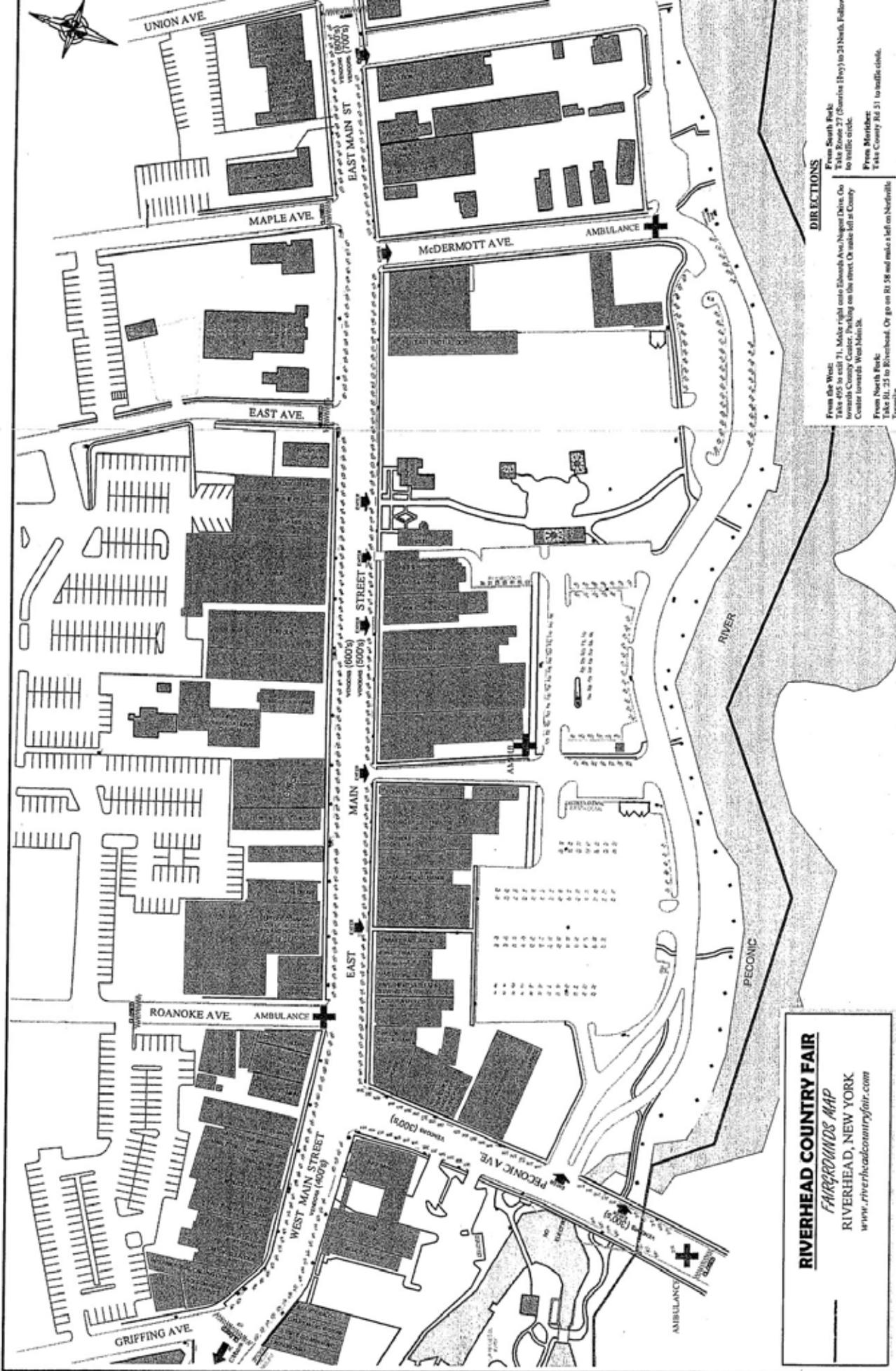
RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Thomas Farruggia, President, Riverhead Townscape Incorporated, PO Box 869, Riverhead, New York 11901; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted



DIRECTIONS

From the West:
 Take 495 to exit 71. Make right onto Edwards Ave/Negent Drive. Go
 towards County Center. Picking on the street. Or onto left at County
 Center towards West Main St.

From South Fork:
 Take Route 27 (Sawyer Hwy) to 24 North Fork.
 Take County Rd 51 to traffic circle.

From North Fork:
 Take Rt. 22 to Riverhead. Or go on Rt 38 and make a left on Northville
 Turnpike.

RIVERHEAD COUNTRY FAIR
FAIRGROUNDS MAP
 RIVERHEAD, NEW YORK
www.riverheadcountryfair.com