

APRIL 19, 2016

CDA RESOLUTION LIST:

CDA

- Res. #5** Authorizes Proposal Submission to US Commerce Department for Formation of Manufacturing Innovation Institute at Calverton Enterprise Park to Support Advanced Manufacturing
- Res. #6** Authorizes Application to US DOT for Tiger Grant to Support Enhanced Freight Rail Access

TOWN BOARD RESOLUTION LIST:

- Res. #253** 2016 EPCAL Playground Budget Adoption
- Res. #254** Riverhead Water District Capital Project Closure #30129
- Res. #255** Authorizes Water Project Closure and Release of Funds Stoneleigh Retirement Community – Phase III, CP 30114
- Res. #256** New Beginnings Community Center Water Capital Project Budget Adoption
- Res. #257** General Fund Seniors Transportation Vehicle Budget Adjustment
- Res. #258** Appoints Student Intern to the Accounting Department (Autumn Harris)
- Res. #259** Appoints Temporary Secretary to the Board Of Assessment Review (Jeanne Hogan)
- Res. #260** Awards Bid for Annual Materials and Asphalt Procurement Contract
- Res. #261** Awards Bid for Annual Construction Contract
- Res. #262** Authorizes Highway Superintendent to Attend 2016 APWA North American Snow Conference
- Res. #263** Authorizes Highway Superintendent and Deputy Highway Superintendent to Attend Cornell Local Roads Program
- Res. #264** Authorization to Publish Advertisement for Onsite Grinding of Town Yard Waste

- Res. #265** **Setting Terms and Conditions of Employment for Deputy Tax Receiver (Melissa Messina)**
- Res. #266** **Accepts the Retirement of a Police Officer (Charles Schneider)**
- Res. #267** **Approves New York Life Worksite Agreement**
- Res. #268** **Ratifies a Call-In Clerk to the Recreation Department (Donna Danowski)**
- Res. #269** **Appoints a Call-In Recreation Leader to the Recreation Department (Jordan Harden)**
- Res. #270** **Appoints a Call-In Recreation Aide to the Recreation Department (Julia Thomas)**
- Res. #271** **Appoints A Call-In Recreation Specialist- Yoga Instructor to the Recreation Department (Babbette Connor Pisco)**
- Res. #272** **Authorizes the Supervisor to Execute a License Agreement with Celtic Quest Inc.**
- Res. #273** **Authorizing Settlement of New York State Department of Environmental Conservation Notice of Violation**
- Res. #274** **Adopts a Local Law Entitled, “Local Law To Change The Term of Office of Town Supervisor From Two (2) Years To Four (4) Years”**
- Res. #275** **Adopts a Local Law to Enact Chapter 33 Entitled “Term Limits” of the Riverhead Town Code**
- Res. #276** **Adopts a Local Law to Enact Chapter 33 Entitled “Term Limits” of the Riverhead Town Code**
- Res. #277** **Adopts a Local Law Abolishing Board of Police Commissioners and Deleting Chapter 32 Entitled “Board of Police Commissioners” of the Riverhead Town Code**
- Res. #278** **Authorizes the Supervisor to Execute an Agreement with National Association of Drug-Free Employees (Nade)**
- Res. #279** **Authorizes Supervisor to Execute Cable Television Franchise Renewal Agreement with CSC Acquisition-NY, Inc., (Cablevision)**

- Res. #280** Authorizes Co-Sponsorship of “*Alive On 25*” Street Festival on Thursday Nights, July 14, July 28, August 11 And August 25, 2016, Rain Date: September 1, 2016, 5:00 P.M. to 9:30 P.M., with the Riverhead Business Improvement District Management Association, Inc., along Main Street, Between Griffing Avenue and Union Avenue; Authorizes the Supervisor to Execute A License Agreement with Designated Craft/Food Vendors and Alcohol Vendors; Suspends Enforcement Of Riverhead Town Code Section 46-3 (Public Consumption and Open Possession of an Alcoholic Beverage) Solely Limited to the Aforementioned Dates and Time of the “*Alive On 25*” Street Festival
- Res. #281** Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Enact “A Local Law to Provide for the Codification of the Local Laws, Ordinances and Certain Resolutions of the Town of Riverhead into a Municipal Code to be designated the “Code of The Town of Riverhead”
- Res. #282** Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 Entitled “Vehicles & Traffic” of the Riverhead Town Code (§101-3. Stop and Yield Intersections; Railroad Crossings; Parking Fields. (Deep Hole Rd. Intersecting with Twomey Ave.)
- Res. #283** Ratifies Resolution to Amend and Correct Resolution #203 Adopted on April 5, 2016 Authorizing the Publish and Post of Request for Proposals for Youngs Avenue Landfill Testing, Maintenance and Monitoring
- Res. #284** Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Addition to Chapter 95 Entitled, “Taxation” of the Riverhead Town Code (§95-47. Exemption for Landmarks or Properties within Historic Districts)
- Res. #285** Approves the Chapter 90 Application of the Long Island Moose Classic Car Club (Car Show to Benefit the Wounded Warriors of Long Island – Sunday, May 15, 2016)
- Res. #286** Adopts a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Code of the Town of Riverhead (Community Benefit Zoning Use District (CBD))
- Res. #287** Authorizes Settlement of Legal Actions by T-Mobile Northeast LLC & MetroPCs New York, LLC against the Riverhead Water District

- Res. #288** Order Calling Public Hearing Extension of the Riverhead Parking District
- Res. #289** Resolution to Support County of Suffolk Purchase of 9.71 Acres of Vacant Land Located on Main Road, Jamesport, NY (Subject Property) Owned by TDG Jamesport Owner, LLC as a Hamlet Park and Expression of Commitment to Enter into an Agreement for Management of the Subject Property and Improvements
- Res. #290** Approves Change Order No. 1 Installation of Water Mains & Appurtenances Stoneleigh Woods – Phase 4 Final Construction Cost – Riverhead Water District
- Res. #291** Pays Bills
- Res. #292** Authorizes Town Supervisor to Execute Lease Between Riverhead Water District And New York Cingular Wireless PCS
- Res. #293** Reinstates Cultural Affairs Supervisor
- Res. #294** Authorizes the Supervisor to Execute a Lease Agreement with Joseph Petrocelli/J. Petrocelli Contracting Inc. for the Town Historian Office at 542 East Main Street, Riverhead, NY

**TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY**

Resolution # 5

**AUTHORIZES PROPOSAL SUBMISSION TO US COMMERCE DEPARTMENT
FOR FORMATION OF MANUFACTURING INNOVATION INSTITUTE AT
CALVERTON ENTERPRISE PARK TO SUPPORT ADVANCED MANUFACTURING**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, on February 19, 2016 the U.S. Commerce Department's National Institute of Standards and Technology (NIST) announced a competition for the formation of up to two Manufacturing Innovation Institutes to join the growing National Network for Manufacturing Innovation (NNMI); and

WHEREAS, as an open-topic competition, NIST will accept applications for a proposed Institute in any area of advanced manufacturing so long as it is not duplicative of the technical scope and programs of federally funded Institutes within the National Network for Manufacturing Innovation (NNMI), or technical focus area(s) that are identified within any in-progress Institute funding opportunity announced by a federal agency; and

WHEREAS, like the other research facilities that are part of the NNMI, the NIST institutes will be private-public partnerships that foster collaboration among industry, academia, nonprofits and government agencies; and

WHEREAS, through the institutes, these stakeholders work to accelerate U.S. innovation and increase competitiveness by investing in industrially relevant, cross-cutting advanced manufacturing technologies and processes; and

WHEREAS, Luminati Aerospace LLC is an aerospace technology company focusing on research, development, testing, and manufacturing of next generation solar-electric unmanned aerial vehicles, or UAVs, at its facility located at the historic Calverton Enterprise Park airbase in Riverhead, New York; and

WHEREAS, Luminati Aerospace LLC has assembled a "dream team" of engineers and university professors to work on its initial project and after the initial project is concluded, Luminati Aerospace LLC plans to establish itself as a major force in the global aerospace industry, focusing on cutting-edge, high-technology aerospace manufacturing; and

WHEREAS, the Town of Riverhead Community Development Agency (CDA) along with additional public and private partners including Luminati Aerospace LLC seeks to submit a proposal to develop a Manufacturing Innovation Institute at Calverton Enterprise Park; and

WHEREAS, the proposal will implement federal and state goals to strengthen advanced manufacturing, green technology and the aerospace industry on Long Island and the Northeast region; and

WHEREAS, the proposed designation as a Manufacturing Innovation Institutes will implement Town of Riverhead CDA goals to redevelop Calverton Enterprise Park into a regional hub that will create jobs and generate tax base by supporting targeted sustainable regional growth; and

NOW THEREFORE BE IT RESOLVED, that the Town of Riverhead CDA Board authorizes the submission of a proposal to NIST on or before April 20, 2016, to support for the formation of a Manufacturing Innovation Institute at Calverton Enterprise Park to join the growing National Network for Manufacturing Innovation; and

BE IT FURTHER RESOLVED, that the Town Clerk forward copies of this resolution to the Community Development Agency; 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 Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY**

Resolution # 6

**AUTHORIZES APPLICATION TO US DOT FOR TIGER GRANT TO SUPPORT
ENHANCED FREIGHT RAIL ACCESS**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, U.S. Transportation Secretary Anthony Foxx announced funding will be made available for transportation projects across the country under a 2016 round of the highly successful U.S. Department of Transportation's (DOT) Transportation Investment Generating Economic Recovery (TIGER) competitive grant program; and

WHEREAS, TIGER 2016 discretionary grants will fund capital investments in surface transportation infrastructure and will be awarded on a competitive basis to projects that will have a significant impact on the nation, a region, or metropolitan area; and

WHEREAS, The TIGER 2016 grant program will continue to make transformative surface transportation investments by providing significant and measurable improvements over existing conditions. The grant program will focus on capital projects that generate economic development and improve access to reliable, safe and affordable transportation for disconnected both urban and rural, while emphasizing improved connection to employment, education, services and other opportunities, workforce development, or community revitalization; and

WHEREAS, the Town of Riverhead Community Development Agency (CDA) along with additional public and private partners seeks to submit a funding application to develop enhanced freight rail access at Calverton Industrial Enterprise Park (EPCAL) to service businesses in the Town of Riverhead and Eastern Long Island; and

WHEREAS, the proposed enhanced freight rail access project will implement New York Metropolitan Transit Council (NYMTC) goals to locate a multi-modal freight village in the NYMTC region; and

WHEREAS, the proposed freight rail enhancement project will implement Town of Riverhead CDA goals to redevelop the Enterprise Park at Calverton in an effort to create jobs and generate tax base by supporting targeted sustainable regional growth; and

WHEREAS, development of enhanced freight rail at the Enterprise Park at Calverton will reduce truck volumes and improve traffic operations on the Long Island Expressway and other roadways, increase rail mode share and environmental quality in the NYMTC region and create a more efficient and cost-effective freight delivery system for Eastern Long Island businesses; and

NOW THEREFORE BE IT RESOLVED, that the Town of Riverhead CDA Board authorizes the submission of a 2016 TIGER grant proposal to US DOT on or before April 30, 2016, for funding to support enhanced freight rail infrastructure; and

BE IT FURTHER RESOLVED, that the Town Clerk forward copies of this resolution to the Community Development Agency; 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 Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 85

**APPROVES CHAPTER 90 APPLICATION OF
SUFFOLK BICYCLE RIDERS ASSOCIATION, INC.
("Bike-Boat-Bike" Bicycle Event – Sunday, June 5th, 2016)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, on December 10, 2015, Jeff Meyer, on behalf of Suffolk Bicycle Riders Association, Inc., a not-for-profit- organization made up of individuals of all ages, whom enjoy riding together year round in a relaxed and friendly atmosphere, submitted a Chapter 90 Application for the purpose of conducting a bicycle event entitled "Bike-Boat-Bike" tour, where riders will bike between 25 and 100 miles, to include rest stops/areas, to commence and terminate at the Hallockville Museum Farm, located at 6038 Sound Avenue, Riverhead, NY, to be held on Sunday, June 5, 2016, between the hours of 6:00 a.m. and 6:00 p.m.; and

WHEREAS, Suffolk Bicycle Riders Association, 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, the applicant has requested the 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 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 Suffolk Bicycle Riders Association, Inc. for the purpose of conducting a bicycle event entitled "Bike-Boat-Bike" tour, to be held on Sunday, June 5, 2016 between the hours of 6:00 a.m. and 6:00 p.m., is hereby approved; and be it further

RESOLVED, that this approval is subject to receipt of a certificate of insurance acceptable to the Town Attorney **no later than April 15, 2016**; and be it further

RESOLVED, that this approval is subject to an Outdoor Public Safety Plan, to be submitted to the Fire Marshal's office no later than May 2, 2016; 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;

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 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 Suffolk Bicycle Riders Association, Inc., Attn: Jeff Meyer, P.O. Box 303, Lake Grove, NY 11755; 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared **TABLED**

04.19.2016

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution # 85 was **UNTABLED**, motion carried by unanimous vote. Simultaneously on a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution #85 was **ADOPTED**. Motion carried.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared **ADOPTED**

TOWN OF RIVERHEAD

Resolution # 150

**AWARDS BID FOR 20 PASSENGER HANDICAP ACCESSIBLE BUS
TO BE UTILIZED BY THE SENIOR CENTER**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Board of the Town of Riverhead, by Resolution #35 adopted on January 14, 2016, authorized the Town Clerk to public and post a Notice to Bidders for proposals for a 20 PASSENGER HANDICAP ACCESSIBLE BUS to be used by the Senior Center; and

WHEREAS, pursuant to the terms of the Request for Proposals, each proposal must comply with the instructions in the Notice to Bidders and required that all proposals be submitted on or before 2:00 pm on February 16, 2016; and

WHEREAS, one (1) response to the Notice to Bidders was received, opened and read aloud on February 16, 2016 at 2:00 pm in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York; and

WHEREAS, the Town Purchasing Agent, after review with the Senior Citizen Program Director and Recreation Superintendent, recommends that the bid be awarded to Alliance Bus Group, Inc.

NOW THEREFORE BE IT RESOLVED, that the bid for a 20 Passenger Handicap Accessible Bus to be utilized by the Senior Center be and is hereby awarded to Alliance Bus Group, Inc. in the amount of \$64,500.00; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Alliance Bus Group, Inc., 51 Kero Road, Carlstadt, NJ 07072; 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 Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared **TABLED**

04.19.2016

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution #150 was **UNTABLED**, motion carried by unanimous vote. Simultaneously on a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution #150 was **ADOPTED**. Motion carried.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared **ADOPTED**

TOWN OF RIVERHEAD

Resolution # 195

ADOPTS AMENDMENT TO INVESTMENT POLICY FOR THE TOWN OF RIVERHEAD

Councilwoman Giglio offered the following resolution,

which was seconded by Supervisor Walter

WHEREAS, pursuant to New York General Municipal Law §§10,11 and 39, each local government, including the Town of Riverhead, shall by resolution adopt a comprehensive investment policy which details the local government's operative policy and instructions to officers and staff regarding the deposit, investing, monitoring and reporting of funds of the local government; and

WHEREAS, the Town Board, by Resolution #774 adopted on November 18, 2014, adopted an Investment Policy for the Town of Riverhead; and

WHEREAS, the Town Board desires to amend the current Investment Policy for the Town of Riverhead.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby adopts the attached amended Investment Policy for the Town of Riverhead; and be it further

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared **TABLED**

04.19.2016

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution # 195 was **UNTABLED**, motion carried by unanimous vote. Simultaneously on a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution #195 was **ADOPTED**. Motion carried.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared **ADOPTED**

INVESTMENT POLICY FOR THE TOWN OF RIVERHEAD

I SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its behalf or on behalf of any other entity or individual.

II OBJECTIVES

The primary objectives of the local government's investment activities are, in primary order:

- to conform with all applicable federal, state and other legal requirements
- to adequately safeguard principal
- to provide sufficient liquidity to meet all operating requirements; and
- to obtain a reasonable rate of return

III DELEGATION OF AUTHORITY

The Town Board's responsibility for administration of the investment program is delegated to the Town Supervisor who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a database or records incorporating description and amounts of investments, transaction dates and other relevant information and regulate the activities of subordinate employees.

IV PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Riverhead to govern effectively.

Investments shall be made with judgement and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V DIVERSIFICATION

It is the policy of the Town of Riverhead to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI INTERNAL CONTROLS

It is the policy of the Town of Riverhead for all moneys collected by any officer or employee of the government to transfer those funds to the Town Supervisor within ten days of deposit, or within the time period specified in law, whichever is shorter.

The Town Supervisor as chief fiscal officer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

The Town Board, in order to implement the investment policy, authorizes the Financial Administrator or his deputy, under the control and direction of the Financial Administrator, to undertake the necessary ministerial day to day functions regarding the temporary investments of monies and to further carry out the cash management for town funds and related collateral management matters subject to and consistent with General Municipal Law, Section 11.

VII DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of Town funds:

Depository Name

Suffolk County National Bank	Capital One
Citibank	Chase
Empire National Bank	

VIII COLLATERALIZATION OF DEPOSITS

In accordance with the provisions of General Municipal Law, Section 10, all deposits of the Town of Riverhead, including certificates of deposits and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured pursuant to and consistent with the provisions of General Municipal Law, ~~Section 19~~ Section 10 (3) ~~(4)~~(a) through (d):

- 1) By a pledge of "eligible securities" with an aggregate "market value", or provided by General Municipal Law, Section 10, equal to the 102% of the aggregate amount of deposits from the categories designated Appendix A to this policy.
- 2) By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

- 3) By an eligible "irrevocable letter of credit" issued in favor of the local government by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, for the payment of 100% of the aggregate amount of public deposits from such officers and the agreed upon interest, if any.
- 4) By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims – paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The terms and conditions of any eligible surety bond shall be approved by the governing board.
- 5) Under the amendment of General Municipal Law Chapter 128, Sections 10 and 11, ~~local governments~~ the Town may authorize their designated depository bank or trust company to arrange for the "redeposit" of the local government's funds, for the account of the local government, in one or more "banking institution," through a deposit placement program, subject to a placement program that meets criteria set forth in Section 10 (2)(a)(ii)(A) through (D).

IX SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements. The Supervisor shall be authorized to execute all and any necessary security, custodian and collateral agreements on behalf of the Town of Riverhead.

The security agreement shall provide that eligible securities are being pledged to secure the Town's deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collections of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the Town of Riverhead to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the Town of Riverhead, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Riverhead or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for the Town of Riverhead, will be kept separate and apart from the general assets of the custodian bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitute of securities when a change in the rating of a security may cause in-eligibility.

X PERMITTED INVESTMENTS

As authorized by General Municipal Law, Section 11, the Town Board authorizes the chief fiscal officer to invest moneys not required for immediate expenditure in the following types of investment:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district cooperation other than the Town of Riverhead;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments;
- Certificates of Participation (COPs) issued pursuant to GML, Section 109-b;
- Obligations of the Town of Riverhead, but only with any moneys in a reserve fund established pursuant to GML, Section 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Town of Riverhead within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of Riverhead within two years of the date of purchase.

XI AUTHORIZED FINANCIAL INSTITUTES AND DEALERS

The Town of Riverhead shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the Town conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition at the request of the Town. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The chief fiscal officer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII PURCHASE OF INVESTMENT

The chief fiscal officer is authorized to contract for the purposes of investment:

- 1) By participating in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion #88-46, and the specific program has been authorized by the Town Board.
- 2) By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the Town Board.

All purchased obligations, unless registered or inscribed in the name of the Town of Riverhead, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Riverhead by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Section 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the Town of Riverhead, will be kept separate and apart from the general assets of the custodian bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the Town a perfected interest in the securities.

Appendix A

Schedule of Eligible Securities

_____ (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.

_____ (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.

_____ (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.

_____ (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.

_____ (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical organization.

_____ (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

_____ (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

_____ (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

_____ (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.

_____ (x) Commercial paper and bankers acceptances issued by a bank other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.

_____ (xi) Zero obligations of the United States government related as "Treasury strips".

The following outlines the routine procedures necessary to maintain proper documentation on cash and investment transactions.

A bank balance report shall be obtained/prepared on a periodic basis in order to review balances and potential for investment opportunities. All incoming and maturing investments shall be verified with the custodial bank. All earned interest, maturing investments and incoming funds should be verified and recorded.

The accounting division shall be responsible for providing periodic information regarding the cash requirements. Cash and investment activity within a specific bank account and all transactions within each account shall be recorded and accounted for. Proper documentation and authorization shall be required before any cash or investment transaction is executed. The Financial Administrator shall be responsible for initiating and authorizing investment transactions related to General Funds and tax collections along with the Town's Tax Receiver.

Authorized Wires:

Only the authorized representatives shall wire funds according to the approved wire transfer agreement for investments with financial institutions. Wire instructions and personal identification numbers (PIN's) shall be safeguarded. All bank transfer requests shall be in writing and require a second confirmation by another government employee. The purpose of the bank transfer must be stated as part of the transfer information. ACH procedures shall also be delineated.

Security Confirmations:

The process of securities' confirmations, including filing and reconciling, shall be conducted by an individual not permitted to purchase and sell investments.

Safekeeping Procedures:

Certificates of deposit are permitted to be held at a Town Board approved issuing bank. Collateral for certificates of deposit and purchased securities in connection with repurchase agreements shall be delivered to the government's designed custodian and recorded on a timely basis.

Investments of idle funds:

The Financial Administrator will analyze the cash flow needs of the Town in determining the idle cash available for both short term and long term investments. Once the amount of funds available for investments has been determined, the Financial Administrator or an employee under his supervision will contact banks designated as approved depositories and request quotes for interest rates on permitted investments. Once the rates are received the Financial Administrator will invest the idle funds in the appropriate depositories and investments to maximize the Town's investment earning while safeguarding the Town's assets.

TOWN OF RIVERHEAD

Resolution # 253

2016 EPCAL PLAYGROUND

BUDGET ADOPTION

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Superintendent of Recreation requests a transfer of funds from the Park and Recreation Special Trust Fund for a Playground at EPCAL Park.

RESOLVED, that the Riverhead Town Board authorizes the Accounting Department to establish the following budget and make the necessary transfers from the Special Trust Park and Recreation Account:

		<u>FROM</u>	<u>TO</u>
736.092705.421050	Transfer from Park and Rec Fees	88,000	
406.071100.527000.70162	Playground Equipment		88,000

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

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

THE VOTE

Hubbard <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Giglio <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Wooten <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dunleavy <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Walter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 254

RIVERHEAD WATER DISTRICT
CAPITAL PROJECT CLOSURE #30129

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Water Capital Project #30129, Riverhead Dodge Water Service Installation is considered complete; and

WHEREAS, the Developer is due a refund of \$11,419.99 of unspent installation costs.

RESOLVED, that the Town Board hereby authorizes the Accounting Department to close Water Capital Project #30129, modify the budget and return the unspent money of \$11,419.99 to the Developer.

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

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 255

**AUTHORIZES WATER PROJECT CLOSURE AND RELEASE OF FUNDS
STONELEIGH RETIREMENT COMMUNITY – PHASE III, CP 30114**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Stoneleigh Woods @ Riverhead deposited monies for expansion of the Riverhead Water District, Capital Project #30114 with the Town of Riverhead July 22, 2013 (N20330) and May 14, 2015 (O13412) totaling One Hundred Sixty Seven Thousand Eight Hundred Dollars (\$167,800.00); and

WHEREAS, Holzmacher, McLendon & Murrell, P.C. (H2M) and the Riverhead Water District has determined that all work for this extension has been completed and the developer is due back a refund of Two Thousand Two Hundred Ninety Dollars and Sixty Seven Cents (\$2,290.67); and

WHEREAS, that the Town of Riverhead Administration fee should be released to the General Town (\$4,199.79) and to the Riverhead Water District (\$3,150.21) in the total amount of Seven Thousand Three Hundred Fifty Dollars (\$7,350.00).

RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Accounting Department to close Capital Project #30114, modify the budget and release said monies in the sum of Two Thousand Two Hundred Ninety Dollars and Sixty Seven Cents (\$2,290.67) to Stoneleigh Woods @ Riverhead; Four Thousand One Hundred Ninety Nine Dollars and Seventy Nine Cents (\$4,199.79) to the General Town Administration Fee Account and Three Thousand One Hundred Fifty Dollars and Twenty One Cents (\$3,150.21) to the Water District Fee Account.

BE IT FURTHER RESOLVED, that the Town Clerk be, and is hereby, authorized to forward a copy of this Resolution to Stoneleigh Woods @ Riverhead, PO Box 1442 Riverhead, NY 11901; H2M Group, 575 Broad Hollow Road, Melville, NY 11747; Riverhead Water District and the Accounting Department.

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 256

NEW BEGINNINGS COMMUNITY CENTER
WATER CAPITAL PROJECT

BUDGET ADOPTION

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Superintendent of Water received a check from New Beginnings Community Center for the installation of a 6-inch water service on Sound Avenue in Riverhead.

RESOLVED, that the Supervisor be, and is hereby authorized to establish the following budget adoption:

		<u>FROM</u>	<u>TO</u>
412.092705.421050.30134	Developer Fees	23,124.31	
412.083200.523002.30134	Water Main/Lateral Construction		23,124.31

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

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

THE VOTE

Hubbard <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Giglio <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Wooten <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dunleavy <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Walter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 257

GENERAL FUND
SENIORS TRANSPORTATION VEHICLE

BUDGET ADJUSTMENT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, a budget adjustment is requested for a purchase of a bus at the Senior Citizen Center.

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

		<u>FROM</u>	<u>TO</u>
001.067720.542900	Fuel-Gasoline and Diesel	16,000	
001.067720.520000	Equipment		16,000

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting, Seniors and Recreation Departments.

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

THE VOTE

Hubbard	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Giglio	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Wooten	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Dunleavy	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Walter	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 258

APPOINTS STUDENT INTERN TO THE ACCOUNTING DEPARTMENT

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the need for Student Interns exists in the Accounting Department,
and

WHEREAS, the recommendation of the Financial Administrator has been received,

NOW THEREFORE BE IT RESOLVED, that effective May 9, 2016 through September 16, 2016 Autumn Harris is hereby appointed to the position of Student Intern II at the hourly rate of \$10.50.

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 the same may be obtained from the Office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 259

**APPOINTS TEMPORARY SECRETARY
TO THE BOARD OF ASSESSMENT REVIEW**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, a position of temporary secretary currently exists on the Board of Assessment Review; and

WHEREAS, Jeanne Hogan has expressed an interest in serving in this capacity.

NOW, THEREFORE, BE IT RESOLVED, that Jeanne Hogan be and is hereby appointed as temporary secretary to the Board of Assessment Review at an hourly rate of \$13.50 effective May 1, 2016 through December 31, 2016; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Jeanne Hogan, PO Box 280, Wading River, NY 11792, the Assessors' Office, the Personnel Officer, 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 260

AWARDS BID FOR ANNUAL MATERIALS AND ASPHALT PROCUREMENT CONTRACT

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the Annual Materials and Asphalt Procurement Contract; and

WHEREAS, three (3) bids were received, opened and read aloud on the 8th day of April, 2016 at 11:10 am in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, NY 11901; and

WHEREAS, the bid package required bidders to complete all items in an award grouping in order for it to be a competitive bid and bidders that did not complete all bid items in a grouping are considered not-qualified in the Award Grouping; and

WHEREAS, the bid package required bidders for Item No.'s 60, 62, 64, 66, 68 and 72 to have asphalt plants located within 15 miles of the Town of Riverhead Highway Department. Bidders that submitted bids for supply plants that are located beyond the 15 mile boundary are deemed not-qualified in that Award Grouping.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the Annual Materials and Asphalt Procurement Contract be and is hereby awarded as follows:

Award No. 50 - Asphalt Materials Loaded into Town of Riverhead Trucks

Low Bidder: Asphalt Supply of Long Island

Alternate Low Bidder: East Island Asphalt

Town of Riverhead Bid Received April 7, 2016

Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Asphalt Supply of Long Island		East Island Asphalt	
						Unit Cost	Total Price	Unit Cost	Total Price
50	60	Asphalt Concrete Type 1, Base Course Loaded into Town of Riverhead Trucks	Ton	0 - 500	250	\$ 60.00	\$15,000.00	\$ 65.00	\$16,250.00
	62	Rut Avoidance Asphalt Concrete, Type 3RA Binder Course, Loaded into Town of Riverhead Trucks	Ton	0 - 500	250	\$ 60.00	\$15,000.00	\$ 70.00	\$17,500.00
	64	Rut Avoidance Asphalt Concrete, Type 6FRA Top Course Loaded into Town of Riverhead Trucks	Ton	0 - 500	250	\$ 60.00	\$15,000.00	\$ 72.00	\$18,000.00
	68	Rut Avoidance Asphalt Concrete, Type 7FRA Top Course Loaded into Town of Riverhead Trucks	Ton	0 - 500	250	\$ 60.00	\$15,000.00	\$ 75.00	\$18,750.00
Total Bid Comparison Award No. 50							\$60,000.00		\$70,500.00

Award No. 51 - Cold Patch Loaded into Town of Riverhead Trucks

Low Bidder: Asphalt Supply of Long Island

Alternate Low Bidder: East Island Asphalt

Town of Riverhead Bid Received April 7, 2016
Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Asphalt Supply of Long Island		East Island Asphalt		
						Unit Cost	Total Price	Unit Cost	Total Price	
51	66	Cold Mix Bituminous Pavement Loaded into Town of Riverhead Trucks	Ton	0 - 500	250	\$125.00	\$31,250.00	\$130.00	\$32,500.00	
Total Bid Comparison Award No. 51								\$31,250.00		\$32,500.00

Award No. 52 - Sand Asphalt Base Course Loaded into Town of Riverhead Trucks

Low Bidder: Asphalt Supply of Long Island

Alternate Low Bidder: East Island Asphalt

Town of Riverhead Bid Received April 7, 2016

Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Asphalt Supply of Long Island		East Island Asphalt		
						Unit Cost	Total Price	Unit Cost	Total Price	
52	72	Sand Asphalt Base Course Loaded into Town of Riverhead Trucks	Ton	0 - 500	250	\$50.00	\$12,500.00	\$62.00	\$15,500.00	
Total Bid Comparison Award No. 52								\$12,500.00		\$15,500.00

Award No. 53 - Baseball Field Soil Materials Loaded into Town of Riverhead Trucks

Low Bidder: Barbato

Alternate Low Bidder:

Town of Riverhead Bid Received April 7, 2016

Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Barbato		
						Unit Cost	Total Price	
53	28	Baseball Sand Mix	CY	0-500	250	\$37.00	\$9,250.00	
	29	Baseball Clay Mix	Ton	0-500	250	\$53.00	\$13,250.00	
	33	Road Sand Mix	CY	0-500	250	\$37.00	\$9,250.00	
Total Bid Comparison Award No. 53								\$31,750.00

Award No. 54 - Composite Soil Mix, Pea Gravel

Low Bidder: Barbato

Alternate Low Bidder:

Town of Riverhead Bid Received April 7, 2016

Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Barbato		
						Unit Cost	Total Price	
54	31-S	Composite Soil Mix	CY	0-1000	500	\$64.00	\$32,000.00	
	31-G	Pea Gravel	CY	0-100	100	\$108.00	\$10,800.00	
Total Bid Comparison Award No. 54								\$42,800.00

Award No. 55 - Recycled Concrete Aggregate

Low Bidder: East Island Asphalt

Alternate Low Bidder: Barbato

Town of Riverhead Bid Received April 7, 2016

Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	East Island Asphalt		Barbato	
						Unit Cost	Total Price	Unit Cost	Total Price
55	4-P	Recycled Concrete Aggregate	CY	0-1,000	500	\$15.00	\$7,500.00	\$19.00	\$9,500.00
Total Bid Comparison Award No. 55							\$7,500.00		\$9,500.00

Award No. 56 - Certified Wood Fiber Safety Surface

Low Bidder: Barbato

Alternate Low Bidder:

Town of Riverhead Bid Received April 7, 2016

Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Barbato		
						Unit Cost	Total Price	
56	152	Certified Wood Fiber Safety Surface	CY	0-500	250	\$35.85	\$8,962.50	
Total Bid Comparison Award No. 56							\$8,962.50	

Award No. 57 - Landscaping Wood Mulch

Low Bidder: Barbato

Alternate Low Bidder:

Town of Riverhead Bid Received April 7, 2016

Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Barbato		
						Unit Cost	Total Price	
57	160-L	Landscaping Wood Mulch-Low Grade	CY	0-500	250	\$18.00	\$4,500.00	
	160-H	Landscaping Wood Mulch - High Grade	CY	0-500	250	\$22.00	\$5,500.00	
Total Bid Comparison Award No. 57							\$10,000.00	

Award No. 58 - Blue Stone

Low Bidder: East Island Asphalt

Alternate Low Bidder: Barbato

Town of Riverhead Bid Received April 7, 2016

Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	East Island Asphalt		Barbato	
						Unit Cost	Total Price	Unit Cost	Total Price
58	170-3/8"	Blue Stone - 3/8"	CY	0-500	250	\$60.00	\$15,000.00	\$61.00	\$15,250.00
	170-3/4"	Blue Stone - 3/4"	CY	0-500	250	\$60.00	\$15,000.00	\$61.00	\$15,250.00
	170-S	Blue Stone Screenings	CY	0-500	250	\$60.00	\$15,000.00	\$61.00	\$15,250.00
Total Bid Comparison Award No. 58							\$45,000.00		\$45,750.00

Award No. 59 - Trap Rock

Low Bidder: Barbato

Alternate Low Bidder:

Town of Riverhead Bid Received April 7, 2016

Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Barbato		
						Unit Cost	Total Price	
59	172	Trap Rock	CY	0-500	250		\$18,750.00	
Total Bid Comparison Award No. 59								\$18,750.00

Award No. 60 - Ready-Mix Concrete - Low Quantity

Low Bidder: Barbato

Alternate Low Bidder:

Town of Riverhead Bid Received April 7, 2016

Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Barbato		
						Unit Cost	Total Price	
60	14	Ready-Mix Concrete	CY	0-5 CY	2	\$225.00	\$550.00	
Total Bid Comparison Award No. 60								\$550.00

Award No. 61 - Ready-Mix Concrete - Mid Quantity

Low Bidder: Barbato

Alternate Low Bidder:

Town of Riverhead Bid Received April 7, 2016

Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Barbato		
						Unit Cost	Total Price	
61	14	Ready Mix Concrete	CY	6-10 CY	8	\$143.00	\$1,320.00	
Total Bid Comparison Award No. 61								\$1,320.00

Award No. 62 - Ready-Mix Concrete - High Quantity

Low Bidder: Barbato

Alternate Low Bidder:

Town of Riverhead Bid Received April 7, 2016

Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Barbato		
						Unit Cost	Total Price	
62	14	Ready Mix Concrete	CY	11-15 CY	12	\$137.00	\$1,920.00	
Total Bid Comparison Award No. 62								\$1,920.00

Award No. 64 - Topsoil, Fertilizer, Lime

Low Bidder: Barbato

Alternate Low Bidder:

Town of Riverhead Bid Received April 7, 2016
Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Barbato	
						Unit Cost	Total Price
64	32-T	Topsoil	CY	0-100	100	\$33.00	\$3,300.00
	32-F	Fertilizer	Ton	0-5	5	\$893.00	\$4,465.00
	32-L	Lime	Ton	0-5	5	\$353.00	\$1,765.00
	32-S	Seed	Pounds	0-1000	1000	\$3.23	\$3,230.00
Total Bid Comparison Award No. 64							\$12,760.00

Award No. 65 - Planting Mix

Low Bidder: Barbato

Alternate Low Bidder:

Town of Riverhead Bid Received April 7, 2016

Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Barbato	
						Unit Cost	Total Price
65	34	Planting Mix	CY	0-1000	500	\$163.00	\$81,500.00
Total Bid Comparison Award No. 65							\$81,500.00

Award No. 67 - Asphalt Pavement Crack and Joint Sealant - Mid Quantity

Low Bidder: East Island Asphalt

Alternate Low Bidder:

Town of Riverhead Bid Received April 7, 2016

Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	East Island Asphalt	
						Unit Cost	Total Price
67	44	Asphalt Pavement Crack and Joint Sealant	Lbs	0-1000	700	\$2.50	\$1,750.00
Total Bid Comparison Award No. 67							\$1,750.00

Award No. 68 - Asphalt Pavement Crack and Joint Sealant - High Quantity

Low Bidder: East Island Asphalt

Alternate Low Bidder:

Town of Riverhead Bid Received April 7, 2016

Annual Procurement Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	East Island Asphalt	
						Unit Cost	Total Price
68	44	Asphalt Pavement Crack and Joint Sealant	Lbs	1001-1500	1500	\$2.20	\$3,300.00
Total Bid Comparison Award No. 68							\$3,300.00

BE IT FURTHER RESOLVED, that in the event that the Low Bidder is non-responsive within 24 hours of the Town's request for provision of supplies, the Town may approach the Alternate Low Bidder for the provision of supplies; and

BE IT FURTHER RESOLVED, that in the event that the Town issues a purchase order to the appropriate bidder and said bidder fails to perform in accordance with the General Specifications and/or Technical Specifications on more than two documented occasions, the Town will proceed to terminate the contract with the bidder and void the existing purchase order(s); and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute a contract with the various low and alternate low bidders; and

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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 261

AWARDS BID FOR ANNUAL CONSTRUCTION CONTRACT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the Annual Construction Contract, Riverhead, New York; and

WHEREAS, eight (8) bids were received, opened and read aloud on April 8, 2016 at 11:00 in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the Annual Construction Contract be and is hereby awarded as follows:

Award No. 1 - Mixed In Place Road Reconstruction - Low Quantity

Low Bidder: Corazzini

Alternate Low Bidder: KJB

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Corazzini		KJB	
						Unit Cost	Total Price	Unit Cost	Total Price
1	2	Unclassified Excavation	CY	1-200	100	\$25.00	\$2,500.00	\$20.00	\$2,000.00
	2U	Removal of Unsuitable Material	CY	1-200	100	\$10.00	\$1,000.00	\$30.00	\$3,000.00
	3S-B	Embankment - Borrow	CY	1-200	100	\$3.00	\$300.00	\$30.00	\$3,000.00
	3S-SGF	Embankment - Select Granular Fill	CY	1-200	100	\$3.00	\$300.00	\$40.00	\$4,000.00
	3S-GS	Embankment - Grading Subgrade	SY	1-200	100	\$15.00	\$1,500.00	\$15.00	\$1,500.00
	4	Stabilized Mixed-In-Place Recycled Base Course	SY	1 - 2,000	1,000	\$7.00	\$7,000.00	\$12.00	\$12,000.00
	4-P	Recycled Concrete Aggregate	CY	1-200	100	\$20.00	\$2,000.00	\$20.00	\$2,000.00
	25-C	Casting Adjustment	Ea.	1-5	3	\$50.00	\$150.00	\$500.00	\$1,500.00
	25-S	Subgrade Area Material	CY	1-5	3	\$5.00	\$15.00	\$100.00	\$300.00
	25-P	10'x10' Pavement Patch	Ea.	1 - 5	3	\$5.00	\$15.00	\$300.00	\$900.00
	49	Rut Avoidance Asphalt Concrete, Type 6FRA Top Course	Ton	1-200	100	\$135.00	\$13,500.00	\$175.00	\$17,500.00
	52	Rut Avoidance Asphalt Concrete, Type 3RA Binder Course	Ton	1-200	100	\$130.00	\$13,000.00	\$170.00	\$17,000.00
	55	Asphalt Concrete Type 1, Base Course	Ton	1-200	100	\$85.00	\$8,500.00	\$170.00	\$17,000.00
	57	Asphalt Emulsions	Gal	1,000-5000	3000	\$4.00	\$12,000.00	\$4.00	\$12,000.00
	112	Topsoil and Seed	SY	1-500	250	\$10.00	\$2,500.00	\$12.00	\$3,000.00
	116	Pavement Markings	LF	1-1000	500	\$3.00	\$1,500.00	\$5.00	\$2,500.00
Total Bid Comparison Award No. 1							\$65,780.00		\$99,200.00

Low Bidder: Rosemar

Alternate Low Bidder: Corazzini

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description Description	Unit	Quantity	Estimated Quantity	Rosemar		Corazzini	
						Unit Cost	Total Price	Unit Cost	Total Price
2	2	Unclassified Excavation	CY	201 - 500	350	\$25.00	\$8,750.00	\$10.00	\$3,500.00
	2U	Removal of Unsuitable Material	CY	201 - 500	350	\$1.00	\$350.00	\$1.00	\$350.00
	3S-B	Embankment - Borrow	CY	201 - 500	350	\$1.00	\$350.00	\$1.00	\$350.00
	3S-SGF	Embankment - Select Granular Fill	CY	201 - 500	350	\$1.00	\$350.00	\$2.00	\$700.00
	3S-GS	Embankment - Grading Subgrade	SY	201 - 500	350	\$1.00	\$350.00	\$1.00	\$350.00
	4	Stabilized Mixed-In-Place Recycled Base Course	SY	2,001 - 5,000	3500	\$7.00	\$24,500.00	\$5.75	\$20,125.00
	4-P	Recycled Concrete Aggregate	CY	201 - 500	350	\$15.00	\$5,250.00	\$10.00	\$3,500.00
	25-C	Casting Adjustment	Ea.	6 - 10	8	\$200.00	\$1,600.00	\$75.00	\$600.00
	25-S	Subgrade Area Material	CY	6-10	8	\$100.00	\$800.00	\$5.00	\$40.00
	25-P	10'x10' Pavement Patch	Ea.	6 - 10	8	\$100.00	\$800.00	\$5.00	\$40.00
	49	Rut Avoidance Asphalt Concrete, Type 6FRA Top Course	Ton	201-500	350	\$90.00	\$31,500.00	\$92.00	\$32,200.00
	52	Rut Avoidance Asphalt Concrete, Type 3RA Binder Course	Ton	201-500	350	\$65.00	\$22,750.00	\$75.00	\$26,250.00
	55	Asphalt Concrete Type 1, Base Course	Ton	201-500	350	\$50.00	\$17,500.00	\$75.00	\$26,250.00
	57	Asphalt Emulsions	Gal	5001 - 15,000	10000	\$2.00	\$20,000.00	\$2.75	\$27,500.00
	112	Topsoil and Seed	SY	501 - 1,500	1000	\$1.00	\$1,000.00	\$1.00	\$1,000.00
	116	Pavement Markings	LF	1,001-5000	3,000	\$1.50	\$4,500.00	\$1.25	\$3,750.00
Total Bid Comparison Award No. 2							\$140,350.00		\$146,505.00

Low Bidder: Corazzini

Alternate Low Bidder: KJB

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Corazzini		KJB	
						Unit Cost	Total Price	Unit Cost	Total Price
3	1	Clearing and Grubbing	Acre	0-2.5	1	\$3,500.00	\$3,500.00	\$15,000.00	\$15,000.00
	2	Unclassified Excavation	CY	1-200	100	\$10.00	\$1,000.00	\$20.00	\$2,000.00
	3S-B	Embankment - Borrow	CY	1-200	100	\$5.00	\$500.00	\$30.00	\$3,000.00
	3S-SGF	Embankment - Select Granular Fill	CY	1-200	100	\$5.00	\$500.00	\$40.00	\$4,000.00
	3S-GS	Embankment - Grading Subgrade	SY	1-200	100	\$20.00	\$2,000.00	\$15.00	\$1,500.00
	4	Stabilized Mixed-In-Place Recycled Base Course	SY	1 - 2,000	1,000	\$11.00	\$11,000.00	\$12.00	\$12,000.00
	4-P	Recycled Concrete Aggregate	CY	1-200	100	\$20.00	\$2,000.00	\$20.00	\$2,000.00
	25-C	Casting Adjustment	Ea.	1-5	3	\$100.00	\$300.00	\$500.00	\$1,500.00
	25-S	Subgrade Area Material	CY	1-5	3	\$8.00	\$24.00	\$100.00	\$300.00
	25-P	10'x10' Pavement Patch	Ea.	1 - 5	3	\$5.00	\$15.00	\$300.00	\$900.00
	49	Rut Avoidance Asphalt Concrete, Type 6FRA Top Course	Ton	1-200	100	\$130.00	\$13,000.00	\$175.00	\$17,500.00
	52	Rut Avoidance Asphalt Concrete, Type 3RA Binder Course	Ton	1-200	100	\$130.00	\$13,000.00	\$170.00	\$17,000.00
	55	Asphalt Concrete Type 1, Base Course	Ton	1-200	100	\$40.00	\$4,000.00	\$170.00	\$17,000.00
	57	Asphalt Emulsions	Gal	1,000-5000	3000	\$4.00	\$12,000.00	\$4.00	\$12,000.00
	112	Topsoil and Seed	SY	1-500	250	\$8.00	\$2,000.00	\$12.00	\$3,000.00
	116	Pavement Markings	LF	1-1000	500	\$2.00	\$1,000.00	\$5.00	\$2,500.00
	118-SWM	Straw/Wood Fiber Mulch-Temporary	SY	1-500	250	\$4.00	\$1,000.00	\$6.00	\$1,500.00
	118-SM	Seed and Mulch - Temporary	SY	1-500	250	\$4.00	\$1,000.00	\$6.00	\$1,500.00
	118-SSWM	Seed and Straw/Wood Fiber Mulch - Temporary	SY	1-500	250	\$4.00	\$1,000.00	\$10.00	\$2,500.00
	118-S	Straw Bale - Temporary	LF	1-500	250	\$2.00	\$500.00	\$10.00	\$2,500.00
	118-G	Geotextiles	SY	1-200	100	\$2.00	\$200.00	\$5.00	\$500.00
	118-SF	Silt Fence - Temporary	LF	1-500	250	\$15.00	\$3,750.00	\$15.00	\$3,750.00
	118-D	Drainage Structure Inlet Protection, Prefabricated - Temporary	Ea.	1-5	3	\$50.00	\$150.00	\$200.00	\$600.00
	118-J	Jute Mesh	SY	1-200	100	\$2.00	\$200.00	\$7.00	\$700.00
	118-SCE	Stabilized Construction Entrance	SY	1-200	100	\$4.00	\$400.00	\$12.00	\$1,200.00
Total Bid Comparison Award No. 3							\$74,039		\$125,950.00

Award No. 4 - Roadway/Parking Lot Construction - High Quantity

Low Bidder: Rosemar

Alternate Low Bidder: Corazzini

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Rosemar		Corazzini	
						Unit Cost	Total Price	Unit Cost	Total Price
4	1	Clearing and Grubbing	Acre	2.6-5	5	\$3,000.00	\$15,000.00	\$3,000.00	\$15,000.00
	2	Unclassified Excavation	CY	201 - 500	350	\$20.00	\$7,000.00	\$20.00	\$7,000.00
	3S-B	Embankment - Borrow	CY	201 - 500	350	\$0.01	\$3.50	\$0.01	\$3.50
	3S-SGF	Embankment - Select Granular Fill	CY	201 - 500	350	\$0.01	\$3.50	\$0.01	\$3.50
	3S-GS	Embankment - Grading Subgrade	SY	201 - 500	350	\$3.00	\$1,050.00	\$2.00	\$700.00
	4	Stabilized Mixed-In-Place Recycled Base Course	SY	2,001 - 5,000	3500	\$5.00	\$17,500.00	\$5.00	\$17,500.00
	4-P	Recycled Concrete Aggregate	CY	201 - 500	350	\$12.00	\$4,200.00	\$10.00	\$3,500.00
	25-C	Casting Adjustment	Ea.	6 - 10	8	\$100.00	\$800.00	\$50.00	\$400.00
	25-S	Subgrade Area Material	CY	6-10	8	\$20.00	\$160.00	\$20.00	\$160.00
	25-P	10'x10' Pavement Patch	Ea.	6 - 10	8	\$30.00	\$240.00	\$30.00	\$240.00
	49	Rut Avoidance Asphalt Concrete, Type 6FRA Top Course	Ton	201-500	350	\$90.00	\$31,500.00	\$95.00	\$33,250.00
	52	Rut Avoidance Asphalt Concrete, Type 3RA Binder Course	Ton	201-500	350	\$70.00	\$24,500.00	\$90.00	\$31,500.00
	55	Asphalt Concrete Type 1, Base Course	Ton	201-500	350	\$50.00	\$17,500.00	\$45.00	\$15,750.00
	57	Asphalt Emulsions	Gal	5001 - 15,000	10000	\$2.50	\$25,000.00	\$3.00	\$30,000.00
	112	Topsoil and Seed	SY	501 - 1,500	1000	\$6.00	\$6,000.00	\$6.00	\$6,000.00
	116	Pavement Markings	LF	1,001- 5000	3000	\$1.50	\$4,500.00	\$1.50	\$4,500.00
	118-SWM	Straw/Wood Fiber Mulch - Temporary	SY	500-1500	1,000	\$1.00	\$1,000.00	\$1.00	\$1,000.00
	118-SM	Seed and Mulch - Temporary	SY	500-1500	1,000	\$4.00	\$4,000.00	\$4.00	\$4,000.00
	118-SSWM	Seed and Straw/Wood Fiber Mulch - Temporary	SY	500-1500	1,000	\$1.00	\$1,000.00	\$1.00	\$1,000.00
	118-S	Straw Bale - Temporary	LF	500-1500	1,000	\$3.00	\$3,000.00	\$2.00	\$2,000.00
	118-G	Geotextiles	SY	201 - 500	350	\$3.50	\$1,225.00	\$2.00	\$700.00
	118-SF	Silt Fence - Temporary	LF	501 - 1,500	1000	\$5.00	\$5,000.00	\$5.00	\$5,000.00
	118-D	Drainage Structure Inlet Protection, Prefabricated - Temporary	Ea.	6-10	8	\$200.00	\$1,600.00	\$200.00	\$1,600.00
	118-J	Jute Mesh	SY	201 - 500	350	\$5.00	\$1,750.00	\$4.00	\$1,400.00
	118-SCE	Stabilized Construction Entrance	SY	201 - 500	350	\$1.00	\$350.00	\$1.00	\$350.00
Total Bid Comparison Award No. 4							\$173,882.00		\$182,557.00

Award No. 5 - Drainage Installation

Low Bidder: Laser

Alternate Low Bidder: KJB

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Laser		KJB	
						Unit Cost	Total Price	Unit Cost	Total Price
5	4-P	Recycled Concrete Aggregate	CY	1 - 100	50	\$36.00	\$1,800.00	\$35.00	\$1,750.00
	7RR	Remove and Replace Concrete Curb	LF	1-100	50	\$50.00	\$2,500.00	\$50.00	\$2,500.00
	7ARR	Remove and Replace Concrete Header	LF	1-100	50	\$30.00	\$1,500.00	\$30.00	\$1,500.00
	9RR	Remove and Replace Conc. Sidewalk	SY	1-50	25	\$160.00	\$4,000.00	\$120.00	\$3,000.00
	13U-4"	Underdrain Pipe -4" Dia.	LF	1-100	50	\$7.00	\$350.00	\$10.00	\$500.00
	13U-6"	Underdrain Pipe -6" Dia.	LF	1-100	50	\$8.00	\$400.00	\$10.00	\$500.00
	13U-8"	Underdrain Pipe -8" Dia.	LF	1-100	50	\$12.00	\$600.00	\$10.00	\$500.00
	13P-4"	Polyethylene Pipe -4" Dia.	LF	1-100	50	\$16.00	\$800.00	\$10.00	\$500.00
	13P-12"	Polyethylene Pipe -12" Dia.	LF	1-100	50	\$25.00	\$1,250.00	\$20.00	\$1,000.00
	13P-15"	Polyethylene Pipe -15" Dia.	LF	1-100	50	\$30.00	\$1,500.00	\$25.00	\$1,250.00
	13P-18"	Polyethylene Pipe -18" Dia.	LF	1-100	50	\$42.00	\$2,100.00	\$30.00	\$1,500.00
	13P-24"	Polyethylene Pipe -24" Dia.	LF	1-100	50	\$62.00	\$3,100.00	\$40.00	\$2,000.00
	13P-30"	Polyethylene Pipe -30" Dia.	LF	1-100	50	\$65.00	\$3,250.00	\$50.00	\$2,500.00
	13P-36"	Polyethylene Pipe -36" Dia.	LF	1-100	50	\$65.00	\$3,250.00	\$70.00	\$3,500.00
	13P-48"	Polyethylene Pipe -48" Dia.	LF	1-100	50	\$75.00	\$3,750.00	\$80.00	\$4,000.00
	21A	Leaching Pools (8' Dia.x 4'L)	Ea.	1 - 5	3	\$3,200.00	\$9,600.00	\$3,500.00	\$10,500.00
	21B	Leaching Pools (8' Dia.x 8'L)	Ea.	1 - 5	3	\$3,800.00	\$11,400.00	\$4,000.00	\$12,000.00
	21C	Leaching Pools (8' Dia.x 12'L)	Ea.	1 - 5	3	\$4,100.00	\$12,300.00	\$4,000.00	\$12,000.00
	21D	Leaching Pools (10' Dia.x 4'L)	Ea.	1 - 5	3	\$3,200.00	\$9,600.00	\$3,800.00	\$11,400.00
	21E	Leaching Pools (10' Dia.x 8'L)	Ea.	1 - 5	3	\$4,200.00	\$12,600.00	\$4,400.00	\$13,200.00
	21F	Leaching Pools (10' Dia.x 12'L)	Ea.	1 - 5	3	\$4,800.00	\$14,400.00	\$4,800.00	\$14,400.00
	23A	Catch Basins Type A	Ea.	1 - 5	3	\$2,800.00	\$8,400.00	\$3,200.00	\$9,600.00
	23B	Catch Basins Type B	Ea.	1 - 5	3	\$2,900.00	\$8,700.00	\$3,200.00	\$9,600.00
	23AXD	Catch Basins Type A - Add Dept	VF	1 - 5	3	\$500.00	\$1,500.00	\$400.00	\$1,200.00
	23BXD	Catch Basins Type B - Add Depth	VF	1 - 5	3	\$700.00	\$2,100.00	\$400.00	\$1,200.00
	25-C	Casting Adjustment	Ea.	1-5	3	\$350.00	\$1,050.00	\$400.00	\$1,200.00
	25-S	Subgrade Area Material	CY	1	1	\$100.00	\$100.00	\$100.00	\$100.00
	25-P	10'x10' Pavement Patch	Ea.	1 - 5	3	\$600.00	\$1,800.00	\$800.00	\$2,400.00
	27-MH	Manholes-4'ID/Base Section 3'-6"	Ea.	1 - 5	3	\$3,000.00	\$9,000.00	\$3,200.00	\$9,600.00
	27-MHADX	Manholes-4'ID/Additional Depth	VF	1 - 5	3	\$400.00	\$1,200.00	\$400.00	\$1,200.00
	27-DI	Drop Inlets-2' ID/Base Section 3'	Ea.	1 - 5	3	\$2,000.00	\$6,000.00	\$2,200.00	\$6,600.00
	53	Tack Coat	Gal	1-10	5	\$10.00	\$50.00	\$20.00	\$100.00
	112	Topsoil and Seed	SY	1-500	250	\$15.00	\$3,750.00	\$12.00	\$3,000.00
Total Bid Comparison Award No. 5							\$143,700		\$145,800

Award No. 6 - Mill and Overlay - Low Quantity

Low Bidder: Corazzini

Alternate Low Bidder: South Fork Asphalt

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Corazzini		South Fork Asphalt	
						Unit Cost	Total Price	Unit Cost	Total Price
6	2U	Removal of Unsuitable Material	CY	1 - 50	25	\$1.00	\$25.00	\$1.00	\$25.00
	4-SS	Stabilized Soil Aggregate Subbase	CY	1-25	10	\$1.00	\$10.00	\$7.00	\$70.00
	48	Asphalt Concrete Truing and Leveling Course	Ton	1-200	100	\$80.00	\$8,000.00	\$80.00	\$8,000.00
	49	Rut Avoidance Asphalt Concrete, Type 6FRA Top Course	Ton	1-200	100	\$88.00	\$8,800.00	\$97.00	\$9,700.00
	52	Rut Avoidance Asphalt Concrete, Type 3RA Binder Course	Ton	1-200	100	\$55.00	\$5,500.00	\$77.00	\$7,700.00
	59	Milling of Asphaltic Concrete Pavement	SY	1-3000	1500	\$4.00	\$6,000.00	\$8.00	\$12,000.00
	116	Pavement Markings	LF	1 - 2,000	1,000	\$1.00	\$1,000.00	\$2.00	\$2,000.00
	118-SWM	Straw/Wood Fiber Mulch - Temporary	SY	1-500	250	\$1.00	\$250.00	\$1.00	\$250.00
	118-SM	Seed and Mulch - Temporary	SY	1-500	250	\$1.00	\$250.00	\$1.00	\$250.00
	118-SSWM	Seed and Straw/Wood Fiber Mulch - Temporary	SY	1-500	250	\$1.00	\$250.00	\$1.00	\$250.00
	118-S	Straw Bale - Temporary	LF	1-500	250	\$3.00	\$750.00	\$3.00	\$750.00
	118-G	Geotextiles	SY	1-200	100	\$1.00	\$100.00	\$1.00	\$100.00
	118-SF	Silt Fence - Temporary	LF	1-500	250	\$1.00	\$250.00	\$1.00	\$250.00
	118-D	Drainage Structure Inlet Protection, Prefabricated - Temporary	Ea.	1-5	5	\$1.00	\$5.00	\$150.00	\$750.00
	118-J	Jute Mesh	SY	1-200	100	\$1.00	\$100.00	\$1.00	\$100.00
	118-SCE	Stabilized Construction Entrance	SY	1-200	100	\$1.00	\$100.00	\$1.00	\$100.00
Total Bid Comparison Award No.6							\$31,390.00		\$42,295.00

Award No. 7 - Mill and Overlay - High Quantity

Low Bidder: Rosemar

Alternate Low Bidder: Corazzini

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Rosemar		Corazzini	
						Unit Cost	Total Price	Unit Cost	Total Price
7	2U	Removal of Unsuitable Material	CY	51-100	75	\$1.00	\$75.00	\$0.25	\$18.75
	4-SS	Stabilized Soil Aggregate Subbase	CY	26-50	35	\$1.00	\$35.00	\$0.25	\$8.75
	48	Asphalt Concrete Truing and Leveling Course	Ton	201-1000	600	\$55.00	\$33,000.00	\$70.00	\$42,000.00
	49	Rut Avoidance Asphalt Concrete, Type 6FRA Top Course	Ton	201-1000	600	\$79.00	\$47,400.00	\$80.00	\$48,000.00
	52	Rut Avoidance Asphalt Concrete, Type 3RA Binder Course	Ton	201-1000	600	\$55.00	\$33,000.00	\$70.00	\$42,000.00
	59	Milling of Asphaltic Concrete Pavement	SY	3001-5000	4,000	\$2.35	\$9,400.00	\$3.00	\$12,000.00
	116	Pavement Markings	LF	1 - 2,000	1,000	\$1.00	\$1,000.00	\$1.00	\$1,000.00
	118-SWM	Straw/Wood Fiber Mulch - Temporary	SY	501-1000	750	\$1.00	\$750.00	\$1.00	\$750.00
	118-SM	Seed and Mulch - Temporary	SY	501-1000	750	\$1.00	\$750.00	\$1.00	\$750.00
	118-SSWM	Seed and Straw/Wood Fiber Mulch - Temporary	SY	501-1000	750	\$1.00	\$750.00	\$1.00	\$750.00
	118-S	Straw Bale - Temporary	LF	501-1000	750	\$1.00	\$750.00	\$1.00	\$750.00
	118-G	Geotextiles	SY	201-500	350	\$1.00	\$350.00	\$1.00	\$350.00
	118-SF	Silt Fence - Temporary	LF	501-1000	750	\$1.00	\$750.00	\$1.00	\$750.00
	118-D	Drainage Structure Inlet Protection, Prefabricated - Temporary	Ea.	6-10	10	\$1.00	\$10.00	\$1.00	\$10.00
	118-J	Jute Mesh	SY	201-500	500	\$1.00	\$500.00	\$1.00	\$500.00
	118-SCE	Stabilized Construction Entrance	SY	201-500	350	\$1.00	\$350.00	\$1.00	\$350.00
Total Bid Comparison Award No.7							\$128,870.00		\$149,987.50

Award No. 8 - Concrete Flatwork and Curbing - Low Quantity

Low Bidder: Laser

Alternate Low Bidder: KJB

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description Description	Unit	Quantity	Estimated Quantity	Laser		KJB	
						Unit Cost	Total Price	Unit Cost	Total Price
8	2U	Removal of Unsuitable Material	CY	1-10	5	\$40.00	\$200.00	\$30.00	\$150.00
	6	Detectable Warning Units	SF	1 - 25	10	\$10.00	\$100.00	\$11.00	\$110.00
	7	Concrete Curb	LF	1-200	100	\$30.00	\$3,000.00	\$35.00	\$3,500.00
	7A	Concrete Header	LF	1-200	100	\$25.00	\$2,500.00	\$25.00	\$2,500.00
	7RR	Remove and Replace Concrete Curb	LF	1-200	100	\$35.00	\$3,500.00	\$40.00	\$4,000.00
	7ARR	Remove and Replace Concrete Header	LF	1-200	100	\$30.00	\$3,000.00	\$30.00	\$3,000.00
	8	Jumbo Belgian Block Curb	LF	1-200	100	\$22.00	\$2,200.00	\$28.00	\$2,800.00
	8RR	Remove and Replace Jumbo Belgian Block Curb	LF	1-200	100	\$26.00	\$2,600.00	\$28.00	\$2,800.00
	9	Concrete Sidewalk	SY	1-100	50	\$80.00	\$4,000.00	\$90.00	\$4,500.00
	9RR	Remove and Replace Concrete Sidewalk	SY	1-100	50	\$90.00	\$4,500.00	\$100.00	\$5,000.00
	10-4"	Colored and Imprinted Concrete Sidewalk - 4"	SY	1-100	50	\$75.00	\$3,750.00	\$80.00	\$4,000.00
	10-6"	Colored and Imprinted Concrete Sidewalk - 6"	SY	1-100	50	\$85.00	\$4,250.00	\$90.00	\$4,500.00
	10-4"RR	Remove and Replace Colored and Imprinted Concrete Sidewalk - 4"	SY	1-100	50	\$80.00	\$4,000.00	\$50.00	\$2,500.00
	10-6"RR	Remove and Replace Colored and Imprinted Concrete - 6"	SY	1-100	50	\$90.00	\$4,500.00	\$100.00	\$5,000.00
	11	Concrete Aprons	SY	1-50	25	\$70.00	\$1,750.00	\$105.00	\$2,625.00
	11RR	Remove and Replace Concrete Aprons	SY	1-25	10	\$75.00	\$750.00	\$110.00	\$1,100.00
	12	Trench Drain	LF	1-100	50	\$80.00	\$4,000.00	\$100.00	\$5,000.00
	13P-4"	Polyethylene Pipe-4" Dia.	LF	1-200	100	\$5.00	\$500.00	\$10.00	\$1,000.00
	112	Topsoil and Seed	SY	1-200	100	\$10.00	\$1,000.00	\$12.00	\$1,200.00
Total Bid Comparison Award No. 8							\$50,100.00		\$55,285.00

Award No. 9 - Concrete Flatwork and Curbing - High Quantity

Low Bidder: Laser

Alternate Low Bidder: Landtek

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Laser		Landtek	
						Unit Cost	Total Price	Unit Cost	Total Price
9	2U	Removal of Unsuitable Material	CY	11 - 20	15	\$35.00	\$525.00	\$50.00	\$750.00
	6	Detectable Warning Units	SF	26 - 100	60	\$25.00	\$1,500.00	\$10.00	\$600.00
	7	Concrete Curb	LF	201 - 1,000	600	\$25.00	\$15,000.00	\$28.00	\$16,800.00
	7A	Concrete Header	LF	201 - 1,000	600	\$20.00	\$12,000.00	\$22.00	\$13,200.00
	7RR	Remove and Replace Concrete Curb	LF	201 - 1,000	600	\$28.00	\$16,800.00	\$30.00	\$18,000.00
	7ARR	Remove and Replace Concrete Curb	LF	201 - 1,000	600	\$22.00	\$13,200.00	\$28.00	\$16,800.00
	8	Jumbo Belgian Block Curb	LF	201 - 1,000	600	\$20.00	\$12,000.00	\$20.00	\$12,000.00
	8RR	Remove and Replace Jumbo Belgian Block Curb	LF	201 - 1,000	600	\$24.00	\$14,400.00	\$23.00	\$13,800.00
	9	Concrete Sidewalk	SY	101-500	300	\$85.00	\$25,500.00	\$95.00	\$28,500.00
	9RR	Remove and Replace Concrete Sidewalk	SY	101-500	300	\$85.00	\$25,500.00	\$110.00	\$33,000.00
	10-4"	Colored and Imprinted Concrete Sidewalk - 4"	SY	101-500	300	\$85.00	\$25,500.00	\$100.00	\$30,000.00
	10-6"	Colored and Imprinted Concrete Sidewalk - 6"	SY	101-500	300	\$90.00	\$27,000.00	\$115.00	\$34,500.00
	10-4"RR	Remove and Replace Colored and Imprinted Concrete Sidewalk - 4"	SY	101-500	300	\$90.00	\$27,000.00	\$115.00	\$34,500.00
	10-6"RR	Remove and Replace Colored and Imprinted Concrete - 6"	SY	101-500	300	\$95.00	\$28,500.00	\$125.00	\$37,500.00
	11	Concrete Aprons	SY	51-100	75	\$70.00	\$5,250.00	\$100.00	\$7,500.00
	11RR	Remove and Replace Concrete Aprons	SY	26 - 100	60	\$80.00	\$4,800.00	\$105.00	\$6,300.00
	12	Trench Drain	LF	101-300	200	\$70.00	\$14,000.00	\$75.00	\$15,000.00
	13P-4"	Polyethylene Pipe -4" Dia.	LF	201-500	350	\$5.00	\$1,750.00	\$1.00	\$350.00
	112	Topsoil and Seed	SY	201-500	350	\$8.00	\$2,800.00	\$8.00	\$2,800.00
Total Bid Comparison Award No. 9							\$273,025.00		\$321,900.00

Award No. 10 - Permeable Paver Parking Lot/Roadway - Low Quantity

Low Bidder: Landtek

Alternate Low Bidder: KJB

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description Description	Unit	Quantity	Estimated Quantity	Landtek		KJB	
						Unit Cost	Total Price	Unit Cost	Total Price
10	2	Unclassified Excavation	CY	1-500	300	\$30.00	\$9,000.00	\$25.00	\$7,500.00
	6	Detectable Warning Units	SF	1-100	50	\$30.00	\$1,500.00	\$30.00	\$1,500.00
	7	Concrete Curb	LF	1-500	250	\$30.00	\$7,500.00	\$30.00	\$7,500.00
	8	Jumbo Belgian Block Curb	LF	1-500	250	\$25.00	\$6,250.00	\$25.00	\$6,250.00
	9	Concrete Sidewalk	SY	1-50	25	\$120.00	\$3,000.00	\$82.00	\$2,050.00
	10-4"	Colored and Imprinted Concrete Sidewalk - 4"	SY	1-50	25	\$115.00	\$2,875.00	\$100.00	\$2,500.00
	11	Concrete Aprons	SY	1-50	25	\$140.00	\$3,500.00	\$105.00	\$2,625.00
	12	Trench Drain	LF	1-100	50	\$125.00	\$6,250.00	\$200.00	\$10,000.00
	13P-4"	Polyethylene Pipe-4" Dia.	LF	1-100	50	\$10.00	\$500.00	\$10.00	\$500.00
	74	Painted Lines	LF	1-1000	500	\$1.00	\$500.00	\$2.00	\$1,000.00
	112	Topsoil and Seed	SY	1-200	100	\$8.00	\$800.00	\$12.00	\$1,200.00
	190-O	Concrete Grid Pavements	SY	0 - 1,000	500	\$135.00	\$67,500.00	\$125.00	\$62,500.00
	190-P	Permeable Interlocking Concrete Pavement – Eco-ridge	SY	0 - 1,000	500	\$120.00	\$60,000.00	\$140.00	\$70,000.00
	190- PP	Permeable Interlocking Concrete Pavement – SF-Rima	SY	0 - 1,000	500	\$125.00	\$62,500.00	\$140.00	\$70,000.00
	191	Unit Pavers	SY	0 - 1,000	500	\$110.00	\$55,000.00	\$100.00	\$50,000.00
Total Bid Comparison Award No. 10							\$286,675.00		\$295,125.00

Award No. 11 - Permeable Paver Parking Lot/Roadway - High Quantity

Low Bidder: Laser

Alternate Low Bidder: Landtek

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Laser		Landtek	
						Unit Cost	Total Price	Unit Cost	Total Price
11	2	Unclassified Excavation	CY	501-1000	750	\$30.00	\$22,500.00	\$28.00	\$21,000.00
	6	Detectable Warning Units	SF	101-200	150	\$20.00	\$3,000.00	\$30.00	\$4,500.00
	7	Concrete Curb	LF	501-1000	750	\$30.00	\$22,500.00	\$30.00	\$22,500.00
	8	Jumbo Belgian Block Curb	LF	501-1000	750	\$32.00	\$24,000.00	\$20.00	\$15,000.00
	9	Concrete Sidewalk	SY	51-100	75	\$150.00	\$11,250.00	\$120.00	\$9,000.00
	10-4"	Colored and Imprinted Concrete Sidewalk - 4"	SY	51-100	75	\$120.00	\$9,000.00	\$125.00	\$9,375.00
	11	Concrete Aprons	SY	51-100	75	\$120.00	\$9,000.00	\$140.00	\$10,500.00
	12	Trench Drain	LF	101-200	150	\$100.00	\$15,000.00	\$95.00	\$14,250.00
	13P-4"	Polyethylene Pipe -4" Dia.	LF	101-200	150	\$10.00	\$1,500.00	\$15.00	\$2,250.00
	74	Painted Lines	LF	1001-5000	3,000	\$1.00	\$3,000.00	\$0.70	\$2,100.00
	112	Topsoil and Seed	SY	201-500	750	\$10.00	\$7,500.00	\$8.00	\$6,000.00
	190-O	Concrete Grid Pavements	SY	1001-5000	3,000	\$120.00	\$360,000.00	\$130.00	\$390,000.00
	190-P	Permeable Interlocking Concrete Pavement – Eco-ridge	SY	1001-5000	3,000	\$120.00	\$360,000.00	\$120.00	\$360,000.00
	190-PP	Permeable Interlocking Concrete Pavement – SF-Rima	SY	1001-5000	3,000	\$120.00	\$360,000.00	\$120.00	\$360,000.00
	191	Unit Pavers	SY	1001-5000	3,000	\$95.00	\$285,000.00	\$105.00	\$315,000.00
Total Bid Comparison Award No. 11							\$1,493,250.00		\$1,541,475.00

Award No. 12 - Surface Treatments - Low Quantity

Low Bidder: Corazzini

Alternate Low Bidder: KJB

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Corazzini		KJB	
						Unit Cost	Total Price	Unit Cost	Total Price
12	100	Bituminous Surface Treatment	SY	1-1000	500	\$10.00	\$5,000.00	\$20.00	\$10,000.00
	104	Asphalt Emulsion Slurry	SY	1 - 1,000	500	\$10.00	\$5,000.00	\$70.00	\$35,000.00
Total Bid Comparison Award No. 12							\$10,000.00		\$45,000.00

Award No. 13 - Surface Treatments - High Quantity

Low Bidder: Corazzini

Alternate Low Bidder: KJB

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Corazzini		KJB	
						Unit Cost	Total Price	Unit Cost	Total Price
13	100	Bituminous Surface Treatment	SY	1001-5000	2,500	\$10.00	\$25,000.00	\$20.00	\$50,000.00
	104	Asphalt Emulsion Slurry	SY	1001-5000	2,500	\$10.00	\$25,000.00	\$70.00	\$175,000.00
Total Bid Comparison Award No. 13							\$50,000.00		\$225,000.00

Award No. 14 - Crack Sealants - Low Quantity

Low Bidder: Rosemar

Alternate Low Bidder: KJB

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Rosemar		KJB	
						Unit Cost	Total Price	Unit Cost	Total Price
14	44	Elastomeric Pavement Crack Sealant	LF	1 - 1,000	500	\$4.00	\$2,000.00	\$10.00	\$5,000.00
	46	Fiber Reinforced Polymer Modified Pavement Crack Sealant	LF	1 - 1,000	500	\$6.00	\$3,000.00	\$25.00	\$12,500.00
Total Bid Comparison Award No. 14							\$5,000.00		\$17,500.00

Award No. 15 - Chain Link Fence - Low Quantity

Low Bidder: Laser

Alternate Low Bidder: Landtek

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Laser		Landtek	
						Unit Cost	Total Price	Unit Cost	Total Price
15	108-4'	Vinyl Coated Chain Link Fencing	LF	0 - 100	50	\$20.00	\$1,000.00	\$28.00	\$1,400.00
	108-6'	Vinyl Coated Chain Link Fencing	LF	0 - 100	50	\$20.00	\$1,000.00	\$32.00	\$1,600.00
	108-8'	Vinyl Coated Chain Link Fencing	LF	0 - 100	50	\$22.00	\$1,100.00	\$38.00	\$1,900.00
	108SG-4'	Vinyl Coated Chain Link 3' Single Gate	Ea	0-5	1	\$200.00	\$200.00	\$300.00	\$300.00
	108SG-6'	Vinyl Coated Chain Link 3' Single Gate	Ea	0-5	1	\$300.00	\$300.00	\$400.00	\$400.00
	108SG-8'	Vinyl Coated Chain Link 3' Single Gate	Ea	0-5	1	\$300.00	\$300.00	\$500.00	\$500.00
	108SG-4'	Vinyl Coated Chain Link 8' Double Gate	Ea	0-5	1	\$400.00	\$400.00	\$1,000.00	\$1,000.00
	108SG-6'	Vinyl Coated Chain Link 8' Double Gate	Ea	0-5	1	\$450.00	\$450.00	\$1,200.00	\$1,200.00
	108SG-8'	Vinyl Coated Chain Link 8' Double Gate	Ea	0-5	1	\$450.00	\$450.00	\$1,500.00	\$1,500.00
Total Bid Comparison Award No. 15							\$5,200.00		\$9,800.00

Award No. 16 - Chain Link Fence - High Quantity

Low Bidder: Laser

Alternate Low Bidder: Landtek

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Laser		Landtek	
						Unit Cost	Total Price	Unit Cost	Total Price
16	108-4'	Vinyl Coated Chain Link Fencing	LF	101-500	300	\$20.00	\$6,000.00	\$28.00	\$8,400.00
	108-6'	Vinyl Coated Chain Link Fencing	LF	101-500	300	\$20.00	\$6,000.00	\$32.00	\$9,600.00
	108-8'	Vinyl Coated Chain Link Fencing	LF	101-500	300	\$22.00	\$6,600.00	\$38.00	\$11,400.00
Total Bid Comparison Award No. 16							\$18,600.00		\$29,400.00

Award No. 17 - Asphalt Top Course Installed - Low Quantity

Low Bidder: Corazzini
 Alternate Low Bidder: South Fork Asphalt
 Town of Riverhead Bid Received April 7, 2016
 Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Corazzini		South Fork Asphalt	
						Unit Cost	Total Price	Unit Cost	Total Price
17	49	Rut Avoidance Asphalt Concrete, Type 6FRA Top Course	Ton	1-500	250	\$82.00	\$20,500.00	\$83.15	\$20,787.50
Total Bid Comparison Award No. 17							\$20,500.00		\$20,787.50

Award No. 18 - Asphalt Top Course Installed - Mid Quantity

Low Bidder: Rosemar
 Alternate Low Bidder: Corazzini
 Town of Riverhead Bid Received April 7, 2016
 Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Rosemar		Corazzini	
						Unit Cost	Total Price	Unit Cost	Total Price
18	49	Rut Avoidance Asphalt Concrete, Type 6FRA Top Course	Ton	501-1000	750	\$75.00	\$56,250.00	\$75.25	\$56,437.50
Total Bid Comparison Award No. 18							\$56,250.00		\$56,437.50

Award No. 19 - Asphalt Top Course Installed - High Quantity

Low Bidder: Rosemar
 Alternate Low Bidder: Corazzini
 Town of Riverhead Bid Received April 7, 2016
 Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Rosemar		Corazzini	
						Unit Cost	Total Price	Unit Cost	Total Price
19	49	Rut Avoidance Asphalt Concrete, Type 6FRA Top Course	Ton	1001-5000	3000	\$70.00	\$210,000.00	\$72.00	\$216,000.00
Total Bid Comparison Award No. 19							\$210,000.00		\$216,000.00

Award No. 20 - Asphalt Binder Course Installed - Low Quantity

Low Bidder: Corazzini
 Alternate Low Bidder: South Fork Asphalt
 Town of Riverhead Bid Received April 7, 2016
 Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Corazzini		South Fork Asphalt	
						Unit Cost	Total Price	Unit Cost	Total Price
20	52	Rut Avoidance Asphalt Concrete, Type 3RA Binder Course	Ton	1-500	250	\$80.00	\$20,000.00	\$82.15	\$20,537.50
Total Bid Comparison Award No. 20							\$20,000.00		\$20,537.50

Award No. 21 - Asphalt Binder Course Installed - Mid Quantity

Low Bidder: Rosemar

Alternate Low Bidder: Corazzini

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Rosemar		Corazzini	
						Unit Cost	Total Price	Unit Cost	Total Price
21	52	Rut Avoidance Asphalt Concrete, Type 3RA Binder Course	Ton	501-1000	750	\$70.00	\$52,500.00	\$74.00	\$55,500.00
Total Bid Comparison Award No. 21							\$52,500.00		\$55,500.00

Award No. 22 - Asphalt Binder Course Installed - High Quantity

Low Bidder: Rosemar

Alternate Low Bidder: Corazzini

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Rosemar		Corazzini	
						Unit Cost	Total Price	Unit Cost	Total Price
22	52	Rut Avoidance Asphalt Concrete, Type 3RA Binder Course	Ton	1001-5000	3000	\$68.00	\$204,000.00	\$72.00	\$216,000.00
Total Bid Comparison Award No. 22							\$204,000.00		\$216,000.00

Award No. 23 - Pavement Patches - Low Quantity

Low Bidder: Corazzini

Alternate Low Bidder: South Fork Asphalt

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Corazzini		South Fork Asphalt	
						Unit Cost	Total Price	Unit Cost	Total Price
23	51	Pavement Patches	SF	0-1,000	500	\$9.00	\$4,500.00	\$10.40	\$5,200.00
Total Bid Comparison Award No. 23							\$4,500.00		\$5,200.00

Award No. 24 - Pavement Patches - High Quantity

Low Bidder: South Fork Asphalt

Alternate Low Bidder: Suffolk Asphalt

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	South Fork Asphalt		Suffolk Asphalt	
						Unit Cost	Total Price	Unit Cost	Total Price
24	51	Pavement Patches	SF	1001-5000	3,000	\$5.65	\$16,950.00	\$6.50	\$19,500.00
Total Bid Comparison Award No. 24						\$16,950.00		\$19,500.00	

Award No. 25 - Latex Modified Surface Treatment - Low Quantity

Low Bidder: Corazzini

Alternate Low Bidder:

Town of Riverhead Bid Received April 7, 2016

Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Corazzini	
						Unit Cost	Total Price
25	106	Latex Modified Surface Treatment	SY	1-1000	500	\$5.50	\$2,750.00
Total Bid Comparison Award No. 25						\$2,750.00	

Award No. 26 - Latex Modified Surface Treatment - High Quantity

Low Bidder: Corazzini
 Alternate Low Bidder:
 Town of Riverhead Bid Received April 7, 2016
 Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Corazzini	
						Unit Cost	Total Price
26	106	Latex Modified Surface Treatment	SY	1001-5000	3,000	\$5.50	\$16,500.00
Total Bid Comparison Award No. 26							\$16,500.00

Award No. 27 - Sodding - Low Quantity
 Low Bidder: Laser
 Alternate Low Bidder: Barbato
 Town of Riverhead Bid Received April 7, 2016
 Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Laser		Barbato	
						Unit Cost	Total Price	Unit Cost	Total Price
27	113	Sodding	SY	1-5000	1,000	\$7.90	\$7,900.00	\$8.00	\$8,000.00
Total Bid Comparison Award No. 27							\$7,900.00	\$8,000.00	

Award No. 28 - Sodding - High Quantity
 Low Bidder: Laser
 Alternate Low Bidder: Barbato
 Town of Riverhead Bid Received April 7, 2016
 Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Laser		Barbato	
						Unit Cost	Total Price	Unit Cost	Total Price
28	113	Sodding	SY	5001-10000	7,500	\$5.90	\$44,250.00	\$6.75	\$50,625.00
Total Bid Comparison Award No. 28							\$44,250.00	\$50,625.00	

Award No. 29 - Poured In Place Safety Surface
 Low Bidder: Barbato
 Alternate Low Bidder: KJB
 Town of Riverhead Bid Received April 7, 2016
 Annual Construction Contract 2016

Award No.	Item No.	Description	Unit	Quantity	Estimated Quantity	Barbato		KJB	
						Unit Cost	Total Price	Unit Cost	Total Price
29	151-6'	Poured in Place Safety Surface - 6' Critical Fall Ht.	SY	1-1000	500	\$90.00	\$45,000.00	\$120.00	\$60,000.00
	151-8'	Poured in Place Safety Surface - 8' Critical Fall Ht.	SY	1-1000	500	\$99.00	\$49,500.00	\$125.00	\$62,500.00
	151-10'	Poured in Place Safety Surface - 10' Critical Fall Ht.	SY	1-1000	500	\$114.00	\$57,000.00	\$130.00	\$65,000.00
Total Bid Comparison Award No. 29							\$151,500.00	\$187,500.00	

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 Supervisor to execute an agreement for the Annual Construction Contract; and

BE IT FURTHER RESOLVED, that the Town Board be and does hereby authorize various Town department to secure Town of Riverhead purchase orders from the Purchasing Department using the Annual Construction Contract; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Drew Dillingham, P.E., Community Development, Highway Department, Sewer District and Water District, Purchasing 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 262

**AUTHORIZES HIGHWAY SUPERINTENDENT TO ATTEND
2016 APWA NORTH AMERICAN SNOW CONFERENCE**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the 2016 APWA North American Snow Conference is being held on May 22 – 25, 2016 in Hartford, Connecticut and;

WHEREAS, the APWA North American Snow Conference offers classes and seminars, including but not limited to, State and Municipal Emergency Winter Operations, Winter Maintenance; and

WHEREAS, the Highway Superintendent's attendance and participation at the APWA North American Snow Conference will aid him in the performance of duties and in the administration of the Highway Department; and

WHEREAS, the cost of the APWA North American Snow Conference shall not exceed \$2,000.00 including registration, travel, lodging and meals and all such costs shall be fully receipted upon his return and all pertinent receipts and documents will be submitted to the Office of Accounting for reimbursement; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and does authorize the Highway Superintendent to attend the 2016 North American Snow Conference and that cost not exceed \$2,000.00 including registration, travel, lodging and meals, 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 Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 263

AUTHORIZES HIGHWAY SUPERINTENDENT AND DEPUTY HIGHWAY SUPERINTENDENT TO ATTEND CORNELL LOCAL ROADS PROGRAM

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Cornell Local Roads Program is being held on May 17, 2016 in Riverhead, New York and;

WHEREAS, the Cornell Local Roads Program offers classes and seminars, including but not limited to, Running Your Highway Department; and

WHEREAS, the Highway Superintendent and Deputy Highway Superintendent's attendance and participation at the Cornell Local Roads Program will aid them in the performance of duties and in the administration of the Highway Department; and

WHEREAS, the cost of the Cornell Local Roads Program shall not exceed \$125.00 including registration and meals and all such costs shall be fully receipted upon their return and all pertinent receipts and documents will be submitted to the Office of Accounting for reimbursement; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and does authorize the Highway Superintendent and Deputy Highway Superintendent to attend the Cornell Local Roads Program and that cost not exceed \$125.00 including registration and meals, 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 Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 264

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

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

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

NOW THEREFORE BE IT RESOLVED, that the Town Clerk is hereby authorized to publish and post the following public notice in the April 28, 2016 issue of the News-Review; and be it further

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared TABLED

TOWN OF RIVERHEAD

NOTICE TO BIDDERS

TAKE NOTICE that sealed bids for **ONSITE GRINDING OF TOWN YARD WASTE** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until **11:00 a.m. on May 19, 2016.**

Bid packets, including Specifications, may be examined and/or obtained beginning **April 28, 2016** by visiting the Town of Riverhead website at www.townofriverheadny.gov and click on Bid Requests beginning **April 28, 2016.**

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

All bids are to be submitted in a sealed envelope bearing the designation **ONSITE GRINDING OF TOWN YARD WASTE.** Bids must be received by the Office of the Town Clerk by no later than **11:00 a.m. on May 19, 2016.**

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

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

TOWN OF RIVERHEAD

Resolution # 265

**SETTING TERMS AND CONDITIONS OF EMPLOYMENT
FOR DEPUTY TAX RECEIVER MELISSA MESSINA**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

BE IT RESOLVED, that the terms and conditions of employment of Melissa Messina, Deputy Tax Receiver shall, effective April 7, 2016 be as follows:

ARTICLE I

DURATION

1. These terms and conditions shall be effective as of April 7, 2016 and shall continue in full force and effect until terminated by the Town or Melissa Messina on an at-will basis.

ARTICLE II

RECOGNITION

1. Messina affirms that he/she does not assert the right to strike against the Town, or to assist or participate in any such strike, picket, job action or any work slowdown.
2. The Town recognizes Messina's right to designate a representative to appear on his/her behalf to discuss salaries, working conditions, grievances and disputes relative to the terms and conditions of this Resolution and to confer with the employee during working hours. The representative's activities shall not disrupt the orderly and smooth operation of Town government.

ARTICLE III

HOURS OF WORK

1. Messina's minimum basic work week shall be 35 hours per week. There shall be no maximum number of hours of work per week. Messina shall not receive additional compensation for holiday pay. Messina is not entitled to earn, accrue, or be paid for overtime or compensatory time.
2. Messina shall be entitled to the same paid holidays as are set forth in the 2011-2014 CSEA collective bargaining agreement.
3. (a) Five (5) days personal leave will be granted. This shall be prorated in 2016 (year of appointment) beginning the first full month of employment.

(b) Personal leave may not be accumulated and must be used within the calendar year earned, except that unused personal days at the end of each year shall be converted to sick time and may be used as sick time, subject to all the rules and pertaining to sick time.

(c) Personal leave must be approved by the Town Supervisor or Designee. Messina must request such leave at least forty eight (48) hours in advance unless the personal leave is deemed to be an emergency of which he/she had no prior knowledge, in which case Messina must notify the Supervisor or designee of such absence. Failure to notify the Supervisor or designee of his/her absence will result in loss of pay for the day's absence.

4. Funeral Leave. Messina shall be entitled to four (4) consecutive working days leave of absence computed either from the day of death or the day following death, at Messina's option, for the death of Messina's spouse, child (including adopted children), father, mother, brother, sister, parents, parents-in-law, grandparents, grandparents-in-law, grandchildren, daughter-in-law, brother-in-law, sister-in-law, son-in-law, or stepchild.

5. Jury Service. Messina will be paid his/her regular salary while performing jury service upon documentary proof being filed with the Supervisor. Messina shall endorse the jury salary checks to the Town. Travel allowance or mileage compensation checks for jury service are to be retained by Messina.

6. Court Appearance. Messina's absence by reason of appearance as a defendant or witness on behalf of the Town in any court action involving the Town will be approved by the Town Supervisor for the number of days necessary. Messina shall not lose any salary there from.

7. Parentage Leave. Messina, with one year's employment, may be granted a leave of absence without pay not to exceed 12 months, without extension, during a 21 month window, from nine months before the expected birth or adoption to twelve months after the birth or adoption. This leave shall apply equally to both mother and father of the child, but may not apply to a provisional employee (Civil Service Requirements). The employee shall be reinstated in the same or comparable position.

ARTICLE IV

VACATIONS

1. Messina shall be entitled to 10 working days' vacation (January 1 to December 31). This shall be prorated in 2016 (year of appointment) beginning the first full month of employment.

2. Messina, upon request, shall be paid his/her vacation pay prior to the vacation, providing he/she shall have given three (3) weeks' written notice to the Supervisor.

3. Upon retirement or termination of service, except for cause, Messina shall be compensated, in cash, for any accumulated vacation not to exceed 60 days.

4. Messina may carry over any unused vacation days from one (1) year into the following year, but in no event shall Messina carry over more than sixty (60) vacation days from one year to the next.

5. Messina, at his/her option, shall be entitled to make an election to work the current year's allotted vacation time. Messina must provide written notification to the Supervisor of the exercising of this option not fewer than thirty (30) days prior to the date of which payment is requested. The Supervisor is to acknowledge receipt of this notification to the payroll personnel prior to payment. Payment is to be processed during the next overtime run. Payment will be the same method as outlined in the 2012-2015 Superior Officers' Contract, Article IX, Section B, except that the buyback shall be in blocks of three days per month. In addition Messina must advise the Town in writing, by no later than September 1 prior to the year in which the election is being made, on a form to be prepared by the Town, of the total minimum and the maximum dollar amounts of eligible vacation time and/or sick leave, as appropriate, that the employee will buyout and for which he/she will be paid in the next fiscal year. If the employee does not comply with this requirement, then the employee will not be eligible for any accrued time buyout in the next fiscal year.

6. If granted permanent competitive status, Messina shall be entitled to annual (January 1 to December 31) vacation computed from the date of appointment as temporary substitute Deputy Tax Receiver.

ARTICLE V

SICK LEAVE

1. Sick leave is absence necessitated by Messina's illness or other physical disability. Sick leave will be accumulated at the rate of one and one-quarter (1 1/4) days per month or (fifteen [15] days per year) beginning the first full month of employment. The maximum amount of sick time allowed to accrue are three hundred (300) days. After three hundred (300) days, additional paid sick leave may be granted at the sole discretion of the Town Board. In order to receive sick leave, Messina shall, when absent because of sickness for more than three (3) days, furnish the Supervisor, when requested by him/her, with a medical certificate. Failure to furnish a medical certificate will result in loss of pay for absent days. The Town Board, at its discretion, may request a physical examination of Messina before his/her return to work.

2. Messina, or his/her legal representative, upon retirement or severance, is entitled to cash payment for accumulated sick leave. Said payment shall be paid in a lump sum the value of his/her accumulated and unused sick leave to the extent of one hundred (100%) percent of the first two hundred and eighty (280) days thereof.

3. The parties mutually agree that excessive absenteeism due to abuse of sick leave should be discouraged. Therefore, the Town may request a doctor's certificate from chronic abusers of sick leave (e.g., numerous illness absences even though the employee has accumulated sick leave), regardless of the length of the illness. An employee submitting a claim based on a false statement, or covering a period during which the employee was not actually disabled, will be considered as abusing the sick leave provision. Employees who abuse the sick leave provision shall be subject to disciplinary action.

4. Messina may elect to reduce the sick time accrued under paragraph "1" one by filing a written election with the Supervisor one (1) month prior to payment. Buy-out shall be in lots of ten (10) sick days. No buy-out shall be permitted unless at the time of election Messina has accumulated at least fifty (50) sick days. The rate of pay shall be calculated at the time of payment based on a two hundred sixty (260) day work year. If Messina "buys-out" sick leave, he/she shall be permitted to re-accumulate sick days to a maximum of three hundred (300) days for use in the event of illness, but those days may not be re-accumulated for payment purposes. In addition, Messina must advise the Town in writing, by no later than September 1 prior to the year in which the election is being made, on a form to be prepared by the Town, of the total minimum and the maximum dollar amounts of eligible vacation time and/or sick leave, as appropriate, that the employee will buyout and for which he/she will be paid in the next fiscal year. If the employee does not comply with this requirement, then the employee will not be eligible for any accrued time buyout in the next fiscal year.

ARTICLE VI

GRIEVANCE PROCEDURE

1. Consideration of Grievance.

A grievance by Messina shall be made, in writing, to the Town Board. Upon receipt of the grievance, the Town Board may request Messina to submit any agreed statement of facts or his/her version of the facts, or any other documents that the Town Board may deem pertinent to the determination of the appeal.

The Town Board shall conduct a hearing within twenty (20) business days of receipt of an appeal. Within twenty (20) business days after the hearing, the Town Board shall make a decision based on its findings and advise Messina. The decision of the Town Board shall be final and all parties bound thereby.

2. Time of Hearings.

All discussions and hearings shall, so far as practicable, be conducted during working hours.

3. Representation.

Messina shall have the right at all times to representation of his/her choosing.

4. Limitations.

If a grievance occurs and cannot be resolved immediately, Messina shall obey all directives and shall present the grievance as soon thereafter as practicable. Grievances which are not presented within ten (10) days of the occurrence shall be deemed to have been abandoned.

5. Withdrawn Grievances.

Messina may withdraw a grievance at any point in the grievance procedure.

ARTICLE VII

PENSION AND LONGEVITY

Messina represents that he/she is a member of the New York State Employees Retirement System. As a Tier 6 employee, he/she is a participant in the Article 14 or Article 15 Coordinated Retirement Plan.

If granted permanent competitive status, Messina will receive service credit towards longevity and the cessation of health insurance contributions for the time period served as a temporary substitute Deputy Tax Receiver.

ARTICLE VIII

HEALTH INSURANCE

1. Commencing on the first full month of employment, the Town shall pay, on Messina's behalf, seventy five (75%) percent of the cost of either the individual or family coverage for hospitalization under the Town Health Insurance Program. The Town shall pay for seventy five (75%) percent coverage for Messina if he/she retires from the Town and the Town shall also pay to the extent of fifty (50%) percent coverage on the premiums for his/her family.

If Messina and his/her spouse, if employed through the Town, are currently receiving (or are eligible to receive) family health benefits through the Town, only one will be permitted to continue to receive family level coverage. In this event, the person whose coverage changes from family to individual or no coverage will be entitled to the health insurance buy-out, provided that he/she: (1) has submitted to the Town documentation showing that he/she has health insurance coverage other than through the New York State Health Insurance Plan (NYSHIP); and (b) remains in changed status for a period of 12 consecutive months. The 12-month period will coincide with the annual option transfer period. Payment will be made annually during the June or December first following the end of the 12-month period, provided that Messina or his/her spouse remains in the changed status. The employee may reinstate coverage within the 12-month period if he/she experiences a qualifying event and has submitted to the Town adequate documentation of that event, consistent with the rules and regulations of the Town's health insurance plan and applicable laws and regulations.

At retirement, the former employee who is otherwise eligible for family retiree health insurance coverage through the Town but for the operation of this provision shall continue to be ineligible for family retiree health insurance coverage through the Town. However, during retirement, the former employee may reinstate his/her own family health insurance coverage, if the former employee has dependents as defined in the Plan, in the event of an emergency causing the loss of the other person's Town health insurance, consistent with the rules and regulations of the Town's health insurance plan and applicable laws and regulations.

In the event that Messina's employment with the Town should terminate, he/she shall have the option, at his/her own expense, to participate in the Town Health Insurance Program, consistent with applicable laws, rules and regulations.

The service requirement for receipt of health insurance in retirement shall be ten consecutive years of service with the Town. However, if Messina leaves Town service he/she must continue with NYSHIP in vested status by paying the entire cost of coverage, or by being enrolled as an employee at a subsequent participating agency or by being enrolled as a dependent on a NYSHIP policy in order to retain eligibility for retiree health benefits through the Town. If Messina leaves to work for another NYSHIP employer, he/she is not eligible for retiree health insurance if he/she vests with the second employer

2. Commencing on the first full month of employment, the Town shall pay, on Messina's behalf, seventy five (75%) percent of the cost of either the individual or family plan for dental coverage under the Riverhead Town Dental Plan. If Messina and his/her spouse, if employed through the Town, are currently receiving (or are eligible to receive) family dental insurance benefits through the Town, only one will be permitted to continue to receive family level coverage. In this event, the person whose coverage changes from family to individual coverage or no coverage will be entitled to the dental insurance buy-out. Should that person choose to decline to receive individual coverage, then that person will be eligible for the buy-out of the individual coverage.

3. Commencing on the first full month of employment, the Town shall pay, on Messina's behalf, seventy five (75%) percent of the cost of either the individual or family plan for optical coverage under the Riverhead Town Optical Plan. If Messina and his/her spouse, if employed through the Town, are currently receiving (or are eligible to receive) family optical insurance benefits through the Town, only one will be permitted to continue to receive family level coverage. In this event, the person whose coverage changes from family to individual coverage or no coverage will be entitled to the optical insurance buy-out. Should that person choose to decline to receive individual coverage, then that person will be eligible for the buy-out of the individual coverage.

4. The Town will insure Messina's life in accordance with the maximum death benefit provided by the Employees Retirement System for Tier 6 members.

5. Messina, at his/her option, may elect not to accept the Town's hospitalization coverage for a period of not less than one calendar year and receive the following payment in December of each year the election is made: \$1,650 if Messina changes from family to no coverage; \$900 if Messina changes from family to individual coverage; \$750 if Messina changes from individual to no coverage. Also, at his/her option, Messina may elect not to accept the dental coverage for a period of not less than one calendar year and receive the following payment in December of each year the election is made: \$230 if Messina changes from family to no coverage; \$150 if Messina changes from family to individual coverage; \$80 if Messina changes from individual to no coverage. Also, at his/her option, Messina may elect not to accept the optical coverage for a period of not less than one calendar year and receive a payment of twenty five dollars (\$25.00) in December of each year the election is made. Employees appointed during the year may receive a prorated payment during their first year of employment. Messina must sign an application form each year and said application shall include an acknowledgment that he/she is covered under another plan.

ARTICLE IX

GENERAL PROVISIONS

. The Town agrees to provide legal counsel to defend Messina in any action arising out of an assault on Messina on Town business, and the Town hereby agrees to defend, indemnify, and hold Messina harmless for any and all acts performed for the Town, its agents and employees, including but not limited to preparation, certification and sealing of plans prepared exclusively for the Town, its agents and employees, provided Messina was acting within the scope of his/her employment. In the event that Messina is appointed, authorized or directed by the Town or one of its agencies to represent it as a member of the board of directors of an organization or agency, then he/she shall be covered by the provisions of Public Officers Law Section 18 and Town Code Sections 15-1 and 15-2 pertaining to the defense and indemnification of officers and employees of public entities, provided Messina is otherwise eligible for coverage pursuant to the terms of those provisions.

2. If Messina is injured or assaulted in the course of employment, he/she shall receive 100% of his/her salary for the first six months during which he/she is absent from work, and 85% of his/her salary for any time beyond that period, until such time as his/her application for reinstatement to full duty status, or, in the event of permanent disability, his/her application for a disability pension be finally determined or by a physician's examination determining no further disability, whichever comes first. If Messina is injured on the job and reports the same to the Supervisor, and has to be absent from work, no days shall be deducted from his/her sick leave for such injury. If Messina receives a compensation check for lost time due to a compensable injury, he/she shall endorse his/her check over to the Town. The above shall apply if Messina was acting within the scope of his/her employment. Nothing contained herein shall in any way be deemed to restrict the Town's right to separate Messina pursuant to the provisions of Civil Service Law Sections 71-73.

3. A leave of absence, without pay, may be granted to Messina in the discretion of the Town Board for a maximum of six (6) months, upon written application therefore and good cause shown.

4. If Messina is absent without leave or without due notification to the Supervisor, he/she shall suffer loss of pay for the days of such absence.

5. Messina will be paid every two (2) weeks on the second Thursday following the end of the pay period.

6. Upon Messina's request to examine his/her official employment personnel file, he/she may be permitted to do so at the discretion of the Town Board. Any material classified as confidential shall not be subject to duplication by Messina, but he/she shall have an opportunity to read said material and make a written reply, which shall be inserted in his/her personnel folder.

7. To the extent permitted by the U.S. Internal Revenue Code and the New York State Income Tax Laws, the Town shall permit Messina to establish a deferred compensation plan for said employee.

8. The Town will provide a college and post-graduate incentive program for courses approved by the Town Board. The Town will reimburse Messina the tuition cost on a grade related basis. A grade of "A" will receive seventy five (75%) percent of the tuition cost. A grade of "B" will receive fifty (50%) percent of the tuition cost. A grade of "C" will receive twenty five (25%) percent of the tuition cost. Payment will only be made upon submission of voucher and proof of grade.

ARTICLE X

WAGES

Messina shall receive the following annual salary:

January 1, 2016 through December 31, 2016 \$42,500.00 (prorated monthly in 2016).

Messina's base salary for each remaining year of this Resolution shall not be less than that of the preceding year.

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 Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 266

ACCEPTS THE RETIREMENT OF A POLICE OFFICER

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town has received a letter from the New York State and Local Retirement System approving the retirement application of Police Officer Charles Schneider effective March 11, 2016.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the retirement of Police Officer Charles Schneider.

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Charles Schneider, the Chief of Police, the Personnel Officer and the Financial Administrator. 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 can be obtained from the office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 267

APPROVES NEW YORK LIFE WORKSITE AGREEMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the three respective presidents of the CSEA, PBA and SOA labor unions have requested that the Town of Riverhead facilitates participation in the New York Life Employee Whole Life and NLY-A-Plan program on a post- tax salary deduction basis; and

WHEREAS, this program cost will be totally borne by the employees participating in the program.

NOW THEREFORE BE IT RESOLVED, at the behest of the CSEA, PBA and SOA labor union presidents that the attached Agreement is hereby ratified; and,

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Presidents of the CSEA, PBA, SOA, the Financial Administrator and the Personnel Officer.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

AGREEMENT

This Agreement is made and entered into this ____ day of March, 2016 by and between the Town of Riverhead (the "Town") and the CSEA, Local 1000, AFSCME, AFL-CIO, Riverhead Unit of Suffolk Local #852 ("CSEA"), the Riverhead Town Superior Officers Association ("SOA") and Riverhead Town Police Benevolent Association ("PBA").

WHEREAS, the CSEA, SOA, and PBA have requested that the Town offer to their bargaining unit members the New York Life Employee Whole Life ("EWL") voluntary whole life insurance and NLY-A-Plan on a post- tax salary deduction basis; and

WHEREAS, the Town has agreed to these requests.

NOW THEREFORE, in consideration of the foregoing and the following understandings, the parties agree at follows:

1. Effective _____ 2016, the Town shall offer to CSEA, SOA, and PBA bargaining unit members the New York Life Employee Whole Life EWL and NYL-A-Plan on a post- tax salary deduction basis, until and unless it becomes impracticable for the Town to continue to do so
2. Each bargaining unit member requesting that the New York Life Employee Whole Life voluntary whole life be made available to him/her on a post- tax salary deduction basis shall first execute an agreement pursuant to which the members agree to indemnify and save and hold the Town and any and all of its employees, representatives, officers and/or members of the Town Board (collectively "employees") harmless against any and all claims demands, suits or other forms of liability that may arise out of, or by reason of, any action taken or not taken by the Town or any of its employees for the purpose of complying with the member's request, and to reimburse the Town for any and all legal expenses associated with the defense of any such claim demand, suit or other form of liability.
3. This Agreement constitutes the entire agreement between the Town, the CSEA, PBA and SOA. No other promises have been made. This Agreement, including this paragraph, may only be modified by written agreement executed by each of the parties.
4. The Agreement is subject to the approval of the Town Board and shall not be final and binding upon the Town until the Town Board approves the Agreement.

TOWN OF RIVERHEAD

CSEA

SOA

PBA

TOWN OF RIVERHEAD

Resolution # 268

RATIFIES A CALL-IN CLERK TO THE RECREATION DEPARTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, a Call-In Clerk is needed by the Riverhead Town Recreation Department.

NOW THEREFORE BE IT RESOLVED, that effective April 7, 2016 this Town Board hereby ratifies the appointment of Donna Danowski to the position of Call-In Clerk to be paid the rate of \$14.00 per hour to the Recreation 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 certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 269

APPOINTS A CALL-IN RECREATION LEADER TO THE RECREATION DEPARTMENT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, a Call-In Recreation Leader is needed by the Riverhead Town Recreation Department.

NOW THEREFORE BE IT RESOLVED, that effective April 20, 2016 this Town Board hereby appoints Jordan Harden to the position of Call-In Recreation Leader II, Level 5, to be paid the rate of \$14.70 per hour to the Recreation 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 certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 270

APPOINTS A CALL-IN RECREATION AIDE TO THE RECREATION DEPARTMENT

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, a Call-In Recreation Aide is needed by the Riverhead Town Recreation Department.

NOW THEREFORE BE IT RESOLVED, that effective May 1, 2016 this Town Board hereby appoints Julia Thomas to the position of Call-In Recreation Aide I, Level 2, to be paid the rate of \$9.30 per hour to the Recreation 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 certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 271

APPOINTS A CALL-IN RECREATION SPECIALIST- YOGA INSTRUCTOR TO THE RECREATION DEPARTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, a Call-In Recreation Specialist- Yoga Instructor is needed by the Riverhead Town Recreation Department

NOW THEREFORE BE IT RESOLVED, that effective April 20, 2016, this Town Board hereby appoints Babette Connor Pisco to the position of Call-In Recreation Specialist- Yoga Instructor, Level XII to be paid the rate of \$30.43 per hour to the Recreation 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 certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 272

AUTHORIZES THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH CELTIC QUEST INC.

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town of Riverhead recognizes the important of promoting recreational and responsible use of our waterfront and resources; and

WHEREAS, Celtic Quest Inc. seeks permission to operate a fishing charter and utilize the Town of Riverhead’s dock located on the north side of the East Creek Docking Facility to dock its 65 foot, 100 passenger Yank built, fishing/charter vessel; and

WHEREAS, the Town of Riverhead deems it advantageous to itself and to businesses located within the Town to grant to the Licensee to operate a charter fishing business subject to certain terms, conditions and restrictions; and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a License Agreement in substantially the same form as annexed hereto between the Town of Riverhead and Celtic Quest, Inc. to operate a fishing charter and dock the vessel at the East Creek Docking Facility for a term of one month, May 1, 2016 to May 31, 2016, with a monthly dockage fee of \$1,500.00; and be it further

RESOLVED, that the Town Clerk shall mail a copy of this resolution to Celtic Quest Inc., 21 Waterview Drive, Port Jefferson, NY 11777; 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 the same may be obtained from the office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**LICENSE AGREEMENT
TO OPERATE FISHING CHARTER AT EAST CREEK DOCK/MARINA
BETWEEN
TOWN OF RIVERHEAD AND CELTIC QUEST, INC.**

This License Agreement is made this day of , 2016, by and between the Town of Riverhead, a municipal corporation with offices located at 200 Howell Avenue, Riverhead, NY 11901 (hereinafter referred to as "Town/Licensor") and Celtic Quest, Inc., a corporation licensed to do business in the State of New York, with its principal place of business at 21 Waterview Drive, Port Jefferson, NY 11777 (hereinafter referred to as "Celtic Quest, Inc./Licensor").

Whereas, the Town is the owner of an area of land known as East Creek Dock/Marina; and

Whereas, Celtic Quest, Inc./LICENSOR desires to obtain from Town/LICENSEE a license to dock a 65' commercial fishing vessel (Charter Vessel Documentation #591465) for purposes of operating a charter fishing business at East Creek Dock/Marina; and

Whereas, the LICENSOR deems it advantageous to itself and to business located within the Town to grant to the LICENSEE to operate a charter fishing business subject to certain terms, conditions and restrictions; and

Now, therefore, in consideration of the premises and the mutual promises contained here, the parties agree as follows:

Article I.

Upon the terms and conditions hereinafter set forth, the Town of Riverhead (hereinafter "LICENSOR") hereby grants a License to Celtic Quest, Inc. (hereinafter "LICENSEE") 65 feet of dock space for the purpose of operating a charter fishing business at the Town dock/marina known as East Creek Dock/Marina. This License does not grant LICENSEE use of any portion of the unimproved areas (beach/lawn/grass areas) or dock/boardwalk area, except to the extent that same is required for individuals to gain access (passenger embarking and disembarking, loading equipment/supplies) to the vessel. LICENSEE shall not locate any object, device, structure on the dock/walkway or otherwise obstruct pedestrian traffic along the dock/walkway.

Article II.

1. Term of the License

- a. The term of this License (the "term") shall commence on May 1, 2016 and shall end on May 31, 2016.

- b. Upon the expiration of the term, LICENSEE shall vacate the dock and remove or relocate the fishing vessel. In the event LICENSEE fails to remove the vessel from licensed premises at the expiration of the term of the License, LICENSEE shall be required to pay a fee of \$100.00 (one hundred dollars) per day or such portion thereof for each day the vessel continues to remain at the licensed premises. In the event LICENSEE fails to remove the vessel within 30 days after the expiration of the term of the License, LICENSOR shall be entitled to remove the vessel and access all charges set forth above, together with expenses/charges/costs related to the removal, relocation and storage of the vessel to the LICENSEE and/or owner of the vessel and the expenses so assessed shall constitute a lien against the LICENSEE and/or owner of the vessel.

2. License Fee

- a. In exchange for the License set forth above for the use of the licensed premises in connection with this Agreement, LICENSEE shall be required to pay LICENSOR a License fee in the amount of \$1500.00 and said sum shall be payable upon execution of this agreement. The payment shall be made payable to the "Town of Riverhead".
- b. Any permits necessary from any state or local governmental agencies shall be the responsibility of the LICENSEE.

3. License Premises

- a. LICENSOR grants a License to LICENSEE for use and occupancy of 65 feet of dock space for a fishing vessel for the purpose of operating a charter fishing business at the Town dock/marina known as East Creek Dock/Marina, together with use of unimproved areas (beach/lawn/grass areas) or dock/boardwalk area limited to and for the sole purpose of individual/customer access (passenger embarking and disembarking, loading equipment/supplies) to the vessel.
- b. In addition, LICENSOR grants use of a portion of the parking area designated by the Parks & Recreation Superintendent or his designee at East Creek Town Beach (located in proximity to the marina/dock) for vehicle parking for LICENSEE'S customers/passengers subject to the following: LICENSEE must create and submit to the Parks & Recreation Superintendent for approval a customer parking tag to be displayed on the front dashboard or displayed from the rear view mirror (readily visible) identifying the tag holder as customer of LICENSEE; the customer parking tag must be date specific to avoid unauthorized parking; and LICENSEE agrees to instruct all customers to (i) to park vehicles in that portion of the parking lot designated by the Parks & Recreation Superintendent for LICENSEE customers (ii) affix customer parking tag to vehicle.
- c. LICENSEE is familiar with the licensed premises, including unimproved areas (beach/lawn/grass areas), dock/boardwalk area, and East Creek Town Beach Parking Area and has examined the premises prior to the execution of this License and is satisfied with the physical condition of the premises and further agrees that

the premises are in a safe condition and in good repair. LICENSEE agrees to accept the licensed premises in its "as is" condition without any representations or warranties and agrees to limit use to those uses consistent with the purposes stated in this License Agreement. LICENSEE shall be prohibited from using the licensed premises and vessel as a residence or place of lodging nor may LICENSEE operate any other business or commercial activity on the subject property other than the charting fishing business. In addition, LICENSEE has investigated the improvements and natural features of East Creek Dock/Marina which may potentially effect activities of Celtic Quest, Inc. and its members and guests in the vicinity of the licensed premises, the parking area adjacent to the licensed premises, and the waters of the Peconic River in proximity to the licensed premises and, finally, the potential issues related to use of boats navigating through and along the waters, and represents that there exists no impediment to the intended operation and activities of Celtic Quest, Inc.. It is understood and agreed, LICENSOR has made no representation regarding: improvements, natural features, or boating activities on the waters nor has LICENSEE relied upon any such representation by the LICENSOR and instead LICENSEE bears sole responsibility for investigation as to such issues related to the intended use and operation of the above described areas related to activities of Celtic Quest, Inc..

- d. LICENSEE shall not remove, alter or modify any existing improvement on the subject property (dock, boardwalk, grass/picnic areas and adjacent parking areas) nor permanently attach, affix, or permit to be permanently attached or affixed upon the premises.

Article III.

1. Use and Occupancy

- a. LICENSEE agrees to utilize the licensed premises for mooring of the vessel and operation of a charter fishing business. It is understood that the License permits passengers/customers of said fishing charter vessel to utilize LICENSOR'S parking area subject to the terms and conditions set forth in Article II (3)(b) above and dock for the purposes of egress and ingress (loading upon and unloading from the vessel).
- b. LICENSEE understands that the licensed premises is municipal park property and that, as such, it must keep the premises free of debris at all times.
- c. LICENSEE, at its own expense, shall keep the premises in good repair and agrees to surrender the premises to LICENSOR at the end of the term of this License in the same condition as at the beginning of the term, ordinary wear and use being excepted, and shall pay for all damages occasioned by its use.
- d. LICENSEE agrees to dispose of all refuse and garbage at its own cost and expense in accordance with Chapter 103 of the Code of the Town of Riverhead and shall not permit the accumulation of waste or refuse matter at the site. The LICENSEE is responsible for keeping the area free of dirt, debris and garbage to

prevent foul odors from interfering with public use of the dock/marina, boardwalk, beach/grass/picnic area and parking lot. LICENSEE, at its own expense, shall keep the premises and surrounding area in a safe, clean and sanitary condition. LICENSEE agrees that no fish will be cleaned on the municipal dock/marina or on other municipal property. LICENSEE agrees to dispose of fish carcasses, bait, as well as other fishing waste in bags and that such bags will be removed from the premises daily by the LICENSEE. LICENSEE agrees that no such waste shall be deposited in or in the vicinity of East Creek Dock/Marina, beach/grass/picnic area or parking area.

- e. LICENSEE shall also ensure safe access to and from the premises. If the premises and surrounding area are not maintained by the LICENSEE, then LICENSOR reserves the right to terminate this License, or come upon the premises and take all actions necessary to restore the premises to the condition required herein. The cost and expense of LICENSOR shall be charged to LICENSEE.
- f. LICENSEE, or any and all persons in his/her employ or any other persons, is expressly forbidden to use public address systems or other mechanical or hand-operated voice or power operated megaphones in solicitation of business or for entertainment purposes. LICENSEE shall adhere to the provisions of Chapter 81 of the Code of the Town of Riverhead.
- g. LICENSEE shall not assign, transfer, mortgage, or otherwise dispose of or encumber this License or any rights without the prior written consent of LICENSOR. Any such attempt without consent of LICENSOR shall be an automatic revocation of this License and all payments received by LICENSOR shall be forfeited to the LICENSOR as liquidated damages.
- h. LICENSOR, its representatives and employees shall at all times have free access to the premises for purposes necessary, incidental to or connected with the performance of its obligations hereunder or in the exercise of LICENSOR'S governmental functions.
- i. In the event that the premises or any portion of the premises shall be destroyed or damaged by fire or other casualty so as to prevent the use of the premises for the purposes and during the periods specified herein, or the premises cannot be used because of strikes, acts of god, or other causes beyond the control of LICENSOR, then this License shall terminate and LICENSEE waives any claim against LICENSOR for damages by reason of such termination. LICENSOR shall not be obligated to repair or rebuild the premises, but may elect in its sole discretion to do so.

Article IV.

1. Obligations of LICENSOR

- a. LICENSEE represents that his vessel meets all conditions required by the United States Coast Guard and that he maintains and keeps current all necessary licenses for the operation of his vessel as a charter fishing vessel. Upon request,

LICENSEE shall provide to LICENSOR proof of the representations set forth herein. It is understood and agreed that this vessel shall be utilized for sport fishing and that occupancy/habitation of said vessel, other than sport fishing, shall not be permitted. LICENSEE agrees to use and occupy the premises pursuant to all rules and regulations prescribed by LICENSOR, all statutes, ordinances, rules, regulations and directions in existence during the periods covered by the License, made or issued by the federal, state or local governmental agencies or departments. LICENSEE covenants and warrants that the vessel is in all respects seaworthy and in safe condition unless otherwise stated in writing on this Agreement. LICENSEE and vessel shall be directly liable to LICENSOR for any loss, damage or injuries suffered by reason of any unsafe or un-seaworthy condition of the vessel.

- b. LICENSEE warrants and covenants that at all times when the vessel is at, near or is using the facilities of the Town dock/marina, the vessel shall not have aboard any dangerous or illegal devices, appliances or materials unless they are U.S. Coast Guard or other appropriate government agency, or underwriters laboratories or equivalent, approved in respect to the use being made of them.
- c. LICENSEE shall not use or permit open flame devices to be used at the dock/marina. In addition, LICENSEE shall not dispose or abandon any hazardous materials on the property in any way.
- d. LICENSEE and any of his guests shall act reasonably so as not to disturb others, shall observe quiet times, shall not operate generators or motors continuously after hours. Docks and walkways/boardwalk shall be clean of obstructions.
- e. LICENSEE shall not store supplies, materials, accessories, hoses or debris, gear, or any electrical cords upon any dock, boardwalk, walkway and grass/picnic area or fasten thereon any lockers, chests cabinets, steps, ramps or similar structures unless authorized by LICENSOR.
- f. LICENSEE warrants and covenants that the vessel will be operated, and secured when not in operation, in a safe, careful manner so as not to cause damage to the LICENSOR'S facilities or to any other vessels, and shall be maintained in a safe and seaworthy condition and shall not be a public or private nuisance or interfere with the peaceful enjoyment of the dock/marina by others or be a source of environmental pollution. Unless LICENSEE states otherwise in writing, LICENSOR is entitled to rely on the apparent authority of anyone in possession or apparent charge of the vessel. In the event that LICENSEE or other authorized person is unavailable, or is available but refuses to act, and if the vessel is in danger of sinking, causing any hazard to navigation, becoming a fire, explosion or pollution hazard, or of causing damage to the dock/marina's facilities or, in the LICENSOR'S judgment presents a present or foreseeable hazard or danger, the LICENSEE authorizes LICENSOR to take reasonable and appropriate actions, at LICENSEE's sole risk and expense to abate, mitigate and otherwise deal with the

apparent danger and to protect the dock/marina's facilities and other vessels using them or being stored there, as well as protect the general public and private property and vessels using the Peconic River, harbor and its environs. LICENSEE agrees to be bound by LICENSOR'S actions and to be fully and solely responsible for all expenses. Notwithstanding the above, nothing herein shall be construed to create any duty, obligation or responsibility to act on the part of LICENSOR; and nothing shall be construed to create any liability on the part of LICENSOR for failing to act in such circumstances; and nothing herein shall be construed to create any exception or waiver of the general conditions, restrictions, waivers, exonerations, etc. set forth herein in favor of LICENSOR.

Article V.

1. Insurance and Indemnification:

- a. LICENSEE will secure, at its own expense, and furnish to LICENSOR prior to the commencement of the term of this License, policies of comprehensive general liability insurance in an amount not less than \$2,000,000.00; and such other insurance coverage/policies as set forth below. The required insurance coverage shall be with companies and in a form satisfactory to LICENSOR and shall be in effect during all periods specified in Article II of this License or any extension. The insurance policy shall provide that no cancellation or amendment or modification reducing the extent of insurance provided under the policy, once the policies have been filed with LICENSOR, shall be effective if such amendment or modification or cancellation will leave the LICENSEE without insurance of the type and amount required during the term of the License. Moreover, all insurance policies shall specifically designate Town of Riverhead, its agents and employees as additional named insured.
- b. The Kinds and Amounts of Insurance Required are as follows:
 - 1) Worker's Compensation

Worker's compensation insurance, in statutory amounts, covering all employees who are to provide a service under this Agreement. Employer's liability coverage with limits of not less than \$250,000 for each accident or illness shall be included.
 - 2) Commercial Liability (primary and umbrella)

Commercial liability insurance or equivalent with limits of not less than \$2,000,000 per occurrence, combined single limit, for bodily injury, personal injury, and property damage liability. Products/completed operation, independent contractor, and contractual liability coverage are to be included.
- c. LICENSEE will furnish the Town, the original certificates of insurance evidencing the required coverage to be in force on the date of this Agreement, and renewal certificates of insurance, or such similar evidence, if the coverage has an expiration

or renewal date occurring during the term of this Agreement.

- d. The insurance shall provide for thirty days prior written notice to be given to the Town in the event coverage is substantially changed, cancelled, or nonrenewal.
- e. LICENSEE agrees that insurer shall waive its rights of subrogation against the Town.
- f. LICENSEE expressly understands and agrees that any insurance maintained by the Town shall apply in excess of and not contribute with insurance provided by the LICENSEE under the Agreement.
- g. The Town maintains the right to modify, delete, alter or change these requirements.
- h. LICENSEE shall not occupy the premises licensed under this License until all required insurance is in full force and effect and submitted to the Town.
- i. LICENSEE'S obligation to the Town for any liability, damage or expense by reason of any injury or injuries sustained by anyone to persons or property or loss or property received, done or occurred on or about the premises licensed by LICENSEE shall not be limited by or to the coverage provided in the general liability insurance policy required to be furnished by LICENSEE to the town.
- j. LICENSEE agrees to indemnify and hold the Town of Riverhead and their respective officers, employees, agents, representatives and officials harmless from any and all loss or liability associated with its use of the property and related activities described herein, including liability for damages to property or for injuries or death to persons which may arise from, or be attributable or incident to the use by LICENSEE and its employees, agents, representatives and concessionaires of the property, excepting liability solely caused by the gross negligence of the Town or its employees, agents or representatives. Without limiting the generality of the foregoing, LICENSEE agrees to indemnify and hold the Town of Riverhead harmless from any lien claimed or asserted for labor, materials or services furnished to LICENSEE in connection with the use of the property. With respect to any suit or claim by the Town, whether under this indemnification provision or otherwise, LICENSEE, 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 attorneys fees incurred by the Town of Riverhead securing compliance with the provision of this indemnification agreement. LICENSEE will work with the Town of Riverhead to ensure adequate coverage of all property and liability with all concerned entities being named as "additional insured".
- k. Hurricane – LICENSEE and Town stipulate that the Town is not liable for loss, damage, third party damage or loss to property or person in the event of acts of god, storms, floods, high winds, gales or hurricanes. LICENSEE further agrees to evacuate the property of the Town together with his vessel when so instructed by the Town since no such facility can guarantee/warranty safety in abnormal

weather conditions. It shall be LICENSEE's responsibility to remove the vessel in a timely manner at the LICENSEE'S expense without liability to the Town. LICENSEE shall bear total responsibility for damage to and caused by the vessel under these circumstances. If LICENSEE does not cause the vessel to be moved, it is stipulated that the Town may do so, at full cost to LICENSEE, but with no responsibility on its part or on the part of the Town's insurance underwriter, and that such refusal will immediately void this Agreement. LICENSEE agrees that the Town shall not be responsible for any damage or loss which occurs to the vessel from cause beyond the immediate, direct control of the Town. This includes, but is not limited to, actions or negligence of other vessel LICENSEEs or business visitors or guests; failure of utilities, buildings or equipment; extreme weather damage; tidal or wave damage; fire; explosion; dry rot, mildew or inherent vice or defects of any of the vessel's materials or appurtenances; or acts of god. LICENSEE also agrees that the Town shall not be responsible for damage, deterioration, or other loss on the vessel during the term of this Agreement, and that it is the LICENSEE's responsibility, in every instance, to determine how, when and to what extent the vessel shall be maintained, operated, repaired and serviced during the term of this Agreement. Further, it is agreed and stipulated that the services included in this Agreement do not include any type of onsite security, guard services, watchmen, etc., and that the Town shall not be liable to the LICENSEE or vessel for any intrusion, theft, vandalism, arson or other criminal acts of any kind.

- I. LICENSEE's obligation to the Town for any liability, damage or expense by reason of any injury or injuries sustained by anyone to persons or property or loss or property received, done or occurred on or about the premises licensed by the LICENSEE shall not be limited by or to the coverage provided in the general liability insurance policy required to be furnished by the LICENSEE to the Town.
- m. LICENSEE and the Town agree that nothing contained in this Agreement is intended, or shall be construed as, creating or establishing a partnership or joint venture between the parties here or as designating the LICENSEE as the agent or representative of the town for any purpose whatsoever.

Article VI.

1. Default Provisions

- a. Any waiver or any breach of covenants contained herein to be kept and performed by LICENSEE, shall not be deemed or considered as a continuing waiver and shall not operate to bar or prevent the Town from proceeding under the provisions of this Agreement.
- b. As set forth above, upon termination of the License, whether caused by lapse of time or otherwise, LICENSEE shall at once surrender possession of the premises. If possession is not immediately surrendered, the Town may take possession of the premises and expel or remove LICENSEE and those claiming by, through, or under it, by force if necessary, without civil or criminal liability.

- c. Upon the breach of any covenant or condition contained herein, the Town shall give written notice to LICENSEE of the breach. LICENSEE agrees that it will remedy the breach within one day. If the breach of any covenant or condition is not cured within the above time, the Town reserves the right to revoke this Agreement and LICENSEE agrees to surrender the premises. any License fees previously received by the Town shall be retained by the Town as liquidated damages.
- d. LICENSEE shall pay and discharge all costs, expenses, and attorney's fees which might be incurred by the Town in enforcing the covenants of this License Agreement.
- e. The remedies here created are cumulative and the use of one remedy shall not be taken to exclude or waive the right to the use of another remedy.
- f. In the event that the License is granted to more than one individual or other legal entity (or to any combination), then and in that event, each and every obligation or undertaking to be performed by LICENSEE under the License Agreement shall be the joint and several obligation of each such individual or other legal entity.

2. Miscellaneous

Notices to the Town provided for herein may be sent by first class mail, postage prepaid, addressed to the Office of the Town Attorney, 200 Howell Avenue, Riverhead, NY 11901. Notice to LICENSEE provided for here may be sent by first class mail, postage prepaid, addressed to Celtic Quest, Inc., a corporation licensed to do business in the State of New York, with its principal place of business at 21 Waterview Drive, Port Jefferson, NY 11777.

In Witness Whereof, LICENSOR and LICENSEE do hereby execute this License Agreement as of the date and year first above written.

TOWN OF RIVERHEAD

by: _____
Sean M. Walter, Supervisor

CELTIC QUEST, INC.

by: _____
*Insert name/title: _____, _____

TOWN OF RIVERHEAD

Resolution # 273

AUTHORIZING SETTLEMENT OF NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION NOTICE OF VIOLATION

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Sewer District was served with a Notice of Violation regarding violations arising out of the operation of the Riverhead Sewer District's Sewer Treatment Plan; and

WHEREAS, the Sewer District and the New York State Department of Environmental Conservation both desire to settle all outstanding operational violations without costly and protracted litigation; and

WHEREAS, an Order of Consent has been prepared which resolves this matter without further litigation; and

WHEREAS, the entering into the settlement will avoid further and costly litigation and is in the best interest of the Sewer District and its tax payers; and be it further

RESOLVED, that the Town Board, as the governing body of the Riverhead Sewer District, hereby authorizes the Supervisor to sign the proposed Order on Consent in the form attached hereto, as well as any other documents necessary to implement the terms thereof, and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Michael Reichel, Superintendent of the Riverhead Sewer District, Frank A. Isler, Esq., Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP, 456 Griffing Avenue, Riverhead, NY, counsel to the Riverhead Sewer District, 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 Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 274

ADOPTS A LOCAL LAW ENTITLED, "LOCAL LAW TO CHANGE THE TERM OF OFFICE OF TOWN SUPERVISOR FROM TWO (2) YEARS TO FOUR (4) YEARS"

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town Clerk was authorized to publish a public notice to hear all interested persons to consider a local law entitled, "Local Law to Change the Term of Office of Town Supervisor from Two (2) Years to Four (4) Years" seeking to change the term of office of Town Supervisor from two years to four years; and

WHEREAS, a public hearing was held on the 5th day of April, 2016 at 2:10 p.m. at the Town of Riverhead, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law entitled, "Local Law to Change the Term of Office of Town Supervisor from Two (2) Years to Four (4) Years" seeking to change the term of office of Town Supervisor from two years to four years is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the New Review, the official newspaper, and to post same on the sign board at Town Hall; and be it further

RESOLVED that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Suffolk County Board of Elections; 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 Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a Local Law entitled, "Local Law to Change the Term of Office of Town Supervisor from Two (2) Years to Four (4) Years" and amend Chapter 26 of the Town Code at its meeting held on April 19, 2016. **Be it enacted** by the Town Board as follows:

SAMPLE LOCAL LAW

**TOWN OF RIVERHEAD
Local Law No. _____, the year 2016**

A Local Law Increasing the Term of Office of Town Supervisor from Two Years to Four Years.

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

Section 1. TITLE: This local law shall be known as the "Local Law to Change the Term of Office of Town Supervisor from Two (2) Years to Four (4) Years" in the Town of Riverhead, Suffolk County, New York.

Section 2. PURPOSE: The purpose of this local law is to extend the term of the office for the Town Supervisor from two (2) years to four (4) years. The Town Board believes an extended term would bring greater continuity to the office and believes the extended term is in the public's best interest.

Section 3. STATUTORY AUTHORITY: This local law is adopted pursuant to Section 10(1)(ii)(a) and Section 23(2)(e) of the Municipal Home Rule Law of the State of New York.

Section 4. APPLICATION OF FOUR YEAR TERM OF OFFICE: This local law shall extend the term of office of the elected Town Supervisor from two years to four years. Such four-year term shall commence as of the first day of January following the first biennial town election after the effective date of this local law and shall apply to the person elected to such office at the biennial town election held on November 7, 2017 and those elected thereafter.

Section 3. MANDATORY REFERENDUM: This local law is adopted subject to a mandatory referendum and shall be submitted for approval of the qualified electors of the Town of Riverhead at the general election to be held November 8, 2016. A proposition in the following form shall be included on the ballot at such general election, and the increased term of office shall not take effect unless such proposition is approved by a majority vote of the qualified electors of the Town of Riverhead voting thereon:

"Shall Local Law No. _____ of the year 2016, entitled a Local Law
Increasing the Term of Office of the Town Supervisor from

Two to Four Years be approved?”

Section 4. SUPERSESSION: This local law shall supersede Town Law §24 relating to the terms of office of Town Supervisor of the Town of Riverhead.

Section 5. EFFECTIVE DATE: This local law, if approved as set forth above by the qualified electors, shall become effective immediately upon being filed in the Office of Secretary of State.

Dated: Riverhead, New York
April 19, 2016

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 275

**ADOPTS A LOCAL LAW TO ENACT CHAPTER 33 ENTITLED "TERM LIMITS"
OF THE RIVERHEAD TOWN CODE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town Clerk was authorized to publish a public notice to hear all interested persons to consider a local law to enact Chapter 33 entitled "Term Limits" of the Riverhead Town Code; and

WHEREAS a public hearing was held on 5th day of April 2016 at 2:05 pm at the Town of Riverhead, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law to enact Chapter 33 entitled "Term Limits" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review, the official newspaper, and to post same on the signboard 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law enacting Chapter 33 entitled “Term Limits” of the Riverhead Town Code at its meeting held on April 19, 2016. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

CHAPTER 33
TERM LIMITS

§ 33-1. Legislative intent; effective date.

It is the intent of the Town Board of the Town of Riverhead to increase the accountability of and expand participation in the governance of the Town of Riverhead by limiting the number of terms of office for the Supervisor and Town Council.

§ 33-2. Term Limitation for Supervisor

A person who is elected or appointed to the position of Supervisor shall not serve more than a total of twelve consecutive years, be it six two year terms of office, three four year terms, or any such combination thereof, as the case may be.

§ 33-3. Term Limitation for Town Council

A person who is elected or appointed to the position of Councilman or Councilwoman shall not serve more than a total of twelve consecutive years, be it six two year terms of office, three four year terms, or any such combination thereof, as the case may be.

§ 33-4. Other Elective Office

Nothing contained in this chapter shall prohibit the Supervisor or a member of the Town Council from seeking, being elected to, or holding another and different elective public office in the Town of Riverhead at the conclusion of a term of public office as required by this Chapter.

§ 33-5. Supersession of state law.

This chapter is enacted pursuant to the authority contained in Municipal Home Rule Law § 10(1)(ii)(a)(1) and, to the extent that the provisions of this chapter are inconsistent, is intended to supersede the provisions of Town Law § 24 and limit the number of terms of office held by a Town Board member.

§ 33-6. When effective; applicability.

This chapter shall be effective upon filing with the Secretary of State.

- Underline represents additions

Dated: Riverhead, New York
April 19, 2016

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 276

**ADOPTS A LOCAL LAW TO ENACT CHAPTER 33 ENTITLED "TERM LIMITS"
OF THE RIVERHEAD TOWN CODE**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Clerk was authorized to publish a public notice to hear all interested persons to consider a local law to enact Chapter 33 entitled "Term Limits" of the Riverhead Town Code; and

WHEREAS a public hearing was held on 5th day of April 2016 at 2:05 pm at the Town of Riverhead, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law to enact Chapter 33 entitled "Term Limits" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review, the official newspaper, and to post same on the signboard 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

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

The Resolution Was **Not** Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law enacting Chapter 33 entitled “Term Limits” of the Riverhead Town Code at its meeting held on April 19, 2016. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 33
Term Limits

§ 33-1. Legislative intent.

It is the intent of the Town Board of the Town of Riverhead to increase the accountability of and expand participation in the governance of the Town of Riverhead by limiting the number of terms of office for the Supervisor and Town Council.

§ 33-2. Term Limitation for Supervisor

A person who is elected or appointed to the position of Supervisor shall not serve more than a total of twelve consecutive years, be it six two year terms of office, three four year terms, or any such combination thereof, as the case may be.

§ 33-3. Term Limitation for Town Council

A person who is elected or appointed to the position of Councilman or Councilwoman shall not serve more than a total of twelve consecutive years, be it six two year terms of office, three four year terms, or any such combination thereof, as the case may be.

§ 33-4. Exception; Other Elective Office

Notwithstanding anything to the contrary set forth in provisions § 33-2 and § 33-3 above, this local law shall not prohibit any elected official who has served twelve consecutive years as of December 31, 2017 from seeking one additional term of office, by re-election only in November of 2017, and serving that additional term of office. In addition, nothing contained in this chapter shall prohibit the Supervisor or a member of the Town Council from seeking, being elected to, or holding another and different elective public office in the Town of Riverhead at the conclusion of a term of public office as required by this Chapter.

§ 33-5. Supersession of state law.

This chapter is enacted pursuant to the authority contained in Municipal Home Rule Law § 10(1)(ii)(a)(1) and, to the extent that the provisions of this chapter are inconsistent, is

intended to supersede the provisions of Town Law § 24 and limit the number of terms of office held by a Town Board member.

§ 33-6. When effective; applicability.

This chapter shall be effective upon filing with the Secretary of State.

- Underline represents additions

Dated: Riverhead, New York
April 19, 2016

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 277

ADOPTS A LOCAL LAW ABOLISHING BOARD OF POLICE COMMISSIONERS AND DELETING CHAPTER 32 ENTITLED "BOARD OF POLICE COMMISSIONERS" OF THE RIVERHEAD TOWN CODE

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to abolish Board of Police Commissioners and delete Chapter 32 entitled "Board of Police Commissioners" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 15th day of March 2016 at 7:05 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law abolishing Board of Police Commissioners and deleting Chapter 32 entitled "Board of Police Commissioners" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review, the official newspaper, and to post same on the signboard 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law abolishing Board of Police Commissioners and deleting Chapter 32 entitled "Board of Police Commissioners" of the Riverhead Town Code at its meeting held on April 5, 2016. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

~~Chapter 32. Board of Police Commissioners~~

~~§ 32-1. Creation; membership.~~

~~Pursuant to Section 150 of the Town Law of the State of New York, a Board of Police Commissioners of the Town of Riverhead, to consist of three (3) members, is hereby created.~~

- Strikethrough represents deletion(s)

Dated: Riverhead, New York
April 5, 2016

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

TOWN OF RIVERHEAD

Resolution # 278

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH
NATIONAL ASSOCIATION OF DRUG-FREE EMPLOYEES (NADE)**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town of Riverhead requires the ability to obtain drug and alcohol test results for all Town employees whenever warranted; and

WHEREAS, the National Association of Drug-Free Employees (NADE) has the qualifications, experience and resources to provide such services to the Town.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with National Association of Drug-Free Employees (NADE) 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 National Association of Drug-Free Employees (NADE), 2301 North Parham Road, Suite 5, Richmond, VA 23229; Town Personnel Officer; 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

CONSULTANT/PROFESSIONAL SERVICES AGREEMENT

This Agreement made the 1st day of January, 2016, 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 the “Town”) and National Association of Drug-Free Employees, a division of Pembroke Occupational Health, Inc., with a principal place of business at 2301 North Parham Road, Suite 5, Richmond, Virginia 23229 (hereinafter referred to as “Consultant“).

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

1. SCOPE OF SERVICES

During the term of this Agreement, Consultant shall furnish the services set forth in Schedule A attached hereto and made a part hereof. These services are to be rendered by Consultant as an independent contractor and not as an employee of Town. In the event of a conflict between the language in this Agreement and the attached Schedule A, the language of the Agreement shall control.

2. TERM OF AGREEMENT

The Agreement shall commence on January 1, 2016 and terminate on December 31, 2016.

3. PAYMENT

For these services, Town will pay Consultant at the rates set forth in the attached Schedule A. The Town shall not have any liability for any other expenses or costs incurred by Consultant except for expenses expressly provided for in the attached schedule. Consultant shall not incur any expenses in Town’s behalf except for those items expressly provided for in the attached schedule. Invoices for services and reimbursable expenses shall contain the following statement signed by Consultant, or if this 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 Agreement or otherwise be identified in such a manner as Town may reasonably require.

4. RIGHTS TO DOCUMENTS OR DATA

All data, regardless of form, generated in the performance of, or delivered under this Agreement, as well as any data provided to Consultant by Town, shall be and remain the sole property of Town. Consultant shall keep all such data in confidence and not disclose or use it for any purpose other than in performing this Agreement, except with Town’s prior written approval. In the event that the legal right in any data generated in the performance of this Agreement does not vest in Town by law, Consultant hereby agrees and assigns to Town such legal rights in all such data. 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 Agreement, and receipt of all data which is the property of Town. These obligations shall survive the termination of this 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 Agreement with Consultant. Except as required by law or the terms of this Agreement, 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

Except for clinic collections and laboratory testing, both of which are subcontracted by Consultant, performance of any part of this 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. TERMINATION

This Agreement may be terminated at any time by either party upon 30 days written notice to the other party. In the event of such termination, Town shall have no further obligation to Consultant except to make any payments which may have become due under this Agreement for services that have actually been rendered.

8. 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 Agreement, have access to and the right to examine any directly pertinent books, documents, papers and records of Consultant involving transactions related to this Agreement.

9. 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 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 Agreement. In such event, there will be made a mutually agreeable 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 Agreement or schedules annexed hereto and made a part hereof.

10. 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 J. Stefan Cametas, President, NADE, a division of Pembroke Occupational Health, Inc., 2301 North Parham Road, Suite 5, Richmond, Virginia 23229.

11. 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 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. 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.

12. 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 third party claims, actions or demands against Town, its departments, officers, agents and employees and against any and all damages, liabilities or expenses, including reasonable counsel fees, arising out of: (1) the negligent acts or omissions of Consultant or the willful misconduct of Consultant in the performance of this Agreement; or (2) the breach of this Agreement by Consultant. The Town shall give the Consultant prompt written notice of the commencement or the threatened commencement of any claim against the Town for which indemnification will or could be sought under this Agreement. The Consultant shall have the right, at its sole expense, to direct and control the defense and/or settlement of any such claim, but the Town shall have the right to monitor the case or claim through its own counsel and at its own expense, and to approve any settlement that does not include a full and unconditional release of the Town.

EXCEPT FOR LIABILITY INCURRED PURSUANT TO ITS INDEMNITY OBLIGATIONS, IN NO EVENT SHALL CONSULTANT BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL, EXEMPLARY, SPECIAL OR PUNITIVE DAMAGES OR EXPENSES (REGARDLESS OF HOW CHARACTERIZED AND EVEN IF CONSULTANT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES) UNDER OR IN CONNECTION WITH THIS AGREEMENT, REGARDLESS OF THE FORM OR ACTION (WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, STATUTORY LIABILITY OR OTHERWISE).

13. 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 pursuant to which any such official, employee, or 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, or 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 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.

14. DISCLOSURE

The Town shall have the right, in its discretion, to disclose the terms and conditions of this 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.

15. 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 Agreement which is not settled by Agreement of the parties may be settled by appropriate legal proceedings. Pending any decision, appeal or judgment in such proceedings or the settlement of any dispute arising under this Agreement, Consultant shall proceed diligently with the performance of this Agreement in accordance with its terms.

16. FORCE MAJEURE

The obligation of either party to perform under this Agreement shall be excused during each period of delay caused by matters beyond such party's reasonable control, including without limitation, government regulation or law, war or insurrection, civil commotion, destruction of production facilities or materials by earthquake, fire, flood, storm, or other natural disaster, labor disturbances, epidemic or failure of suppliers, public utilities or common carriers.

17. SEVERABILITY

The terms and conditions of this Agreement are severable. If any term or condition of this Agreement is deemed to be illegal or unenforceable under any rule of law, all other terms shall remain in force. Further, the term or condition that is held to be illegal or unenforceable shall remain in effect as far as possible in accordance with the intention of the parties.

18. EFFECT OF WAIVER

Failure by a party to enforce any provision of this Agreement shall not be deemed a waiver of that provision or of any other provision of this Agreement.

19. SURVIVAL

Provisions of this Agreement that, by their nature, survive the termination or expiration of this Agreement, shall so survive.

20. COUNTERPARTS

This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original, and both of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date last below written.

By: Sean M. Walter, Town Supervisor
TOWN OF RIVERHEAD

By: J. Stefan Cametas, President
NADE, a division of Pembroke
Occupational Health, Inc.

DATE: _____

DATE: _____

Schedule A

1. **Services.** Consultant will provide the Town with drug and alcohol testing and program administration services (the “Services”) as outlined below. Consultant will:
 - A. Select mutually agreeable clinics for the collection of specimens;
 - B. Establish an account with a SAMHSA-certified laboratory for the testing of specimens;
 - C. Ensure that specimens are transported from the clinic to the laboratory and that all non-negative specimens undergo GC/MS confirmation testing;
 - D. Arrange for results to be transmitted electronically to Consultant;
 - E. Provide the services of a certified Medical Review Officer, if requested. Such services will include:
 1. Interpreting drug test results that the laboratory has identified as non-negative;
 2. Determining if non-negative drug test results indicate prescription medicine use or have other alternative medical explanations;
 3. Reviewing applicable forms for possible errors; and
 4. Providing feedback to employers, collection sites, laboratories, and federal agencies, when necessary.
 - F. Provide electronic results reporting and data management through eDrugtest.com;
 - G. Maintain all negative results for 1 year and all non-negative results for 5 years; and
 - H. Provide any other services, as outlined in the attached Fee Schedule.
2. **Fees and Billing.** Fees for the Services are set forth in the attached Fee Schedule. Payment terms are net thirty (30) days. If the Town fails to pay any undisputed invoice from Consultant when it becomes due, Consultant (in addition to any and all other rights and remedies it may have against the Town) may decline service to the Town under this Agreement until such default has been cured.
3. **Costs and Attorneys’ Fees.** If Consultant prevails in an action against the Town for non-payment of fees, Consultant shall be entitled to recover from the Town its costs and reasonable attorneys' fees, in addition to any other relief to which Consultant may be entitled.
4. **Compliance with Law.**
 - A. Consultant will comply with all Federal, state and local laws applicable to its performance under the Agreement, including but not limited to the Department of Transportation’s Procedures for Transportation Workplace Drug and Alcohol Testing Programs, the Department of Health and Human Services’ Mandatory Guidelines for Federal Workplace Drug Testing Programs, and Federal and state privacy laws.
 - B. The Town will comply with all Federal, state and local laws applicable to employers that utilize the Services, including but not limited to drug testing laws, privacy laws, and anti-discrimination laws.

5. Privacy and Security.

- A. Consultant will meet or exceed industry security standards while performing services under this Agreement.
- B. For any information that is distributed to the Town via the Internet, Consultant will distribute such information solely to authorized Town personnel using a web server that supports and enables password-protected membership and then current encryption technology.
- C. Consultant will not release individual test results to any third party without first obtaining specific written authorization from the tested individual. However, nothing in this Agreement shall prohibit Consultant from releasing drug test results and supporting documentation: (i) to the Town; (ii) to any Federal, state or local agency with regulatory authority over the testing program; (iii) to comply with requests resulting from a legal action initiated by the tested individual; (iv) to comply with a lawfully issued subpoena or court order; or (v) when otherwise required by law.

6. Confidential Company Information.

- A. Unless otherwise agreed in writing between the parties, any Confidential Company Information that may be disclosed by one party (the “Disclosing Party”) to the other party (the “Receiving Party”) in the course of this Agreement shall not be disclosed by the Receiving Party to a third party without the express written consent of the Disclosing Party.
- B. “Confidential Company Information” shall mean the Disclosing Party’s manner of operations, software, products, processes, applications, technologies, financial information, internal manuals, employee information or any compilation or combination of the foregoing that is disclosed to Receiving Party and that would be reasonably deemed, based on industry standards and prudent business judgment, to be confidential and/or proprietary to the Disclosing Party whether or not marked, stamped, or otherwise designated as “confidential”.
- C. Confidential Company Information does not include any information that: (i) is or subsequently becomes publicly available without the Receiving Party’s breach of any obligation owed to the Disclosing Party; (ii) prior to disclosure hereunder, was already known to the Receiving Party, provided such knowledge can be verified by independent evidence; (iii) became known to the Receiving Party from a source other than the Disclosing Party other than by the breach of an obligation of confidentiality owed to the Disclosing Party; or (iv) is independently developed by the Receiving Party without violating any of its obligations under this Agreement and without access to or use of the Disclosing Party’s Confidential Information.
- D. Notwithstanding anything in this Agreement to the contrary, the Town may use its test results for any lawful purpose and may disclose the results to any third parties, provided that the disclosure is not otherwise prohibited by law.

DRUG TESTING FEE SCHEDULE

Service	Fee
Drug Test	\$46.45 each. Any additional cost resulting from the use of a third party collection location (such as a clinic or doctors' offices) will be billed back to the Town.
Alcohol Test	\$33.57 each. Any additional cost resulting from the use of a third party collection location (such as a clinic or doctors' offices) will be billed back to the Town.
Program Management Fee	\$10.00 per month. This fee defrays the cost in the event of an audit by any federal agency. Consultant will provide audit support to assist the client in audit preparation free of charge instead of an hourly fee for expert support. Management fees include managing the random pool, MIS reports, kits, forms, manuals, QC samples, NADEGRAMS (covering regulatory information) and superior customer service.
After Hours Emergency Telephone Assistance	\$100.00 per year. This fee provides the Town with a toll free number for 24 hour assistance in locating collection facilities in an after-hours environment, either onsite or at a clinic location.
Emergency After Hours/On-Site Testing	\$250.00, plus the drug and alcohol screening fee (Consultant or contract collector).
Classroom courses for Supervisors DOT or Non-DOT	\$800.00 (plus expenses)
On-Line Internet training Supervisor DOT or Non-DOT	\$ 29.95 (per license)
Expert Testimony <ul style="list-style-type: none"> • Medical • Collector • Laboratory • Audit Support 	\$ 250.00 per hr. \$ 125.00 per hr. \$ 125.00 per hr. \$ 125.00 per hr. Audit Support will not be charged if the Town elects to pay a management fee.

TOWN OF RIVERHEAD

Resolution # 279

AUTHORIZES SUPERVISOR TO EXECUTE CABLE TELEVISION FRANCHISE RENEWAL AGREEMENT WITH CSC ACQUISITION-NY, INC., (CABLEVISION),

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town of Riverhead (the "Town") is a "franchising authority" in accordance with the Communications Act of 1934, (the "Communications Act"), et al., and is authorized to grant one or more non-exclusive cable television franchises pursuant to Article 11 of the New York State Public Service Law, as amended (collectively Cable Laws"); and

WHEREAS, the Town executed a cable television franchise renewal agreement on or about December 3, 2002, with CSC Acquisition-NY, Inc., d/b/a Cablevision ("Franchisee"), which was thereafter confirmed and made effective by the New York State Public Service Commission (the "Commission") on or about June 13, 2003, for a term of ten years (Case No. 97-V-1535): and

WHEREAS, Franchisee has submitted a proposed cable television franchise renewal agreement to operate a cable system within the Town; and

WHEREAS, the Town and Franchisee have mutually agreed to the terms of a cable television franchise renewal agreement; and

WHEREAS, the Town has determined that the Franchisee is and has been in material compliance with all terms and provisions of its existing franchise and applicable law; and

WHEREAS, the Town has determined that Franchisee has the requisite legal, technical and financial capabilities to operate a cable system within the Town and that Franchisee's proposal for renewal of the franchise meets the cable-related needs of the Community; and

WHEREAS, a duly noticed public hearing, affording an opportunity for those interested parties within the Town to be heard on the proposed cable television franchise renewal agreement, was held before the Riverhead Town Board on April 5, 2016.

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board has determined that it is in the best interest of the public to award a cable television franchise renewal agreement to the Franchisee; and be it further

RESOLVED, that the Riverhead Town Board hereby authorizes the Supervisor to enter a cable television franchise renewal agreement with CSC Acquisition-NY, Inc.,

and to execute any other documents necessary to effectuate the granting of the franchise renewal on behalf of the Town of Riverhead.

Copies of the cable television franchise renewal agreement and all relevant documents are on file in the Town Clerk's Office, Monday to Friday, from 8:30 a.m. to 4:00 p.m.

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 Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 280

AUTHORIZES CO-SPONSORSHIP OF "ALIVE ON 25" STREET FESTIVAL ON THURSDAY NIGHTS, JULY 14, JULY 28, AUGUST 11 AND AUGUST 25, 2016, RAIN DATE: SEPTEMBER 1, 2016, 5:00 P.M. TO 9:30 P.M., WITH THE RIVERHEAD BUSINESS IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION, INC., ALONG MAIN STREET, BETWEEN GRIFFING AVENUE AND UNION AVENUE; AUTHORIZES THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH DESIGNATED CRAFT/FOOD VENDORS AND ALCOHOL VENDORS; SUSPENDS ENFORCEMENT OF RIVERHEAD TOWN CODE SECTION 46-3 (Public consumption and open possession of an alcoholic beverage) SOLELY LIMITED TO THE AFOREMENTIONED DATES AND TIME OF THE "ALIVE ON 25" STREET FESTIVAL

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

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

WHEREAS, upon the recommendation of the Riverhead Business Improvement District Management Association, Inc. (BIDMA), the Town of Riverhead Business Improvement District wishes to co-sponsor with BIDMA the *Alive on 25* street festival, on Thursday nights, July 14, July 28, August 11 and August 25, 2016; Rain Date: September 1, 2016, 5:00 p.m. to 9:30 p.m., along Main Street, between Griffing Avenue and Union Avenue; and

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

NOW THEREFORE BE IT RESOLVED, that the Town of Riverhead Business Improvement District shall co-sponsor with the Riverhead Business Improvement District Management Association, Inc., a street festival entitled "Alive on 25" on Thursday nights, July 14, July 28, August 11 and August 25, 2016, rain date: September 1, 2016, 5:00 p.m. to 9:30 p.m., along Main Street, between Griffing Avenue and Union Avenue, comprised of craft, food and/or alcohol service, **subject to the following pre-conditions:**

- 1. Each participating craft/food and alcohol vendor shall execute a license agreement as well as a participating vendor application (craft/food vendor only) in a form to be approved by the Town Attorney's Office.**

2. Each participating vendor shall procure an insurance liability policy for the subject activity naming the Town of Riverhead Business Improvement District, Town of Riverhead, and Riverhead Business Improvement Management Association, Inc., as “additional insureds” 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 \$2,000,000.00 dollars per occurrence/\$2 million dollars aggregate which shall name the above-referenced parties as additional insureds.
3. 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 licensed premises (beer garden) more fully delineated in the alcohol vendor license agreement.
 - 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. Licensee shall staff the licensed alcohol service area with at least one security agent per entrance/exit from a company of Licensor’s choosing, at Licensee’s expense, more fully delineated in the alcohol vendor license agreement.
 - h. Such other conditions more fully delineated in the alcohol vendor license agreement; and be it further

RESOLVED, that the Riverhead Town Code section 46-3, 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 “*Alive on 25*” street festival on Thursday nights, July 14, July 28, August 11 and August 25, 2016, rain date: September 1, 2016, 5:00 p.m. to 9:30 p.m., solely limited to the licensed premises (beer gardens); 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 wrist-band requirement regarding beer garden patrons since the

licensed premises is comprised of the street area of Main Street and such licensed premises shall be secured as addressed in section 3, above; and be it further

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

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

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Raymond Pickersgill, President, Riverhead Business Improvement District Management Association, Inc., c/o 132 East Main Street, Riverhead, New York 11901; and be it further

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 281

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO ENACT "A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF RIVERHEAD INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE TOWN OF RIVERHEAD"

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS the Town Board of the Town of Riverhead has entered into a project for the codification of local laws, ordinances and certain resolutions of the Town of Riverhead for the purposes of increasing the effectiveness of Town governmental administration, providing for greater public awareness of and access to Town legislation and protecting the health, safety and welfare of Town inhabitants; and

WHEREAS the proposed codification has been published in loose-leaf form and the Town Board now desires to formally effect the adoption of said codification by enactment of a local law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to publish the attached public notice to consider "A Local Law To Provide For The Codification Of The Local Laws, Ordinances And Certain Resolutions Of The Town Of Riverhead Into A Municipal Code To Be Designated The "Code Of The Town Of Riverhead", once in the April 28, 2016 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to post same on the sign board at Town Hall and in accordance with all applicable provisions of the Municipal Home Rule Law, the Open Meetings Law and §§ 264 and 265 of the Town Law of the State of New York; and be it further

RESOLVED, that the Town Clerk shall file and make available for inspection copies of the text of the above-named local law in the Office of the Town Clerk; 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 Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that for the purpose of adopting a codification of the local laws, ordinances and certain resolutions of the Town of Riverhead, said codification to be known as the "Code of the Town of Riverhead," 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 18th day of May 2016 at 7:05 pm to consider a local law entitled "A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF RIVERHEAD INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE TOWN OF RIVERHEAD" of the Riverhead Town Code as follows:

**TOWN OF RIVERHEAD
LOCAL LAW NO. -2016**

A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF RIVERHEAD INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE TOWN OF RIVERHEAD"

ARTICLE I
Adoption of Code

§ 101-1. Legislative intent.

In accordance with Subdivision 3 of § 20 of the Municipal Home Rule Law, the local laws, ordinances and certain resolutions of the Town of Riverhead, as codified by General Code, and consisting of Chapters 101 through 301, together with an Appendix, shall be known collectively as the "Code of the Town of Riverhead," hereafter termed the "Code." Wherever reference is made in any of the local laws, ordinances and resolutions contained in the "Code of the Town of Riverhead" to any other local law, ordinance or resolution appearing in said Code, such reference shall be changed to the appropriate chapter title, chapter number, article number or section number appearing in the Code as if such local law, ordinance or resolution had been formally amended to so read.

§ 101-2. Continuation of existing provisions.

The provisions of the Code, insofar as they are substantively the same as those of the 1976 Code and the local laws, ordinances and resolutions in force immediately prior to the enactment of the Code by this local law, are intended as a continuation of such local laws, ordinances and resolutions and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior local law, ordinance or resolution. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Town Board of the Town of Riverhead, and it is the intention of said Town Board that each such provision contained within the Code is hereby reaffirmed as it appears in said Code. Only such provisions of former local laws and ordinances as are omitted from this Code shall be deemed repealed or abrogated by the provisions of § 101-3 below.

§ 101-3. Repealer.

A. Repeal of inconsistent enactments. Except as provided in § 101-4, Enactments saved from repeal; matters not affected, below, all local laws and ordinances, or parts of such local laws or ordinances, inconsistent with the provisions contained in the Code adopted by this local law are hereby repealed as of the adoption and filing of this local law as set forth in § 101-13; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Town of Riverhead which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.

B. Repeal of specific enactments. The Town Board of the Town of Riverhead has determined that the following local laws and/or ordinances are no longer in effect and hereby specifically repeals the following legislation:

(1) Chapter 32, Police Commissioners, Board of, of the 1976 Code, adopted January 2, 1968.

(2) Chapter 60, Electrical Wiring and Installations, of the 1976 Code, adopted April 9, 1968, by Ord. No. 38, as amended June 18, 1981.

(3) Chapter 61, Environmental Quality Review, of the 1976 Code, adopted March 31, 1977, by L.L. No. 1-1977, as amended October 5, 1999, by L.L. No. 16-1999.

§ 101-4. Enactments saved from repeal; matters not affected.

The repeal of local laws and ordinances provided for in § 101-3 of this local law shall not affect the following classes of local laws, ordinances, rights and obligations, which are hereby expressly saved from repeal:

A. Any right or liability established, accrued or incurred under any legislative provision of the Town of Riverhead prior to the effective date of this local law or any action or proceeding brought for the enforcement of such right or liability.

B. Any offense or act committed or done before the effective date of this local law in violation of any legislative provision of the Town of Riverhead or any penalty, punishment or forfeiture which may result therefrom.

C. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this local law brought pursuant to any legislative provision of the Town of Riverhead.

D. Any agreement entered into or any franchise, license, right, easement or privilege heretofore granted or conferred by the Town of Riverhead.

E. Any local law or ordinance of the Town of Riverhead providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place within the Town of Riverhead or any portion thereof.

- F. Any local law or ordinance of the Town of Riverhead appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Town of Riverhead or other instruments or evidence of the Town's indebtedness.
- G. Local laws or ordinances authorizing the purchase, sale, lease or transfer of property, or any lawful contract, agreement or obligation.
- H. The levy or imposition of special assessments or charges.
- I. The annexation or dedication of property.
- J. Any local law or ordinance relating to salaries and compensation.
- K. Any local law or ordinance amending the Zoning Map.
- L. Any local law or ordinance relating to or establishing a pension plan or pension fund for Town employees.
- M. Any local law or ordinance or portion of a local law or ordinance establishing a specific fee amount for any license, permit or service obtained from the Town.
- N. Local Law Nos. 32-2002 and 47-2006, which extend the expiration date for the real estate transfer tax.
- O. Any local law or ordinance adopted subsequent to October 20, 2015.

§ 101-5. Severability.

If any clause, sentence, paragraph, section, article, chapter or part of this local law or of any local law, ordinance or resolution included in this Code now or through supplementation shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article, chapter or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 101-6. Copy of Code on file.

A copy of the Code, in loose-leaf form, has been filed in the office of the Town Clerk of the Town of Riverhead and shall remain there for use and examination by the public until final action is taken on this local law; and, if this local law shall be adopted, such copy shall be certified by the Town Clerk of the Town of Riverhead by impressing thereon the Seal of the Town of Riverhead, and such certified copy shall remain on file in the office of said Town Clerk to be made available to persons desiring to examine the same during all times while said Code is in effect. The enactment and publication of this local law, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 101-7. Amendments to Code.

Any and all additions, deletions, amendments or supplements to any of the local laws, ordinances and resolutions known collectively as the "Code of the Town of Riverhead" or

any new local laws, ordinances or resolutions, when enacted or adopted in such form as to indicate the intention of the Town to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be enacted or adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto. Nothing contained in this local law shall affect the status of any local law, ordinance or resolution contained herein, and such local laws, ordinances or resolutions may be amended, deleted or changed from time to time as the Town Board deems desirable.

§ 101-8. Code book to be kept up-to-date.

It shall be the duty of the Town Clerk to keep up-to-date the certified copy of the book containing the Code of the Town of Riverhead required to be filed in the office of the Town Clerk for use by the public. All changes in said Code and all local laws, ordinances and resolutions adopted by the Town Board subsequent to the enactment of this local law in such form as to indicate the intention of said Town Board to be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes, local laws, ordinances or resolutions until such changes, local laws, ordinances or resolutions are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 101-9. Sale of Code book; supplementation.

Copies of the Code, or any chapter or portion of it, may be purchased from the Town Clerk, or an authorized agent of the Clerk, upon the payment of a fee to be set by resolution of the Town Board. The Clerk may also arrange for procedures for the periodic supplementation of the Code.

§ 101-10. Penalties for tampering with Code.

Any person who alters or tampers with the Code of the Town of Riverhead in any manner whatsoever which will cause the legislation of the Town of Riverhead to be misrepresented thereby, or who violates any other provision of this local law, shall be guilty of an offense and shall, upon conviction thereof, be subject to a fine of not more than \$250 or imprisonment for a term of not more than 15 days, or both.

§ 101-11. Changes in previously adopted legislation; new provisions.

- A. In compiling and preparing the local laws, ordinances and resolutions for publication as the Code of the Town of Riverhead, no changes in the meaning or intent of such local laws, ordinances and resolutions have been made, except as provided for in Subsections B and C hereof. In addition, certain grammatical changes and other minor nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the Town Board that all such changes be adopted as part of the Code as if the local laws, ordinances and resolutions had been previously formally amended to read as such.
- B. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this local law. (Chapter and section number references are to the

local laws, ordinances and resolutions as they have been renumbered and appear in the Code.)

C. Nomenclature. Throughout the Code, references to the county health department are revised to refer to the “Suffolk County Department of Health Services.”

§ 101-12. Incorporation of provisions into Code.

The provisions of this local law are hereby made Article I of Chapter 101 of the Code of the Town of Riverhead, such local law to be entitled “General Provisions, Article I, Adoption of Code,” and the sections of this local law shall be numbered §§ 101-1 to 101-13, inclusive.

§ 101-13. When effective.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

- Underline represents additions

PLEASE TAKE NOTICE that copies of the local law described above and of the Code proposed for adoption thereby are on file in the office of the Town Clerk of the Town of Riverhead, where the same are available for public inspection during regular office hours.

PLEASE TAKE FURTHER NOTICE that all interested persons will be given an opportunity to be heard on said proposed local law at the place and time aforesaid.

NOTICE IS HEREBY GIVEN, pursuant to the requirements of the Open Meetings Law of the State of New York, that the Town Board of the Town of Riverhead will convene in public meeting at the place and time aforesaid for the purpose of conducting a public hearing on the proposed local law described above and, as deemed advisable by said Board, taking action on the enactment of said local law.

DATED: April 19, 2016

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD

DIANE M. WILHELM, TOWN CLERK

TOWN OF RIVERHEAD

Resolution # 282

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF
PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN
AMENDMENT OF CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" OF THE
RIVERHEAD TOWN CODE
(\$101-3. Stop and yield intersections; railroad crossings; parking fields.
(Deep Hole Rd. intersecting with Twomey Ave.)**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

RESOLVED, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider a proposed local law to amend Chapter 101 entitled "Vehicles & Traffic" of the Riverhead Town Code, once in the April 28th, 2016 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in 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 copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio 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 on the 3rd day of May, 2016 at 2:10 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

Chapter 101
VEHICLES AND TRAFFIC
ARTICLE III
Traffic Regulations

§ 101-3. Stop and yield intersections; railroad crossings; parking fields.

A. Stop intersections. The following intersections are designated as stop intersections, and stop signs shall be erected at such intersections as follows:

Intersection	Stop Sign On	Entrance From
<u>Twomey Avenue</u>	<u>Deep Hole Road</u>	<u>East</u>

- Underline represents addition(s)

Dated: Riverhead, New York
April 19, 2016

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 283

RATIFIES RESOLUTION TO AMEND AND CORRECT RESOLUTION #203
ADOPTED ON APRIL 5, 2016
AUTHORIZING THE PUBLISH AND POST OF REQUEST FOR PROPOSALS FOR
YOUNGS AVENUE LANDFILL TESTING, MAINTENANCE AND MONITORING

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, by Resolution #203 adopted on April 5, 2016, the Town Board authorized the Town Clerk to publish and post a Request for Proposals for Youngs Avenue Landfill Testing, Maintenance and Monitoring in the April 7, 2016 issue of the official Town newspaper; and

WHEREAS, due to a clerical error and necessary time required to meet the deadline for submission for publication in the newspaper, Resolution #203 must be corrected to reflect: a publish and post date of April 14, 2016 in the official Town newspaper; deadline for submission of proposals of May 5, 2016; date for bid opening to May 6, 2016; and date for comments/questions to read April 25, 2016.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby corrects Resolution # 203 and authorizes the Town Clerk to publish and post the attached Notice for Request for Proposals for Youngs Avenue Landfill Testing, Maintenance and Monitoring in the April 14, 2016 issue of the News-Review, the official Town newspaper, and consistent with all other dates recited above; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kenneth Testa, P.E., Office of the Town Attorney, Purchasing 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
REQUEST FOR PROPOSALS**

Sealed proposals for the Youngs Avenue Landfill Maintenance and Monitoring RFP must be submitted to the Office of the Town Clerk at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York no later than 4:00 pm on May 5, 2016 and will be publicly opened and read aloud on May 6, 2016 at 11:00 am in the Office of the Town Clerk.

Specifications may be examined and/or obtained on or about April 14, 2016 by visiting the Town of Riverhead website: www.townofriverheadny.gov and click on Bid Requests.

Each proposal must be submitted on the Form provided and in a sealed envelope clearly marked, "Youngs Avenue Landfill Maintenance and Monitoring".

Please take further notice, that the Town Board reserves the right to reject in whole or in part any or all RFP's, waive any informality in the proposals submitted and accept the proposal 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 a successful request for proposal. Note: RFP responses must be delivered to the Office of the Town Clerk at the address and times listed above. The Town may decline to accept, deem untimely and/or reject any RFP response/proposal that is not delivered to the Office of the Town Clerk.

Comments and/or questions from prospective bidders must be submitted in writing to testa@townofriverheadny.gov no later than 4:00 pm est, April 25, 2016.

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

Riverhead, New York 11901

Dated: April 19, 2016

TOWN OF RIVERHEAD

Resolution # 284

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN ADDITION TO CHAPTER 95 ENTITLED, "TAXATION" OF THE RIVERHEAD TOWN CODE (§95-47. Exemption for Landmarks or Properties within Historic Districts)

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

RESOLVED, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider a proposed local law for an addition to Chapter 95 entitled, "Taxation" of the Riverhead Town Code, once in the April 28, 2016 issue of News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in 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 copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio 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 on the 3rd of May, 2016 at 2:05 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law for an addition to amend Chapter 95 of the Riverhead Town Code entitled, "Taxation" as follows:

**Chapter 95
TAXATION
ARTICLE X**

Exemption for Landmarks or Properties within Historic Districts.

§95-47. Exemption granted.

Landmarks or properties located within a Historic District, as designated pursuant to § 73-4. et seq. of the Town Code defined hereafter, shall be exempt from taxation and special ad valorem levies to the extent of any increase in value attributable to such alteration or rehabilitation pursuant to the following schedule:

<u>Year of Exemption</u>	<u>Percentage of Exemption</u>
<u>1</u>	<u>100%</u>
<u>2</u>	<u>100%</u>
<u>3</u>	<u>100%</u>
<u>4</u>	<u>100%</u>
<u>5</u>	<u>100%</u>
<u>6</u>	<u>80%</u>
<u>7</u>	<u>60%</u>
<u>8</u>	<u>40%</u>
<u>9</u>	<u>20%</u>
<u>10</u>	<u>0%</u>

§95-48. Requirements.

No such exemption shall be granted for such alterations or rehabilitation unless all of the following criteria are met:

- A. Such property must be designated as a landmark pursuant to Article III of Chapter 73 of the Town Code of the Town of Riverhead or be property that is located in and contributes to the character of a designated historic district, created pursuant to Article III of Chapter 73 of the Town Code of the Town of Riverhead.
- B. Alteration or rehabilitation of exteriors must meet guidelines and review standards established in Article IV of Chapter 73 of the Town Code of the Town of Riverhead.
- C. Alteration and rehabilitation of exteriors are approved by the Town's Landmarks and Historic Districts Board prior to commencement of work.
- D. Alteration or rehabilitation must be for the purpose of historic preservation. For purposes of qualifying for an exemption pursuant to this article, alterations and rehabilitation shall be deemed to be for the purpose of historic preservation if:
 - (1) Only exterior work is involved; and
 - (2) At least 20% of the total cost of the project is directly attributable to

exterior work and/or work that enhances the structural stability or structural integrity of the property; provided, however, that such portion of interior work done for the purpose of converting property from a one- or two-family dwelling to a multiple dwelling, as defined in the Code of the Town of Riverhead, and any increases in value resulting from such conversion shall not qualify for the exemption; or

(3) The project returns to use a building which has not been used for a permissible purpose under applicable zoning ordinances for a continuous period of at least two years.

- E. Alterations of rehabilitation must be commenced subsequent to the effective date of this article.
- F. This exemption shall be granted only by application of the owner or owners of such historic real property on a form prescribed by the Commissioner. The application shall be filed with the Assessor on or before the appropriate taxable status date of the Town.
- G. Such exemptions shall be granted where the Assessor is satisfied that the applicant is entitled to an exemption pursuant to this section. The Assessor shall approve such application, and such property shall thereafter be exempt from taxation and special ad valorem levies to the extent of any increase in value attributable to such alteration or rehabilitation and as provided in the schedule established in § 95-47 of this article commencing with the assessment roll prepared on the basis of the taxable status date referred to in § 97-48 F. of this article. The assessed value of any exemption granted pursuant to this section shall be entered by the Assessor on the assessment roll with the taxable property, the same amount of the exemptions shown in a separate column.

- Underline represents addition(s)

Dated: Riverhead, New York
April 19, 2016

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 285

**APPROVES THE CHAPTER 90 APPLICATION OF
THE LONG ISLAND MOOSE CLASSIC CAR CLUB
(Car Show to Benefit the Wounded Warriors of Long Island
– Sunday, May 15, 2016)**

Councilwoman Giglio offered the following resolution,

which was seconded by Drop Down for Councilperson

WHEREAS, on March 17, 2016, Charles Cali, on behalf of the Long Island Moose Classic Car Club, submitted a Chapter 90 Application for the purpose of conducting a fundraiser car show to benefit the Wounded Warriors of Long Island, said event to include craft sales, to be held on Sunday, May 15, 2016, having a rain date of Sunday, May 22, 2016, at the location of the Tanger Outlets in the Office Max parking lot, located at 1947 Old Country Road, Riverhead, New York, between the hours of 9:00 a.m. and 5:00 p.m.; and

WHEREAS, the Long Island Moose Classic Car Club 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 Long Island Moose Classic Car Club has requested the applicable Chapter 90 Application fee and the temporary sign fee be waived as the proceeds of the event shall benefit the Wounded Warriors of Long Island; 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 Long Island Moose Classic Car Club for the purpose of conducting a fundraiser car show to benefit the Wounded Warriors of Long Island, said event to include craft sales, to be held on Sunday, May 15, 2016, between the hours of 9:00 a.m. and 5:00 p.m., having a rain date of Sunday,

May 22, 2016, at the location of the Tanger Outlets in the Office Max parking lot, located at 1947 Old Country Road, Riverhead, New York, is hereby approved; 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 May 2, 2016**; and be it further

RESOLVED, that the Town Board hereby waives the Chapter 90 Application fee and the temporary sign fee; 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 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 the Town Clerk is hereby authorized to forward a copy of this resolution to the Long Island Moose Classic Car Club, c/o Charles Cali, 45 Laurin Road, Calverton, New York, 11933; 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 286

**ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE
CODE OF THE TOWN OF RIVERHEAD
(COMMUNITY BENEFIT ZONING USE DISTRICT (CBD))**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108, entitled "Zoning" Article XXIII Residence RC District of the Riverhead Town Code of the Code of the Town of Riverhead ("Town Code"); and

WHEREAS, the Riverhead Planning Department has reviewed the proposed amendment and recommended it be considered a Type I action pursuant to 6NYCRR Part 617; and

WHEREAS, a Full Environmental Assessment Form, [FEAF], Parts 1, 2 and 3 have been prepared and are on file with the Office of the Town Clerk; and

WHEREAS, the Town Board finds there to be no adverse environmental impacts resulting from the action; and

WHEREAS, a public hearing was held on the 15th day of March, 2016 at 7:05 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, the proposed amendment to Chapter 108 was referred to the Suffolk County Planning Commission and the Planning Commission determined that the amendment be a matter for local determination.

NOW THEREFORE BE IT RESOLVED, that the Town Board be and hereby, declares the amendment of Chapter 108 to be a Type I action for the purposes of SEQR compliance and declares itself Lead Agency; and be it further

RESOLVED, that coordinated review is not required as the Town Board is the sole involved agency for purposes of implementing the amendment to Chapter 108; and be it further

RESOLVED, that the FEAF has been duly considered and Town Board finds

there to be no adverse environmental impacts resulting from the action; and be it further

RESOLVED, that the Town Board, as Lead Agency, issues a Negative Declaration for the action; and be it further

RESOLVED, that the Town Board, be and hereby, directs the Supervisor to sign the Negative Declaration and that the Town Clerk publish and post the Negative Declaration in the Environmental News Bulletin and post the notice of the Negative Declaration on the Town of Riverhead official website; and be it further

RESOLVED, that the local law amending Chapter 108 entitled, "Zoning" of the Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish the attached notice of adoption once in the News-Review Newspaper and to post same on the signboard 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending the Chapter 108 entitled "Zoning" of the Riverhead Town Code, at its regular meeting held on April 19, 2016.

ARTICLE LXIII

COMMUNITY BENEFIT ZONING USEDISTRICT (CBD)

§ 108-333. Purpose and Intent.

A. It is the purpose of the Community Benefit District (CBD) to implement the recommendations of the Town of Riverhead Comprehensive Plan (2003) by permitting the construction of clustered multi-family rental dwelling units in a manner designed to meet the needs of a range of users who are presently underserved by the housing market, including young people entering the work force, young families, and seniors.

B. Permission of the development set forth in subsection A above shall require the concurrent construction of on-site community center and nonresidential use(s) that, together or individually, provide an enhancement of not only the subject project for its residents but for the use, enjoyment and enhancement of the surrounding community as well.

C. The goals of the CBD District are:

1. To promote a mixed-use development on a single site in a cohesive manner, with the main purpose of providing for the needs of its residents and residents in the larger community;

2. To promote the most desirable land use upon real property that is suitable for such development due to its size, location and access to necessary infrastructure, and;
3. To provide standards to facilitate development not currently possible under Chapter 108 (Zoning Ordinance) in order to meet identified community needs.

108-334. Definitions.

Community Center - is a structure/s providing educational and recreational services to the community, including but not limited to, day care, nutrition and wellness programs, performing arts space, sports, and fitness facilities. Food service, ATM, and retail space in support of the foregoing activities shall be permitted in the Community Center.

Workforce Housing - is residential housing occupied by residents whose income conforms to guidelines published by a governmental authority with appropriate jurisdiction as 80% to 120% of median adjusted for area.

§ 108-335. Creation of the Community Benefit District.

A. The CBD district may be imposed by the Town Board as an overlay district in conjunction with or to the exclusion of all other use districts shown on the Zoning Use District Map of the Town of Riverhead.

B. In the event of a conflict between the provisions of this Article and other provisions of Chapter 108 (Zoning Ordinance), the provisions of this Article shall apply.

C. All special permit uses set forth herein shall be subject to the approval of the Town Board pursuant to the requirements and procedures set forth in Section 108.133.1 of the Town Code.

§ 108-336. Eligible Properties.

In order to be considered for the CBD designation, a property shall meet all of the following

criteria:

- 1) The minimum area of a parcel shall be 10 acres;
- 2) The site shall have frontage on a State or County arterial highway, onto which all vehicle access shall be directed;
- 3) The minimum road frontage on a State or County arterial highway shall be 800 linear feet.
- 4) The property shall be served by appurtenances of the Riverhead Water District and the Riverhead Sewer District, or shall be in sufficient proximity to such district boundaries as they exist at the time of the adoption of this local law to permit access to such infrastructure;
- 5) Be of sufficient area to provide for all applicable parking, buffer yards, landscaping and open space requirements.

§ 108-337. Uses.

A. In the Community Benefit (CBD) District no building, structure, or premises shall be used or arranged or designed to be used and no building or structure shall hereafter be erected, reconstructed, or altered or occupied unless otherwise provided in this chapter for the following special permitted uses:

1. Detached and/or attached multi-family dwelling units;
2. One family dwelling units with Professional Office.
3. Community Center, Day Care, Nursery School.
4. Recreational uses including parks and playgrounds, swimming pool, and/or outdoor sports facilities.
5. Houses of Worship.

B. Any development pursuant to this Article shall consist of the concurrent construction of clustered residential, on-site community center and non-residential uses.

§ 108-338. Accessory Uses.

Accessory uses shall include those uses customarily incidental to any of the above specially permitted uses when located on the same site or within a structure with a specially permitted use. Specifically allowed are the following, provided that the total lot coverage does not exceed five (5) percent of the site:

1. Maintenance structures
2. Garages
3. Storage buildings
4. Pump station for wastewater disposal purposes.

§ 108-339. Workforce Housing Requirement.

A minimum of one hundred percent (100%) of dwelling units shall be sold or rented to households that meet income standards, as those standards may change from time to time, as set by the State or Federal government and designated as workforce housing.

§ 108-340. Community Center Requirements.

Any community center approved pursuant to this chapter shall conform to the following requirements:

1. All facilities of the community center shall be available to the general public;
2. Individual facilities within the community center may be rented to the general public. Fees may be charged for use of the facilities but such fees shall be limited to only those necessary to defray expenses.

§ 108-341. Mixed Use Residential/Professional Office Structures.

A. The Professional Office use shall be of such character as to be appropriate for a

residential neighborhood setting.

B. All such structures are to be limited in floor area, not to exceed 2,500 square feet (SF) in size each.

C. One residence may be located within each such structure, and may only be occupied by the owner or an employee of the Professional Office that occupies that structure.

§ 108-342. General Lot, Yard, Bulk and Height Requirements.

<u>Maximum Building Net Floor Area Ratio</u>	<u>0.40</u>
<u>Maximum Lot Coverage (total footprint)</u>	<u>0.20</u>
<u>Minimum Front Yard Depth</u>	<u>15 feet</u>
<u>Minimum Rear Yard Depth</u>	<u>20 feet</u>
<u>Minimum Side Yard Setback (both)</u>	<u>15 feet</u>
<u>Maximum Building Height</u>	<u>50 feet not to exceed three and a half (3 1/2) stories</u>

Dwelling Unit Density and Mix:

<u>Dwelling Unit Density</u>	<u>1 unit per 40,000 sq. ft.</u>
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§ 108-343. Redemption of Preservation Rights to Increase Dwelling Unit Yield.

A. Preservation credits may be used to increase dwelling unit density within the Community Benefit Zoning Use District. In its review and approval of any site plan application within the Community Benefit Zoning Use District utilizing preservation credits, the reviewing board shall condition the final site plan approval upon the redemption of the appropriate number of credits, with the signature of the mylar predicated upon the redemption and retiring of the appropriate number of preservation credits.

B. Preservation credits may be acquired through the transfer of development rights pursuant to Article LXII of the Riverhead Town Code or the acquisition of Workforce Housing

Development Rights through the Suffolk County Workforce Housing Transfer of Development Rights Program. Any preservation rights acquired through the Suffolk County Workforce Housing Transfer of Development Rights Programs must be rights that were placed in the program from the purchase or preservation of property located in the Town of Riverhead.

C. The Town Board in its review and approval of an application for a special permit may increase the allowable dwelling unit yield at a rate of one (1) dwelling unit per preservation credit redeemed, not to exceed ten (10) dwelling units per 40,000 square feet after subtracting for that land area required for infrastructure and public improvements.

§ 108-344. Open Space Requirements.

A. Minimum of 40 percent of the total site area shall be reserved for vegetated open space, pond areas, or passive recreational use.

B. Such recreational amenities may include, but not limited to, playgrounds, walking trails, fitness trails, picnic areas or sitting areas; no landscaped areas that are not easily accessible for use and occupancy as recreational space are to be included in this calculation.

§108-345. Off-Street Parking Requirements.

The development shall endeavor to provide a minimum off street parking in conformance with the following schedule:

<u>Residences</u>	<u>1.5 spaces/unit</u>
<u>Community Center</u>	<u>1 space/300 square feet of floor area</u>
<u>Church</u>	<u>1 space/3 pew seats</u>
<u>Non-Residential Spaces</u>	<u>1 space/200 square feet of floor area</u>

In recognition of the shared use aspects of the CBD District, if the planning board determines that an applicant has conclusively demonstrated that one or more of such uses will be generating a demand for the parking spaces primarily during periods when another use or uses

has or have a significant lower parking demand, the planning board may, upon application, reduce the total parking spaces required.

§ 108-346. Additional Guidelines.

- A. All utility service lines within the site shall be constructed underground.
- B. The development shall provide safety and security lighting in appropriate areas, including but not limited to building exteriors, building entrances, walkways, vehicle access points and within parking areas.
- C. All exterior lighting fixtures shall conform to Article XLV of the Riverhead Zoning Ordinance, such that no fugitive lighting impacts adjacent properties.
- D. To the maximum extent practicable, sustainable energy site lighting shall be utilized.
- E. All lighting fixtures, whether mounted on building walls or on poles, shall be placed at the minimum height necessary to cast adequate lighting intensities on illuminated surfaces.
- F. All buildings shall be handicapped accessible.
- G. A maintenance plan for all ground and buildings shall be in effect and such initial plan shall be included in site plan review.
- H. Landscaping shall be designed to reduce heat island effects.
- I. Onsite retention/harvesting of storm water runoff to minimize sewer impact and reduce water usage for irrigation shall be utilized.
- J. In recognition of the inherent mixed use character of the CBD District, no abutting landscape buffer areas other than those specifically required in this section shall be required.
- K. For the purpose of the requirements for off-street loading berths, the permitted

and accessory uses shall not be considered as being used for business, industrial or hospital purposes.

L. Where the CBD zoning district has been applied to a property the site plan must show a twenty-five foot (25 foot) non-improved transitional buffer along any boundary shared with a residential use or residentially zoned property. If in the opinion of the Planning Board the natural vegetation existing on the site does not provide a sufficient buffer between the property and the abutting residential use or residentially zoned property; the Planning Board may require the applicant to augment the buffer appropriate screening and vegetation. For the purposes of this section, fencing in the non-improved transitional buffer area shall not be deemed an improvement.

§ 108-347. Service Providers Amenities and Services.

Where the development includes health and fitness facilities and/or day care services for preschool-age and/or services for senior citizen within the community center, oversight and supervision shall be provided by professional staff.

§ 108-348. Development Standard Within the Community Benefit District.

No earthwork, land clearing, construction or land disturbance of any kind shall take place upon real property within a CBD until such time as a site plan has been approved by the Planning Board. In cases in which a proposed project involves the subdivision of land, no development may proceed until final conditional subdivision approval has been granted by the Planning Board. Approval of site plan for development shall be conditioned upon approval by Suffolk County Department of Health Services. Energy Star compliance on all equipment and appliances in residential units shall be required. All users and residents within the CBD shall be

required to comply with a recycling plan for refuse. Buildings shall be oriented to maximize natural daylight. Low flow water for all plumbing fixtures shall be utilized.

- * Underline represents addition(s)
- ** Overstrike represents deletion(s)

Dated: Riverhead, New York
April 19, 2016

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

DIANE WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 287

**AUTHORIZES SETTLEMENT OF LEGAL ACTIONS BY T-MOBILE NORTHEAST
LLC & METROPCS NEW YORK, LLC AGAINST THE RIVERHEAD WATER
DISTRICT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, a law suit has been commenced by MetroPCS New York, LLC naming Riverhead Water District, as Defendant in the Eastern District Court of New York under Civil Action number CV 15 6311; and

WHEREAS, a legal action was commenced by T-Mobile Northeast, LLC naming Riverhead Water District, as Defendant in the United States District Court, Eastern District Court of New York under Civil Action number CV 15 6310; and

WHEREAS, the parties entered into negotiations and reached a settlement of both legal actions inclusive of all costs, expenses and interest; and

WHEREAS, in light of the costs attendant to proceeding to a trial with the attendant uncertainties of litigation it is in the best interests of the Town to accept the settlement of both legal actions.

NOW BE IT RESOLVED, that the Town Board of the Town of Riverhead be and hereby accepts the settlement proposed regarding legal actions commenced by MetroPCS New York, LLC and by T-Mobile Northeast, LLC naming Riverhead Water District, as Defendants in the United States District Court, Eastern District Court of New York under Civil Action number CV 15 6311 and CV 15 6310 respectively; and be it further

RESOLVED, that the Supervisor is authorized to sign all documents necessary to effectuate that settlement of the above referenced legal actions commenced by MetroPCS New York, LLC and by T-Mobile Northeast, LLC against the Riverhead Water District; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Planning Board, the Planning Department, and the Town Attorney.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 288

ORDER CALLING PUBLIC HEARING EXTENSION OF THE
RIVERHEAD PARKING DISTRICT

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, a petition has been submitted by J. Petrocelli Associates to the Riverhead Town Board, as governing body of the Town of Riverhead Public Parking District No. 1 (sometimes the "District"), for an extension of the District to include a parcel of real property designated by SCTM 0600-129-3-13, which parcel is also known as 428 East Main Street, Riverhead, New York; and

WHEREAS, pursuant to Town Law Section 206-a, the Town Board intends to determine that all expenses of the District, including all extensions heretofore or hereafter established, shall be a charge against the entire area of the District as extended on an ad valorem basis; and

WHEREAS, by J. Petrocelli Associates proposes to convert the existing two story dwelling into a restaurant and construct a five story boutique hotel with twenty (20) rooms at its own cost, expense, which proposal does not contemplate the acquisition of any further land.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead, as governing body of the Riverhead Parking District, shall hold a public hearing on May 18, 2016, at 7:10 pm. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested person wishing to be heard on the matter of the petition of the J. Petrocelli Associates for an extension of the Parking District to include SCTM 0600-129-3-13 and to determine whether all the property and property owners within the District and the extension are benefited thereby and whether all the property and property owners benefited are included within the limits of the proposed extension and whether the proposed extension is in the public interest, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post this resolution, in its entirety, in the April 28, 2016, edition of The News Review, and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this resolution to the Assessors Office, Eric J. Russo, Esq., Van Brunt, Juzwiak & Russo, P.C., 140 Main Street, Sayville, New York 11782., the Planning Board, Engineering Department, and Town Attorney.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

VanBRUNT, JUZWIAK & RUSSO, P.C.

ATTORNEYS AT LAW

ERIC J. RUSSO

JUSTIN T. TAURO
Associate

RITA BUCKLEY
Paralegal

140 MAIN STREET
SAYVILLE, NEW YORK 11782

(631) 589-5000
FAX: (631) 589-5003

JEFFREY M. JUZWIAK
Retired
RICHARD H. VanBRUNT
1927 - 2006

April 6, 2016

Via Federal Express

Hon. Diane Wilhelm, Riverhead Town Clerk
Riverhead Town Hall
200 Howell Avenue
Riverhead, New York 119011

Re: Petition to Request Extension of
Riverhead Public Parking District #1
J. Petrocelli Development Associates
428 East Main Street - SCTM #0600-129-3-13

FILED IN OFFICE OF
DIANE M. WILHELM
TOWN CLERK
2016 APR - 7 A 10:46

Dear Ms. Wilhelm:

Enclosed herewith please find an original and five (5) copies of a Petition for Extension of the Town of Riverhead Public Parking District No. 1. This Petition requests that the Riverhead Town Board extend the Riverhead Public Parking District No. 1 to include 428 East Main Street, Riverhead, New York (SCTM #0600-129.00-03.00-013.000) (Preston House) which is located at the northwest corner of East Main Street and Ostrander Avenue.

On December 31, 2015, our office on behalf of our client, J. Petrocelli Development Associates, submitted a letter seeking to consider that 428 East Main Street, Riverhead, New York (SCTM #0600-129.00-03.00-013.000) be included in the Riverhead Public Parking Improvement District #1 in conjunction with the proposed historical renovation of Preston House as a restaurant with the addition of a 20-room boutique hotel.

Your consideration as to this request is greatly appreciated. Thank you.

Very truly yours,
VanBrunt, Juzwiak & Russo, P.C.

Eric J. Russo

/rb

Enclosures

cc: J. Petrocelli, J. Petrocelli Dev. Assoc.

J. Lewis, RT Deputy Supervisor (letter only)

R. Kozakiewicz, RT Attorney (letter only)

R. Ehlers, Esq., Riverhead IDA Counsel (letter only)

J. Murphree, RT Planning Department (letter only)

Petition for Extension of the
Town of Riverhead Public Parking District No. 1

TO THE TOWN BOARD OF THE TOWN OF RIVERHEAD
COUNTY OF SUFFOLK, STATE OF NEW YORK

FILED IN OFFICE OF
DIANE M. WILHELM
TOWN CLERK
2016 APR -7 P 4:19

Petitioner, J. PETROCELLI DEVELOPMENT ASSOCIATES, a general partnership, with offices at 100 Comac Street, Ronkonkoma, New York 11779, being owner of taxable real property situate in the Town of Riverhead Public Parking District No. 1 hereinafter described and proposed to be established in the Town of Riverhead, New York (the "Town"), aggregating at least one-half of the assessed valuation of all taxable real property of said proposed extension district, as shown upon the latest completed assessment roll of said town and including resident owners in said proposed district owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of said proposed district owned by resident owners, according to the latest completed assessment roll, do hereby petition the town board as follows:

1. Petitioner proposes, pursuant to Town Law Article 12, that the Town Board extend the Town of Riverhead Public Parking District No. 1 in the Town to include 428 East Main Street, Riverhead, New York, also known as SCTM #0600-129.00-03.00-013.000.

2. Said territory is located wholly in the Town and is outside of any city or incorporated village.

3. Attached hereto as Exhibit "A" is a map entitled "Survey for J. Petrocelli Development", last dated June 26, 2014, prepared by Young & Young Land Surveyors, showing the boundaries of the proposed extension to the Town of Riverhead Public Parking District No. 1.

4. Also attached hereto as Exhibit "B" are two maps; one depicting the current district boundaries and one showing the proposed boundaries should the extension be granted.

5. The estimate of assessment upon completion of the entire project on the subject premises is also attached as Exhibit "C".

6. The proposed extension is made in conjunction with a proposal to convert the existing two-story dwelling into a restaurant and to construct a five-story boutique hotel with twenty (20) rooms; however, the plan does not contemplate the acquisition of any further land.

7. The project would meet goals and expectations of the Town of Riverhead Urban Renewal Plan by eliminating blighted and substandard conditions and replacement by proposed development expected to further the revitalization of the Downtown Area.

WHEREFORE, Petitioner respectfully requests that the Town Board of the Town of Riverhead establish the extension to the Town of Riverhead Public Parking District No. 1 in the Town to include 428 East Main Street, Riverhead, New York, also known as SCTM #0600-129.00-03.00-013.000.

Dated: Sayville, New York
March 23, 2016

J. PETROCELLI DEVELOPMENT
ASSOCIATES

By: 
Joseph Petrocelli, Managing Member

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On this 23 day of March, 2016, before me, the undersigned, personally appeared Joseph Petrocelli, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

LINDA URBAN
Notary Public, State of New York
No. 4673061
Qualified in Suffolk County
Commission Expires June 30, 2018

TOWN OF RIVERHEAD

Resolution # 289

RESOLUTION TO SUPPORT COUNTY OF SUFFOLK PURCHASE OF 9.71 ACRES OF VACANT LAND LOCATED ON MAIN ROAD, JAMESPORT, NY (SUBJECT PROPERTY) OWNED BY TDG JAMESPORT OWNER, LLC AS A HAMLET PARK AND EXPRESSION OF COMMITMENT TO ENTER INTO AN AGREEMENT FOR MANAGEMENT OF THE SUBJECT PROPERTY AND IMPROVEMENTS

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the owner of a parcel of property situated on Main Road, Jamesport, New York, described as SCTM #600-68-1-35 and hereinafter referred to as “subject property”, has offered the subject property for sale to the County of Suffolk; and

WHEREAS, the County of Suffolk has expressed a willingness to purchase the property and designate the preservation goal of the subject property as a hamlet park with improvements designed to enhance the pedestrian-friendly nature of the community, provide outdoor activities, including playgrounds and public gathering space, and public access to any or all such improvements subject to the Town of Riverhead’s agreement to partner with the County of Suffolk in the acquisition such that the Town would commit to enter into an agreement with the County of Suffolk for the management of the property and any improvements that the County of Suffolk may make on or to the subject property in the future; and

WHEREAS, due to the subject property’s location in the historic hamlet of Jamesport and the goals identified in the Town of Riverhead Comprehensive Master Plan to wit: preservation and creation of parks and community facilities, create walking environment, and identification of the subject property as a site for a “potential park, school or library site”, the Town Board desires to support the efforts of the County of Suffolk related to the preservation of and improvements consistent with a designation by the County of Suffolk as a hamlet park for the subject property.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby supports the County of Suffolk’s acquisition of property described as SCTM #600-68-1-35 for preservation of and improvements consistent with a designation by the County of Suffolk as a hamlet park and partner with the County of Suffolk in the acquisition such that the Town would commit to enter into an agreement with the County of Suffolk for the management of the property and any improvements that the County of Suffolk may make on or to the subject property in the future; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Hon. Al Krupski, Suffolk County Legislator, 423 Griffing Avenue, Suite 2, Riverhead, NY 11901 and Laretta Fischer, Principal Environmental Analyst, S.C. Dept. of Planning, P.O. Box 6100, Hauppauge, NY 11788; 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 Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted



water

538 Broad Hollow Road, 4th Floor East tel 631.756.8000
Melville, NY 11747 fax 631.694.4122

March 17, 2016

Supt. Mark Conklin
Riverhead Water District
1035 Pulaski Street
Riverhead, New York 11901

**Re: Riverhead Water District
Installation of Water Mains & Appurtenances
Stoneleigh Woods - Phase 4
Final Construction Cost
H2M Project No.: RDWD 15-51**

Dear Supt. Conklin

As G&M Earth Moving, Inc. has completed their contractual obligations, I have requested they submit a final payment requisition and one year maintenance bond. During the course of the project the contractor performed additional work approved by this office. G&M Earth Moving, Inc. furnished and installed field lok gaskets on the water main between Haverton Court and the tie-in at Sunken Pond Estates at a cost of \$2,192.16. Additionally, the contractor performed repair work due to damage caused by the developer at a cost of \$5,108.57. A cost breakdown for this additional work is attached.

Based upon the actual installed qualities of material, and the costs associated with the additional work, the final construction cost for this project is \$167,882.73. G&M Earth Moving, Inc. was awarded the contract based upon the total bid price of \$165,440.00. According to our records, the developer deposited \$8,270.00 with the Town for "contingencies." We recommend that funds from the contingency account be expended to cover the \$2,442.73 in excess construction costs.

Should you have any questions, please feel free to contact our office.

Very truly yours,

H2M architects + engineers

A handwritten signature in cursive script, appearing to read "Michael W. Weber".

Michael W. Weber, P.E.
Senior Project Engineer

Enc.

cc: William J. Rothaar, Financial Admin
John Collins, P.E. (H2M)

RIVERHEAD WATER DISTRICT
INSTALLATION OF WATER MAINS & APPURTENANCES
STONELEIGH WOODS –PHASE 4

H2M PROJECT NO.: RDWD 15-51

CHANGE ORDER NO. 1

Owner: **RIVERHEAD WATER DISTRICT**
1035 Pulaski Street
Riverhead, New York 11901
Contact: Supt. Mark Conklin

Contractor: **G&M Earth Moving, Inc.**
345 Ellsworth Street
Holbrook, New York 11741
Contact: Patrick McPeak, P.E.

Engineer: **H2M ARCHITECTS + ENGINEERS**
538 Broad Hollow Road
Melville, New York 11747
Contact: John R. Collins, P.E.

ITEM A: FIELD LOK GASKETS EXTRA

Description of change: Additional cost associated with the installation of locking gaskets on the water main between Haverton Court and the tie-in at Sunken Pond Estates (attached and marked as COP #01). The installation of field lock gaskets were requested due to the increased potential of the area settling since it was partially constructed of fill material.

Cost of change: Increase of \$2,192.16

ITEM B: REPAIR WORK EXTRA

Description of change: Additional cost associated with performing repair work to newly installed meter pits due to damage caused by the developer (attached and marked as COP #03).

Cost of change: Increase of \$5,108.57

ITEM C: 8" CLDI WATER MAIN CREDIT

Description of change: Credit to the District for the actual installed quantity of 8" CLDI water main being less than contract quantity:

1,350.0 linear feet (contract) – 1,263.0 linear feet (installed) = 87.0 linear feet
87.0 linear feet x \$43.00/linear foot = \$3,741.00

Cost of change: Decrease of \$3,741.00

ITEM D: SPECIAL CASTINGS CREDIT

Description of change: Credit to the District for the actual installed quantity of special castings being less than contract quantity:

2,300.00 pounds (contract) – 1,785.00 pounds (installed) = 515 pounds
515 pounds x \$2.00/pound = \$1,030.00

Cost of change: Decrease of \$1,030.00

ITEM E: CHLORINATION OF MAINS CREDIT

Description of change: Credit to the District for the actual quantity of water main chlorinated being less than contract quantity:

1,350.0 linear feet (contract) – 1,263.0 linear feet (installed) = 87.0 linear feet
87.0 linear feet x \$1.00/linear foot = \$87.00

Cost of change: Decrease of \$87.00

TOTAL COST OF CHANGE ORDER NO. 1

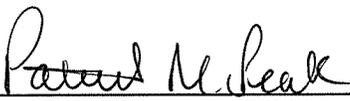
(Sum of Items A, B, C, D, & E)

\$2,442.73

CONTRACT COST SUMMARY

A.	Original Contract Amount:	\$	165,440.00
B.	Cost of Change Order No. 1:	\$	<u>2,442.73</u>
C.	Revised Contract Amount:	\$	167,882.73

Recommended By:  Date: 3/29/16
H2M architects + engineers

Accepted By:  Date: 3/22/16
G&M Earth Moving, Inc.

Approved By: _____ Date: _____
Riverhead Water District

TOWN OF RIVERHEAD

Resolution # 290

APPROVES CHANGE ORDER NO. 1
INSTALLATION OF WATER MAINS & APPURTENANCES
STONELEIGH WOODS – PHASE 4
FINAL CONSTRUCTION COST – RIVERHEAD WATER DISTRICT

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, by attached letter dated March 17, 2016 H2M Group, consulting engineers to the Riverhead Water District, has recommended approval of the attached Change Order No. 1 with regard to final construction costs for Installation of Water Mains and Appurtenances at Stoneleigh Woods – Phase 4 of the Riverhead Water District.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute Change Order No. 1 of the Riverhead Water District for the Installation of Water Mains and Appurtenances at Stoneleigh Woods – Phase 4, and

BE IT FURTHER RESOLVED, that the original contract amount of \$165,440.00 for G&M Earth Moving, Inc. for Installation of Water Mains & Appurtenances, Stoneleigh Woods – Phase 4 be and is hereby modified by Change Order No. 1 to a total of \$167,882.73, and

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 291

PAYS BILLS

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

ABSTRACT #16-09 April 13, 2016 (TBM 04/19/16)			
			Grand
Fund Name	Fund #	Ckrun	Totals
GENERAL FUND	1	1,928,625.35	1,928,625.35
POLICE ATHLETIC LEAGUE	4	180.00	180.00
RECREATION PROGRAM FUND	6	25,939.51	25,939.51
HIGHWAY FUND	111	102,807.02	102,807.02
WATER DISTRICT	112	126,637.43	126,637.43
RIVERHEAD SEWER DISTRICT	114	168,599.99	168,599.99
REFUSE & GARBAGE COLLECTION DI	115	211,389.35	211,389.35
STREET LIGHTING DISTRICT	116	40,120.50	40,120.50
PUBLIC PARKING DISTRICT	117	2,331.68	2,331.68
AMBULANCE DISTRICT	120	1,995.19	1,995.19
EAST CREEK DOCKING FACILITY FU	122	2,209.19	2,209.19
CALVERTON SEWER DISTRICT	124	2,079.57	2,079.57
RIVERHEAD SCAVENGER WASTE DIST	128	49,559.97	49,559.97
WATER DISTRICT CAPITAL PROJECT	412	2,675.52	2,675.52
RIVERHEAD SEWER CAPITAL PROJEC	414	793,671.84	793,671.84
CALVERTON SEWER CAPITAL PROJEC	424	1,400.00	1,400.00
TRUST & AGENCY	735	2,096,963.95	2,096,963.95
CALVERTON PARK - C.D.A.	914	4,963.04	4,963.04
TOTAL ALL FUNDS		5,562,149.10	5,562,149.10

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 292

**AUTHORIZES TOWN SUPERVISOR TO EXECUTE LEASE
BETWEEN RIVERHEAD WATER DISTRICT AND
NEW YORK CINGULAR WIRELESS PCS**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, lease between Riverhead Water District and New York Cingular Wireless PCS has been negotiated for premises located at 1035 Pulaski Street, Riverhead, New York, Suffolk County, Suffolk County Tax Map No. 0600-124-01-27, and

WHEREAS, a public hearing was held on April 19, 2016 at which all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute lease between Riverhead Water District and New York Cingular Wireless PCS for premises located at 1035 Pulaski Street, Riverhead, New York, Suffolk County, Suffolk County Tax Map. No. 0600-124-01-27, and

BE IT FURTHER RESOLVED, that the Town Clerk is authorized to provide a copy of this resolution to Water District Superintendent Mark Conklin and Frank Isler, Esq., and

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

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution # 292 was TAKEN OFF THE FLOOR, motion carried by unanimous vote. Immediately thereafter there was a motion to put to vote.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 293

REINSTATES CULTURAL AFFAIRS SUPERVISOR

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, due to the impending merger of the Riverhead Town Seniors Programs and Recreation Department it has become incumbent upon the Town to employ a Cultural Affairs Supervisor to plan and organize a variety of public performances and community events that have an intergenerational appeal; and

WHEREAS, the Suffolk County Department of Civil Service has granted approval for the reinstatement of Danielle Doll to her former title of Cultural Affairs Supervisor subject to the applicable civil service rules and regulations regarding such reinstatement.

NOW, THEREFORE, BE IT RESOLVED, that effective April 20, 2016 the Town Board hereby reinstates Danielle Doll to her former title of Cultural Affairs Supervisor at a rate of pay as found on Group 5, Step 3A of the Administrative Salary Schedule.

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 # 293 was TAKEN OFF THE FLOOR, motion carried by unanimous vote. Immediately thereafter there was a motion to put to vote.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 294

**AUTHORIZES THE SUPERVISOR TO EXECUTE A LEASE AGREEMENT
WITH JOSEPH PETROCELLI/J. PETROCELLI CONTRACTING INC. FOR THE
TOWN HISTORIAN OFFICE AT 542 EAST MAIN STREET, RIVERHEAD, NY**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

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

WHEREAS, the 542 East Main Street, Riverhead, NY, SCTM# 600-129-3-35.2 ("Subject Property") was formerly occupied by the Town Historian, Chamber of Commerce, Riverhead Housing Development Corporation and Town of Riverhead Community Awareness Program and for the past six months only the Town Historian remains as an occupant of the building; and

WHEREAS, by Town Board Resolution #847 adopted on December 15, 2015, the Town Board authorized and accepted the offer to purchase 542 East Main Street, Riverhead, NY submitted by Joseph Petrocelli/J. Petrocelli Contracting Inc.; and

WHEREAS, the sale was subject to a lease agreement for no less than 350 square feet of office space for use by the Town Historian at \$10.00 per square foot annually for three years with an annual 3% increase per year and an option to extend for an additional three year period at \$10.00 per square foot plus 3% increase annually during the term of extension.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to execute a Lease Agreement to effectuate the lease of office space for use occupancy of the Town Historian at 542 East Main Street subject to the following terms: \$10.00 per square foot annually for three years with an annual 3% increase per year and an option to extend for an additional three year period at \$10.00 per square foot plus 3% increase annually during the term of extension as set forth above; payment of proportionate share of utilities; renovation of a portion of the first floor at purchaser, Joseph Petrocelli/J. Petrocelli Contracting Inc. sole cost and expense; and, upon completion of renovation, relocation and occupancy of 1000 sq. feet of renovated space for use by the Town Historian; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Joseph Petrocelli/J. Petrocelli Contracting Inc., 100 Comac Street, Ronkonkoma, New York, 11779 and the Office of Town Attorney; and be it further

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

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution # 294 was TAKEN OFF THE FLOOR, motion carried by unanimous vote. Immediately thereafter there was a motion to put to vote.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted