

MAY 17, 2017

CDA RESOLUTION LIST:

CDA

Res. #8 Appoints the Law Firm of Lamb & Barnosky, LLP as Special Counsel in Connection with the Purchase of Property at EPCAL by Luminati Aerospace LLC and Authorizes the Supervisor to Execute a Retainer Agreement Regarding Same

CDA

Res. #9 Appoints the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakoboski as Special Counsel in Connection with the Purchase of Property at EPCAL by Luminati Aerospace LLC and Authorizes the Supervisor to Execute a Retainer Agreement Regarding Same

TOWN BOARD RESOLUTION LIST:

- Res. #341** K9 Expense Budget Adjustment
- Res. #342** Wading River Elementary School Service Stub Installation Water Capital Project Budget Adoption
- Res. #343** Awards Bid for Internal Control Audit for Town of Riverhead Justice Court
- Res. #344** Appoints an Intern to the Police Department (Rebecca VanHouten)
- Res. #345** Authorizes the Attendance of a Police Department Employee to NY/NJ Regional Fugitive Task Force Training
- Res. #346** Authorizes Town Clerk to Publish a Help Wanted Advertisement for a Community Development Project Supervisor
- Res. #347** Appoints a Call-In Detention Attendant (Tania Pineda)
- Res. #348** Appoints a Call-In Detention Attendant (Meldine Smith)
- Res. #349** Changes the Status of Part-Time Police Officers
- Res. #350** Appoints a Seasonal Traffic Control Officer (Scott Arturi)
- Res. #351** Appoints a Seasonal Traffic Control Officer (Daniel Fedun)
- Res. #352** Sets Salaries for 2017 Summer Personnel for the Recreation Department
- Res. #353** Appoints Seasonal Beach Attendants to the Recreation Department
- Res. #354** Ratifies the Appointment of a Call-In Recreation Leader to the Recreation Department (Jordan Harden)

- Res. #355** Ratifies the Appointment of a Provisional Recreation Leader (Jordan Harden)
- Res. #356** Appoints Seasonal Lifeguards to the Recreation Department
- Res. #357** Appoints a Senior/Head Lifeguard to the Recreation Department (Paul Iannacchino)
- Res. #358** Appoints Seasonal Water Safety Instructors to the Recreation Department
- Res. #359** Changes the Status of Call-In Employees
- Res. #360** Ratifies the Appointment of a Call-In Park Attendant to the Recreation Department (James Janecek)
- Res. #361** Ratifies the Appointment of a Call-In Assistant Recreation Leader to the Recreation Department (Larry Williams)
- Res. #362** SEQRA Classification and Determination of Significance Pursuant to SEQRA for the Henry Pfeifer Community Center/North Fork Animal Welfare League Animal Shelter 4062 Grumman Blvd (SCTM #0600-135-1-36) Calverton, NY
- Res. #363** A Resolution Retaining the Services of Appraiser
- Res. #364** Authorizes Funding Application to New York State to Support Wastewater Infrastructure Feasibility Study for South Jamesport
- Res. #365** Order Establishing Lateral Main Extension to Riverhead Sewer District to Serve ProhealthCare, 896 Old Country Road, SCTM #0600-108-03-24
- Res. #366** Awards Bid – Prohealthcare Sewer Connection – Riverhead Sewer District
- Res. #367** Order, Notice, Declaration and Assessment of Demolition and Administrative Costs as a Lien and Charge Against the Real Property Owner and Real Property Located at 734 Osborne Avenue, Riverhead, New York, also known as Suffolk County Tax Map No. 0600-123.00-02.00-46.000
- Res. #368** Order, Notice, Declaration and Assessment of Demolition and Administrative Costs as a Lien and Charge Against the Real Property Owner and Real Property Located at 168 Creek Road, Wading River, New York, also known as Suffolk County Tax Map No. 0600-029.00-01.00-30.1
- Res. #369** Authorizes the Supervisor to Execute a License Agreement with Crown Recycling for Use of the Town's Yard Waste Facility

- Res. #370 Awards Bid for the Purchase of used Elgin Street Sweeper Model: Broom Badger Dual Steer or Equal for the Town Highway Department**
- Res. #371 Reappoints Member to the Town of Riverhead Ethics Board (Jeanmarie Costello)**
- Res. #372 Adopts a Local Law to Amend Chapter 289 Entitled “Vehicles, Traffic and Parking Regulations” of the Riverhead Town Code (§289-10. Parking prohibited. – Meetinghouse Creek Rd. & Peconic Bay Blvd.)**
- Res. #373 Authorizes Town Clerk to Publish and Post a Notice of Public Hearing to Consider a Proposed Local law for an Amendment to Chapter 289 Entitled, “Vehicles, Traffic and Parking Regulations” of the Riverhead Town Code (§289-10. Parking prohibited. – Baywood Drive)**
- Res. #374 Adopts a Local Law to Amend Chapter 289 Entitled “Vehicles, Traffic and Parking Regulations” of the Riverhead Town Code (§289-10. Parking prohibited. – Sound Avenue)**
- Res. #375 Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of premises Located at 18 Tide Court, Wading River, New York**
- Res. #376 Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of Premises Located at 326 Fishel Avenue, Riverhead New York**
- Res. #377 Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of Premises Located at 334 Sweezy Avenue, Riverhead, New York**
- Res. #378 Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of Premises Located at 1015 Parkway Street, Riverhead, New York**
- Res. #379 Awards Bid for Snack Vendor (Stotzky Park)**
- Res. #380 Awards Bid for Snack Vendor (Wading River Beach)**
- Res. #381 Determination that the Improvements for the Riverhead Fire District Located at 303 Hubbard Avenue, Riverhead, New York are, upon Monroe Balancing Test, Exempt from Formal Site Plan Review and Chapter 301 of the Town Code of the Town of Riverhead**
- Res. #382 Approves the Chapter 255 Application of Long Island Wine Council (“Back to Our Roots” Wine Festival – August 5, 2017)**
- Res. #383 Approves Chapter 255 Application of East End Tourism Alliance (“Paddle Battle” Water Race & Craft Beverage Tasting Event – July 29, 2017)**

- Res. #384 Approves Chapter 255 Application of Riverhead Raceway Inc. (Drive-In Movie Nights – June 16, 2017 and August 18, 2017)**
- Res. #385 Approves Chapter 255 Application of Riverhead Raceway Inc. (“Island Import Day” Car Show – June 4, 2017)**
- Res. #386 Sets Date and Time of “Great Riverhead Cardboard Boat Race”**
- Res. #387 Appoints Member to the Riverhead Industrial Development Agency (Anthony Barresi)**
- Res. #388 Authorizes the Retention of the Law Firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP to Act as Special Counsel to Institute a Legal Proceeding to Compel Payment of Assessment and Tax Stabilization Funds from the County of Suffolk 2016 and 2017 Pursuant to Tax Law Section 1210-A**
- Res. #389 Appoints Student Intern to Town Attorney’s Office (Steven Keller)**
- Res. #390 Authorizes the Supervisor to Execute Stipulation of Settlement with Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #85 (CSEA)**
- Res. #391 Extends Bid Contract for Corrosion Control Chemical for the Town of Riverhead**
- Res. #392 Public Interest Order in the Matter of the Increase and Improvement of Facilities of Riverhead Water District in the Town of Riverhead, Suffolk County, New York – Consisting of the Construction of a New Ground Water Storage Tank at Plant No. 15 Site on Tuthills Lane in Riverhead, New York at a Maximum Estimated Cost of \$3,400,000**
- Res. #393 Bond Resolution Authorizing the Issuance of \$3,400,000 Bonds of the Town of Riverhead, Suffolk County, New York, to Pay the Cost of the Increase and Improvement of the Facilities of the Riverhead Water District, in the Town of Riverhead, Suffolk County, New York**
- Res. #394 Public Interest Order in the Matter of the Increase and Improvement of Facilities of Riverhead Water District in the Town of Riverhead, Suffolk County, New York – Consisting of Improvements to the Water Distribution System and the Purchase and Installation of Emergency Generators at Water District Facilities at Pulaski Street and Edwards Avenue being an Aggregate Maximum Estimated Cost of \$2,112,000**
- Res. #395 Bond Resolution Authorizing the Issuance of \$2,112,000 Bonds of the Town of Riverhead, Suffolk County, New York, to Pay the Cost of the Increase and Improvement of the Facilities of the Riverhead Water District, in the Town of Riverhead, Suffolk County, New York**
- Res. #396 Pays Bills**

Res. #397 Authorizes the Town of Riverhead to Direct Estate of Joseph Edgar to Remove all Litter, Garbage/Refuse, Rubbish, Yard Waste, Weeds, Noxious Plants, Grass and/or Rank Vegetation in Excess of Ten (10) Inches in Height Upon the Premises Known as 734 Osborne Avenue, Riverhead, New York, 11901, Suffolk County Tax Map No. 0600-123.00-02.00-46.000 Pursuant to Riverhead Town Code Chapter 251

**TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY**

Resolution # 8

**APPOINTS THE LAW FIRM OF LAMB & BARNOSKY, LLP AS SPECIAL COUNSEL
IN CONNECTION WITH THE PURCHASE OF PROPERTY AT EPCAL BY LUMINATI
AEROSPACE LLC AND AUTHORIZES THE SUPERVISOR TO EXECUTE A
RETAINER AGREEMENT REGARDING SAME**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Luminati Aerospace LLC has submitted a Letter of Intent to the Town of Riverhead Community Development Agency (“CDA”) for the purchase of certain real property located at the Enterprise Park at Calverton (“EPCAL”) for a purchase price of Forty Million and 00/100 Dollars (\$40,000,000.00); and

WHEREAS, by CDA resolution # 7, adopted on April 4, 2017, the CDA Board authorized the signing of said Letter of Intent by the CDA Chairman; and

WHEREAS, the CDA Board has determined that it would be appropriate to appoint special counsel to handle the real estate transaction, including but not, limited to the Qualified and Eligible Sponsorship procedure for conveyance of the subject property.

NOW, THEREFORE, BE IT RESOLVED, that the CDA Board, be and hereby, approves the retention of Michael J. Heller, Esq., of the Law Firm of Lamb & Barnosky, LLP to act as legal counsel in connection with the above mentioned purchase by Luminati Aerospace LLC; and be it further

RESOLVED, that the CDA Board, be and hereby, authorizes an hourly rate regarding the subject real estate transaction for the Law Firm of Lamb & Barnosky, LLP to represent the CDA in the sum of Two Hundred and Ninety Dollars (\$290.00) an hours; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute the attached retainer agreement and the Town Clerk is hereby directed to forward a copy of this resolution and executed agreement to Michael J. Heller, Esq. of the Law Firm of Lamb & Barnosky, LLP, 534 Broadhollow Road, Melville, New York 11747; 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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY**

Resolution # 9

APPOINTS THE LAW FIRM OF SMITH, FINKELSTEIN, LUNDBERG, ISLER AND YAKABOSKI AS SPECIAL COUNSEL IN CONNECTION WITH THE PURCHASE OF PROPERTY AT EPCAL BY LUMINATI AEROSPACE LLC AND AUTHORIZES THE SUPERVISOR TO EXECUTE A RETAINER AGREEMENT REGARDING SAME

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, Luminati Aerospace LLC has submitted a Letter of Intent to the Town of Riverhead Community Development Agency (“CDA”) for the purchase of certain real property located at the Enterprise Park at Calverton (“EPCAL”) for a purchase price of Forty Million and 00/100 Dollars (\$40,000,000.00); and

WHEREAS, by CDA resolution # 7, adopted on April 4, 2017, the CDA Board authorized the signing of said Letter of Intent by the CDA Chairman; and

WHEREAS, the CDA Board has determined that it would be appropriate to appoint special counsel to handle the real estate transaction, including but not, limited to the Qualified and Eligible Sponsorship procedure for conveyance of the subject property.

NOW, THEREFORE, BE IT RESOLVED, that the CDA Board, be and hereby, approves the retention of Frank A. Isler, Esq., of the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP to act as legal counsel in connection with the above mentioned purchase by Luminati Aerospace LLC; and be it further

RESOLVED, that the CDA Board, be and hereby, authorizes an hourly rate regarding the subject real estate transaction for the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP to represent the CDA in the sum of Two Hundred and Ninety Dollars (\$290.00) an hours; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute the attached retainer agreement and the Town Clerk is hereby directed to forward a copy of this resolution and executed agreement to Frank A. Isler, Esq. of the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP, 456 Griffing Avenue, Riverhead, New York; 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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 341

K9 EXPENSE BUDGET ADJUSTMENT

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Police Department has received an Equitable Sharing check from Suffolk County in the amount of \$8,100.00 and is requesting a budget adjustment to provide for anticipated additional expenditures in K9 care, and

WHEREAS, the Chief of Police is requesting a budget transfer for additional K9 expenses.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Supervisor be, and is hereby authorized to establish the following budget adjustments;

	<u>FROM</u>	<u>TO</u>
001.000000.218901 Deferred Revenue-Federal Forfeiture	8,100	
001.031200.524318 K9 Expenses		8,100

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 342

WADING RIVER ELEMENTARY SCHOOL SERVICE STUB INSTALLATION
WATER CAPITAL PROJECT

BUDGET ADOPTION

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, a check in the amount of \$36,331.29 has been received from Shoreham Wading River Central School District to provide for the installation of a 6-inch Service Stub at 1900 Wading River Manor Road (Wading River Elementary School).

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

		<u>FROM</u>	<u>TO</u>
412.092705.421050.60089	Developer Fees	36,331.29	
412.083200.523002.60089	Water Main Service		36,331.29

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

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

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 343

**AWARDS BID FOR INTERNAL CONTROL AUDIT FOR
TOWN OF RIVERHEAD JUSTICE COURT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, Section 2019-a of the Uniform Justice Court Act requires that towns at least once a year present records and docket to an auditing board of said town, which board shall examine the said records and docket, or cause same to be examined and a report thereon submitted to the board by a certified public accountant, or a public accountant (see also Town Law § 123).; and

WHEREAS, the Town's 2016 Justice Court Audit has been completed however no report has issued to date as the Riverhead Independent Audit Committee recommended an additional internal control audit; and

WHEREAS, the Town Financial Administrator solicited proposals/bids, via email, for services necessary to perform the additional internal control audit to three qualified accounting companies; and

WHEREAS, two (2) proposals were received and reviewed by the Riverhead Independent Audit Committee; and

WHEREAS, after serious consideration and evaluation, the Riverhead Independent Audit Committee recommends that the Town Board award the bid for internal control audit services for the Justice Court to Cullen & Danowski, LLP.

NOW THEREFORE BE IT RESOLVED, that Town Board hereby awards the bid for internal control audit for the Town Justice Court to Cullen & Danowski, LLP; and be it further

RESOLVED, that the Town Board be and does hereby authorize the Town Supervisor to execute an agreement with Cullen & Danowski, LLP in substantially the same form: to wit: identical procedure, report and fee provisions, as set forth in the bid proposal; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Cullen & Danowski, LLP, 1650 Route 112, Port Jefferson, NY 11776-3060, the Town Attorney's Office and the Accounting Department; and be it further

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

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

April 10, 2017

Town of Riverhead
200 Howell Avenue
Riverhead, NY 11901

Dear Members of the Board:

We are pleased to confirm our understanding of the nature and limitations of the services we are to provide for the Town of Riverhead (Town).

Agreed Upon Procedures

We will apply the agreed-upon procedures which the Board and the management of the Town have specified, listed below, to determine the Town's effectiveness in complying with policies and procedures related to the collections of cash at the Justice Court during the period January 1, 2016 through December 31, 2016.

Scope of Work:

We will perform a review of the operations of the Justice Court as follows:

- Review Board policies and Town procedures related to the cash collections for adequacy.
- Interview staff regarding policies, procedures and systems in effect and document any significant findings.
- Test Transactions for compliance.

This engagement is solely to assist the Town in reviewing the activity of the areas listed above. Our engagement to apply agreed-upon procedures will be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of the procedures is solely the responsibility of those parties specified in the report. Consequently, we make no representation regarding the sufficiency of the procedures previously described either for the purpose for which this report has been requested or for any other purpose. If, for any reason, we are unable to complete the procedures, we will describe any restrictions on the performance of the procedures in our report, or will not issue a report as a result of this engagement.

Town of Riverhead

April 10, 2017

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Because the agreed-upon procedures previously listed do not constitute an audit, we will not express an opinion on the effectiveness of the Town's departments reviewed during this engagement. In addition, we have no obligation to perform any procedures beyond those listed above.

We plan to begin our procedures on approximately May 1, 2017, and unless unforeseeable problems are encountered, the engagement should be completed by June 9, 2017.

Report

We will submit a report listing the procedures performed and our findings. This report is intended solely for the use of the Board and management of the Town, and should not be used by anyone other than these specified parties. Our report will contain a paragraph indicating that had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

Fee

We estimate that our fees for these services will range from \$8,000 to \$15,000. This fee is based upon anticipated services to be rendered at our standard governmental hourly billing rates as follows:

Partner	\$200
Manager	\$165
Supervisor	\$150
Senior	\$135
Staff	\$115

Any additional services will be billed at the above rates.

At the conclusion of the engagement, we will require a representation letter from management that, among other things, will confirm management's responsibility for the operations of the departments reviewed during this engagement in accordance with Town's policies and procedures.

The fee estimates are based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the engagement. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Our invoices will be rendered as work progresses based on hours of work completed and are payable on presentation. If for any reason we are unable to complete the engagement, we will not issue a report as a result of the engagement.

If the need for additional procedures arises, our agreement with you will need to be revised. It is customary for us to enumerate these revisions in an addendum to this letter. If additional specified parties of the report are added, we will require that they acknowledge in writing their responsibility for the sufficiency of procedures.

Town of Riverhead

April 10, 2017

Page 3 of 3

This agreement may be cancelled by the Town at any time for any reason. In the event of such cancellation, the Board shall be required to pay for all services provided prior to the date of cancellation.

Don Hoffmann, CPA, is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it.

We appreciate the opportunity to assist you and believe this letter accurately summarizes the significant terms of each engagement. If you have any questions, please let us know. If you agree with the terms of our engagements as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

Cullen & Danowski, LLP

For the Firm:



Don Hoffmann, CPA

Partner

RESPONSE:

This letter correctly sets forth the understanding of the Town of Riverhead:

By: _____

Signature: _____

Title: _____

Date: _____

TOWN OF RIVERHEAD

Resolution # 344

APPOINTS AN INTERN TO THE POLICE DEPARTMENT

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the University of New Haven has requested the Riverhead Police Department to partner with them in an internship program; and,

WHEREAS, the Riverhead Police Department agrees to expose this student to the police profession as part of her education through a 150-hour training program.

NOW, THEREFORE, BE IT RESOLVED, effective May 23, 2017, the Town Board hereby appoints Rebecca VanHouten, a student at the University of New Haven, as an Intern for the Riverhead Police Department through completion of the program; and,

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

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 345

**AUTHORIZES THE ATTENDANCE OF A POLICE DEPARTMENT EMPLOYEE TO
NY/NJ REGIONAL FUGITIVE TASK FORCE TRAINING**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of one (1) Police Department employee to attend a NY/NJ Regional Fugitive Task Force Practical Training course; and,

WHEREAS, the course will be held in Atlantic City, New Jersey, from May 22 to May 26, 2017.

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the attendance of one (1) Police Department employee at the aforementioned training course; and,

BE IT FURTHER RESOLVED, that the Town Board also authorizes reimbursement of expenses, not to exceed \$250, upon proper submission of receipts; and,

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

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 346

**AUTHORIZES TOWN CLERK TO PUBLISH A HELP WANTED ADVERTISEMENT
FOR A COMMUNITY DEVELOPMENT PROJECT SUPERVISOR**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

RESOLVED, that this Town Board hereby authorizes the Town Clerk to publish the attached Help Wanted Advertisement for a Community Development Project Supervisor in the May 25, 2017 issue of the News Review.

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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

ADVERTISEMENT TO BE PLACED IN NEWS REVIEW:

Community Development Project Supervisor - Town of Riverhead. Applicants **must** demonstrate either (a) Graduation from a college with federally-authorized accreditation or registration by NY State with a Bachelor's Degree, and two (2) years of experience in public administration, planning or architecture; or, (b) Graduation from a standard senior high school or possession of a high school equivalency diploma, and six (6) years of experience in public administration, planning or architecture; or, (c) An equivalent combination of education and experience as defined by the limits of (a) and (b). Salary is \$110,000.00 per annum. For a complete job description please visit the employment section of www.townofriverheadny.gov.

Resumes Due: June 16, 2017
Town of Riverhead-Personnel Department
200 Howell Avenue, Riverhead, NY 11901

TOWN OF RIVERHEAD

Resolution # 347

APPOINTS A CALL-IN DETENTION ATTENDANT

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Detention Attendants are needed in the Riverhead Town Police Department to serve in an at-will and call-in basis; and

WHEREAS, this position was duly advertised, interviews were conducted, and pending the results of a satisfactory background investigation, a recommendation of a suitable candidate has been made by the Chief of Police and the Town Personnel Officer.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby appoints Tania Pineda to the position of Call-In Detention Attendant effective May 22, 2017 at the hourly rate of \$15.00.

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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 348

APPOINTS A CALL-IN DETENTION ATTENDANT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Detention Attendants are needed in the Riverhead Town Police Department to serve in an at-will and call-in basis; and

WHEREAS, this position was duly advertised, interviews were conducted, and pending the results of a satisfactory background investigation, a recommendation of a suitable candidate has been made by the Chief of Police and the Town Personnel Officer.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby appoints Meldine Smith to the position of Call-In Detention Attendant effective May 22, 2017 at the hourly rate of \$15.00.

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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 349

CHANGES THE STATUS OF PART-TIME POLICE OFFICERS

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, Civil Service Rules and Regulations allow for the employment of Seasonal Police Officers to meet extraordinary or peak demands for Police services during the summer season; and

WHEREAS, salary earned by such Seasonal Police Officers is not included in computing the maximum allowable earnings as a part-time employee as per Civil Service Rules and Regulations, thus allowing said Seasonal Police Officers to be employed for more hours during peak demand.

7RESOLVED, that effective for the period of May 17, 2016 through September 15, 2017 this Town Board hereby changes the status of the following Part-Time Police Officers to Seasonal Police Officers at no change to their hourly rate of pay:

John Desuno, Ryan Figueroa, Christian Hickey, Maxwell Kutscher, Jason Luhrs, Christopher Pendzick, Christie Smith, Robert Sproston, and Robert Stevens.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to 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 electronics 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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 350

APPOINTS A SEASONAL TRAFFIC CONTROL OFFICER

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Seasonal Traffic Control Officers are needed in the Riverhead Town Police Department to serve in an at-will and call-in basis; and

WHEREAS, interviews were conducted and pending the results of a satisfactory background investigation, a recommendation of a suitable candidate has been made by the Chief of Police and the Town Personnel Officer.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby appoints Scott Arturi to the position of Seasonal Traffic Control Officer effective May 22, 2017 at the hourly rate of \$10.50.

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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 351

APPOINTS A SEASONAL TRAFFIC CONTROL OFFICER

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Seasonal Traffic Control Officers are needed in the Riverhead Town Police Department to serve in an at-will and call-in basis; and

WHEREAS, interviews were conducted and pending the results of a satisfactory background investigation, a recommendation of a suitable candidate has been made by the Chief of Police and the Town Personnel Officer.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby appoints Daniel Fedun to the position of Seasonal Traffic Control Officer effective May 22, 2017 at the hourly rate of \$10.50.

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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 352

**SETS SALARIES FOR 2017 SUMMER PERSONNEL FOR
THE RECREATION DEPARTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town of Riverhead Recreation Department needs to set salaries for 2017 summer recreation personnel

NOW THEREFORE BE IT RESOLVED, that effective May 18, 2017, this Town Board sets salaries for 2017 summer personnel for the Recreation Department

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted



**Recreation Department
200 Howell Avenue
Riverhead, NY 11901
(631) 722-4444**

SUMMER PERSONNEL SALARIES- 2017

<u>Level</u>	<u>Lifeguard</u>	<u>WSI</u>	<u>Sum Rec Aid *</u>	<u>Sum Rec Aid II **</u>	<u>Concession / Beach Attend</u>	<u>Score Keeper Rec aid</u>	<u>Rec Program Leader</u>	<u>Asst Beach Manager</u>	<u>Head Lifeguard</u>
I	\$ 12.50	\$ 12.75	\$ 10.25	\$ 12.50	\$ 10.25	\$ 10.00	\$ 14.80	\$ 11.75	\$ 14.60
II	\$ 12.75	\$ 13.05	\$ 10.50	\$ 12.75	\$ 10.50	\$ 10.20	\$ 15.10	\$ 12.00	\$ 14.90
III	\$ 13.00	\$ 13.30	\$ 10.70	\$ 13.00	\$ 10.70	\$ 10.40	\$ 15.40	\$ 12.20	\$ 15.20
IV	\$ 13.30	\$ 13.55	\$ 10.90	\$ 13.30	\$ 10.90	\$ 10.60	\$ 15.70	\$ 12.45	\$ 15.50
V	\$ 13.60	\$ 13.85	\$ 11.10	\$ 13.60	\$ 11.10	\$ 10.88	\$ 16.05	\$ 12.80	\$ 15.85
VI	\$ 14.00	\$ 14.25	\$ 11.35	\$ 14.00	\$ 11.40	\$ 11.05	\$ 16.55	\$ 13.20	\$ 16.35
VII	\$ 14.40	\$ 15.10	\$ 11.75	\$ 14.30	\$ 11.75	\$ 11.25	\$ 17.05	\$ 13.60	\$ 17.35
Level Max	\$ 14.94	\$ 15.20	\$ 12.14	\$ 14.94	\$ 12.14	\$ 11.45	\$ 17.65	\$ 14.08	\$ 17.95

NOTE: The above salaries are listed on a per hour basis. New Hires can begin at a maximum level 3 (based on experience)

*Summer Rec Aide/Summer Rec Aide II with current CPR certification (approved by Dept. of Health for Camp) will be paid an additional \$.25 per hour.

**Summer Rec Aide II – must possess valid teaching certificate.

+Salary increase will be determined by reaching a minimum level of hours worked (by category) combined with a positive evaluation. Can jump (2) levels (maximum) with an outstanding evaluation.

Each level beyond level VII will increase by 2% or \$.20 over previous year.

TOWN OF RIVERHEAD

Resolution # 353

APPOINTS SEASONAL BEACH ATTENDANTS TO THE RECREATION DEPARTMENT

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Beach Attendants are needed by the Riverhead Town Recreation Department for seasonal work at the Town Beaches

NOW THEREFORE BE IT RESOLVED, that effective May 18, 2017 through and including September 15, 2017, this Town Board hereby appoints the attached list of Beach Attendants to the Recreation Department

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

RECREATION DEPARTMENT APPOINTMENTS
05.17.2017 TOWN BOARD MEETING

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Level</u>	<u>Start</u>	<u>End</u>	<u>Salary</u>
Baron	Amanda	Beach Attendant	III	05.18.2017	09.15.2017	\$10.70
Baron	Christian	Beach Attendant	II	05.18.2017	09.15.2017	\$10.50
Berry	Avery	Beach Attendant	II	05.18.2017	09.15.2017	\$10.50
Berry	Henry	Beach Attendant	I	05.18.2017	09.15.2017	\$10.25
Harris	Michael	Beach Attendant	I	05.18.2017	09.15.2017	\$10.25
Hernandez	Jazmin	Beach Attendant	II	05.18.2017	09.15.2017	\$10.50
Kelly	Caroline	Beach Attendant	II	05.18.2017	09.15.2017	\$10.50
Latour	Brenna	Beach Attendant	III	05.18.2017	09.15.2017	\$10.70
Loscalzo	Emma	Beach Attendant	I	05.18.2017	09.15.2017	\$10.25
Olsen	Laryssa	Beach Attendant	I	05.18.2017	09.15.2017	\$10.25
Peters	Caitlyn	Beach Attendant	V	05.18.2017	09.15.2017	\$11.10
Purick	Jessica	Beach Attendant	III	05.18.2017	09.15.2017	\$10.70
Ryan	Joseph	Beach Attendant	I	05.18.2017	09.15.2017	\$10.25
Sforza	Jessica	Beach Attendant	I	05.18.2017	09.15.2017	\$10.25
VanBommel	Michael	Beach Attendant	I	05.18.2017	09.15.2017	\$10.25
Vanston	Karla	Beach Attendant	IV	05.18.2017	09.15.2017	\$10.90

TOWN OF RIVERHEAD

Resolution # 354

RATIFIES THE APPOINTMENT OF A CALL-IN RECREATION LEADER TO THE RECREATION DEPARTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

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

NOW THEREFORE BE IT RESOLVED, that effective May 1st, 2017 through May 4th, 2017 this Town Board hereby appoints Jordan Harden to the position of Call-in Recreation Leader, to be paid the rate of \$24.00 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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 355

RATIFIES THE APPOINTMENT OF A PROVISIONAL RECREATION LEADER

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, a vacancy exists for a Recreation Leader in the Town’s Intergenerational Services Department; and

WHEREAS, the Town has been granted approval by the Suffolk County Department of Civil Service to fill this position on a provisional basis until such time that a Certified List of Eligibles is issued for the title Recreation Leader; and

WHEREAS, in accordance with the CSEA contract, this position was duly posted, Job Posting #6, and a recommendation of a suitable candidate has been made by the Superintendent of Recreation.

NOW, THEREFORE, BE IT RESOLVED, that effective May 5, 2017 this Town Board hereby ratifies the provisional appointment of Call-In Assistant Recreation Leader Jordan Harden to the title of Recreation Leader at a rate of pay as found in Group 2, Step 3A of the CSEA Administrative Salary Schedule.

RESOLVED, 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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 356

APPOINTS SEASONAL LIFEGUARDS TO THE RECREATION DEPARTMENT

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Lifeguards are needed by the Riverhead Town Recreation Department for seasonal work at the Town Beaches

NOW THEREFORE BE IT RESOLVED, that effective May 27, 2017 through and including September 15, 2017, this Town Board hereby appoints the attached list of Lifeguards to the Recreation Department

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

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**RECREATION DEPARTMENT APPOINTMENTS
05.17.2017 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Level</u>	<u>Start</u>	<u>End</u>	<u>Salary</u>
Anderson	Emily	Lifeguard	IV	05.27.2017	09.15.2017	\$13.30
Augello	Alyssa	Lifeguard	II	05.27.2017	09.15.2017	\$12.75
Behr	Michelle	Lifeguard	II	05.27.2017	09.15.2017	\$12.75
Berry	Avery	Lifeguard	II	05.27.2017	09.15.2017	\$12.75
Bilello	Rebecca	Lifeguard	II	05.27.2017	09.15.2017	\$12.75
Carroll	Kyle	Lifeguard	II	05.27.2017	09.15.2017	\$12.75
Clark	Brian	Lifeguard	III	05.27.2017	09.15.2017	\$13.00
Deegan	Kelly	Lifeguard	II	05.27.2017	09.15.2017	\$12.75
Hays	Alexandra	Lifeguard	III	05.27.2017	09.15.2017	\$13.00
Hegermiller	Katherine	Lifeguard	I	05.27.2017	09.15.2017	\$12.50
Iannacchino	Cristina	Lifeguard	IV	05.27.2017	09.15.2017	\$13.30
Iannacchino	Paul	Lifeguard	VII	05.27.2017	09.15.2017	\$14.40
Imwalle	Johanna	Lifeguard	VIII	05.27.2017	09.15.2017	\$14.94
Joseph	Megan	Lifeguard	II	05.27.2017	09.15.2017	\$12.75
Ohrtman	Kaitlyn	Lifeguard	II	05.27.2017	09.15.2017	\$12.75
Santoro	Madison	Lifeguard	III	05.27.2017	09.15.2017	\$13.00
Santoro	Jenna	Lifeguard	I	05.27.2017	09.15.2017	\$12.50
Vail	John	Lifeguard	VII	05.27.2017	09.15.2017	\$14.40
Visintin	Nichole	Lifeguard	II	05.27.2017	09.15.2017	\$12.75
Weir	Benjamin	Lifeguard	III	05.27.2017	09.15.2017	\$13.00

TOWN OF RIVERHEAD

Resolution # 357

APPOINTS A SENIOR/HEAD LIFEGUARD TO THE RECREATION DEPARTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, a Senior/Head Lifeguard is needed by the Riverhead Town Recreation Department for work at the Town Beaches

NOW THEREFORE BE IT RESOLVED, that effective May 27, 2017 through and including September 15, 2017, this Town Board hereby ratifies the appointment of Paul Iannacchino to the position of Senior/Head Lifeguard Level IV, to be paid the rate of \$15.50 per hour and

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

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 358

APPOINTS SEASONAL WATER SAFETY INSTRUCTORS TO THE RECREATION DEPARTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, Water Safety Instructors (WSI's) are needed by the Riverhead Town Recreation Department for seasonal work at the Town Beaches

NOW THEREFORE BE IT RESOLVED, that effective June 1, 2017 through and including September 15, 2017, this Town Board hereby appoints the attached list of Water Safety Instructors to the Recreation Department

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

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

RECREATION DEPARTMENT APPOINTMENTS
05.17.2017 TOWN BOARD MEETING

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Level</u>	<u>Start</u>	<u>End</u>	<u>Salary</u>
Deegan	Kelly	WSI	II	06.01.2017	09.15.2017	\$13.05
Iannacchino	Cristina	WSI	IV	06.01.2017	09.15.2017	\$13.55
Imwalle	Johanna	WSI	VIII	06.01.2017	09.15.2017	\$15.20

TOWN OF RIVERHEAD

Resolution # 359

CHANGES THE STATUS OF CALL-IN EMPLOYEES

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Recreation Department needs to change the status of call in employees in order to meet peak demands for Parks and Recreation services during the summer season; and

NOW THEREFORE BE IT RESOLVED, that effective for the period of May 18, 2017 through September 15, 2017 this Town Board hereby changes the status of the following Call-In Clerks to Seasonal Clerks at no change to their hourly rate of pay: Donna Danowski and Mary Flood;

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Recreation Department, 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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 360

RATIFIES THE APPOINTMENT OF A CALL-IN PARK ATTENDANT TO THE RECREATION DEPARTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, a Park Attendant is needed by the Riverhead Town Recreation Department,

NOW THEREFORE BE IT RESOLVED, that effective May 5, 2017 this Town Board hereby ratifies the appointment of James Janecek to the position of Call-In Park Attendant III, to be paid the rate of \$16.90 per hour and

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

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 361

**RATIFIES THE APPOINTMENT OF A CALL-IN ASSISTANT RECREATION
LEADER TO THE RECREATION DEPARTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

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

NOW THEREFORE BE IT RESOLVED, that effective April 27, 2017 this Town Board hereby ratifies the appointment of Larry Williams to the position of Call-In Assistant Recreation Leader I, Level 2, to be paid the rate of \$11.30 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 ABSENT
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 362

SEQRA CLASSIFICATION AND DETERMINATION OF SIGNIFICANCE PURSUANT TO SEQRA FOR THE HENRY PFEIFER COMMUNITY CENTER/NORTH FORK ANIMAL WELFARE LEAGUE ANIMAL SHELTER 4062 GRUMMAN BLVD (SCTM # 600-135-1-36) CALVERTON, NY

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town of Riverhead owns an existing 4,840 sq. ft. building and facility located at 4062 Grumman Boulevard, known locally as the Henry Pfeifer Community Center, that was formally used as a guard house for the Naval Weapons Industrial Reserve Plant at the EPCAL site, described as SCTM # 0600-135-01-36 and comprises 9.1 acres; and

WHEREAS, the Town of Riverhead currently uses the Henry Pfeifer Community Center for special event occasions, events, community meetings and other governmental purposes; and

WHEREAS, the Riverhead Town Board is working with the North Fork Animal Welfare League for the re-construction and conversion of the Henry Pfeifer Community Center for use as the Town animal shelter; and

WHEREAS, the proposed project is located in Suffolk County Department of Health Services Groundwater Management Zone III and within the jurisdictional limits of the New York State Department of Environmental Conservation Wild, Scenic and Recreational Rivers and includes improvements to the existing building along with site improvements and infrastructure inclusive of an upgrade to the sanitary disposal system for treatment of human and animal waste; and

WHEREAS, the Planning Department has reviewed the site plan and proposed improvements, requiring approvals from the Suffolk County Department of Health Services (SCHS) and the New York State Department of Environmental Conservation (NYSDEC), as prepared by Jeffrey T. Butler, P.E., P.C. last dated March 28, 2017 and Land Use Ecological Services, Inc. respectively and the attendant Short Environmental Assessment Form; and

WHEREAS, the proposed application is classified as an Unlisted Action pursuant to 6NYCRR Part 617 with no coordinated SEQRA review required; and

WHEREAS, the Planning Department further recommends the Town Board assume the status of Lead Agency for the project's SEQRA classification, determination of significance and environmental review. Now,

THEREFORE, BE IT RESOLVED, that Town Board of the Town of Riverhead hereby designates itself as Lead Agency without the need for coordinated review pursuant to SEQRA; and be it further,

RESOLVED, as Lead Agency the Town Board has determined that the proposed application to construct and convert the Henry Pfeifer Community Center for use as the Town animal shelter is not expected to have any significant adverse environmental or social impacts; and be it further

RESOLVED, the Lead Agency issues a Negative Declaration requiring no preparation of a Draft Environmental Impact Statement (DEIS); and be it further,

RESOLVED, authorizes the Town Clerk to forward a copy of the resolution and attachments to all involved agencies; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Jeffrey T. Butler, P.E., P.C, 206 Lincoln Street, #1, Riverhead, NY 11901; Kelly Risotto, Land Use Ecological Services, Inc., 570 Expressway Drive South, Suite 2F, Medford, NY 11763; Gillian Pultz, The North Fork Animal Welfare League, P. O. Box 297, Southold, NY 11971; 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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 363

A RESOLUTION RETAINING THE SERVICES OF APPRAISER

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town Board as a governing body of the Riverhead Sewer District, is considering the possible extension of the Commercial Sewer District Extension (CSDE) entitled the "Jaral East End Hotel Corporation Map & Plan", Suffolk County Tax Map # 0600-118-3-2.2; and

WHEREAS, the Extension will include the acquisition of an easement over the western portion of the Tanger Outlet property to the extent needed for the Extension, whether by eminent domain or otherwise; and

WHEREAS, the cost of the appraisal will be borne by the petitioner for said extension;

NOW, THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to retain the services of Rogers & Taylor, 300 Wheeler Road, #302, Hauppauge, New York 11788 to prepare an appraisal of the easement area necessary to provide service to the Sewer Extension referenced above, whether by condemnation or otherwise; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP, Attn: Frank A. Isler, Esq., 456 Griffing Avenue, Riverhead, New York 11901; Hogan, Riverhead LLC, PO Box 447, Locust Valley, NY 11560; and Harvey B. Besunder, Esq., Margolin Besunder LLP, 1050 Old Nichols Road, Suite 200, Islandia, New York 11749.

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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 364

**AUTHORIZES FUNDING APPLICATION TO NEW YORK STATE TO SUPPORT
WASTEWATER INFRASTRUCTURE FEASIBILITY STUDY FOR
SOUTH JAMESPORT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, Governor Cuomo has directed the following State agencies to make New York State funding resources available through the Consolidated Funding Application ("CFA") process: Empire State Development; NYS Canal Corporation; Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; Department of Labor; Parks, Recreation and Historic Preservation; Department of State; and Department of Transportation; and

WHEREAS, the Long Island Economic Development Regional Council has been charged with recommending funding for project proposals for the Long Island Region that will focus on the near-term creation and retention of jobs, in particular, those that leverage public and private investment dollars and provide a return on public investment; and

WHEREAS, each Region will compete for economic aid through competitive awards to projects that support identified key regional issues and opportunities, support a regional economic vision, and address key issues and outline major elements of the strategic plans; and

WHEREAS, the Town of Riverhead along with additional public and private partners seeks to submit a funding application to develop a wastewater infrastructure feasibility study for South Jamesport in the Town of Riverhead that could reduce nitrogen loading into the Peconic Estuary; and

WHEREAS, the proposed wastewater infrastructure feasibility study will implement Long Island Economic Development Regional Council goals identified in the strategic plan to protect the Peconic Estuary, through smart growth development; and

WHEREAS, the proposed wastewater infrastructure feasibility study will implement Town of Riverhead goals to protect the Peconic Estuary; and

NOW THEREFORE BE IT RESOLVED, that the Town of Riverhead Board authorizes the submission of a CFA funding proposal to New York State on or before July 28, 2017, for funding to support development of a wastewater infrastructure feasibility study of South Jamesport; and

BE IT FURTHER RESOLVED, that the Town Clerk forward copies of this resolution to Community Development, the Sewer Superintendent, the Accounting Department and 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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 365

ORDER ESTABLISHING LATERAL MAIN EXTENSION TO RIVERHEAD SEWER DISTRICT TO SERVE PROHEALTHCARE, 896 OLD COUNTRY ROAD, SCTM #0600-108-03-24

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, a map and plan detailing a lateral main extension of the Riverhead Sewer District to accommodate sewer connection to the facility of ProHealthcare located at 896 Old Country Road, Riverhead, New York, Suffolk County Tax Map No. 0600-108-03-24 has been prepared by H2M, consulting engineers to the Riverhead Sewer District, and

WHEREAS, the map and plan were available for review and inspection at the Office of the Riverhead Town Clerk, 200 Howell Avenue, Riverhead, New York, during normal business hours, and

WHEREAS, all costs associated with this lateral main extension and all required denitrification fees based on flows as calculated by the Riverhead Sewer District shall be borne by the applicant, and

WHEREAS, the estimated cost of construction of the lateral main extension is \$550,000 and that estimated cost of construction has been deposited by applicant with the Town of Riverhead as required, and

WHEREAS, the Town Board held a public hearing on the 2nd day of May, 2017 regarding this proposed lateral main extension, wherein all persons wishing to be heard were heard.

NOW, THEREFORE, IT IS HEREBY

ORDERED, that the Town Board of the Town of Riverhead, as governing body of the Riverhead Sewer District, hereby approves the lateral main extension of the Riverhead Sewer District to accommodate sewer connection to the facility of ProHealthcare located at 896 Old Country Road, Riverhead, New York, Suffolk County Tax Map No. 0600-108-03-24 subject to the following conditions:

1. Required denitrification fees based on flows as calculated by the Riverhead Sewer District shall be posted with the Town of Riverhead Financial Administration upon request of applicant for service by the Riverhead Sewer District, and

2. Any additional monies required for the cost of construction will be the obligation of the petitioner and no district funds shall be expended for the extension.
3. A grant of a sub-surface easement to the Riverhead Sewer District as necessary covering all locations on private property of the proposed sewer main installation.
4. This order shall take effect immediately.

BE IT RESOLVED, that the terms and conditions of this order shall be accepted and agreed to by the applicant whose consent shall be duly acknowledged and shall be binding on the heirs and assigns of the applicant and shall run with the land, and be it further

RESOLVED, that the Town Clerk is directed to forward a copy of this resolution to ProHealthcare, 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.

AGREED TO AND ACCEPTED BY:

Name:
Title:

BY ORDER OF THE RIVERHEAD
TOWN BOARD

DIANE M. WILHELM, Town Clerk

Dated: May 17, 2017
Riverhead, NY

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 366

**AWARDS BID – PROHEALTHCARE SEWER CONNECTION–
RIVERHEAD SEWER DISTRICT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, this Town Board did authorize the advertisement for bids of the Riverhead Sewer District for sewer connection of ProHealthcare facility located at 896 Old Country Road, Riverhead, New York, SCTM #0600-108-03-24, and

WHEREAS, all bids received were opened and read aloud on the date and time advertised in the notice, and

WHEREAS, H2M Group, consulting engineers to the Riverhead Sewer District, by attached letter dated April 21, 2017 did recommend that the bid be awarded to Adjo Contracting Corp. of Bohemia, NY in the total alternate bid no. 1 amount of \$491,760.00.

NOW, THEREFORE, BE IT RESOLVED, that the bid of the Riverhead Sewer District for sewer connection of ProHealthcare facility located at 896 Old Country Road, Riverhead, New York, SCTM #0600-108-03-24, be and is hereby awarded to:

Adjo Contracting Corp.
Bohemia, New York
Total Alternate Bid No. 1 Amount of \$491,760.00

to be paid by ProHealthcare at no cost to the town or the Riverhead Sewer District, and be it further

RESOLVED, that Adjo Contracting Corp. shall post a bond in the amount of the total bid of \$491,760.00, and be it further

RESOLVED, that the Town Clerk forward certified copy of this resolution to the above named contractor, and be it further

RESOLVED, that the Town Clerk is hereby authorized to return to all unsuccessful bidders their respective bid security, and be it further

RESOLVED, that pursuant to this bid award, the Town Supervisor be and is hereby authorized to execute a contract with Adjo Contracting Corp. and be it further

RESOLVED, that upon completion of fully executed contracts and the filing of said contract with the Town Clerk, the Town Clerk is hereby authorized to release to the successful bidder the bidder's bid security.

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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted



architects + engineers

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

April 21, 2017

Town of Riverhead
200 Howell Avenue
Riverhead, NY 11901-2596

Attention: Superintendent Michael P. Reichel

**Re: Town of Riverhead / Riverhead Sewer District
ProHealth Care Sewer Connection
Recommendation for Bid Award
H2M Project No.: RDSD 16-02**

Dear Superintendent Reichel:

On January 30, 2017, four (4) bids were received for the referenced construction contract. The bid results are summarized in the following table:

BIDDER		TOTAL ALT. BID NO. 1 AMOUNT	TOTAL ALT. BID NO. 2 AMOUNT
1	Adjo Contracting Corp.	\$491,760.00	\$535,705.00
2	Bancker Construction Corp.	\$615,000.00	\$669,000.00
3	G&M Earth Moving, Inc.	\$751,000.80	\$843,000.95
4	Excav Services, Inc.	\$820,300.00	\$820,800.00

Adjo Contracting Corp. was the low bidder for both bid alternates. We have investigated the qualifications of the low bidder and find them qualified to perform the work. We have reviewed the low bid submitted by Adjo Contracting Corp. Based on the information provided by the bidder and our investigations, we find this contractor to be qualified in performing projects of similar size and complexity. The contractor has also worked on several recent projects designed by H2M.

Therefore, we recommend that the contract be awarded to Adjo Contracting Corp. for the total alternate bid no. 1 amount of FOUR HUNDRED NINETY-ONE THOUSAND SEVEN HUNDRED SIXTY DOLLARS AND ZERO CENTS (\$491,760.00). This alternate provides for the installation of the low pressure sewer portion of the work by directional drilling.

Upon approval of this bid recommendation, H2M will forward four (4) counterparts of the conformed bid documents to Mr. Richard A. Ehlers, Esq. for contract execution. Please call me at 631-756-8000 Extension 1510 should any questions arise.



Superintendent Michael P. Reichel
Recommendation for Bid Award
Page 2 of 2
April 21, 2017

Very truly yours,
H2M architects + engineers

A handwritten signature in blue ink that reads "Steven C. Hearl".

Steven C. Hearl, P.E., LEED AP
Vice President

SCH

Enclosure

cc: Richard A. Ehlers, Esq. (w/encl.)

X:\RDSD (RIVERHEAD SEWER DISTRICT) - 10805\RDSD1602 PROHEALTHCARE SEWER DESIGN\CORRESPONDENCE\LTR-OUT
20170421 BID RECOMMENDATION RDSD1602.DOCX

TOWN OF RIVERHEAD

Resolution # 367

ORDER, NOTICE, DECLARATION AND ASSESSMENT OF DEMOLITION AND ADMINISTRATIVE COSTS AS A LIEN AND CHARGE AGAINST THE REAL PROPERTY OWNER AND REAL PROPERTY LOCATED AT 734 OSBORNE AVENUE, RIVERHEAD, NEW YORK, ALSO KNOWN AS SUFFOLK COUNTY TAX MAP NO. 0600-123.00-02.00-46.000.

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, pursuant to Chapter 217 of the Riverhead Town Code entitled “Unsafe Buildings and Collapsed Structures”, certain land and buildings reputedly owned by Estate of Joseph Edgar and located at 734 Osborne Avenue, Riverhead, New York and designated as Suffolk County Tax Map No. 0600-123.00-2.00-46.00, has been determined by the Code Enforcement Official, CEO Richard Downs, to be unsafe and dangerous to the public by means of unsecured doors, windows and similar unsafe components, and

WHEREAS, all notices pursuant to §217-37 of the Riverhead Town Code have been served, and

WHEREAS, the owners had not taken the proper steps towards abating the conditions by repair and rehabilitation, securing or by demolition and removal of said structures in accordance with the procedures set forth in Chapter 217 of the Riverhead Town Code, and

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorized the Town Engineering Department and Buildings and Grounds Department to perform any work required to secure all openings on said structure, and

BE IT FURTHER RESOLVED, that pursuant to §217-41, the administrative fees and all actual expenses incurred by the Town of Riverhead to remove the danger or in connection with the demolition and removal of any such buildings or structures shall be assessed against the owner; and be it further

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

	FROM	TO
001.010010.411000 Real Property Taxes \$	7,500	
001.086660.540000 Contractual Expenses \$		7,500

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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 368

ORDER, NOTICE, DECLARATION AND ASSESSMENT OF DEMOLITION AND ADMINISTRATIVE COSTS AS A LIEN AND CHARGE AGAINST THE REAL PROPERTY OWNER AND REAL PROPERTY LOCATED AT 168 CREEK ROAD, WADING RIVER, NEW YORK, ALSO KNOWN AS SUFFOLK COUNTY TAX MAP NO. 0600-029.00-01.00-30.1

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, pursuant to Chapter 217 of the Riverhead Town Code entitled "Unsafe Buildings and Collapsed Structures", certain land and buildings reputedly owned by Rong Fang Huang and located at 168 Creek Road, Wading River, New York and designated as Suffolk County Tax Map No. 0600-029.00-01.00-030.1, has been determined by the Code Enforcement Official, CEO Richard Downs, to be unsafe and dangerous to the public by means of unsecured doors, windows, collapsed railings, missing deck boards and similar unstable components, and

WHEREAS, all notices pursuant to §217-37 of the Riverhead Town Code have been served, and

WHEREAS, the owners had not taken the proper steps towards abating the conditions by repair and rehabilitation, securing or by demolition and removal of said structures in accordance with the procedures set forth in Chapter 217 of the Riverhead Town Code, and

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorized the Town Engineering Department and Buildings and Grounds Department to perform any work required to secure all openings on said structure, and

BE IT FURTHER RESOLVED, that pursuant to §217-41 , the administrative fees and all actual expenses incurred by the Town of Riverhead to remove the danger or in connection with the demolition and removal of any such buildings or structures shall be assessed against the owner; and be it further

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

		FROM	TO
001.010010.411000	Real Property Taxes	\$ 7,500	
001.086660.540000	Contractual Expenses		\$7,500.

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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 369

AUTHORIZES THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH CROWN RECYCLING FOR USE OF THE TOWN'S YARD WASTE FACILITY

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town of Riverhead ("Town") owns and maintains a yard waste facility for the use by Town residents located on Youngs Avenue in Calverton, New York. The yard waste drop-off is not available to business or commercial entities; and

WHEREAS, the Town's yard waste facility will accept loose (not bagged) yard waste including grass, leaves, brush, logs, and branches from town residents and accept yard waste by the Town, through its residential solid waste contract and/or related to other town services; and

WHEREAS, the Town Board of the Town of Riverhead, by Resolution #912 adopted on December 20, 2016, authorized the Town Clerk to publish and post a Notice to Bidders for bids for "Removal/Grinding & Removal of Town Yard Waste On-site at Young's Avenue Yard Waste Facility (North Side)"; and

WHEREAS, pursuant to the terms of the Notice to Bidders, each bidder must comply with the instructions in the Notice to Bidders, each bidder may submit an alternate proposal, and finally, all bids be submitted on or before 11:00 am on January 31, 2017; and

WHEREAS, only one bidder, who also included an alternate proposal for consideration, responded to the Notice to Bidders and said bid was received, opened and read aloud on January 31, 2017 at 11:00 am in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York; and

WHEREAS, the bidder, Crown Sanitation, Inc., proposed to grind the material for a fee and also included an alternate proposed to grind, load, and remove yard waste material from the Town's Yard Waste Facility in exchange for use of an existing improved parking area which is part of Town owned property known and described as former Town Landfill for Crown employee parking; and

WHEREAS, the Town Engineer did review and evaluate the proposal and alternate proposal and considered all information, site conditions, existing material on-site and estimates of material likely to accumulate due to resident drop off and Town's residential carter drop off over the next several months and, based upon same, recommended that the Town Board approve the Crown's alternate proposal described above.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board approves the alternate proposal submitted by Crown Sanitation, Inc. and authorizes the

Supervisor to execute a License Agreement substantially in the same form as the attached hereto; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Crown Sanitation, Inc., 865 Youngs Avenue, Calverton, New York 11933, the Engineering Department, the Office of the Town Attorney 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 copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

LICENSE AGREEMENT

This License Agreement, made this ___ day of _____ 2017, by and between TOWN OF RIVERHEAD, a municipal corporation existing under the laws of the State of New York, located at 200 Howell Avenue, Riverhead, New York 11901 (hereinafter referred to as "Owner/Licenser" or "Town") and CROWN SANITATION, INC. dba Crown Recycling Facility a domestic business corporation registered with the New York State Department of State, with offices at 865 Youngs Avenue, Calverton, New York 11933 (hereinafter referred to as "Licensee" or "Crown"),

WITNESSETH:

WHEREAS, the Town of Riverhead ("Town") owns and maintains a yard waste facility for the use by Town residents located on Youngs Avenue (North Side) in Calverton, New York. The yard waste drop-off is not available to business or commercial entities; and

WHEREAS, the Town's yard waste facility will accept loose (not bagged) yard waste including grass, leaves, and branches from town residents and accept yard waste by the Town, through its residential solid waste contract and/or related to other town services; and

WHEREAS, the Town Board of the Town of Riverhead, by Resolution #912 adopted on December 20, 2016, authorized the Town Clerk to publish and post a Notice to Bidders for bids for "Removal/Grinding & Removal of Town Yard Waste On-site at Young's Avenue Yard Waste Facility (North Side)"; and

WHEREAS, pursuant to the terms of the Notice to Bidders, each bidder must comply with the instructions in the Notice to Bidders, each bidder may submit an alternate proposal, and finally, all bids be submitted on or before 11:00 am on January 31, 2017; and

WHEREAS, only one bidder, who also included an alternate proposal for consideration, responded to the Notice to Bidders and said bid was received, opened and read aloud on January 31, 2017 at 11:00 am in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York; and

WHEREAS, the bidder, Crown Sanitation, Inc., proposed to grind the material for a fee and also included an alternate proposed to grind, load, and remove yard waste material from the Town's Yard Waste Facility in exchange for use of an existing improved parking area which is part of Town owned property known and described as former Town Landfill for Crown employee parking; and

WHEREAS, the Town Engineer did review and evaluate the proposal and alternate proposal and considered all information, site conditions, existing material on-site and estimates of material likely to accumulate due to resident drop off and Town's residential carter drop off over the next several months and based upon same

recommended that the Town Board approve the Crown alternate proposal described above; and

WHEREAS, by Resolution # adopted on May 17, 2017, the Town Board did approve Bidder's Alternate Proposal and authorized the Supervisor to execute a License Agreement necessary to effectuate the terms of the alternate proposal; and

NOW THEREFORE, in mutual consideration, the parties hereby agree as follows:

Article I

1. General Description of Agreement: The License Agreement is an agreement between the Town of Riverhead (hereinafter "Owner/Licensee" or "Town") for a grant of a revocable, non-assignable and non-exclusive license to Crown Sanitation, Inc. dba Crown Recycling Facility (hereinafter "Crown") to utilize an existing parking area part of site known as former Town of Riverhead Landfill (adjacent to Youngs Avenue) for the limited purpose of overflow parking for Crown employee vehicles in exchange for grinding, loading and removal services for yard waste at the Town's Yard Waste Disposal Facility located at Youngs Avenue, Riverhead, New York (north side). This License Agreement is made upon the express terms, conditions, and restrictions, each of which the party bound by such terms, conditions, and restrictions agrees to perform, irrespective of whether the particular provision is in the form of an agreement, a condition, restriction, a direction or otherwise, and each party agrees to provide the other party with documents or further assurances as may be required to carry out the expressed intention of the parties. (The licensed property for use as parking area is described and as depicted on Exhibit "A" annexed hereto and the property for grinding, loading and removal of yard waste is described and as depicted on Exhibit "B".)

2. Term: The term shall be for one year deemed to commence from the 1st day of June 1, 2017, and to end on the 31st day of May, 2018. The term of the license shall renew automatically for one successive term, unless either party gives written notice of nonrenewal to the other party at least 60 days prior to the renewal date. Notwithstanding the above, Licensee acknowledges and agrees that this License Agreement is subject to and subordinate to any existing or future agreement, rule or regulation of any kind between the Town or imposed upon the Town and any other agency of the federal, state, any county, now or hereafter created, whether specifically mentioned herein or not, pertaining to the maintenance of Town Landfill and/or operation and maintenance of the Town's Yard Waste Disposal Facility. In addition to the above, Licensee acknowledges and agrees that in the event that the Licensor shall determine, by duly adopted resolution of its Board, that the licensed space is required for legitimate municipal purpose, the Licensee may terminate this license agreement with 60 days written notice or designate alternate location such that Licensee may, at its sole cost and expense, relocate the parking of employee vehicles at the alternate location and the terms of the license (to wit: requirement that Licensee provide services related to grinding, loading and relocation of yard waste) shall remain in full force and effect. Finally, either party may terminate the agreement upon 90 days written notice to the other party.

3. Rent: The Licensor shall not be required to pay fees for services nor shall Licensee be required to pay fee/rent for use of parking area, and, instead, the Licensor and Licensee shall exchange license to use parking area for parking of employee vehicles on licensed property depicted on Exhibit "A" in exchange for requirement that Licensee provide services related to grinding, loading and relocation of yard waste on property depicted on Exhibit "B".

4. Security Deposit: None.

ARTICLE II

Terms, Conditions, Restrictions for Use of Licensed Premises

1. Description of Licensed Premises: The Town of Riverhead is the owner and licensor of the licensed premises described as the portion of the former Town Landfill improved with a parking area (located adjacent to Youngs Avenue and across from the Town's yard waste facility). (The licensed premises for use as parking area is described and as depicted on Exhibit "A" annexed hereto.)

2. Use of Licensed Premises (Town Landfill Parking Area): The Licensor licenses to Licensee revocable, non-assignable and non-exclusive use of the parking area described in Exhibit "A" limited to Licensee employee vehicles during the hours of 7:00 am and 5:00 pm. Licensee shall not be permitted to and shall not allow others to use the premises for any other purpose. In addition, Licensee may not permit overnight parking of employee vehicles (see time restrictions set forth in sentence above) nor may Licensee utilize the premises for parking of equipment, storage of material or any other purpose other than described above.

3. Maintenance and Repair: The Licensee has inspected the licensed space and accepts same "as is". The Licensee shall at all times keep the licensed premises clean and free of debris. Licensee agrees to dispose of all refuse and garbage in accordance with Chapter 273 of the Code of the Town of Riverhead and shall not permit the accumulation of waste or refuse matter at the site. The Licensee shall be responsible for snow and ice removal from the licensed premises, including entrance, curb area/entrance. The Licensee, at its own expense, shall keep the premises in good repair and agrees to surrender the premises to the Town at the end of each and every 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.

4. Utilities: To the extent that there exists outdoor light fixtures in and part of the parking area or in the event Licensee seeks to install light fixtures in the parking/licensed area *subject to approval of the Licensor, Licensee shall bear sole cost and expense, for fixtures, hook-up all electrical wiring and electrical fixtures in connection with Licensee's installation or use of outdoor lights in the parking lot area. In addition, Licensee shall be responsible for all of Licensee's electrical usage charges associated with outdoor

lighting in the parking lot for the term hereof. Notwithstanding the above, Licensee shall not be required to install any outdoor light fixtures in the areas of or for the purpose of illuminating ingress and egress to and from the parking area and instead Licensee shall be responsible to determine, set and/or adjust Licensee employee's use of the parking area within the time restrictions set forth above ensure that safe access to and from the premises by Licensee and its employees.

5. Insurance: The Licensee shall maintain during the License term general liability policies insuring Licensee and naming Licensor additional insured. The liability policy shall be one which shall afford bodily injury coverage in an amount of not less than \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate for more than one person involved in any one accident and not less than \$500,000.00 for damage to property. Upon failure at any time on the part of the Licensee to pay the premiums for the insurance required by this provision, the Licensor upon 24 hours, verbal or written notice, shall have the right to suspend Licensee's use of the premises until said policies are in place and all parties are properly insured under this section. A failure to assert any claim against Licensee by reason of its failure to make such payments shall not be deemed to waive or relicense the default in payment thereof by Licensor. Such policy shall contain a provision or endorsement to the effect that the same shall not be cancellable except on thirty (30) days written notice to Licensee and Licensor by the insurance earner. Proof of all renewal of policies shall be deposited with Licensor at least thirty (30) days prior to expiration of the policy it is to replace or renew.

6. Liability and Indemnification: The Licensor shall in no way be liable for any personal injuries (including death) or property damage caused by or resulting from the use of the licensed space by the Licensee, or the Licensee's employees, agents, or visitors, and Licensee hereby shall indemnify, defend, and save the Licensor harmless from and against any and all liability, claims, damages, expenses, fees, penalties, legal proceedings, and causes of action of every kind, including the Licensor's costs and reasonable attorneys' fees, incurred as a result of any breach by the Licensee of any condition or covenant of this license, or as a result of the Licensee's use of the licensed premises, or the acts or omissions of the Licensee, or the Licensee's employees, agents, or visitors; provided, however, that the obligation of the Licensee to indemnify shall not extend to the willful misconduct of the Licensor, Licensor's employees, agents, or representatives or damages that are caused by, or are the result of, the misconduct or negligence of Licensor or any of Licensor's agents, servants, tenants, employees, licensees or invitees. Notwithstanding any provisions herein to the contrary, it is understood and agreed that no property will be kept, installed, stored or maintained in or upon the licensed space by Licensee. Except for willful misconduct, neither Licensee nor Licensor will in any event be liable in damages for each other's business loss, business interruption or other consequential damages of whatever kind or nature, regardless of the cause of the damages, and each party, and anyone claiming by or through them, expressly waives all claims for damages.

7. Property Taxes: The licensed space has been used by the Licensor as a parking area and shall continue to do so, therefore, the licensed space has and shall continue to be

exempt from property taxes. If during the term of this license and occupancy by the Licensee, the licensed space shall at any time become subject to property taxes, the Licensee shall be responsible for paying the property taxes.

8. Condition of Licensed Premises: The Licensee has had the opportunity to inspect the licensed space prior to signing this License and accepts the licensed space in AS IS condition without any representation from the Licensor as to its condition or suitability for the Licensee's intended use.

9. Alterations: The Licensee shall not make any alterations, additions, or improvements to the licensed space, without first obtaining the written consent of the Licensor, which consent may be withheld in the Licensor's sole discretion.

10. Assignment; Sublicense: The Licensee may not assign, transfer, or otherwise dispose of or encumber the licensed premises nor name or utilize the licensed premises as part of any application, permit, license, land use related to operation of Licensee's businesses or operations and the Licensor may not sublicense the licensed premises in whole or in part.

11. Licensor's Right of Access: The Licensor, or the Licensor's employees or agents, shall have the right to enter the licensed space at any time and with no notice to Licensee. Notwithstanding the above, the Licensor shall use reasonable efforts to minimize any disruption of the Licensee's activities.

ARTICLE III

Terms, Conditions, Restrictions for Yard Waste Services

1. Description of Yard Waste Services: As set forth above, the Licensee will grind, load and remove yard waste material that exists on site and is brought to the Town's Yard Waste Disposal Facility (located on the north side of Youngs Avenue adjacent to Licensee's principal place of business depicted on Exhibit "B") by the Town of Riverhead residents and through the Town's residential solid waste contract and/or related to other town services in exchange for use of the licenses premises (Exhibit "A") for employee parking. The Licensee shall double grind and leave on site 100 yards of processed yard waste commonly known and described as "mulch" for Town residents to pick up by shovel. It is acknowledged and agreed that the Town shall continue to operate, maintain and monitor the Town's Yard Waste Disposal Facility, including hours of operation, drop off locations, enforcement of **resident only drop off of yard waste** etc and Licensee shall not interfere with and instead adhere to the provisions below. Licensee shall comply with all on site directives issued by Town personnel regarding location of areas for ingress and egress: drop off and pickup of yard waste material/mulch by residents; drop off locations for Town's residential solid waste contractor and such other policies, rules, regulations and directives set and/or issued by Town. In performance of the work, duties and obligations assumed by the Licensee, it is mutually understood and agreed that the Licensee, including any and all of the Licensee

officers, agents and employees, will at all times be acting and performing in an independent capacity and not as an officer, agent, servant, employee, joint venture, partner or associate of the Licensor.

2. Authorized Hours of Operation:

- a. Hours of Operation: All work shall be conducted during weekdays (Monday through Friday) between the hours of 7:00 am and 3:30 pm. In the event that work at the site is not completed by the close of business (3:30 p.m.), the Town Engineer or his designee shall be authorized to extend the time but in no event shall Licensee conduct operations to grind, load or movement of material after 5:00 pm.
- b. The Licensee shall provide all equipment necessary to complete the tasks bid upon by Licensee. To the extent that the Licensee submitted a proposal to grind and remove, Licensee shall utilize a wood grinding machine capable of processing a minimum of 800 cubic yards of material per eight hour day (100 cubic yards per hour) and a rubber tire loader of sufficient size to move the yard waste to the wood grinder and relocate the chipped material to an area of the site designated by the Town Engineer or his designee. Licensee shall provide a rubber tire loader of sufficient size to load the yard waste minimum of 20 yard dump truck.
- c. Grinding and Screening Technique: The licensee shall grind or *preferably double grind (material shall be processed/passed through the grinder twice) the yard waste and screened such that the material/mulch to be made available to residents is ground into acceptable size chips as designated by the Town Engineer or his designee. The Town recommends that the screens on the grinder shall be one and one half (1 ½) inches and no greater than two (2) inches. The Town prefers double ground material due to the size, ability to better integrate into soil, and ability for reuse. The Town Engineer may request a sample of all materials and in his sole discretion determine if a single ground sample or double ground sample meets the performance specifications that are in the best interests of the Town.
- d. Grinding and Loading Equipment: The Licensee shall utilize a wood grinding machine capable of processing a minimum of 800 cubic yards of material per eight hour day (100 cubic yards per hour). In addition, the Licensee shall utilize a rubber tire loader of sufficient size to move the yard waste to the wood grinder and relocate the chipped material to an area of the site designated by the Town Engineer or his designee.
- e. Debris: Licensee has represented that Licensee inspected the material on site and all debris is suitable for grinding. To the extent there exists any debris not suitable for grinding on site, Licensee agrees to remove from the site. The Town

of Riverhead will not be responsible for any damage to the LICENSEE'S equipment due to inadequate removal of debris prior to grinding.

- f. Monitor/Record of Operation: A daily log of machine operating times shall be maintained by the Licensee and/or Licensee's employee/equipment operator and submitted to the Town Engineer or his designee for approval and signature, together with the Authorization to Grind Form indicating volume of material and same shall serve as the basis for payment by the Town.
- g. Site Security: The Town's North Side Yard Waste Disposal Facility is fenced with a locking gate. The Licensee's equipment may be left overnight at the Facility, however, the Town assumes no responsibility for Licensee's equipment.
- h. Scheduling of Grinding Event: The Town Engineer or his designee will determine when a grinding event is required at the site. A grinding event shall be defined as the grinding of all yard waste present at the site prior to beginning grinding. As the Licensor's goal is to remove all yard waste from the Town's Yard Waste Disposal Facility (see description in bid specifications), with the exception of 100 yards of mulch for resident pickup, it is anticipated that the initial grinding event shall continue for a period of 10 days-grinding all the material day to day until completion. Thereafter and at all times during the duration of the Licensee Agreement, the Town Engineer or his designee will determine when a grinding event is required at the site and the duration of the grinding event.
- i. Notification of Grinding Services: The Town Engineer or his designee will notify the licensee when a grinding event is required or in the alternative, if the Town determines that it is in the best interests of the Town to retain the licensee for one continuous grinding event (grinding all the material day to day until completion), the Town Engineer or his designee will notify licensee of start date. The LICENSEE will begin work no less than 5 days and no more than 10 days from the date of notification.
- j. Schedule to Load and Haul: The Town Engineer or his designee will notify the licensee of the requirement to load and remove material during or after a grinding event. The Town Engineer or his designee will notify licensee of start date and amount of material that must be removed from the property. The Town of Riverhead will not be responsible for any damage to the LICENSEE'S equipment or vehicles related to services required for pickup and removal (transport).
- k. License/Permits: All yard waste shall be transported from the Town's Yard Waste Facility to a registered/licensed NYSDEC approved site for the deposit and/or storage of yard waste and related debris, including but not limited to grass clippings, stumps, leaves, branches and garden waste. LICENSEE must provide the Town of Riverhead with the name of the dump site and NYSDEC license number. Note, while it is anticipated that Licensee will transport the material to its facility located adjacent to the Town's Yard Waste Facility, if the LICENSEE

does not intend to transport or store the material at such site,, LICENSEE must provide the Town of Riverhead with evidence of permit/approval/contract to use alternate NYSDEC licensed dump site; The Town of Riverhead will not be responsible for any damage to the LICENSEE'S equipment or vehicles related to services required for pickup and removal (transport).

3. Condition of the Town's Yard Waste Facility: Licensee is familiar with the Town's Yard Waste Facility, has examined same, and, without reliance upon any representations or warranties of or made by Licensor or anyone else, accepts the property "as is" and agrees to provide the services outlined above.

4. Insurance: In addition to the insurance requirements relating to use of Town parking area described under Article II above, Licensee shall procure and maintain at all times during the term of this License Agreement the following insurance, naming "Town of Riverhead" as additional insured, related to services to grind, load, haul, remove yard waste material:

a. Automobile Liability: (If any vehicles are used by the Licensee in the performance of this Contract)

Form: Comprehensive Automobile Liability, including all owned, non-owned, and hired autos.

Limits: \$1,000,000 Combined Single Limit for Bodily Injury and Property Damage Liability, New York State Personal Injury Protection.

b. General Liability:

Form: Commercial General Liability (1986 ISO occurrence form or equivalent), including separate limits for Personal Injury, Products/Completed Operations.* Coverage to include Contractual Liability, general aggregate shall apply separately at each location and at each project.

Limits: \$1,000,000 per occurrence/\$2,000,000 general aggregate. \$1,000,000 for Products/Completed Operations. \$1,000,000 for Personal Injury Liability.

c. Workers' Compensation:

Form: Providing coverage to all employees in all states where operations will be performed under the terms of the Contract.

Limits: As required by the Workers' Compensation Law of the State of New York or any State or Federal body having jurisdiction over the location of operations being performed.

Insurance coverage shall be provided by an Insurance Company licensed as an "admitted carrier" by the New York State Insurance Department and rated by "Bests" at "A-" or better, or as otherwise deemed acceptable to the Town of Riverhead and shall be evidenced by a Certificate of Insurance submitted in a form acceptable to the Town. Note, thirty (30) days' notice of cancellation, non-renewal or reduction of coverage is required. The insuring company shall not be released from liability or obligation for its

failure to notify the Town. The certificate shall not contain provisions that are limiting, including but not limited to, "endeavor to mail" or "failure to mail such notice shall impose no obligation or liability of any kind, etc." Such provisions must be eliminated on the certificate.

6. Indemnification: The Licensee shall defend, indemnify and save harmless, to the extent permitted by law, the Town of Riverhead, its members, officers, agents, servants, and employees against and from all suits, losses, demands, claims, payments, actions, recoveries, judgments and costs of every kind and description and from all damages to which the Town of Riverhead or any of its members, officers, agents, servants and employees may be subjected by reason of injury to any person or to the property of the Town of Riverhead or of others resulting from the performance of the services identified in this agreement, or through any act or omission on the part of the Licensee or his agents, employees, servants or subcontractor(s), or through any improper or defective machinery, implements or appliances used by the Licensee, his agents, employees, servants or subcontractor(s) in the performance of the services described above, and Licensee understands and agrees that he shall defend, indemnify and save harmless, to the extent permitted by law, the Town of Riverhead, its members, officers, agents, servants and employees from all suits and actions of any kind or character whatsoever which may be brought or instituted by any subcontractor, material man or laborer who has performed work or furnished materials, in the performance of this Agreement.

7. Licensee compliance with all laws, rules, regulations: The Licensee shall, at its own expense and cost, comply with all applicable laws, rules and regulations, including but not limited to those governing the inspection and licensing of equipment used in the performance of this Agreement, including but not limited to, New York State Labor Law "Prevailing Wage", Town Code of the Town of Riverhead and NYS DEC permit requirements relating to the services to be performed by Licensee.

8. Default: Each of the following shall constitute an Event of Default:

- a. The Licensee fails to pay real estate taxes, if assessed, as they come due.
- b. The Licensee fails to maintain at all times the insurance required by this License.
- c. The Licensee fails to comply with any agreement or requirement in this License, other than the obligations listed in subsections (a) and (b), for a period of thirty (30) days after notice from the Licensor.

If an Event of Default has occurred and continues, the Licensor may terminate the Licensee's rights to use the licensed space and pursue any other remedies available under New York law. The Licensor shall be entitled to collect from the Licensee, in addition to any damages, all reasonable costs, fees, and expenses, including reasonable attorneys' fees, incurred by the Licensor in pursuing its remedies.

9. Termination: In addition to the termination provisions set forth above, Licensor shall have the right upon 15 days written notice to terminate this license if Licensee has not met all of their obligations under the terms and conditions of this agreement. Upon termination of the license, Licensee will, to the extent reasonable, restore the licensed space to its original condition at the commencement of this license, except for ordinary wear and tear and damages by the elements or damages over which Licensee had no control. On the expiration of the Term, or any earlier termination of this License, the Licensee shall: (a) immediately vacate the licensed premises and Town's Yard Waste Disposal Facility; (b) repair all damage to the licensed premises and Town's Yard Waste Disposal Facility caused by the Licensee's removal of any equipment and property from the Town's Yard Waste Disposal Facility; and (c) restore the licensed space and Town's Yard Waste Disposal Facility to the same condition that existed at the commencement of the Term, reasonable wear and tear excepted. The Licensee's indemnity obligation shall survive the termination or expiration of this License.

10. Entire Agreement, Applicable Law: This License contains the entire agreement of the parties with respect to the leasing of the licensed space/premises and no representations or agreements not included in this License shall be enforceable unless in writing and signed by the party to be charged.

11. Notice: All notices and other communications given pursuant to this License shall be in writing and shall be addressed to the parties at the addresses specified below and (1) mailed by first class, United States Mail, postage prepaid, certified, with return receipt requested, (2) hand delivered, (3) sent by a nationally recognized overnight courier service, or (4) sent by facsimile transmission followed by a confirmatory letter sent in another manner permitted hereunder. All notices shall be effective upon delivery to the addressee. The parties hereto may change their addresses by giving notice thereof to the other in conformity with this provision.

Office of the Town Attorney, 200 Howell Avenue, Riverhead, NY 11901.
Archangel Holding, LLC, 300 East Main Street, Riverhead, New York 11901

12. Governing Law. This License will be construed in accordance with the laws of the State of New York, and venue shall be in the Supreme Court, Suffolk County, NY. Jury trial is hereby waived.

13. Drafting Presumption. If there is any ambiguity in this License it will not be construed in accordance with any presumption against Licensee as a result of its having initially drafted this License.

14. Invalidity of Particular Provision. If any provision of this License or application of it to any persons or circumstances is, to any extent, held to be invalid or unenforceable, the remainder of this License, or the application of such provision to persons or circumstances other than those as to which it is held invalid or unenforceable, will not be affected, and that provision of this License will be valid and enforced to the fullest extent permitted by law.

15. Successors and Assigns. This License shall be binding upon and shall insure to the benefit of the parties, their respective successors, personal representatives and assigns.

This instrument may not be changed orally.

This License shall be governed by and interpreted in accordance with the Laws of the State of New York.

IN WITNESS WHEREOF, Licensor and Licensee do hereby execute this License Agreement as of the date and year first above written.

TOWN OF RIVERHEAD

Sean M. Walter, Supervisor

CROWN SANITATION, INC.

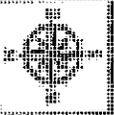


EXHIBIT A

Property Lines Courtesy:
 Dutch County Real Property Tax Service
 CORPORATION (DUTCH COUNTY OF ALBANY, N.Y.)

TOWN OF RIVERHILL
 200 Howell Ave.
 Riverhead, New York 11901
 www.townofriverhill.org

FOR MORE INFORMATION
 CONTACT THE TOWN ENGINEER
 AT 609-251-1000

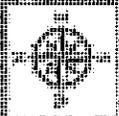


EXHIBIT B

Property Line Courtesy:
Suffolk County Real Property Tax Service
CORPORATE (609) 694-0000



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



OFFICIAL RECORD

TOWN OF RIVERHEAD

Resolution # 370

**AWARDS BID FOR THE PURCHASE OF USED ELGIN STREET SWEEPER MODEL:
BROOM BADGER DUAL STEER OR EQUAL
FOR THE TOWN HIGHWAY DEPARTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town Board, by Resolution #247 adopted on April 4, 2017, authorized the Town Clerk to publish and post a notice to bidders for sealed bids for the purchase of Used Elgin Street Sweeper Model: Broom Badger Dual Steer or Equal for the Town Highway Department; and

WHEREAS, one (1) bid was received, opened and read aloud on the 4th day of May, 2017 at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders; and

WHEREAS, the Town Highway Superintendent did review the bid of \$134,317.00 from Environmental Equipment Co. of L.I. which included an option to select "single steer" model (in place of "dual steer") for a reduction of \$6000.00 and has determined that the option for single steer is appropriate for the needs of the Highway Department.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby awards the bid for the purchase of Used Elgin Street Sweeper be awarded to Environmental Equipment Co. of L.I. in the reduced amount of \$128,317.00 and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Environmental Equipment Co. of L.I., 1670 New Highway, Farmingdale, NY 11735, George Woodson, Highway Superintendent, 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 copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 371

REAPPOINTS MEMBER TO THE TOWN OF RIVERHEAD ETHICS BOARD

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

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

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

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

WHEREAS, Jeanmarie Costello was reappointed to the Ethics Board by Resolution #797 adopted on November 17, 2017 for a term expiring June 2017;

WHEREAS, the Town Board wishes to reappoint Jeanmarie Costello for a two year term which will expire on June 1, 2019.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby reappoints Jeanmarie Costello to the Town of Riverhead Board of Ethics for a two year term which will expire on June 1, 2019; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Jeanmarie Costello, 836 Pond View Road, Riverhead, NY 11901; and be it further

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

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 372

ADOPTS A LOCAL LAW TO AMEND CHAPTER 289 ENTITLED "VEHICLES, TRAFFIC AND PARKING REGULATIONS" OF THE RIVERHEAD TOWN CODE (\$289-10. Parking prohibited. – Meetinghouse Creek Rd. & Peconic Bay Blvd.)

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

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 289 entitled, "Vehicles & Traffic" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 4th day of October, 2016 at 2:10 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 the local law amending Chapter 289 entitled, "Vehicles, Traffic and Parking Regulations" of the Riverhead 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 copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio ABSENT
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 Chapter 289 entitled, "Vehicles, Traffic and Parking Regulations" of the Riverhead Town Code at its regular meeting held on May 17, 2017.

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

**Chapter 289
VEHICLES, TRAFFIC AND PARKING REGULATIONS
ARTICLE IV
Parking, Standing and Stopping**

§ 289-10. Parking prohibited.

The parking of vehicles is hereby prohibited in the locations as follows:

Name of Street	Side	Location
<u>Meetinghouse Creek Road</u>	<u>West</u>	<u>From its intersection with Peconic Bay Boulevard to a point 300 feet north</u>
<u>Meetinghouse Creek Road</u>	<u>West</u>	<u>From its intersection with Peconic Bay Boulevard to a point 300 feet south</u>
<u>Meetinghouse Creek Road</u>	<u>East</u>	<u>From its intersection with Peconic Bay Boulevard to a point 300 feet north</u>
<u>Meetinghouse Creek Road</u>	<u>East</u>	<u>From its intersection with Peconic Bay Boulevard to a point 300 feet south</u>
<u>Peconic Bay Boulevard</u>	<u>North</u>	<u>From its intersection with Meetinghouse Creek Road to a point 300 feet east</u>
<u>Peconic Bay Boulevard</u>	<u>South</u>	<u>From its intersection with Meetinghouse Creek Road to a point 300 feet east</u>

- Underline represents addition(s)

Dated: Riverhead, New York
May 17, 2017

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 373

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT TO CHAPTER 289 ENTITLED, "VEHICLES, TRAFFIC AND PARKING REGULATIONS" OF THE RIVERHEAD TOWN CODE
(§289-10. Parking prohibited. – Baywood Drive)

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

RESOLVED, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider a proposed local law for the amendment of Chapter 289 entitled, "Vehicles, Traffic and Parking Regulations" of the Riverhead Town Code, once in the May 25, 2017 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 ABSENT
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 6th day of June, 2017 at 2:10 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 289 of the Riverhead Town Code entitled, "Vehicles, Traffic and Parking Regulations" as follows:

Chapter 289
VEHICLES, TRAFFIC AND PARKING REGULATIONS
ARTICLE IV
Parking, Standing and Stopping

§ 289-10. Parking prohibited.

The parking of vehicles is hereby prohibited in the locations as follows:

Name of Street	Side	Location
<u>Baywood Drive</u>	<u>Both</u>	<u>From a point at its intersection with Sound Avenue in a northerly direction for a distance of 300 feet</u>

- Underline represents addition(s)

Dated: Riverhead, New York
May 17, 2017

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 374

ADOPTS A LOCAL LAW TO AMEND CHAPTER 289 ENTITLED "VEHICLES, TRAFFIC AND PARKING REGULATIONS" OF THE RIVERHEAD TOWN CODE
(\$289-10. Parking prohibited. – Sound Avenue)

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 289 entitled, "Vehicles, Traffic and Parking Regulations" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 2nd day of March, 2017 at 2:25 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 the local law amending Chapter 101 entitled, "Vehicles, Traffic and Parking Regulations" of the Riverhead 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 copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio ABSENT
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 Chapter 289 entitled, "Vehicles, Traffic and Parking Regulations" of the Riverhead Town Code at its regular meeting held on May 17, 2017. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 289
VEHICLES, TRAFFIC AND PARKING REGULATIONS
ARTICLE IV
Parking, Standing and Stopping

§ 289-10. Parking prohibited.

The parking of vehicles is hereby prohibited in the locations as follows:

Name of Street	Side	Location
<u>Sound Avenue</u>	<u>South</u>	<u>From its intersection with Osborn Avenue in a westerly direction to its intersection with Baiting Hollow Lane</u>
<u>Sound Avenue</u>	<u>North</u>	<u>From its intersection with Osborn Avenue in a westerly direction to its intersection with Baywood Drive</u>

- Underscore represents addition(s)

Dated: Riverhead, New York
May 17, 2017

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 375

**AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS
AND MORTGAGEE OF PREMISES LOCATED AT
18 TIDE COURT, WADING RIVER, NEW YORK**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town Board has determined that the property situated at 18 Tide Court, Riverhead, New York, further described as Suffolk County Tax Map # 0600-50-1-24, is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code.

NOW, THEREFORE, BE IT RESOLVED, that Robert F. Kozakiewicz, Town Attorney for the Town of Riverhead, is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the structure situated at 18 Tide Court, Wading River, New York, in the Supreme Court of the State of New York, to enjoin the illegal use, occupancy and/or maintenance of said property and the structure situated upon said premises; and be it further

RESOLVED, that it is left to the discretion of Robert F. Kozakiewicz, Town Attorney for the Town of Riverhead, whether said cause of action should seek monetary and/or punitive damages against the owners, tenants, occupants and mortgagee of the structure situated at 18 Tide Court, Wading River, New York, in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property.

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 376

**AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS
AND MORTGAGEE OF PREMISES LOCATED AT
326 FISHEL AVENUE, RIVERHEAD, NEW YORK**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town Board has determined that the property situated at 326 Fishel Avenue, Riverhead, New York, further described as Suffolk County Tax Map # 0600-127-4-8, is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code.

NOW, THEREFORE, BE IT RESOLVED, that Robert F. Kozakiewicz, Town Attorney for the Town of Riverhead, is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the structure situated at 326 Fishel Avenue, Riverhead, New York, in the Supreme Court of the State of New York, to enjoin the illegal use, occupancy and/or maintenance of said property and the structure situated upon said premises; and be it further

RESOLVED, that it is left to the discretion of Robert F. Kozakiewicz, Town Attorney for the Town of Riverhead, whether said cause of action should seek monetary and/or punitive damages against the owners, tenants, occupants and mortgagee of the structure situated at 326 Fishel Avenue, Riverhead, New York, in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property.

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 377

**AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS
AND MORTGAGEE OF PREMISES LOCATED AT
334 SWEETZ AVENUE, RIVERHEAD, NEW YORK**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town Board has determined that the property situated at 334 Sweetz Avenue, Riverhead, New York, further described as Suffolk County Tax Map # 0600-123-4-46, is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code.

NOW, THEREFORE, BE IT RESOLVED, that Robert F. Kozakiewicz, Town Attorney for the Town of Riverhead, is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the structure situated at 334 Sweetz Avenue, Riverhead, New York, in the Supreme Court of the State of New York, to enjoin the illegal use, occupancy and/or maintenance of said property and the structure situated upon said premises; and be it further

RESOLVED, that it is left to the discretion of Robert F. Kozakiewicz, Town Attorney for the Town of Riverhead, whether said cause of action should seek monetary and/or punitive damages against the owners, tenants, occupants and mortgagee of the structure situated at 334 Sweetz Avenue, Riverhead, New York, in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property.

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 378

**AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS
AND MORTGAGEE OF PREMISES LOCATED AT
1015 PARKWAY STREET, RIVERHEAD, NEW YORK**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town Board has determined that the property situated at 1015 Parkway Street, Riverhead, New York, further described as Suffolk County Tax Map # 0600-124-1-5, is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code.

NOW, THEREFORE, BE IT RESOLVED, that Robert F. Kozakiewicz, Town Attorney for the Town of Riverhead, is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the structure situated at 1015 Parkway Street, Riverhead, New York, in the Supreme Court of the State of New York, to enjoin the illegal use, occupancy and/or maintenance of said property and the structure situated upon said premises; and be it further

RESOLVED, that it is left to the discretion of Robert F. Kozakiewicz, Town Attorney for the Town of Riverhead, whether said cause of action should seek monetary and/or punitive damages against the owners, tenants, occupants and mortgagee of the structure situated at 1015 Parkway Street, Riverhead, New York, in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property.

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 380

AWARDS BID FOR SNACK VENDOR
(Wading River Beach)

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 for sealed bids for Snack Vendors for the Town of Riverhead; and

WHEREAS, bids were received, opened and read aloud on the 28th day of April, 2017 at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders; and

WHEREAS, the Town Board has reviewed all bids received; and

NOW THEREFORE BE IT RESOLVED, that the bid for the Snack Vendors for the Town of Riverhead is hereby awarded to the following vendor(s) and location(s):

Matthew Freudenberg	Wading River Beach	\$500.00
d/b/a Apple Concessions		

and be it further

RESOLVED, that the Town Supervisor is hereby authorized to execute Snack Vendor Agreements with the above referenced successful bidder(s); and be it further

RESOLVED, that the Town Clerk is hereby directed to return all bid bonds submitted for the above bid; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Matthew Freudenberg, 22 Further Lane, Riverhead, NY, 11901; and be it further

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

THE VOTE

Hubbard	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Giglio	ABSENT
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 # 381

DETERMINATION THAT THE IMPROVEMENTS FOR THE RIVERHEAD FIRE DISTRICT LOCATED AT 303 HUBBARD AVENUE, RIVERHEAD, NEW YORK ARE, UPON MONROE BALANCING TEST, EXEMPT FROM FORMAL SITE PLAN REVIEW AND CHAPTER 301 OF THE TOWN CODE OF THE TOWN OF RIVERHEAD

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town of Riverhead is a municipal corporation existing under the laws of the State of New York having those powers of zoning and land use regulation specified in New York Town Law Article 16; and

WHEREAS, the Riverhead Fire District is a duly established fire district under Town Law § 170; and

WHEREAS, the Riverhead Fire District is proposing to undertake construction, which proposed construction consists of certain like kind improvements; namely, the removal and replacement of the asphalt pavement and concrete sidewalks and, in addition to the like kind work, proposes construction that will add concrete curbs and drainage structures and associated improvements at the Riverhead Fire District property, Station 2, located at 303 Hubbard Avenue, Riverhead, Town of Riverhead, New York; and

WHEREAS, a site plan, consisting of drawings G0.0 Cover sheet, C1.0 Existing Site Conditions and Site Removals Plan, C2.0 Dimensional Site, Grading & Drainage Plan (Base Bid), Site Conditions and Site Removals Plan, C2.1 Dimensional Site, Grading & Drainage Plan (Add Alternative), C3.0 Erosion Control Plan and C4.0 Site Details, all dated February 2017 made by H²M Architects and Engineers, were submitted to the Town of Riverhead Town Board by Riverhead Fire District to remove and replace the asphalt pavement, remove and replace concrete sidewalks and add concrete curbs and drainage structures and associated improvements at the Riverhead Fire District property, Station No. 2, located at 303 Hubbard Avenue, Riverhead, Town of Riverhead, New York, known and designated as Suffolk County Tax Map Numbers SCTM # 600-112-01-020.0 00; and

WHEREAS, in order to determine whether the Riverhead Fire District must comply with the Town Code of the Town of Riverhead in the construction and siting of the pavilion and the associated improvements facility, a "balancing of public interests" test must be conducted as set forth in the Court of Appeals' decision in *Matter of County of Monroe v. City of Rochester*, 72 N.Y.2d 338; and

WHEREAS, under the balancing test, the Town of Riverhead should weigh the following factors to determine whether the Riverhead Fire District must comply with the Town Code in the construction and siting of the facility:

1. the nature and scope of the instrumentality seeking immunity,
2. the encroaching government's legislative grant of authority,
3. the kind of function or land use involved,
4. the effect local land use regulation would have upon the enterprise concerned,
5. alternative locations for the facility in less restrictive zoning areas,
6. the impact upon legitimate local interests,
7. alternative methods of providing the proposed improvement,
8. the extent of the public interest to be served by the improvements, and
9. intergovernmental participation in the project development process and an opportunity to be heard; and

WHEREAS, the Town Board of the Town of Riverhead has carefully considered all the evidence submitted in connection with this matter in the context of the "balancing of public interests" test;

NOW THEREORE BE IT RESOLVED, that the Town Board of the Town of Riverhead makes the following Findings and Determination:

FINDINGS AND DETERMINATION

1. Pursuant to *Matter of County of Monroe v. City of Rochester*, (72 N.Y.2d 338), the Riverhead Fire District's proposed improvements to Station No. 2 is presumed to be subject to the Town Code of the Town of Riverhead absent an expression of contrary legislative intent.
2. The James A. Coon Local Government Technical Series promulgated by the New York State Department of State, instructs a municipality that is developing a project in another community to assume that the project be subject to the host community's zoning requirements and that any disagreement between the parties should be resolved by the appeals process of the host community.
3. The Riverhead Fire District is a duly established fire district pursuant to Town Law § 170 with the authority to provide fire services to the residents within the Town of Riverhead.
4. Section 301-225 of the Town Code of the Town of Riverhead, in part, states as follows, "Municipal buildings and hospitals shall be permitted in all districts,

provided that such building shall conform to all other provisions of this chapter for the district in which located.”

5. The Riverhead Fire District property is within the Residence A-40 (RA40) Zoning Use District of the Town of Riverhead, which does not allow for any public uses other than certain limited uses with a residence.

6. The fire house on the Riverhead Fire District property was constructed prior to the enactment of the Residence A-40 (RA40) Zoning Use District by the Town of Riverhead and the intended improvements consisting of both in kind replacement and additional concrete curbing and associated drainage can be considered a customary accessory use to the existing Riverhead Fire District building.

7. The like kind improvements consisting of the removal and replacement of the asphalt pavement and concrete sidewalks and, the additional construction proposed seeking to add concrete curbs and drainage structures and associated improvements at the Riverhead Fire District property, Station No. 2, located at 303 Hubbard Avenue, Riverhead, Town of Riverhead, New York will enhance the Riverhead Fire District property, and better serve the public benefits and public purposes of the fire services of the district and its members.

8. Pursuant to the Town Code of the Town of Riverhead, the siting and construction of the subject improvement would require, among other things, a variance, site plan approval, review pursuant to the State Environmental Quality Review Act ("SEQRA"), a building permit, and a certificate of occupancy; and

BE IT FURTHER RESOLVED, that based upon the foregoing, the Town Board finds that the applicant is deemed to be compliant with the applicable zoning law and exempts the project from formal site plan review and Chapter 301 subject to the following conditions:

That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

1. That compliance with the "Dark Skies" requirement set forth in Chapter 301, Article XLIX of the Town Code of the Town of Riverhead is required,
2. That the applicant is familiar with the **Riverhead Town Code**, Chapter 251 Article III, entitled, "Trash, Rubbish and Refuse Disposal" and Chapter 245, Article I, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
3. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
4. That adequate parking for the handicapped, pursuant to State and Federal law and

the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Riverhead Fire District hereby authorizes and consents to the Town of Riverhead to enter the subject premises, to enforce said handicapped parking regulations;

5. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
6. That all new utilities shall be constructed underground;
7. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
8. That all nursery stock, if any, and installation methods thereof shall meet the latest American Standards for Nursery Stock", as published by the American Association of Nurserymen; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the following: Riverhead Planning Department; the Riverhead Building Department; H²M Architects and Engineers, 538 Broad Hollow Road, 4th Floor East, Melville, New York 11747; the Riverhead Fire District, 540 Roanoke Avenue, Riverhead, New York, 11901; and the Riverhead Town Attorney.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 382

**APPROVES THE CHAPTER 255 APPLICATION OF
LONG ISLAND WINE COUNCIL
("Back to Our Roots" Wine Festival – August 5, 2017)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, on April 6, 2017, Roman Roth, on behalf of the Long Island Wine Council, submitted a Chapter 255 Application for the purpose of conducting a wine tasting event entitled "Back to Our Roots", to benefit Harvest East End, a not-for-profit charity and annual fundraiser managed by the Long Island Wine Council whose mission is to elevate the profile of the Long Island Wine Region and raise funds for charities that are regional in scope, benefitting people, land and the environment across the East End of Long Island, with an expected total daily attendance of 1,300 attendees, to be held at Martha Clara Vineyards located at 6025 Sound Avenue, Riverhead, New York, on Saturday, August 5, 2017, between the hours of 2:00 p.m. and 7:00 p.m.; and

WHEREAS, the Long Island Wine Council has completed and filed a Large Gathering Chapter 255 Application and 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 Town Attorney of the Town of Riverhead has reviewed all documents regarding said application and

WHEREAS, the applicant has requested that applicable Chapter 255 Application be waived due to their not-for-profit status; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby determines the action to be a "Type II" action under SEQRA 617.5 C (15); and be it further

RESOLVED, that the Chapter 255 Application of Long Island Wine Council for the purpose of conducting a wine tasting event entitled "Back to Our Roots", to benefit Harvest East End, with an expected total daily attendance of 1,300 attendees, to be

held at Martha Clara Vineyards located at 6025 Sound Avenue, Riverhead, New York, on Saturday, August 5, 2017, between the hours of 2:00 p.m. and 7:00 p.m., is hereby approved; and be it further

RESOLVED, that the Riverhead Town Board hereby waives the Chapter 255 Application fee for this event due to the applicant's not-for-profit status; and be it further

RESOLVED, that this approval is subject to the obtaining of any permits as may be required by the New York State Department of Labor and the Suffolk County Department of Health; and be it further

RESOLVED, that should it be determined that the utilization of Police and/or Fire Marshal personnel and patrol vehicles are required for this event, then this approval will be subject to receipt of a fully executed license agreement, together with the requisite license fee as stated in said license agreement, **no later than June 1, 2017**; 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 June 1, 2017**; and be it further

RESOLVED, that this approval is subject to the provisions of Riverhead Town Code Chapter 301-251 G (7) - "Signs" and any other section of the Riverhead Town Code that may pertain to this event; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Long Island Wine Council, c/o Martha Clara Vineyards, P.O. Box 600, Riverhead, New York, 11901; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 383

**APPROVES CHAPTER 255 APPLICATION OF EAST END TOURISM ALLIANCE
("Paddle Battle" Water Race & Craft Beverage Tasting Event – July 29, 2017)**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, on April 21, 2017, Bryan DeLuca, on behalf of East End Tourism Alliance (hereinafter referred to as "EETA") submitted a Chapter 255 Application for the purpose of conducting a canoe, kayak and stand up paddle board race entitled "Paddle Battle" on the Peconic River at the Peconic Riverfront, Riverhead, between the hours of 6:00 a.m. and 5:30 p.m., together with an award ceremony/craft beverage tasting event to be held on the lawns of the East End Arts Council's property located at 431 East Main Street, Riverhead, New York, between the hours of 12:30 noon and 3:30 p.m., on Saturday, July 29, 2017, having a rain date of Sunday, July 30, 2017; and

WHEREAS, EETA has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 61; 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, EETA has requested the Chapter 255 Application Fee be waived due to its not-for-profit status; and

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

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

RESOLVED, that the Town Board of the Town of Riverhead further determines the action to be a "Type II" action under SEQRA 617.5 C (15); and be it further

RESOLVED, that the Chapter 255 Application of EETA for the purpose of conducting a canoe, kayak and stand up paddle board race entitled "Paddle Battle" on the Peconic River at the Peconic Riverfront, Riverhead, to be held on Saturday, July 29, 2017, between the hours of 6:00 a.m. and 5:30 p.m., together with an award ceremony/craft beverage tasting event to be held on the lawns of the East End Arts Council's property located at 431 East Main Street, Riverhead, New York, between the hours of 12:30 noon and 3:30 p.m., having a rain date of Sunday, July 30, 2017, is hereby approved; and be it further

RESOLVED, that approval for this event shall be subject to

- Receipt of required Suffolk County Department of Health permit(s), including the Vendors Temporary Food Service Permit(s);
- Receipt of required Public Gathering/Emergency Medical Services (EMS) permit(s);
- Receipt of an Outdoor Public Safety Plan to be submitted to the Fire Marshal's office;
- Receipt of any permits as may be required by the New York State Department of Labor;
- Receipt of an acceptable Certificate of Insurance to include general liability and liquor liability having acceptable limits naming the Town of Riverhead as an additional insured;
- Receipt of copies of valid certification cards for all TIPS certified waitstaff;

and be it further

RESOLVED, that the above permits, documentation and insurance are to be received **no later than June 1, 2017**; and be it further

RESOLVED, that should it be determined that this event will require police personnel and vehicle assistance to assist with vehicular and pedestrian traffic, then this approval will be subject to a fully executed license agreement, together with the requisite license fee as stated in said license agreement, for purposes of the utilization of police personnel and patrol vehicles, **no later than June 1, 2017**; and be it further

RESOLVED, that Chapter 205 of the Riverhead Town Code entitled "Alcoholic Beverages" is deemed to be waived for the service of alcoholic beer during the event provided further that service be by licensed alcohol service providers/TIPS-certified (Training for Intervention Procedures) waitstaff and properly identified individuals will be given a wristband for identification purposes; and be it further

RESOLVED, that this approval is subject to Riverhead Town Code Chapter 301-251 G (7) entitled, "Signs" and any other section of the Town Code that may pertain to this event; and be it further

RESOLVED, that if tents are utilized, the 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) and the Fire Code of New York State and the Building Code of New York State; and be it further

RESOLVED, that due to the applicant's not-for-profit status, the Town Board of the Town of Riverhead hereby waives the Chapter 255 Application Fee; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to East End Tourism Alliance, 431 E. Main Street, Riverhead, New York, 11901, Attn: Bryan DeLuca; 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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 384

**APPROVES CHAPTER 255 APPLICATION OF RIVERHEAD RACEWAY INC.
(Drive-In Movie Nights – June 16, 2017 and August 18, 2017)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, on April 25, 2017, Thomas J. Gatz, on behalf of Riverhead Raceway Inc., submitted a Chapter 255 Application for the purpose of conducting two “Drive-In Movie Nights”, with movies to be shown on a portable screen, having sound transmitted through an AM/FM transmitter through the car radios, upon their property located at 1797 Old Country Road, Riverhead, New York, to be held on Friday, June 16, 2017 and Friday, August 18, 2017, between the hours of 8:00 p.m. and 11:00 p.m.;

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

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

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

WHEREAS, that the applicable Chapter 255 Application fee has been paid; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby determines the action to be a “Type II” action under SEQRA 617.5 C(15); and be it further

RESOLVED, that the application of Riverhead Raceway Inc., for the purpose of conducting two “Drive-In Movie Nights”, said movies to be shown on a portable screen, having sound transmitted through an AM/FM transmitter through the car radios, upon their property located at 1797 Old Country Road, Riverhead, New York, to be held on Friday, June 16, 2017 and Friday, August 18, 2017 between the hours of 8:00 p.m. and 11:00 p.m., is hereby approved; and be it further

RESOLVED, that should any tents be utilized for this event, 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 obtaining of any permits as may be required by the New York State Department of Labor and the Suffolk County Department of Health; and be it further

RESOLVED, that this approval is subject to the provisions of Riverhead Town Code Chapter 301-251 G (7) entitled "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 Riverhead Raceway Inc., Attn: Thomas J. Gatz, P.O. Box 1743, Riverhead, New York, 112551; 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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 385

APPROVES CHAPTER 255 APPLICATION OF RIVERHEAD RACEWAY INC.
("Island Import Day" Car Show – June 4, 2017)

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, on April 25, 2017, Thomas J. Gatz, on behalf of Riverhead Raceway Inc., submitted a Chapter 255 Application for the purpose of conducting a car show entitled "Island Import Day", which will include the sale and consumption of alcoholic beverages, upon their property located at 1797 Old Country Road, Riverhead, New York, to be held on Sunday, June 4, 2017, between the hours of 12:00 noon and 4:00 p.m., having a rain date of Sunday, June 11, 2017;

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

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

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

WHEREAS, that the applicable Chapter 255 Application fee has been paid; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby determines the action to be a "Type II" action under SEQRA 617.5 C (15); and be it further

RESOLVED, that the application of Riverhead Raceway Inc., for the purpose of conducting a car show entitled "Island Import Day", which will include the sale and consumption of alcoholic beverages, upon their property located at 1797 Old Country Road, Riverhead, New York, to be held on Sunday, June 4, 2017, between the hours of 12:00 noon and 4:00 p.m., having a rain date of Sunday, June 11, 2017; is hereby approved; and be it further

RESOLVED, that should any tents be utilized for this event, 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 obtaining of any permits as may be required by the New York State Department of Labor and the Suffolk County Department of Health; and be it further

RESOLVED, that this approval is subject to the provisions of Riverhead Town Code Chapter 301-251 G (7) entitled "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 Riverhead Raceway Inc., Attn: Thomas J. Gatz, P.O. Box 1743, Riverhead, New York, 11901; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 386

SETS DATE AND TIME OF
“GREAT RIVERHEAD CARDBOARD BOAT RACE”

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Riverhead Town Board, Riverhead Business Improvement District, and Riverhead Chamber of Commerce believe in promoting community events in Downtown Riverhead; and

WHEREAS, the Riverhead Town Board, Riverhead Business Improvement District, and Riverhead Chamber of Commerce have undertaken the task of organizing a riverfront event known as the “Great Riverhead Cardboard Boat Race”; and

WHEREAS, the Peconic Riverfront is an excellent location for a cardboard boat race; and

WHEREAS, the interested parties may contact the Riverhead Business Improvement District, Riverhead Chamber of Commerce, Councilman James Wooten or Councilman Tim Hubbard; and

WHEREAS, the “Great Riverhead Cardboard Boat Race” will be free of charge and open to all.

NOW, THEREFORE, BE IT RESOLVED, that the Seventh Annual “Great Riverhead Cardboard Boat Race” will be held on the Peconic Riverfront in downtown Riverhead at 12:00 p.m. on Sunday, August 6, 2017 rain or shine; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Riverhead Business Improvement District, the Engineering Department, the Chief of Police, the Highway Superintendent, the Recreation Department and the Chief of the Riverhead Fire Department; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 387

**APPOINTS MEMBER TO THE
RIVERHEAD INDUSTRIAL DEVELOPMENT AGENCY**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Riverhead Industrial Development Agency (RIDA) was established in 1980 as a public benefit corporation to attract new businesses and to help existing businesses expand their operations and continue to do business within the Town of Riverhead; and

WHEREAS, one vacancy currently exists on the RIDA Board of Directors, which this Town Board desires to fill.

NOW THEREFORE BE IT RESOLVED that the Town Board be and hereby appoints Anthony Barresi to the RIDA for the unexpired term ending on December 31, 2018; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Anthony Barresi, and to Thomas Cruso, RIDA Chairman; 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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 388

AUTHORIZES THE RETENTION OF THE LAW FIRM OF SMITH, FINKELSTEIN, LUNDBERG, ISLER & YAKABOSKI, LLP TO ACT AS SPECIAL COUNSEL TO INSTITUTE A LEGAL PROCEEDING TO COMPEL PAYMENT OF ASSESSMENT AND TAX STABILIZATION FUNDS FROM THE COUNTY OF SUFFOLK FOR 2016 AND 2017 PURSUANT TO TAX LAW SECTION 1210-A

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Riverhead Town Board is the governing body of the Riverhead Sewer District, which is a municipal sewer district located wholly within Suffolk County, New York which provides sewer collection and treatment for the Suffolk County Center and Correctional Facility complex, downtown Riverhead and the commercial area of County Route 58, and

WHEREAS, Suffolk County was instrumental in the preparation of a study pursuant to Section 303(d) of the Federal Clean Water Act which was published September 2007 entitled "Total Maximum Daily Load for Nitrogen in the Peconic Estuary Program Study Area, Including Waterbodies Currently Impaired Due to Low Dissolved Oxygen: the Lower Peconic River and Tidal Tributaries; Western Flanders Bay and Lower Saw Mill Creek; and Meetinghouse Creek, Terrys Creek and Tributaries" which determined the combined pollutant load called the Total Daily Maximum Load or "TMDL" for the effluent from the Riverhead Sewer Treatment Plant located at Riverside Drive in Riverhead, and

WHEREAS, in response to the County TMDL study the New York Department of Environmental Conservation amended the operative State Pollution Discharge Elimination System Discharge Permit ("SPDES Permit") which regulates the parameters of operation and function of the Riverhead Sewer Treatment Plant to require state of the art treatment mandated by a Compliance Action schedule, and

WHEREAS, the Riverhead Town Board authorized and directed H2M consulting engineers to prepare a Facility Plan engineered to meet the TMDL design performance requirements, which plan was prepared and approved by New York State DEC, and

WHEREAS, detailed plans and specifications suitable for public bidding were prepared by H2M, the project was bid, has been constructed, and meets all current SPDES permit requirements, and

WHEREAS, the payment of debt service and operation and maintenance associated with the Advanced Wastewater Treatment Facility has caused an increase in the expenses of the Riverhead Sewer District, and

WHEREAS, the Advanced Wastewater Treatment Facility provides treated effluent for irrigation of the Indian Island Golf Course which is a Suffolk County Park, and

WHEREAS, the Advanced Wastewater Treatment Facility treats sewage from the Suffolk County Sewer District that encompasses the Riverhead Suffolk County Center at 100 Center Drive from a County sewer district pump station which would otherwise require the ownership and operation of a County owned sewer district, and

WHEREAS, that the Riverhead Town Board, as governing body of the Riverhead Sewer District, based upon the above referenced facts has made the following findings and determinations:

That Tax Law section 1210-A of the State of New York provides for the collection of state sales and compensating use tax in the County of Suffolk of one quarter of one percent (.25%) within the territorial limits of the County of Suffolk for distribution to the towns and villages which have established sewer districts to stabilize the assessments or taxes within such districts.

That the Town of Riverhead established the Riverhead Sewer District in 1936 which sewer district is a sewer district within the meaning of Tax Law section 1210-A.

That the monies collected by such sales tax are paid over by New York State to Suffolk County for distribution by the County to the duly established town sewer districts located within the territorial limits of Suffolk County.

That Suffolk County has not promulgated any process or rules or regulations for the administration of the funds collected through 1210-A for distribution to town and village sewer districts to provide assessment and rate stabilization for such districts.

That the Legislature of Suffolk County has determined that the amount of money necessary to stabilize the assessment or tax of sewer districts within Suffolk County is that amount paid from the tax imposed by 1210-A as shall cause the annual increase of the assessment or tax of a sewer district to not increase more than three percent (3%).

That since 1987 the County of Suffolk has determined that the Riverhead Sewer District should receive monies from the tax collected pursuant to 1210-A paid monies to the Riverhead Sewer district.

That due to the construction of the Advanced Wastewater Treatment Facility required by the County TMDL, the Riverhead Sewer District advised the County of Suffolk that the amount necessary to stabilize the assessment or tax of the resident users of the Riverhead Sewer District at the three percent (3%) level for 2016 would be \$681,828.

That the County has not promulgated an application form or method of application for towns and villages to request 1210-A monies for sewer assessment and rate stabilization and therefor the Riverhead Sewer District wrote a letter of application to the County Executive dated November 1, 2015, a copy of which is attached hereto and incorporated herein as if fully set forth, requesting 1210-A assessment and rate stabilization in the amount of \$681,828 for 2016.

That in response to this letter application, additional financial information was requested by Suffolk County, which was provided by the Riverhead Sewer District. However, no formal decision has been made by the County of Suffolk.

That the County of Suffolk paid the Riverhead Sewer District \$144,688 on or about March 1, 2016 from monies collected pursuant to 1210-A leaving a shortfall of \$537,140 in the amount properly due and owing from the funds on hand with the County of Suffolk necessary to stabilize the assessment or tax for the Riverhead Sewer District.

That the final closing with the New York State Environmental Facilities Corporation has fixed the long term debt incurred for the above mentioned Advanced Wastewater Treatment Facility at \$12,788,359.

That based upon the debt service for the EFC permanent financing and the increased costs associated with the operation of the Advanced Wastewater Treatment Facility, the amount payable by the County of Suffolk to stabilize the assessment or tax for the Riverhead Sewer District at the County determined increase of three percent (3%) for 2017 is \$1,466,712.

That under the standard of due process of law, the Suffolk County Legislature should have allocated and paid \$681,828 for 2016, leaving a balance due and owing of \$537,140.

That under the standards of equal protection of law, the assessment and taxes paid by users of the Riverhead Sewer District should have been stabilized at the rate of increase not exceeding three percent (3%) for 2016 requiring the payment of \$537,140.

That under the standard of due process of law, the Suffolk County Legislature should have allocated and paid \$1,466,712 for 2017.

That under the standards of equal protection of law, the assessment and taxes paid by users of the Riverhead Sewer District should have been stabilized at the rate of increase not exceeding three percent for 2017 requiring the payment of \$1,466,712.

That the County of Suffolk has sufficient monies on hand of at least \$100,000,000 that is available for distribution to stabilize assessments and taxes for the Riverhead Sewer District.

That such funds actually on hand may be used for no other purpose by the County of Suffolk other than to stabilize the assessment and taxes of sewer districts within the County.

That the payment to stabilize the assessment and taxes of the Riverhead Sewer District from the funds of 1210-A will not be paid from the general tax revenue or general fund balance of the County of Suffolk, and

WHEREAS, the Town Supervisor, acting on behalf of the Riverhead Sewer District and the users thereof, filed a formal Notice of Claim to compel the payment from the County of Suffolk of \$537,140 for 2016 and \$1,466,712 for 2017 pursuant to Tax Law section 1210-A, the statutes made and provided, and the local laws of the County of Suffolk, and

WHEREAS, pursuant to notice by the County Attorney of Suffolk County a General Municipal Law section 50-h hearing was conducted by the County at which the claim aforementioned was substantiated and confirmed by sworn testimony, and

WHEREAS, no payment has been made of the aforementioned claim within the statutory time for payment therefore requiring the institution of a legal proceeding to collect and compel payment.

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board, as governing body of the Riverhead Sewer District, be and hereby authorizes the retention of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP to institute a legal proceeding against the County of Suffolk to compel payment from the trust fund monies held by the County of Suffolk pursuant to section 1210-A of the Tax Law for 2016 and 2017 pursuant to Tax Law section 1210-A, the statutes made and provided, and the local laws of the County of Suffolk, and

BE IT FURTHER RESOLVED, that the Riverhead Town Board hereby approves the Supervisor executing a Retainer Agreement with Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP in a form satisfactory to the Town Attorney and subject to the terms and conditions of this resolution; and be it further

RESOLVED, that Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP be compensated at the rate of \$200.00 per hour, and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP, 456 Griffing Avenue, Riverhead, New York 11901, Town Attorney, and the Accounting Department; and be it further;

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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 389

APPOINTS STUDENT INTERN TO TOWN ATTORNEY'S OFFICE

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the need for a Student Intern exists in the Office of the Town Attorney; and

WHEREAS, the recommendation of the Town Attorney has been received.

NOW THEREFORE BE IT RESOLVED, that effective May 28, 2017 through July 22, 2017 Steven Keller is hereby appointed to the position of Student Intern at an hourly an hourly rate of \$10.50; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Steven Keller, 215 Williams Way S., Baiting Hollow, New York 11933, the Accounting Department, 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 from the Office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 390

**AUTHORIZES THE SUPERVISOR TO EXECUTE STIPULATION
OF SETTLEMENT WITH CIVIL SERVICE EMPLOYEES ASSOCIATION, INC.,
LOCAL 1000, AFSCME, AFL-CIO, RIVERHEAD UNIT
OF THE SUFFOLK LOCAL # 85 (CSEA)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, an employee upon attaining regular, part-time status becomes entitled to the benefits and protections set forth in the collective bargaining agreement ("Contract") with the CSEA.

NOW THEREFORE BE IT RESOLVED, that the Town Board be and hereby ratifies the attached stipulation and authorizes the Supervisor to execute same; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Personnel Director, CSEA Unit President, the Town Attorney's Office and the Accounting Department; and be it further

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

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 391

**EXTENDS BID CONTRACT FOR CORROSION CONTROL CHEMICAL
FOR THE TOWN OF RIVERHEAD**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, Carus Corporation was awarded the bid for Corrosion Control Chemical by Resolution #150429 adopted June 2, 2015, awarding a one-year contract to Carus Corporation for corrosion control chemical for use by the Riverhead Water District; and

WHEREAS, Resolution #160381 adopted May 18, 2016, the Town Board extended the original contract for an additional one-year period until June 2, 2017;

WHEREAS, said bid document allows for the contract to be extended for two (2) one-year terms; and

WHEREAS, the Riverhead Water District has requested that the bid be extended pursuant to the terms of the award document; and

WHEREAS, the above-named vendor agreed to extend the contract until June 2, 2018, at the original bid amount of \$4.936 per gallon of product as indicated on the extension notice; and

WHEREAS, the Town Board has reviewed said request.

NOW, THEREFORE, BE IT RESOLVED, that the bid contract awarded to Carus Corporation for Corrosion Control Chemical be and is hereby extended to June 2, 2018, at the current bid price of \$4.936 per gallon, said extension being the second and final extension under the terms of the contract; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Carus Corporation, 315 5th Street, Peru, IL, 61354; 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 ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted



RWD Riverhead Water District

Mark K Conklin, Superintendent
1035 Pulaski Street, Riverhead, New York 11901
Phone: 631-727-3205 FAX: 631-369-4608

Bid Extension Notice

To: Bids@caruscorporation.com
From: Riverhead Water District
Date: May 5, 2017
Subject: Extension of Bid – Corrosion Control Chemical (PO4)

This letter is to inform you that our current bid contract with you for corrosion control chemical (PO4) will expire on June 2, 2017.

The Town of Riverhead would like to extend this contract for a period of one (1) year until June 2, 2018, at the current contract price of \$4.936 per gallon. This will be the second and final extension under the terms of the current contract.

If this extension meets with your approval, please complete the bottom portion of this letter and return it to us immediately.

Barbie Smith
Authorized Signature

Barbie Smith, Bid Channel Manager
Print Name

CARUS CORPORATION, INC.
Company Name

May 5, 2017
Date

TOWN OF RIVERHEAD

Resolution # 392

PUBLIC INTEREST ORDER IN THE MATTER OF THE INCREASE AND IMPROVEMENT OF FACILITIES OF RIVERHEAD WATER DISTRICT IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK – CONSISTING OF THE CONSTRUCTION OF A NEW GROUND WATER STORAGE TANK AT PLANT NO. 15 SITE ON TUTHILLS LANE IN RIVERHEAD, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$3,400,000

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

766795124.01
43219-2-62

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York in said Town, on May 17, 2017, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

Supervisor Sean Walter
Supervisor

Councilman John Dunleavy
Councilperson

Councilman James Wooten
Councilperson

Councilman Timothy Hubbard
Councilperson

ABSENT:

Councilwoman Jodi Giglio
Councilperson

<p>In the Matter of The Increase and Improvement of Facilities of Riverhead Water District in the Town of Riverhead, Suffolk County, New York</p>	<p>PUBLIC INTEREST ORDER</p>
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WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the proposed increase and improvement of the facilities of Riverhead Water District, in the Town of Riverhead, Suffolk County, New York, (the "Water District") consisting of the construction of a new ground water storage tank at Plant No. 15 site on Tuthills Lane in Riverhead, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$3,400,000 and

WHEREAS, at a meeting of said Town Board duly called and held on April 4, 2017, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of facilities of Riverhead Water District in said Town at a maximum estimated cost of \$3,400,000, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Riverhead, New York, in said Town, on May 17, 2017, at 2:15 o'clock P.M., Prevailing Time; and

WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of Riverhead Water District, in the Town of Riverhead, Suffolk County, New York, consisting of the construction of a new ground water storage tank at Plant No. 15 site on Tuthills Lane in Riverhead, New York, including original furnishings, equipment, machinery, apparatus,

appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$3,400,000.

Section 2. This Order shall take effect immediately.

The question of the adoption of the foregoing Order was duly put to a vote on roll, which resulted as follows:

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

The Order was thereupon declared duly adopted.

* * * * *

05.17.2017
170393

ADOPTED

TOWN OF RIVERHEAD

Resolution # 393

BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,400,000 BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE RIVERHEAD WATER DISTRICT, IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK

766795124.01

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

766795124.01

43219-2-62

BOND RESOLUTION

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on the 17th day of May, 2017, at 7 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Sean Walter, and upon roll being called, the following were

PRESENT:

Supervisor Sean Walter
Supervisor

Councilman John Dunleavy
Councilperson

Councilman James Wooten
Councilperson

Councilman Timothy Hubbard
Councilperson

ABSENT:

Councilwoman Jodi Giglio
Councilperson

BOND RESOLUTION DATED MAY 17, 2017.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,400,000 BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE RIVERHEAD WATER DISTRICT, IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to improve the facilities of Riverhead Water District, in the Town of Riverhead, Suffolk County, New York, at a maximum estimated cost of \$3,400,000; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of Riverhead Water District, in the Town of Riverhead, Suffolk County, New York, consisting of the construction of a new ground water storage tank at Plant No. 15 site on Tuthills Lane in Riverhead, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there are

hereby authorized to be issued \$3,400,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$3,400,000, which specific object or purpose is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is by the issuance of the \$3,400,000 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said Water District in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at his sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose

described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call,
which resulted as follows:

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

The resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York (the “Issuer”), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 17th day of May, 2017.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the “Open Meetings Law”.
7. That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication)

POSTING (here insert place(s) and date(s) of posting)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____ day of May, 2017.

Town Clerk

(CORPORATE
SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond resolution, a summary of which is published herewith, has been adopted on May 17, 2017, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Riverhead, Suffolk County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Town Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Riverhead, New York,

May 17, 2017.

Diane M. Wilhelm, Town Clerk

BOND RESOLUTION DATED MAY 17, 2017.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,400,000 BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE RIVERHEAD WATER DISTRICT, IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK.

Specific object or purpose:	Increase/improvement of Riverhead Water District (construction of a new ground water storage tank at Plant No. 15 site on Tuthills Lane)
Period of probable usefulness:	Forty years
Maximum estimated cost:	\$3,400,000
Amount of obligations to be issued:	\$3,400,000 bonds
SEQRA status:	Unlisted Action. Negative Declaration. SEQRA compliance materials on file in the office of the Town Clerk where they may be inspected during regular office hours.

TOWN OF RIVERHEAD

Resolution # 394

PUBLIC INTEREST ORDER IN THE MATTER OF THE INCREASE AND IMPROVEMENT OF FACILITIES OF RIVERHEAD WATER DISTRICT IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK – CONSISTING OF IMPROVEMENTS TO THE WATER DISTRIBUTION SYSTEM AND THE PURCHASE AND INSTALLATION OF EMERGENCY GENERATORS AT WATER DISTRICT FACILITIES AT PULASKI STREET AND EDWARDS AVENUE BEING AN AGGREGATE MAXIMUM ESTIMATED COST OF \$2,112,000

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

766795209.01

43219-2-62

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York in said Town, on May 17, 2017, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

Supervisor Sean Walter
Supervisor

Councilman John Dunleavy
Councilperson

Councilman James Wooten
Councilperson

Councilman Timothy Hubbard
Councilperson

ABSENT:

Councilwoman Jodi Giglio
Councilperson

<p>In the Matter of The Increase and Improvement of Facilities of Riverhead Water District in the Town of Riverhead, Suffolk County, New York</p>	<p>PUBLIC INTEREST ORDER</p>
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WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the proposed increase and improvement of the facilities of Riverhead Water District, in the Town of Riverhead, Suffolk County, New York, (the “Water District”) consisting of improvements to the water distribution system (being the extension of existing water mains at various locations aggregating approximately 4,800 linear feet), at a maximum estimated cost of \$962,000, and the purchase and installation of emergency generators at Water District facilities at Pulaski Street and Edwards Avenue, at a maximum estimated cost of \$1,150,000, including in each case, original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at an aggregate maximum estimated cost of \$2,112,000; and

WHEREAS, at a meeting of said Town Board duly called and held on April 4, 2017, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of facilities of Riverhead Water District in said Town at an aggregate maximum estimated cost of \$2,112,000, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Riverhead, New York, in said Town, on May 17, 2017, at 2:05 o’clock P.M., Prevailing Time; and

WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of Riverhead Water District, in the Town of Riverhead, Suffolk County, New York,

consisting of improvements to the water distribution system (being the extension of existing water mains at various locations aggregating approximately 4,800 linear feet), at a maximum estimated cost of \$962,000, and the purchase and installation of emergency generators at Water District facilities at Pulaski Street and Edwards Avenue, including in each case, original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$1,150,000, being an aggregate maximum estimated cost of \$2,112,000.

Section 2. This Order shall take effect immediately.

The question of the adoption of the foregoing Order was duly put to a vote on roll, which resulted as follows:

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

The Order was thereupon declared duly adopted.

* * * * *

05.17.2017
170395

ADOPTED

TOWN OF RIVERHEAD

Resolution # 395

BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,112,000 BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE RIVERHEAD WATER DISTRICT, IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK

766795209.01

43219-2-62

BOND RESOLUTION

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on the 17th day of May, 2017, at 7 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Sean Walter, and upon roll being called, the following were

PRESENT:

Supervisor Sean Walter
Supervisor

Councilman John Dunleavy
Councilperson

Councilman James Wooten
Councilperson

Councilman Timothy Hubbard
Councilperson

ABSENT:

Councilwoman Jodi Giglio
Councilperson

BOND RESOLUTION DATED MAY 17, 2017.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,112,000 BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE RIVERHEAD WATER DISTRICT, IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to improve the facilities of Riverhead Water District, in the Town of Riverhead, Suffolk County, New York, at a maximum estimated cost of \$2,112,000; and

WHEREAS, the capital projects hereinafter described, as proposed, have been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. For the specific objects or purposes of paying the cost of the increase and improvement of Riverhead Water District, in the Town of Riverhead, Suffolk County, New York, consisting of improvements to the water distribution system (being the extension of existing water mains at various locations aggregating approximately 4,800 linear feet), at a maximum estimated cost of \$962,000, and the purchase and installation of emergency generators at Water District facilities at Pulaski Street and Edwards Avenue, at a maximum estimated cost of \$1,150,000, including in each case, original furnishings, equipment, machinery, apparatus, appurtenances, and

incidental improvements and expenses in connection therewith, there are hereby authorized to be issued an aggregate \$2,112,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific objects or purposes is \$2,112,000, which specific objects or purposes is hereby authorized at said maximum estimated cost, of each hereinabove specified, and that the plan for the financing thereof is by the issuance of the \$2,112,000 bonds of said Town authorized to be issued pursuant to this bond resolution, allocated to each specific object or purpose as hereinabove described.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purpose sis each forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said Water District in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at his sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call,
which resulted as follows:

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

The resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York (the “Issuer”), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 17th day of May, 2017.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the “Open Meetings Law”.
7. That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication)

POSTING (here insert place(s) and date(s) of posting)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____ day of May, 2017.

Town Clerk

(CORPORATE
SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond resolution, a summary of which is published herewith, has been adopted on May 17, 2017, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Riverhead, Suffolk County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Town Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Riverhead, New York,

May 17, 2017.

Diane M. Wilhelm, Town Clerk

BOND RESOLUTION DATED MAY 17, 2017.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,112,000 BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE RIVERHEAD WATER DISTRICT, IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK.

Specific object or purpose:	1) Water distribution system (\$962,000 bonds) 2) Purchase/installation of emergency generators (\$1,150,000)
Period of probable usefulness:	Forty years
Maximum estimated cost:	Aggregate \$2,112,000
Amount of obligations to be issued:	\$2,112,000 bonds
SEQRA status:	Unlisted Action. Negative Declaration. SEQRA compliance materials on file in the office of the Town Clerk where they may be inspected during regular office hours.

TOWN OF RIVERHEAD

Resolution # 396

PAYS BILLS

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

ABSTRACT #17-14 MAY 04, 2017 (TBM 5/17/17)			
Fund Name	Fund	Ckrun	Grand Totals
GENERAL FUND	1	113,520.60	113,520.60
POLICE ATHLETIC LEAGUE	4	191.08	191.08
RECREATION PROGRAM FUND	6	695.00	695.00
HIGHWAY FUND	111	20,807.36	20,807.36
WATER DISTRICT	112	37,231.14	37,231.14
RIVERHEAD SEWER DISTRICT	114	24,139.72	24,139.72
REFUSE & GARBAGE COLLECTION DI	115	3,640.25	3,640.25
STREET LIGHTING DISTRICT	116	12,775.15	12,775.15
PUBLIC PARKING DISTRICT	117	203.00	203.00
BUSINESS IMPROVEMENT DISTRICT	118	139.00	139.00
AMBULANCE DISTRICT	120	1,822.00	1,822.00
EAST CREEK DOCKING FACILITY FU	122	401.00	401.00
CALVERTON SEWER DISTRICT	124	1,626.98	1,626.98
RIVERHEAD SCAVENGER WASTE DIST	128	16,857.27	16,857.27
WATER DISTRICT CAPITAL PROJECT	412	29,963.20	29,963.20
TRUST & AGENCY	735	931,107.32	931,107.32
CALVERTON PARK - C.D.A.	914	929.00	929.00
TOTAL ALL FUNDS		1,196,049.07	1,196,049.07

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

ABSTRACT #17-15 MAY 11, 2017 (TBM 5/17/17)			
			Grand
Fund Name	Fund	Ckrun	Totals
GENERAL FUND	1	647,171.45	647,171.45
RECREATION PROGRAM FUND	6	4,889.59	4,889.59
HIGHWAY FUND	111	116,291.42	116,291.42
WATER DISTRICT	112	105,617.53	105,617.53
RIVERHEAD SEWER DISTRICT	114	42,240.96	42,240.96
REFUSE & GARBAGE COLLECTION DI	115	3,758.01	3,758.01
STREET LIGHTING DISTRICT	116	7,198.07	7,198.07
PUBLIC PARKING DISTRICT	117	697.00	697.00
BUSINESS IMPROVEMENT DISTRICT	118	49.00	49.00
AMBULANCE DISTRICT	120	3,115.60	3,115.60
EAST CREEK DOCKING FACILITY FU	122	1,729.97	1,729.97
CALVERTON SEWER DISTRICT	124	5,161.41	5,161.41
RIVERHEAD SCAVENGER WASTE DIST	128	29,985.92	29,985.92
RISK RETENTION FUND	175	8,888.24	8,888.24
RIVERHEAD SEWER CAPITAL PROJEC	414	20,591.28	20,591.28
CALVERTON SEWER CAPITAL PROJEC	424	38,879.54	38,879.54
TRUST & AGENCY	735	1,488,271.43	1,488,271.43
CALVERTON PARK - C.D.A.	914	646.76	646.76
TOTAL ALL FUNDS		2,525,183.18	2,525,183.18

THE VOTE

Hubbard Yes No Giglio ABSENT
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 397

AUTHORIZES THE TOWN OF RIVERHEAD TO DIRECT ESTATE OF JOSEPH EDGAR TO REMOVE ALL LITTER, GARBAGE/REFUSE, RUBBISH, YARD WASTE, WEEDS, NOXIOUS PLANTS, GRASS AND/OR RANK VEGETATION IN EXCESS OF TEN (10) INCHES IN HEIGHT UPON THE PREMISES KNOWN AS 734 OSBORNE AVENUE, RIVERHEAD, NEW YORK, 11901, SUFFOLK COUNTY TAX MAP NO. 0600-123.00-02.00-46.000 PURSUANT TO RIVERHEAD TOWN CODE CHAPTER 251

Councilman Wooten offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, Chapter 251 of the Riverhead Town Code entitled, "Rubbish, Refuse, Weeds and Other Rank Vegetation" authorizes the Riverhead Town Board to direct removal of all litter, garbage/refuse, rubbish, yard waste, weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height upon the land by the owner, renter or occupier of the premises; and

WHEREAS, Riverhead Town Investigator (CEO) Richard Downs observed on May 6, 2017, the accumulation of litter, garbage/refuse, rubbish, yard waste, weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height at premises known as 734 Osborne Avenue, Riverhead, New York, 11901, SCTM COUNTY TAX MAP NO. 0600-123.00-02.00-46.000 owned by The Estate of Joseph Edgar, and

WHEREAS, Riverhead Town Investigator (CEO) Richard Downs has attempted to notify by posting the aforementioned premises on April 19, 2017, and by personal service a copy of such notice on, to the aforesaid owner of said premises, whereby said owner was directed in said notice to remove all litter, garbage/refuse, rubbish, yard waste, weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height; by May 1, 2017, and failed to do so, and

WHEREAS, the accumulation of litter, garbage/refuse, rubbish, yard waste, weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height poses a fire hazard and a nuisance as defined in Chapter 251 of the Code of the Town of Riverhead; and

WHEREAS, pursuant to Code of the Town of Riverhead section §251-25, empowers the Riverhead Town Board to adopt a resolution authorizing the removal of all litter, garbage/refuse, rubbish, yard waste, weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height which creates a nuisance and furthermore authorizes entry onto such premises where such violation exists for the purposes of remedying such violation and to charge the cost or expense of such remediation against the owner of said premise; and

WHEREAS, pursuant to Code of the Town of Riverhead section §251-25 (C) authorizes the Riverhead Town Board to reimburse general town funds for the cost of any work performed or the services rendered by the Town of Riverhead, for said remediation to such violation, at its direction by assessment or levy (lien) upon lots or parcels of land where such work was performed and/or such violation exists for services rendered

NOW THEREFORE BE IT RESOLVED, the Town of Riverhead's Town Board is hereby directed to facilitate the removal of all litter, garbage/refuse, rubbish, yard waste, weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height at the premise designated at 734 Osborne, Riverhead, New York 11901, also known as SCTM #COUNTY TAX MAP NO. 0600-123.00-02.00-46.000., owned by Estate of Joseph Edgar; and

BE IT FURTHER RESOLVED and pursuant to Code of the Town of Riverhead section §251-25 (C), all costs for the removal of the aforesaid violation and/or nuisance shall be reported to the Town Board of the Town as the amount to be levied and assessed against the premises, and the expense(s) so reported shall constitute a lien and charge on the premises on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Town charges, and be it further

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

		FROM	TO
001.010010.411000	Real Property Taxes	\$ 7,500	
001.086660.540000	Contractual Expenses		\$ 7,500

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the last known address, if any, of the owner Estate of Joseph Edgar c/o Peter Danowski, Esq. 616 Roanoke Avenue, Riverhead, NY, as the same may appear on the records of the Receiver of Taxes of the Town, and that all Town Hall Departments may 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 #397 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 - ABSENT
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted