

TOWN OF RIVERHEAD

TOWN BOARD MEETING AGENDA SEAN M. WALTER, Supervisor

February 17, 2016

**John Dunleavy, Councilman
Timothy Hubbard, Councilman**

**James Wooten, Councilman
Jodi Giglio, Councilwoman**

**Diane Wilhelm, Town Clerk
Robert F. Kozakiewicz, Town Attorney**

ELECTED OFFICIALS

**Laverne Tennenberg
Paul Leszczynski
Mason E. Haas
George Woodson
Laurie Zaneski
Lori M. Hulse
Allen M. Smith**

**Chairwoman Board of Assessors
Board of Assessors
Board of Assessors
Highway Superintendent
Receiver of Taxes
Town Justice
Town Justice**

DEPARTMENT HEADS

**William Rothaar
Jefferson Murphree
Christina Kempner
Ken Testa
Chief David Hegermiller
Ray Coyne
Judy Doll
Michael Reichel
Mark Conklin**

**Accounting Department
Building/Planning Department
Community Development
Engineering Department
Police Department
Recreation Department
Senior Services
Sewer District
Water Department**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE TO THE FLAG

**APPROVAL OF MINUTES OF TOWN BOARD MEETINGS OF
JANUARY 14, 2016 & FEBRUARY 2, 2016**

Councilperson _____ offered to accept the minutes,
seconded by Councilperson _____

GUESTS

In honor of African American History month
Harriet Haas will join us
to recite excerpts from Dr. Martin Luther Kings "I have a dream" speech

INVOCATION

Rev. Jerry Hill, from Timothy Hill Children's Ranch, Riverhead

REPORTS

- Tax Receiver total tax collection to date as of February 2, 2016 - \$76,141,823.96
- Tax Receiver total tax collection to date as of February 9, 2016 - \$77,078,791.41
- Tax Receiver total tax collection to date as of February 16, 2016 - \$77,296,534.78
- Tax Receiver utility collection report January 2016 - \$345,569.20
- Police Department monthly reports: November 2015; December 2015; January 2016

CORRESPONDENCE

- **Jean Mostaccio – letter expressing concerns as to development along Route 25A, Wading River**
- **Matt Pendleton – letter expressing concerns as to the proposed assisted living community Concordia**

PUBLIC HEARINGS

7:05 P.M. The Consideration of a Change of Zone Petition from Genrac Associates, LLC (d/b/a the Concordia Senior Community at Riverhead) to Alter the Zoning of a 25.215 Acre Parcel to the Residence RC District (SCTM #600-101-2-4.1)

2016 TOWN BOARD MEETING DATES

MEETING DATE	MEETING PLACE	MEETING TIME
January 5, 2016	Town Hall	2:00 p.m.
January 14, 2016	Town Hall	10:00 a.m.
January 20, 2016	Town Hall	7:00 p.m.
February 2, 2016	Town Hall	2:00 p.m.
February 17, 2016	Town Hall	7:00 p.m.
March 1, 2016	Town Hall	2:00 p.m.
March 15, 2016	Town Hall	7:00 p.m.
April 5, 2016	Town Hall	2:00 p.m.
April 19, 2016	Town Hall	7:00 p.m.
May 3, 2016	Town Hall	2:00 p.m.
May 18, 2016	Town Hall	7:00 p.m.
June 7, 2016	Town Hall	2:00 p.m.
June 21, 2016	Town Hall	7:00 p.m.
July 6, 2016	Town Hall	2:00 p.m.
July 19, 2016	Town Hall	7:00 p.m.
August 2, 2016	Town Hall	2:00 p.m.
August 16, 2016	Town Hall	7:00 p.m.
September 7, 2016	Town Hall	2:00 p.m.
September 20, 2016	Town Hall	7:00 p.m.
October 4, 2016	Town Hall	2:00 p.m.
October 18, 2016	Town Hall	7:00 p.m.
November 1, 2016	Town Hall	2:00 p.m.
November 15, 2016	Town Hall	7:00 p.m.
December 6, 2016	Town Hall	2:00 p.m.
December 20, 2016	Town Hall	7:00 p.m.

RESOLUTION LIST

FEBRUARY 17, 2016

- Res. #90** Authorizes the Supervisor to Execute Professional Services Agreement with East End Accounting Services Corp.
- Res. #91** Authorizes the Filing of an Application for New York State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and signing of the Associated State contract, Under the Appropriate Laws of New York State
- Res. #92** Ratifies Change Order No. 1 Reduction in Contract Scope of Work and Contract and Contract Amount for 162 Founders Path, Baiting Hollow Demolition and Reconstruction Project
- Res. #93** Authorizes Publication of a Help Wanted Advertisement RE: Attendance at Suffolk County Police Academy
- Res. #94** Amends Resolution #63 (Authorizes the Supervisor to Adopt the 2015 Suffolk County Multi-Jurisdictional Debris Management Plan Prepared in Conjunction with a FY2013 UASI Grant and Approved by FEMA on December 14, 2015)
- Res. #95** Accepts the Retirement of an Assistant Recreation Leader (Kenneth Drumm)
- Res. #96** Accepts the Retirement of an Account Clerk Typist (Janice McGoey)
- Res. #97** Promotes an Automotive Mechanic III (Michael Curtis)
- Res. #98** Ratifies the Appointment of a Temporary Bus Driver to the Seniors Center (Laurie McKillop)
- Res. #99** Accepts the Retirement of a Maintenance Mechanic II (Henryk Niedzwiecki's)
- Res. #100** Adopts Negative Declaration and Approves the Chapter 90 Application of Nile Rodgers Productions, Inc. as a Type I Action and Refers the Application to Involved Agencies ("The Freak Out!" Music & Art Festival – August 12, 13 & 14, 2016)
- Res. #101** Ratifies Extension Bid Contract for Dowflake Xtra Calcium Chloride
- Res. #102** Awards Bid for Work Clothes

- Res. #103 Awards Bid for Qualified Municipal Advisor**
- Res. #104 Authorizes Supervisor to Execute Agreement with Riverhead Youth Sports, Inc. for Referee/Umpire Services for Town of Riverhead Police Athletic League Girls and Boys Lacrosse Program for 2016 Calendar Year**
- Res. #105 Ratifies Reappointment of Members to the Town of Riverhead Ethics Board (Donna Barnard, Irene Pendzick)**
- Res. #106 Ratifies the Reappointment of Member to the Riverhead Farmland Preservation Committee (Jeff Rottkamp)**
- Res. #107 Ratifies the Reappointment of Member to the Riverhead Farmland Preservation Committee (Kareem Massoud)**
- Res. #108 Ratifies the Reappointment of Member to the Riverhead Farmland Preservation Committee (Richard O’Dea)**
- Res. #109 Ratifies Reappointment of Member to the Riverhead Open Space/Park Preserve Committee (Marjorie Acevedo)**
- Res. #110 Authorizes Town Clerk to Publish and Post a Public Notice to Consider a Local Law to Abolish Board of Police Commissioners and Deleting Chapter 32 Entitled “Board of Police Commissioners” of the Riverhead Town Code**
- Res. #111 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Enact Chapter 33 of the Riverhead Town Code Entitled “Term Limits”**
- Res. #112 Authorizes Town Clerk to Publish and Post Public Notice to Consider the Adoption of a Local Law Entitled, “Local Law to Change the Term of Office of Town Supervisor from Two (2) Years to Four (4) Years”**
- Res. #113 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 Entitled “Vehicles & Traffic” of the Riverhead Town Code (§101-3. Stop and Yield Intersections; Railroad Crossings; Parking Fields. (Burman Blvd. Intersecting with Grumman Blvd., Calverton)**
- Res. #114 Authorizes Town Clerk to Publish and Post a Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 Entitled, “Vehicles & Traffic” of the Riverhead Town Code (§101-10. Parking Prohibited. – Sound Avenue & CR 105)**

- Res. #115** Adopts a Local Law Amending Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (Residence (RC) Use District (Retirement Community))
- Res. #116** Adopts a Local Law Amending Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (Rural Corridor (RLC) Zoning Use District)
- Res. #117** Adopts a Local Law Amending Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (Hamlet Center (HC) Zoning Use District)
- Res. #118** Adopts a Local Law Amending Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (Village Center (VC) Zoning Use District)
- Res. #119** Adopts a Local Law to Amend Chapter 86 Entitled, “Rental Dwelling Units” of the Code of the Town of Riverhead
- Res. #120** Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled “Zoning” of the Riverhead Town Code (Community Benefit Zoning Use District (CBD))
- Res. #121** Approves the Chapter 90 Application of CrossFit Impervious LLC (CrossFit Athletic Competition – Saturday, May 21st, 2016)
- Res. #122** Ratifies the Amendment of Resolution #38 of 2016 (Authorizes Attendance at Training School and Annual Meeting Held by the Association of Towns)
- Res. #123** Awards Bid for Sensus Water Meters and Accessory Equipment for Use in the Riverhead Water District
- Res. #124** Ratifies the Supervisor to Execute Stipulation of Settlement Agreement with Civil Service Employees Association, Inc. Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local, #852
- Res. #125** Appoints the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP to Act as Special Counsel in the Matter of Traditional Links LLC v. Riverhead Town Assessors and Authorizes the Supervisor to Execute a Retainer Agreement
- Res. #126** Appoints Anti-Bias Task Force Members and Officers
- Res. #127** Pays Bills
- Res. #128** Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Enact Chapter 33 of the Riverhead Town Code Entitled “Term Limits”

TOWN OF RIVERHEAD

Resolution # 90

AUTHORIZES THE SUPERVISOR TO EXECUTE PROFESSIONAL SERVICES AGREEMENT WITH EAST END ACCOUNTING SERVICES CORP.

Councilman Hubbard offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Board of the Town of Riverhead requires the services of an accounting service to assist the Town with internal audits; and

WHEREAS, East End Accounting Services Corporation will provide on-going internal audit contract services on a per diem basis for the Town of Riverhead; and

WHEREAS, budget and cost estimates will be provided by East End Accounting Services Corporation and approved by Town management prior to commencement of engagement; and

WHEREAS, East End Accounting Services Corporation has agreed to the terms and provisions in the Professional Services Agreement; and

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to execute the Professional Services Agreement with East End Accounting Services Corporation, in substantially the form annexed hereto, and be it further;

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

CONSULTANT/PROFESSIONAL SERVICES AGREEMENT

This Agreement made the _____ of _____, 2016 between the TOWN OF RIVERHEAD, a municipal corporation organized and existing under the laws of New York, with its office located at 200 Howell Avenue, Riverhead, New York 11901 (hereinafter referred to as the “Town”) and East End Accounting Services Corp., a corporation existing under the laws of the State of New York with a principal place of business at 320 Noyac Road, Southampton, NY 11968 (hereinafter referred to as “Consultant”).

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

1. SCOPE OF SERVICES

During the term of this Agreement, Consultant shall furnish the services related to internal audit (independent, objective assurance and consulting activity designed to add value and improve the Town’s operations and assist the Town accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes). All services shall be provided as an independent contractor and not as an employee of Town. Consultant will provide on-going internal audit contract services on a per diem basis for the Town of Riverhead. Internal audit assignments will be determined and assigned by Town management through the Town Supervisor and Audit Committee. Budget and cost estimates will be provided by East End Accounting Services Corporation and approved by town management prior to commencement of engagement. It is agreed that all work will be performed by Charlene Kagel, CPA and utilize (billing for) team staff only if needed and approved in advance by the Town Supervisor.

2. TERM OF AGREEMENT

Agreement shall commence upon the execution of same and terminate upon completion. It is agreed and understood that time is of the essence with respect to the internal audit of the Town’s finances and such other policies and procedures related to such matters employment benefits, procurement, investment... Consultant and Town estimate that all services related to the internal audit shall be completed on or before December 31, 2016.

3. PAYMENT

For these services Town of Riverhead will pay Consultant based upon the fee schedule set forth below. The Town will pay Consultant the following fees for the services described in paragraph one above:

Charlene Kagel, CPA, Company President \$135 hourly
Senior Accounting Consultant \$85 hourly
Audit Manager \$105 hourly
Accounting Associate \$45 hourly

Note, as set forth above all internal audit assignments will be determined and assigned by Town management through the Town Supervisor and Audit Committee. Budget and cost estimates will be provided by East End Accounting Services Corporation and approved by Town management

evidenced by letter of engagement identifying the services and executed by the Supervisor prior to commencement of said services. It is agreed additional staff will only be utilized if needed, and subject to approval, letter of engagement executed by the Supervisor, for additional staffing in advance of commencement of such work. The Town shall require the submission of documentation, including time records, identifying the services provided and individual performing the identified tasks. The Town shall not have any liability for any other expenses or costs incurred by Consultant except for the services identified in paragraph one. It is agreed and understood that this agreement for payment of services does not include reimbursement for any out of pocket expenses and the Town shall not have any liability related to same.

4. RIGHTS TO DOCUMENTS OR DATA

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

5. PUBLICITY

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

6. ASSIGNMENT AND SUBCONTRACTING

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

7. TERMINATION

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

8. RECORDS

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

9. CHANGES

As set forth in paragraphs #1 and #3 above, all internal audit assignments will be determined and assigned by Town management through the Town Supervisor and Audit Committee. The Town, by written request of the Supervisor may at any time, by written notice to Consultant, issue additional instructions, require additional services or direct the omission of services covered by this Agreement and/or Letters of Engagement provided such services are within the general scope of this Agreement (i.e. internal audit of Town financial statements/records). In such event, there will be made an equitable adjustment in price and time of performance, but any claim for such an adjustment must be made within 15 days of the receipt of such written notice. In the event that the Consultant determines that a change order is required, Consultant shall obtain written approval of the Supervisor. It is agreed and understood that no oral agreement, conversation, or understanding between the Consultant and the Town, its departments, officers, agents and employees shall effect or modify any of the terms or obligations of this Agreement or schedules annexed hereto and made a part hereof.

10. NOTICES

Any notice shall be considered as having been given: (i) to Town of Riverhead if mailed by certified mail, postage prepaid to Town of Riverhead, Attention: Bill Rothaar, 200 Howell Avenue, Riverhead, New York 11901; or (ii) to Consultant if mailed by certified mail, postage prepaid to East End Accounting Services Corp., 320 Noyac Road, Southampton, NY 11968.

11. COMPLIANCE WITH LAWS

Consultant shall comply with all applicable federal, state and local laws and ordinances and regulations in the performance of its services under this Agreement. Consultant will notify Town immediately if Consultant's work for Town becomes the subject of a government audit or investigation. Consultant will promptly notify Town if Consultant is indicted, suspended or debarred. Consultant represents that Consultant has not been convicted of fraud of any other felony arising out of a contract with any local, state or federal agency. In carrying out the work required hereunder, Consultant agrees not to make any communication to or appearance before any person in the executive or legislative branches of the local, state or federal government for the purpose of influencing or attempting to influence any such persons in connection with the award, extension, continuation, renewal, amendment or modification of any contract or agreement. Consultant may perform professional or technical services that are rendered directly in the preparation, submission or negotiation activities preceding award of a Town agreement/contract or to meet requirements imposed by law as a condition for receiving the award but only to the extent specifically detailed in the statement of work. Professional and technical services are limited to advice and analysis directly applying Consultant's professional and technical discipline.

12. INSURANCE, INDEMNITY AND LIABILITY

Consultant shall carry Comprehensive General Liability Insurance and, if applicable, worker's compensation insurance. Consultant hereby indemnifies and holds the Town, its departments, officers, agents and employees, harmless against any and all claims, actions or demands against Town, its departments, officers, agents and employees and against any and all damages,

liabilities or expenses, including counsel fees, arising out of the acts or omissions of Consultant under this Agreement.

13. CONFLICT OF INTEREST

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

14. DISCLOSURE

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

15. DISPUTES

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

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

TOWN OF RIVERHEAD

EAST END ACCOUNTING SERVICES CORP.

By: Sean M. Walter, Supervisor

By: Charlene Kagel, President

Town of Riverhead

Resolution # 91

AUTHORIZES THE FILING OF AN APPLICATION FOR NEW YORK STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the State of New York provides financial aid for hazardous waste programs; and

WHEREAS, the Town of Riverhead herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

THEREFORE, BE IT RESOLVED, by the Riverhead Town Board:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized;
2. That the Supervisor, or his designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the STATE for the STATE share of such costs;
4. That five (5) Certified Copies of this Resolution be prepared and sent to the NYSDEC together with a complete application; and

5. That this resolution shall take effect immediately.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a copy of this resolution to the Community Development Department, Deputy Town Engineer Drew Dillingham, Accounting and Town Attorney. Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

02.17.2016
160092

ADOPTED

TOWN OF RIVERHEAD

Resolution # 92

**RATIFIES CHANGE ORDER NO. 1 REDUCTION IN CONTRACT SCOPE OF WORK
AND CONTRACT AMOUNT FOR 162 FOUNDERS PATH, BAITING HOLLOW
DEMOLITION AND RECONSTRUCTION PROJECT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Riverhead Town Board did adopt Town Board Resolution No. 245 on April 7, 2015 entitled, "ORDERS THE TOWN ENGINEERING DEPARTMENT TO FACILITATE THE REMOVAL OF AN UNSAFE STRUCTURE LOCATED AT 162 FOUNDERS PATH, BAITING HOLLOW. ALSO KNOWN AS SUFFOLK COUNTY TAX MAP NO. 0600-39-6-16 AND TO ASSESS REMOVAL COSTS AGAINST THE SUBJECT PROPERTY"; and

WHEREAS, the Riverhead Town Board subsequently adopt resolution No. 660 on September 16, 2015 to publish and post a Notice to Bidders for the demolition of the unsafe structure at 162 Founders Path, Baiting Hollow. All bids were received and reviewed by the Engineering Department and the Riverhead Town Board; and

WHEREAS, the Riverhead Town Board did adopt Town Board Resolution No. 839 on December 15, 2015 entitled, "AWARDS BID FOR 162 FOUNDERS PATH, BAITING HOLLOW DEMOLITION AND RECONSTRUCTION PROJECT"; and

WHEREAS, the bid was awarded to Carter Melence, Inc. in the amount of \$32,144.00; and

WHEREAS, Eugene LaFurno, the owner of 162 Founders Path, Baiting Hollow did personally remove the top section of the unsafe structure from the building; and

WHEREAS, the Town Engineer has contacted Carter Melence, Inc. and spoke with Donald O'Hanlon to notify him of the removal of the top section by the home owner and request a modification in the contract dollar amount to continue with the removal of the remaining unsafe structure and to secure the original home per the bid specifications. Correspondence was received from Donald O'Hanlon of Carter Melence, Inc. on January 19, 2016 via email to the Town Engineer with the modified contract amount.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead be and does hereby authorize Change Order No. 1 to reduce the original contract amount by -\$7,200.00 for a new contract amount of Twenty Four Thousand Nine Hundred Forty Four & 00/100 (\$24,944.00); and

BE IT FURTHER RESOLVED, that the Engineering Department be and is hereby authorized to secure a Town of Riverhead purchase order from the Purchasing Department in the amount of \$24,944.00; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Carter Melence, Inc., 104 New York Avenue, Sound Beach, NY 11789; and

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

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

02.16.2016
160093

ADOPTED

TOWN OF RIVERHEAD

Resolution # 93

AUTHORIZES PUBLICATION OF A HELP WANTED ADVERTISEMENT
RE: ATTENDANCE AT SUFFOLK COUNTY POLICE ACADEMY

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Hubbard

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below advertisement as a help wanted advertisement in the February 25, 2016, issue of The News Review.

TOWN OF RIVERHEAD
POSITIONS AVAILABLE

PLEASE TAKE NOTICE, the Town of Riverhead is seeking candidates for the purpose of serving as Part-time Police Officers with the Riverhead Police Department. Candidates must be a U.S. citizen and have reached 20 years of age at the time of application, be a high school graduate, possess a Municipal Police Training Certificate **OR** attend and complete the Suffolk County Police Academy training course **TENTATIVELY** scheduled to commence in the Fall of 2016 and possess a valid N.Y.S. driver's license. Additionally, candidates must successfully pass a psychological evaluation, medical evaluation, physical fitness agility evaluation and polygraph exam. Submit applications to the Office of the Chief of Police, Riverhead Police Department, 210 Howell Avenue, Riverhead, New York, 11901, no later than March 18, 2016. For further information, call the Riverhead Police Department at (631) 727-4500, ext. 315.

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

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 Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 94

AMENDS RESOLUTION #63

Councilman Hubbard offered the following resolution,
which was seconded by Councilwoman Giglio

WHEREAS, on February 2, 2016, the Town Board passed Resolution #63 authorizing the Town Supervisor to adopt the 2015 Suffolk County Multi-Jurisdictional Debris Management Plan.

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby additionally amends the adoption of the 2015 Suffolk County Multi-Jurisdictional Debris Management Plan by authorizing the Town Supervisor to sign any and all documentation required to implement this Plan, subject to review and approval of the Town Attorney's office; 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 Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Suffolk County
Multi-Jurisdictional Debris Management Plan

APPENDIX G

Mutual Aid Agreement Template



Debris Mutual Aid Template

When local resources are inadequate to address disaster response needs, it is common practice to request assistance from other jurisdictions. In such circumstances, throughout the county local and state governments, along with professional organizations such as the National Emergency Management Association (NEMA), and the Federal Emergency Management Agency (FEMA) have cooperatively worked to promote and enhance mutual aid programs. In keeping with this, having mutual aid agreements in place in advance of disasters can help define and address such needs and issues as: i) whose responsibility it is to respond to a given assistance request ii) the appropriate reimbursement process and timeframe, iii) the role of workman's compensation, and iv) licensing and insurance requirements.

The following document template provides language to be customized for the particular needs of a jurisdiction.

MUTUAL AID AGREEMENT

TEMPLATE

This document is a sample template intended to serve as a guide for the drafting of a Mutual Aid Agreement, and should be tailored to each jurisdiction's circumstances and requirements. It is not intended to either represent a mandatory format, or to encompass every potential contract clause.

Debris Mutual Aid and Assistance Agreement

WHEREAS, the safety of the residents of the _____ (Village/Town/County) and of the _____ (Village/Town/County) is of the utmost importance to all levels of government; and

WHEREAS, New York State Executive Law, Article 2-b establishes each municipal subdivision's authority to protect the health and welfare of its residents and their property; and

WHEREAS, the Chief Executive Officer of each municipal subdivision serves as the "Incident Commander" during time of emergency, with all responsibility and authority accorded the position pursuant to New York State Executive Law, Article 2-b; and

WHEREAS, the (Village/Town/County) of _____ (the "_____") and _____ ("_____") seek to enter a Debris Mutual Aid Agreement in order to provide for the sharing of resources, personnel and equipment in the event of a local disaster or other emergency;



WHEREAS, the (Village/Town/County) and FEMA have recognized the importance of written mutual aid agreements made among different levels of government, to facilitate their joint operations; and

WHEREAS, each municipality recognizes that a Debris Mutual Aid Agreements may be necessary, and could be entered into before, during, or after an event based on the assessments of emergency coordinators working at the Town level; and

WHEREAS, pursuant to the New York State Executive Law Article 2-b, jurisdictions are allowed to enter into mutual aid and assistance agreements which may include provisions for the furnishing and exchanging of supplies, equipment, facilities, personnel and services in response to a natural or man-made disaster and/or other emergency; and

WHEREAS, the President of the United States has declared the storm on _____ (the "Storm") an emergency, and the (Village/Town/County) and the (Village/Town/County) each wish to offer assistance to the other to protect their respective residents.

THEREFORE, the parties hereto hereby agree as follows:

SECTION I

DEFINITIONS

- A. "Agreement" shall mean this document, the "Debris Mutual Aid Agreement".
- B. "Aid and Assistance" shall include, but not be limited to, personnel, equipment, facilities, services, supplies, and other resources.
- C. "Authorized Representative" shall mean the chief elected official in his/her capacity as "Incident Commander" or his or her duly authorized designee pursuant to the terms of this Agreement, to request, offer, or provide assistance under the terms of this Agreement.
- D. "Disaster or other emergency" shall mean the occurrence or imminent threat of widespread or severe damage, injury, loss of life or property resulting from an intentional, accidental or unintended release of any substance or material in any form or quantity which poses an unreasonable risk to safety and health and to property when released, and natural incidents, explosions, fires, collapses or any other incident which directly affect public safety.
- E. "Provider" means a party to this Agreement that has received a request to furnish aid and assistance to a party in need ("Recipient").
- F. "Recipient" means a party to this Agreement receiving aid and assistance from another party.
- G. "Template" means the suggested language to be customized for the particular needs of a jurisdiction.



Section II.

OBLIGATIONS OF THE PARTIES

- A. Provision of Aid and Assistance – Pursuant to the terms and conditions set forth in this Agreement, the parties hereto shall provide each other with aid and assistance in the event of a local disaster or emergency. It is mutually understood that each party's foremost responsibility is to its own residents. This Agreement shall not be construed to impose an absolute obligation on any party to this Agreement to provide aid and assistance pursuant to a request from another party. Accordingly, when aid and assistance have been requested, a party may deem itself unavailable to respond, and shall promptly so inform the party setting forth the request.
- B. Procedures for Requesting Assistance – Requests for assistance shall be made by a party's Chief Executive Officer/Incident Commander or his or her duly authorized designee, which request shall indicate that it is made pursuant to this Agreement. Such request may be made by telephone, to be followed as soon as practicable by a written confirmation of the request. The Template to be used shall be included as an appendix section to each municipal subdivision's Debris Management Plan.
- C. Designation of Authorized Representative – Each party to this Agreement shall designate an Authorized Representative. Such designation shall be communicated, in writing, to the Chief Executive Officer of the other party upon the execution of this Agreement. Such designation may be amended at any time by the Chief Executive Officer of a party upon timely notice.
- D. Traveling Employees – All terms and conditions will be reviewed, and approved before executed, by the applicable union representative, if applicable. Unless otherwise specified by Recipient or agreed by the parties in writing, it is mutually understood that Recipient will directly provide for the needs of the Provider's traveling employees, including all reasonable out-of-pocket costs, transportation expenses for travel to and from the disaster area, food and if necessary, lodging. If Recipient cannot provide such food and/or lodging at or near the disaster area, the Recipient shall so advise the Provider, and shall specify in its request for assistance that only personnel who can provide for their own needs are requested.
- E. Supervision and Control – The Provider shall designate supervisory personnel amongst its employees sent to render aid and assistance to the Recipient pursuant to the terms and conditions of any and all applicable union contracts. Recipient shall provide necessary credentials to the Provider's personnel authorizing them to operate on behalf of the Recipient. Recipient shall assign work tasks to Provider's supervisory personnel, and unless specifically instructed otherwise, Recipient shall have the responsibility for coordination between Provider's supervisory personnel and Recipient. Based upon such assignments set forth by Recipient, Provider's supervisory personnel shall have the authority to:
 - 1. Assign work and establish work schedules for Provider's personnel; and
 - 2. Maintain daily personnel time records, material records, and a log of equipment hours; and
 - 3. Report work progress to Recipient at regular intervals as specified by Recipient.



- F. Period of Service; Renewability; Recall – Unless agreed otherwise, the duration of the Provider’s assistance shall be for an initial period of twenty-four (24) hours, starting from the time of arrival to the disaster area. Thereafter, assistance may be extended in increments agreed upon by the Authorized Representatives of Provider and Recipient. Provider’s personnel, equipment and other resources shall remain subject to recall at all times by Provider to provide for its own residents if circumstances so warrant, except, however, Provider shall make a good faith effort to provide at least 8 hours advance notification to Recipient of Provider’s intent to terminate such assistance, unless such notice is not practicable, in which case as much notice as is reasonable under the circumstances is to be provided. The foregoing terms and conditions shall be subject, however, to the terms and provisions of any and all applicable union agreements.

SECTION III.

REIMBURSEMENT

- A. Except as otherwise provided below, it is understood that Recipient shall reimburse Provider for the following documented costs and expenses incurred by Provider in its extending aid and assistance to Recipient.
1. Personnel – During the period of assistance, Provider shall continue to pay its employees according to its then prevailing ordinances, rules, regulations and agreements.
 2. Equipment – Provider shall be reimbursed by Recipient for the use of its equipment during the period of assistance according to established FEMA equipment rates.
 3. Material and Supplies – Provider shall be reimbursed for all materials and supplies furnished by it, used, or damaged during the period of assistance. The Recipient shall not be responsible for reimbursing Provider for the costs of any damage caused by the gross negligence, willful and wanton misconduct, intentional misuse, or recklessness of Provider’s personnel. Provider’s personnel shall use reasonable care at all times in the use and control of all materials and supplies used by them during the period of assistance. The measure for reimbursement for materials and supplies shall be determined in accordance with FEMA and New York State reimbursement policies. In the alternative, the parties may agree in writing that Recipient will replace the materials and supplies used or damaged, with materials and supplies of like kind and quality.
- B. Record Keeping – Recipient shall provide information, directions, and assistance for record keeping to Provider’s personnel, who shall maintain records and invoices for reimbursement.
- C. Billing and Payment – Provider shall send an invoice for reimbursable costs and expenses, together with appropriate documentation as required by Recipient, as soon as practicable after said costs and expenses are incurred, but not later than forty-five (45) days following the period of assistance. Recipient shall pay the bill, or advise of any disputed items, not later than forty-five (45) days following the billing date.
- D. Inspection of Records – Provider agrees that it shall make its records regarding costs and expenses for assistance provided under this Agreement available for audit and inspection



upon request by the Recipient and the federal government, and shall maintain such records for at least seven (7) years after the date of final payment under this Agreement.

SECTION IV.

PROVIDER'S EMPLOYEES

- A. Rights and Privileges - Whenever Provider's employees are rendering aid and assistance pursuant to this Agreement, such employees shall remain the responsibility of the Provider and retain the same powers, duties, immunities, and privileges they would ordinarily possess if performing their duties within the geographic limits of the Provider. The foregoing terms and conditions shall be subject, however, to the terms and provisions of any and all applicable union agreements.
- B. Workers' Compensation - Recipient shall not be responsible for reimbursing any amounts paid or due as benefits to Provider's employees due to personal injury or death occurring during the periods of time such employees are engaged in the rendering of aid and assistance under this Agreement. The aforesaid notwithstanding, it is mutually understood that Recipient and Provider shall each be responsible for payment of such workers' compensation benefits only to its own respective employees.

SECTION V.

NONDISCRIMINATION

In accordance with _____ [Insert any relevant statutes], and all other applicable local, State and Federal constitutional, statutory and administrative nondiscrimination provisions, the parties to this Agreement shall not discriminate against any employee or applicant for employment on account of race, creed, color, sex, national origin, disability, Vietnam Era Veteran status or marital status.

SECTION VI.

HOLD HARMLESS

To the extent permitted by law, each party (as "Indemnitor") agrees to protect, defend, indemnify, and hold the other party (as "Indemnitee"), and its offices, employees and agents, free and harmless from and against any and all losses, penalties, damages, assessments, costs, charges, professional fees, and other expenses or liabilities of every kind and nature, and any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind in connection with or arising out of Indemnitor's negligence, acts, errors and/or omissions. To the extent that immunity does not apply, each party shall bear the risk of its own actions, as it does with its day-to-day operations, and shall determine for itself what kinds of insurance, and in what amounts, it should carry. Each party understands and agrees that any insurance protection obtained shall in no way limit the responsibility to indemnify, keep, and save harmless the other party to this Agreement.



SECTION VII.

AMENDMENTS

This Agreement may be modified at any time upon the mutual written consent of the parties. Additional municipalities may become parties to this Agreement upon the acceptance and execution of this Agreement.

SECTION VIII.

DURATION OF AGREEMENT

- A. Term – This Agreement shall be for a period commencing upon the execution of said Agreement, through project completion, which project completion shall be confirmed in a writing made by the parties.
- B. Renewal – This Agreement may be extended in 45 day periods until recovery work is completed by written agreement of the parties hereto.
- C. Termination – Any party may terminate this Agreement upon thirty (30) days written notice. A termination shall not affect the obligation of any party to reimburse the other for the costs and expenses of rendering aid and assistance incurred prior to the effective date of termination.

SECTION IX.

HEADINGS

The headings of various sections and subsections of this Agreement have been inserted for convenient reference only and shall not be construed as modifying, amending, or affecting in any way the express terms and provisions of this Agreement.

SECTION X.

SEVERABILITY

Should any clause, sentence, provision, paragraph, or other part of this Agreement be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Agreement. In the event that parties to this Agreement have entered into other aid and assistance agreements, those parties agree that, to the extent a request for aid and assistance is made pursuant to this Agreement, those other aid and assistance agreements are superseded by this Agreement,



SECTION XI.

EFFECTIVE DATE

This Agreement shall take effect upon its execution by both parties.

(Village/Town/County)

(Village/Town/County)

(SIGNATURE)

(SIGNATURE)

Printed Name, Title

Printed Name, Title

02.17.2016
160095

ADOPTED

TOWN OF RIVERHEAD

Resolution # 95

ACCEPTS THE RETIREMENT OF AN ASSISTANT RECREATION LEADER

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town has received notification from the New York State and Local Employees Retirement System of Call-In Assistant Recreation Leader Kenneth Drumm's intent to retire effective December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the retirement of Kenneth Drumm.

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Kenneth Drumm, the Superintendent of Recreation, the Personnel Officer and the Financial Administrator. Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device, and if needed, a certified copy of same can be obtained from the office of the Town Clerk

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

02.17.2016
160096

ADOPTED

TOWN OF RIVERHEAD

Resolution # 96

ACCEPTS THE RETIREMENT OF AN ACCOUNT CLERK TYPIST

Councilman Wooten offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town has received notification from the New York State and Local Employees Retirement System of Account Clerk Typist Janice McGoey's intent to retire effective February 29, 2016.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the retirement of Janice McGoey.

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Janice McGoey, the Town Engineer, the Personnel Officer and the Financial Administrator. Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device, and if needed, a certified copy of same can be obtained from the office of the Town Clerk

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

02.17.2016
160097

ADOPTED

TOWN OF RIVERHEAD

Resolution # 97

PROMOTES AN AUTOMOTIVE MECHANIC III

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, an Automotive Mechanic IV is needed at the Municipal Garage to perform skilled work in the repair and maintenance of Town vehicles, supervise other Automotive Mechanics, and maintain shop records; and

WHEREAS, in accordance with the CSEA contract, this position was duly posted, Job Posting #2, and a recommendation of a suitable candidate has been received by the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that effective February 22, 2016, this Town Board hereby promotes Automotive Mechanic III Michael Curtis to the position of Automotive Mechanic IV as found in Group 12, Step 11 of the Operational and Technical Salary Schedule.

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 98

**RATIFIES THE APPOINTMENT OF A FULL-TIME TEMPORARY BUS DRIVER TO
THE SENIORS CENTER**

Councilman Hubbard offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the transfer of an employee from the Seniors Center to the Town Engineer's Department has created a temporary vacancy for a Bus Driver in the Seniors Programs until such time that the merger of the Recreation Department and the Seniors Programs is completed, or for a period of up to sixty calendar (60) days, which ever event comes first.

NOW, THEREFORE, BE IT RESOLVED, that pending the results of a successfully completed background check and effective February 16, 2016, this Town Board hereby ratifies the appointment of Laurie McKillop to the full-time position of temporary Bus Driver at an hourly rate of \$15.00.

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Laurie McKillop, the Seniors Program Director, the Personnel Officer and the Financial Administrator. Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device, and if needed, a certified copy of same can be obtained from the office of the Town Clerk.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

02.17.2016
160099

ADOPTED

TOWN OF RIVERHEAD

Resolution # 99

ACCEPTS THE RETIREMENT OF A MAINTENANCE MECHANIC II

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town has received notification from the New York State and Local Employees Retirement System of Maintenance Mechanic Henryk Niedzwiecki's intent to retire effective January 9, 2016.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the retirement of Henryk Niedzwiecki.

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Henryk Niedzwiecki, the Town Engineer, the Personnel Officer and the Financial Administrator. Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device, and if needed, a certified copy of same can be obtained from the office of the Town Clerk

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

02.17.2016
160100

ADOPTED

TOWN OF RIVERHEAD

Resolution # 100

**ADOPTS NEGATIVE DECLARATION AND APPROVES
THE CHAPTER 90 APPLICATION OF
NILE RODGERS PRODUCTIONS, INC. AS A TYPE I ACTION AND REFERS THE
APPLICATION TO INVOLVED AGENCIES
("The Freak Out!" Music & Art Festival – August 12, 13 & 14, 2016)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, on November 9, 2015, Peter Herman, on behalf of Nile Rodgers Productions, Inc., submitted a Chapter 90 Application for the purpose of conducting a Music & Art Festival entitled "The Freak Out!,Let's Dance" with an expected total daily attendance of 7,500 attendees, to be held at Martha Clara Vineyards located at 6025 Sound Avenue, Riverhead, New York, on Friday, August 12, 2016, Saturday, August 13, 2016 between the hours of 12:00 noon and 11:30 pm, and Sunday, August 14, 2016, between the hours of 4:00 pm and 11:30 pm (act/performance hours); and

WHEREAS, Nile Rodgers Productions, Inc. has completed and filed a Large Gathering Chapter 90 Application and a Full Environmental Assessment Form (FEAF), Parts 1 along with an Environmental Assessment Report Attachment and a Traffic Review Report, dated January 26, 2016, prepared by Nelson Pope & Voorhis in accordance with 6 NYCRR 617; and

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

WHEREAS, the applicable Chapter 90 Application fee has been paid; and

WHEREAS, by Resolution # 79 adopted on February 2, 2016, the Chapter 90 application is classified Type I action in accordance with NYCRR 617.4(b) (8) and (9), and as such required the referral of the application and FEAF to all involved agencies for coordinated review and to determine who will be lead agency; and

WHEREAS, referral of the application and FEAF was made to the New York State Department of Labor (NYSDOL) and to the Suffolk County Department of Health Services (SCHS), as involved agencies to determine who will be Lead Agency; and

WHEREAS, by letter dated February 10, 2016, the NYSDOL consented to the Town Board of the Town of Riverhead to be Lead Agency; and

WHEREAS, by letter dated February 11, 2016, the SCHS consented to the Town Board of the Town of Riverhead to be Lead Agency; and

WHEREAS, the Town Environmental Planner prepared a January 28, 2016 report examining the SEQRA EAFs and information submitted in support of the Chapter 90 application, recommending the Town Board of the Town of Riverhead, as Lead Agency, issue a negative declaration; and

WHEREAS, the Town Planning Department and the Town Attorney of the Town of Riverhead have reviewed all documents regarding said application.

NOW, THEREFORE BE IT RESOLVED, that that in the matter of the Chapter 90 application of Nile Rogers Productions, Inc. as a Type I action, the Town of Riverhead Town Board hereby determines that it will not have a significant environmental impact and hereby issues a Negative Declaration pursuant to 6 NYCRR 617.7(a)(2); and be it further

RESOLVED, that the Chapter 90 Application of Nile Rodgers Productions, Inc. submitted for the purpose of conducting a Music & Art Festival entitled "The Freak Out!" with an expected total daily attendance 7,500 attendees, to be held at Martha Clara Vineyards located at 6025 Sound Avenue, Riverhead, New York, on Friday, August 12, 2016, Saturday, August 13, 2016 between the hours of 12:00 noon and 11:30 pm, and Sunday, August 14, 2016, between the hours of 4:00 pm and 11:30 pm (act/performance hours) at Martha Clara Vineyards located at 6025 Sound Avenue, Riverhead, New York, on the aforesaid dates and times, is hereby approved; 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 receipt of an Outdoor Public Safety Plan, to be submitted to the Fire Marshal's office **no later than June 1, 2016**; and be it Further

RESOLVED, that this approval is subject to receipt of a fully executed license agreement, together with the requisite license fee as stated in said license agreement, for purposes of the utilization of Police and Fire Marshal personnel and patrol vehicles **no later than June 1, 2016**; and be it further

RESOLVED, that this approval is subject to the provisions of Riverhead Town Code Chapter 81 - "Noise Control", Chapter 108-56 - "Signs" and any other section of the Riverhead Town Code that may pertain to this event, however, in no event shall any billboard or directional signage be erected in the Town of Riverhead; 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 Peter Herman, Nile Rodgers Productions, Inc., 9 E. 45th Street, 3rd Floor, New York, New York, 10017, Attn: Peter Herman; and to Charles Voorhis, Nelson, Pope & Voorhis, 572 Walt Whitman Road, Melville, New York, 11747-2188, Attn: Charles Voorhis; Mr. Christopher Kent, and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

02.17.2016
160101

ADOPTED

TOWN OF RIVERHEAD

Resolution # 101

**RATIFIES EXTENSION BID CONTRACT FOR DOWFLAKE XTRA CALCIUM
CHLORIDE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Purchasing Department has requested that the contract with LONG ISLAND CAULIFLOWER ASSOCIATION originally awarded by Resolution #140759 be extended for one year.

WHEREAS, this will be the first of an allowable 3 one year extensions.

WHEREAS, the above named vendor has agreed to extend the contract at the same pricing for one year.

WHEREAS, the Town Board has reviewed said request.

NOW THEREFORE BE IT RESOLVED, that the bid for DOWFLAKE XTRA CALCIUM CHLORIDE be and hereby is extended to JANUARY 19, 2017; and be it further

RESOLVED, that the Town Clerk be directed to forward a certified copy of this resolution to LONG ISLAND CAULIFLOWER ASSOCIATION.

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

02.17.2016
160102

ADOPTED

TOWN OF RIVERHEAD

Resolution # 102

AWARDS BID FOR WORK CLOTHES

Councilman Hubbard offered the following resolution,

which was seconded by Councilwoman Giglio

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

WHEREAS, 5 bids were received and opened at 2:05 PM on NOVEMBER 13, 2015 at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the NOTICE TO BIDDERS.

RESOLVED, that the bid for WORK CLOTHES be and hereby is, awarded to FUSION GRAPHIX, ROSENS UNIFORMS, NEW YORK STATE INDUSTRIES FOR THE DISABLES and WOODS MENS AND BOYS CLOTHING for prices on the attached pages.

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

ITEM #	DESCRIPTION	FUSION	NYSID	ROSENS	WOODS	QUANTITY	SIZE	TOTAL
Item #1	Trousers Poly-Cotton- & 100% cotton				REDKAP PT20			
	(A) - Poly/Cotton 28-42				\$ 12.40			
	(B) - Size 44-60				\$ 14.75			
	(C) - 100% Cotton DICKIES, Size 28-42				\$ 17.25			
	(D) - 100% Cotton RED KAP, Size 44-60				\$ 21.70			
Item #2	Jeans - Dickies, Pre-washed CR393 Relaxed fit							
	(A) - Sizes 28-42			\$ 14.85				
	(A1) - Sizes 44-50			\$ 15.85				
	(A2) - Sizes 52-56			\$ 15.85				
	(B) - Dickies, Pre-washed C993 Regular Fit							
	(B1) - Sizes 28-42			\$ 13.85				
	(B2) - Sizes 44-50			\$ 14.85				
	(B3) - Sizes 52-56			\$ 14.85				
	(C) - Dickies, Relaxed fit Carpenter Jeans 1993SNB							
	(C1) - Sizes 28-42			\$ 19.85				
	(C2) - Sizes 44-50			\$ 20.85				
	(C3) - Sizes 52-56			\$ 22.85				
	(D) - Carhartt Carpenter Jeans #74308				CARHARTB13			
	(D1) - Sizes 28-42				\$ 27.50			
	(D2) - Sizes 44-50				\$ 28.00			
	(D3) - Sizes 52-56				\$ 29.75			
	(E) - Carhartt Relaxed fit Jeans #74307				CARHARTB460			
	(E1) - Sizes 28-42				\$ 23.75			
	(E2) - Sizes 44-50				\$ 24.50			
	(E3) - Sizes 52-56				\$ 26.50			
Item #3	Short Sleeve Uniform shirt Dickies- Navy or Light Blue- Poly Cotton				REDKAP SP24			
	(A) - Sizes S-XL				\$ 8.15			
	(B) - Sizes 2XL				\$ 9.70			
	(B) - Size 3XL				\$ 9.70			
	(C) - Sizes 4XL							
Item #4	Short Sleeve Uniform Shirts Dickies - 100% Navy or Light Blue				REDKAP SC40			
	(A) - Sizes S-XL				\$ 12.75			
	(B) - Sizes 2XL-3XL				\$ 15.50			
	(C) - Sizes 4XL				\$ 15.90			
	Tall - add amount or % to the above prices				\$ 15.90			
Item #5	Long Sleeve Uniform Shirts - Poly/Cotton Blend Dickies SP20 (or equal)				REDKAP SP14			
	(A) - Sizes S-XL				\$ 9.74			
	(B) - Sizes 2XL-4XL				\$ 11.65			
	(C) - Size 5XL				\$ 11.65			
	Tall - add amount or % to the above prices				\$ 11.65			

ITEM #	DESCRIPTION	FUSION	NYSID	ROSENS	WOODS	QUANTITY	SIZE	TOTAL
Item #6	Long Sleeve Uniform Shirts - 100% cotton				REDKAP SC30			
	(A) - Sizes S-XL				\$ 13.70			
	(B) - Sizes 2XL-3XL				\$ 16.50			
	(C) - Size 4XL				\$ 16.90			
	Tall - add amount or % to the above prices				\$ 16.90			
Item #7	Short Sleeve T-Shirt, Poly/Cotton Blend - HI VIS	FOL3930 OR GILDAN 5000						
	(A) - Sizes S-XL	\$ 2.96						
	(B) - Sizes 2XL-3XL	\$ 4.21						
	(C) - Size 4XL	\$ 4.21						
	Tall - add amount or % to the above prices	\$ 5.00						
Item #8	Short Sleeve T-Shirt, 100% COTTON HI VIS	GILDAN 2000						
	(A) - Sizes S-XL	\$ 3.32						
	(B) - Sizes 2XL-3XL	\$ 4.57						
	(C) - Size 4XL	\$ 4.57						
	Tall - add % to the above prices	\$ 5.00						
Item #9	Long Sleeve T-Shirt, Poly/Cotton Blend- Hi-vis	FOL4930 OR GILDAN 5400						
	(A) - Sizes S-XL	\$ 4.96						
	(B) - Sizes 2XL-3XL	\$ 6.21						
	Tall - add amount or % to the above prices	\$ 5.00						
item #10	Long Sleeve T-Shirt, 100% Cotton - hi vis	GILDAN 2400						
	(A) - Sizes S-XL	\$ 5.32						
	(B) - Sizes 2XL-3XL	\$ 6.57						
	(C) - Size 4XL	\$ 6.57						
	Tall - add amount or % to the above prices	\$ 5.00						
Item #11	Coveralls, one piece unlined - Dickies 4879				REDKAPCT10			
	(A) - Sizes 28-46				\$ 23.74			
	(B) - Sizes 48-50				\$ 27.90			
	(C) - Sizes 52-60				\$ 27.90			
Item #12	Coveralls, Insulated 20 Degrees - Dickies #2430 (or equal) 100% cotton - brown; black				DICKIES TV239			
	(A) - Sizes S-XL				\$ 57.20			
	(B) - Sizes 2XL-3XL				\$ 62.20			
	(C) - Size 4XL & TALL				\$ 62.20			
Item #13	Bib Overalls, Insulated - Dickies Duck brown; black				DICKIES TB839			
	(A) - Sizes S-XL				\$ 47.20			
	(B) - Sizes 2XL-3XL				\$ 61.25			
	(C) - Size 4XL & Tall				\$ 52.25			

ITEM #	DESCRIPTION	FUSION	NYSID	ROSENS	WOODS	QUANTITY	SIZE	TOTAL
Item #14	Jacket, Lined Panel Front Spring Navy Blue		SAN MAR JST70					
	(A) - Sizes S-XL		\$ 20.16					
	(B) - Sizes 2XL-3XL		2XL-\$21.23- 3XL-\$23.37					
	(C) - Size 4XL		\$ 24.44					
	Tall - add amount or % to the above prices							
Item #15	Long Sleeve Sweatshirt - Poly/Cotton Blend - hi visibility pullover							
	(A) - Sizes S-XL				\$ 7.10			
	(B) - Sizes 2XL-3XL				\$ 9.30			
	(C) - Size 4XL				\$ 9.70			
	Tall - add amount or % to the above prices				30%			
Item #16	Long Sleeve Hooded Zippered Sweatshirt, HI VISIBILITY	G18600						
	(A) - Sizes S-XL	\$ 14.81						
	(B) - Sizes 2XL-3XL	\$ 16.81						
	(C) - Size 4XL	\$ 18.81						
	Tall - add amount or % to the above prices	\$ 5.00						
Item #17	Long Sleeve Insulated Hooded Zippered Sweatshirt, Hi VISIBILITY							
	(A) - Sizes S-XL				\$ 31.70			
	(B) - Sizes 2XL-3XL				\$ 34.90			
	(C) - Size 4XL				\$ 36.90			
	Tall - add amount or % to the above prices				N/A			
Item #18	Long Sleeve Insulated Hooded Zippered Sweatshirt - hi vis-stripes (lighter weight)							
	(A) - Sizes S-XL				\$ 27.75			
	(B) - Sizes 2XL-3XL				\$ 28.90			
	(C) - Size 4XL				\$ 28.90			
	Tall - add amount or % to the above prices				N/A			
Item #20	HiGH visibility Parka (scotch lite reflective mtl.) waterproof							
	(A) - Sizes S-XL				\$ 45.90			
	(B) - Sizes 4XL-5XL				\$ 46.90			
	Tall - add amount or % to the above prices				N/A			
Item #21	High Visibility bomber jacket, waterproof							
	(A) Sizes S-XL				\$ 34.50			
	(B) Sizes 2xl-3xl				\$ 35.50			
	(C) - Sizes 4XL-5XL				\$ 36.50			
Item #22	High Visibility Rain Jacket & pants breathable Game brand or equal			GAME 1340/1450				
	(A) Sizes S-XL			\$ 70.85				
	(B) Sizes 2xl-3xl			\$ 76.85				
	(C) - Sizes 4XL			\$ 78.75				
	TALL ADD % TO ABOVE PRICES			NO BID				

ITEM #	DESCRIPTION	FUSION	NYSID	ROSENS	WOODS	QUANTITY	SIZE	TOTAL
	THE FOLLOWING TO BE UTILIZED BY FIRE MARSHAL & CODE ENFORCEMENT							
Item #23	5.11 (or equal) Men's short sleeve PDU shirt 65% poly/35% cotton twill							
	(A) - Sizes S-XL				\$ 36.50			
	(B) - Sizes 2XL-3XL				\$ 39.50			
	(C) - Sizes 4XL				\$ 39.50			
Item #24	5.11 Tactical men's long sleeve PDU shirts 65% poly/35% cotton							
	(A) - Sizes S-XL				\$ 38.25			
	(B) - Sizes 2XL-3XL				\$ 40.50			
	(C) - Sizes 4XL				\$ 40.50			
Item #25	Blauer Cotton blend long sleeve shirt #DN8431							
	(A) - Sizes S-XL	\$ 24.65						
	(B) - Sizes 2XL-3XL	\$ 29.65						
	(C) - Sizes 4XL	\$ 34.65						
Item #26	Blauer cotton blend short sleeve shirt DN#8421							
	(A) - Sizes S-XL	\$ 22.64						
	(B) - Sizes 2XL-3XL	\$ 27.64						
	(C) - Sizes 4XL	\$ 32.64						
Item #27	Tac lite Pro l/s Shirts - navy				5-11 TACLITE			
	(A) - Sizes S-XL				\$ 37.90			
	(B) - SIZE 2XL-3XL				\$ 40.50			
	(C) SIZE 4XL				\$ 40.50			
Item #28	Tac lite Pro Pants - Navy			5.11 74273				
	(A) sizes 38-42			\$ 35.85				
	(B) Sizes 42-50			\$ 43.85				
Item #29	TDU Poly cotton rip stop 5.11 pants dark navy #74003			5.11 74003				
	(A) - Sizes S-XL			\$ 33.85				
	(B) - Sizes 2XL-3XL			\$ 39.85				
	(C) - Sizes 4XL			\$ 39.85				
Item #30	UA Cold Gear Full t-shirts black				UNDER ARMOR TECH T-SHIRT			
	(A) - Sizes S-XL				\$ 21.90			
	(B) - Sizes 2XL-3XL				\$ 22.90			
	(C) - Sizes 4XL				N/A			
Item #31	STRIKER II 45 GTX REGULAR SAFETY BOOTS				STRIKER TERRENCE #43027-\$128.90			
Item #32	5.11 l/s collared polo shirts, navy,POLY COTTON & 100% COTTON							
	(A) - Sizes S-XL				\$ 30.15			
	(B) - Sizes 2XL-3XL				\$ 34.50			
	(C) - Sizes 4XL				\$ 34.50			

ITEM #	DESCRIPTION	FUSION	NYSID	ROSENS	WOODS	QUANTITY	SIZE	TOTAL
Item #33	5.11 LONG SLEEVED COLLARED POLO SHIRTS, NAVY							
	(A) - Sizes S-XL	\$ 32.99			\$ 33.50			
	(B) - Sizes 2XL-3XL	\$ 35.99			\$ 38.25			
	(C) - Sizes 4XL	\$ 35.99			\$ 38.25			
ITEM #34	5.11 TACTICAL S/S TACLITE PRO SHIRT W.FREE CARD WALLET							
	(A)SIZES S-XL				\$ 36.50			
	(B)SIZES 2XL-3XL				\$ 39.75			
	(C)SIZES 4XL				\$ 39.75			
Item #35	RAINGEAR FOR FIRE MARSHAL W/LETTERING **				HELLY HANSON LOKE JACKET			
	(A) - Sizes S-XL JACKET				\$ 89.90			
	(B) - Sizes 2XL-3XL JACKET				\$ 92.90			
	(C) - Size 4XL JACKET				\$ 94.90			
	**note: Game not equal to Helly Hanson							

**TOWN OF RIVERHEAD
Resolution # 103**

AWARDS BID FOR QUALIFIED MUNICIPAL ADVISOR

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town Board of the Town of Riverhead, by Resolution #299 adopted on April 21, 2015, authorized the issuance of a Request for Proposals for Qualified Municipal Advisor to Prepare Town of Riverhead Official Statement & Annual Statement of Financial & Operation Information; and

WHEREAS, pursuant to the terms of the Request for Proposals, each proposal must comply with the instructions in the Notice to Bidders and required that all proposals be submitted on or before 11:00 am on June 4, 2015; and

WHEREAS, three (3) responses to the Request for Proposals were received, opened, and read aloud on June 4, 2015 at 11:00 am in the office of the Town Clerk, 200 Howell Avenue, Riverhead, New York; and

WHEREAS, the Town Board determined that it would be beneficial to meet with the three firms that responded to the request for proposals; and

WHEREAS, after meeting with each of the three firms and after serious consideration and evaluation, the Town Board recommends awarding the bid for Qualified Municipal Advisor to Capital Markets Advisors, LLC.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby awards the bid for Qualified Municipal Advisor to awarded to Capital Markets Advisors, LLC; and

BE IT FURTHER RESOVLED, that the Town Board be and does hereby authorize the Supervisor to execute a contract in a form to be approved by the Office of the Town Attorney with Capital Markets Advisors, LLC; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized directed to forward a copy of this resolution to Capital Markets Advisors, LLC, One Great Neck Road, Suite 1, Great Neck, NY 11021; and

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No
The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 104

AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT WITH RIVERHEAD YOUTH SPORTS, INC FOR REFEREE/UMPIRE SERVICES FOR TOWN OF RIVERHEAD POLICE ATHLETIC LEAGUE GIRLS AND BOYS LACROSSE PROGRAM FOR 2016 CALENDAR YEAR

Councilman Wooten offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town of Riverhead Police Athletic League is a non-profit organization that provides organized sports programs, activities, and education for children ages 5-13 designed with the intent of giving children healthy social and behavioral skills and the goal to reduce their susceptibility to gang involvement, alcohol and drug use and delinquency; and

WHEREAS, the Riverhead Youth Sports, Inc. provides professional officials to referee games; and,

WHEREAS, the Riverhead Youth Sports, Inc. has offered to provide professional officials to referee games for the 2016 Girls and Boys Lacrosse program offered to girls and boys in Riverhead as part of and affiliated with the Town of Riverhead Police Athletic League.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to enter into an agreement with Riverhead Youth Sports, Inc. for referee services for 2016 Girls Boys Lacrosse and 2016 Boys Lacrosse program as part of and affiliated with the Town of Riverhead Police Athletic League in an amount not to exceed \$1920.00 and \$560.00, respectively; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the Town 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 the same may be obtained from the office of the Town Clerk.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**AGREEMENT BETWEEN TOWN OF RIVERHEAD ON BEHALF OF
TOWN OF RIVERHEAD POLICE ATHLETIC LEAGUE AND
RIVERHEAD YOUTH SPORTS, INC.**

THIS AGREEMENT made and entered into this _____ day of _____, 2016, by and between the Town of Riverhead, a municipal corporation duly existing under the laws of the State of New York, (hereinafter referred to as the "Town"), with its principal place of business located at 200 Howell Avenue, Riverhead, NY and Riverhead Youth Sports, Inc., having an address at P.O. Box 888, Riverhead, NY 11901.

WHEREAS, the Town of Riverhead Police Athletic League is a non-profit organization that provides organized sports programs, activities, and education for children ages 5-13 designed with the intent of giving children healthy social and behavioral skills and the goal to reduce their susceptibility to gang involvement, alcohol and drug use and delinquency; and

WHEREAS, the Riverhead Youth Sports, Inc. provides professional officials to referee games; and,

WHEREAS, the Riverhead Youth Sports, Inc. has offered to provide professional officials to referee games for the 2016 Girls and Boys Lacrosse programs offered to girls and boys in Riverhead that are part of and affiliated with the Town of Riverhead Police Athletic League; and

WHEREAS, by Resolution # _____ adopted on February 16, 2016, the Town Board authorized the Supervisor to enter into an agreement with Riverhead Youth Sports, Inc. for referee services for 2016 Girls Lacrosse and 2016 Boys Lacrosse program as part of and affiliated with the Town of Riverhead Police Athletic League in an amount not to exceed \$1920.00 and \$560.00, respectively.

NOW THEREFORE, in consideration of the mutual covenants and agreements herein, the parties agree as follows:

SECTION 1. Purpose:

The purpose of this Agreement is to contract with Riverhead Youth Sports, Inc. to provide and arrange for officiating services for the girls and boys lacrosse program as part of and affiliated with the Town of Riverhead Police Athletic League to increase the public health, safety, and quality of life for the youth of the Town of Riverhead. The extent of the Town's payment for services hereunder to Riverhead Youth Sports, Inc. is intended to provide social and recreational programs and services that enable youth, especially from poor or otherwise disadvantaged family backgrounds, to participate in these healthy and productive programs to reduce crime and increase youth opportunities for productive activities within the community.

SECTION 2. Scope of Work:

Riverhead Youth Sports, Inc. shall provide and arrange for officiating services for the 2016 Girls and Boys Lacrosse program offered to the youth of Riverhead as part of and affiliated with the Town of Riverhead Police Athletic League.

SECTION 3. Duration of Contract:

The term of this agreement shall commence on _____, 2016 and expire at the end of the March 20, 2016 Town of Riverhead Police Athletic League Lacrosse season.

SECTION 4. Consideration:

As consideration for the services provided, as specified in Paragraph 2, the Town will reimburse or provide *payment to the Riverhead Youth Sports, Inc. for a sum of money not to exceed \$1920.00 for 2016 Girls Lacrosse and \$560.00 for the 2016 Boys Lacrosse for 2016 Lacrosse Program to provide and arrange for officiating services for said program(s) that are part of and affiliated with the Town of Riverhead Police Athletic League during the contract period. Riverhead Youth Sports, Inc. may submit vouchers seeking payment or reimbursement for monies spent on officiating services on a biweekly or monthly basis during the contract period. *To the extent that Riverhead Youth Sports, Inc. seeks payment prior to completion of officiating services, Riverhead Youth Sports, Inc. shall be required to provide the Town with documentation to substantiate costs related to such services within 60 days. It is agreed and understood that consideration is limited to payment or reimbursement of monies/costs related to officiating services and no additional costs, charges, or fees are permitted under this agreement.

SECTION 5. Relationship:

The Town and Riverhead Youth Sports, Inc. intend that an independent contractual relationship be created by this contract. The Riverhead Youth Sports, Inc. is not considered to be an employee of the Town for any purpose and neither the Riverhead Youth Sports, Inc. nor any employee of the Riverhead Youth Sports, Inc. shall be entitled to any of the benefits the Town provides for the Town's employees, including, but not limited to, health insurance, sick or annual leave, or workers compensation. The Riverhead Youth Sports, Inc. specifically represents and stipulates that the Riverhead Youth Sports, Inc. is engaged in the business of providing the services set forth in this contract, whether or not for profit, and that the Riverhead Youth Sports, Inc. is fully registered and legally authorized to conduct such business, and pays all necessary taxes and assessments levied against such business. The terms of this agreement are not intended to create any duties, obligations or liabilities to any third parties. Neither party intends this agreement to create any third-party beneficiaries to this agreement.

SECTION 6. Suspension, Termination, and Close Out:

If the Riverhead Youth Sports, Inc. fails to comply with the terms and conditions of this contract, the Town may pursue such remedies as are legally available, including, but not limited to, the suspension or termination of this contract.

SECTION 7. Changes, Amendment, Modifications:

The Town and Riverhead Youth Sports, Inc. may, agree from time to time, to change or modify the Scope of Work to be performed hereunder. Any such change, amendment or modification shall be in writing and signed by all parties.

SECTION 8. Assignability:

The Riverhead Youth Sports, Inc. shall not assign any interest on this contract and shall not transfer any interest on the contract without prior written consent of the Town.

SECTION 9. Reports and Information:

The Riverhead Youth Sports, Inc., at such times as and in such form as the Town may require, shall furnish the Town such periodic reports, including an accounting for the expenditures of Town funds, as it may request pertaining to the work of services undertaken pursuant to the contract, the costs and obligations incurred or to be incurred in connection therewith, and any other matters covered by this contract.

SECTION 10. Liability and Indemnification:

The Riverhead Youth Sports, Inc. agrees to hold the Town harmless and shall indemnify and defend all claims, demands, or suits of law or equity arising from the negligent or intentionally wrongful actions or omissions of the Riverhead Youth Sports, Inc. or the Riverhead Youth Sports, Inc. officials or agents in providing the services called for under this agreement.

SECTION 11. Severability:

If any portion of this Agreement is held to be invalid or unenforceable for any reason, such holding shall not affect the validity or enforceability of any of the remaining portion.

IN WITNESS WHEREOF, the Town and the Riverhead Youth Sports, Inc. have executed this contract agreement as of the date and year last written below:

TOWN OF RIVERHEAD:

Supervisor

Date

Attest:

Town Clerk

Town Attorney

Riverhead Youth Sports, Inc

Riverhead Youth Sports, Inc President

Date

TOWN OF RIVERHEAD

Resolution # 105

RATIFIES REAPPOINTMENT OF MEMBERS TO THE TOWN OF RIVERHEAD ETHICS BOARD

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Hubbard

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; and

WHEREAS, Donna Barnard and Irene Pendzick were reappointed to the Ethics Board by Resolution #83 adopted on January 21, 2015 for a one year term expiring January 15, 2016 and both appointments have been held over since expiration of said term; and

WHEREAS, the Town Board wishes to ratify the reappointment of Donna Barnard and Irene Pendzick such that each will serve a two year term deemed to have commenced on January 15, 2016 and said term will expire on January 15, 2018.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby reappoints Donna Barnard and Irene Pendzick to the Town of Riverhead Board of Ethics such that each will serve a two year term deemed to commence on January 15, 2016 and said term will expire on January 15, 2018; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Irene Pendzick, 151 Trout Brook Lane, Riverhead, NY 11901 and Donna Barnard, P.O. Box 47, Calverton, NY 11933; and

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No
The Resolution Was Was Not
Thereupon Duly Declared Adopted

02.17.2016
160106

ADOPTED

TOWN OF RIVERHEAD

Resolution # 106

**RATIFIES THE REAPPOINTMENT OF MEMBER TO THE
RIVERHEAD FARMLAND PRESERVATION COMMITTEE**

Councilman Hubbard offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, on October 14, 1997, the Town Board of the Town of Riverhead adopted Local Law No. 14-1997, known and cited as the "Agricultural Lands Preservation Law of the Town of Riverhead" for the purpose of preserving prime agricultural land and maintenance of a viable agricultural industry in the Town of Riverhead; and

WHEREAS, such local law provided for the creation of a Farmland Preservation Committee, its composition and its authority; and

WHEREAS, such local law empowers the Town Board to appoint members to the Farmland Preservation Committee; and

WHEREAS, the Town Board desires to reappoint those members whose terms have expired; and

WHEREAS, Jeff Rottkamp was reappointed to the Farmland Preservation Committee by Resolution #281 adopted on April 15, 2014 for a term expiring January 16, 2016 and has been held over since expiration of said term; and

WHEREAS, the Town Board wishes to ratify the reappointment of Jeff Rottkamp for a two year term such that the term will be deemed to have commenced January 15, 2016 and will expire January 15, 2018.

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby reappoints Jeff Rottkamp to the Farmland Preservation Committee for a two year term such that the term will be deemed to have commenced January 15, 2016 and will expire January 15, 2018; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Jeff Rottkamp, 76 Fern Road, Baiting Hollow, NY 11933 and the Farmland Preservation Committee; and

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

02.17.2016
160107

ADOPTED

TOWN OF RIVERHEAD

Resolution # 107

**RATIFIES THE REAPPOINTMENT OF MEMBER TO THE
RIVERHEAD FARMLAND PRESERVATION COMMITTEE**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, on October 14, 1997, the Town Board of the Town of Riverhead adopted Local Law No. 14-1997, known and cited as the "Agricultural Lands Preservation Law of the Town of Riverhead" for the purpose of preserving prime agricultural land and maintenance of a viable agricultural industry in the Town of Riverhead; and

WHEREAS, such local law provided for the creation of a Farmland Preservation Committee, its composition and its authority; and

WHEREAS, such local law empowers the Town Board to appoint members to the Farmland Preservation Committee; and

WHEREAS, the Town Board desires to reappoint those members whose terms have expired; and

WHEREAS, Kareem Massoud was reappointed to the Farmland Preservation Committee by Resolution #282 adopted on April 15, 2014 for a term expiring on January 15, 2016 and has been held over since expiration of said term; and

WHEREAS, the Town Board wishes to ratify the reappointment of Kareem Massoud for a two year term such that the term will be deemed to have commenced on January 15, 2016 and will expire January 15, 2018.

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby reappoints Kareem Massoud to the Farmland Preservation Committee for a two year term such that the term will be deemed to have commenced January 15, 2016 and will expire January 15, 2018; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Kareem Massoud and the Farmland Preservation Committee; and

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

02.17.2016
160108

ADOPTED

TOWN OF RIVERHEAD

Resolution # 108

**RATIFIES THE REAPPOINTMENT OF MEMBER TO THE
RIVERHEAD FARMLAND PRESERVATION COMMITTEE**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, on October 14, 1997, the Town Board of the Town of Riverhead adopted Local Law No. 14-1997, known and cited as the "Agricultural Lands Preservation Law of the Town of Riverhead" for the purpose of preserving prime agricultural land and maintenance of a viable agricultural industry in the Town of Riverhead; and

WHEREAS, such local law provided for the creation of a Farmland Preservation Committee, its composition and its authority; and

WHEREAS, such local law empowers the Town Board to appoint members to the Farmland Preservation Committee; and

WHEREAS, the Town Board desires to reappoint those members whose terms have expired; and

WHEREAS, Richard O'Dea was reappointed to the Farmland Preservation Committee by Resolution #284 adopted on April 15, 2014 for a term expiring on January 15, 2016 and has been held over since expiration of said term; and

WHEREAS, the Town Board wishes to ratify the reappointment of Richard O'Dea for a two year term such that the term will be deemed to have commenced January 15, 2016 and will expire January 15, 2018.

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby reappoints Richard O'Dea to the Farmland Preservation Committee for a two year term such that the term will be deemed to have commenced January 15, 2016 and will expire January 15, 2018; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Richard O'Dea and the Farmland Preservation Committee; and

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

02.17.2016
160109

ADOPTED

TOWN OF RIVERHEAD

Resolution # 109

**RATIFIES REAPPOINTMENT OF MEMBER TO THE RIVERHEAD
OPEN SPACE/PARK PRESERVE COMMITTEE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, Chapter 14-§14-40 of the Riverhead Town Code entitled “Open Space/Park Preserve Committee” causes the establishment of an advisory body to the Town Board known as the Open Space/Park Preserve Committee (commonly referred to as the “Open Space Committee”) consisting of five representatives from the community at large appointed by the Town Board for staggered two-year terms; and

WHEREAS, the Open Space Committee is charged with the advisory responsibility related to, but not limited to, identification, review and recommendation of lands that should be acquired by the Town and preserved as open space or incorporated into the Town of Riverhead park system or preserve; and

WHEREAS, Marjorie Acevedo was reappointed to the Open Space Committee by Resolution #224 adopted on April 1, 2014 for a term expiring January 15, 2016 and has been held over since expiration of said term; and

WHEREAS, the Town Board wishes to ratify the reappointment of Marjorie Acevedo for a two year term such that the term will be deemed to have commenced on January 15, 2016 and will expire on January 15, 2018.

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby reappoints Marjorie Acevedo to the Open Space Committee for a two year term such that the term will be deemed to have commenced on January 15, 2016 and will expire on January 15, 2018; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Marjorie Acevedo, 60 Dogwood Drive, Wading River, NY 11792 and the Open Space Committee; and

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 110

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE
TO CONSIDER A LOCAL LAW TO ABOLISH BOARD OF POLICE
COMMISSIONERS AND DELETING CHAPTER 32 ENTITLED
“BOARD OF POLICE COMMISSIONERS” OF THE RIVERHEAD TOWN CODE**

Councilman Hubbard offered the following resolution,

which was seconded by Councilwoman Giglio

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the February 25, 2016 issue of the News-Review, the newspaper hereby designated as the official newspaper for this purpose, and cause a copy of the proposed local law to abolish the Board of Police Commissioners and delete Chapter 32 entitled “Board of Police Commissioners” of the Riverhead Town Code to be posted on the sign board of the Town; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 15th day of March 2016 at 7:05 o'clock p.m. to consider a local law abolishing the Board of Police Commissioners and deleting Chapter 32 entitled "Board of Police Commissioners" of the Riverhead Town Code as follows:

~~Chapter 32. Board of Police Commissioners~~

~~§ 32-1. Creation; membership.~~

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

- Strikethrough represents deletion(s)

Dated: Riverhead, New York
February 17, 2016

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

02.17.2016
160111

ADOPTED

TOWN OF RIVERHEAD

Resolution # 111

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO
CONSIDER A LOCAL LAW TO ENACT CHAPTER 33 OF THE
RIVERHEAD TOWN CODE ENTITLED "TERM LIMITS"**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

RESOLVED, that the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to enact Chapter 33 of the Riverhead Town Code entitled, "Term Limits", once in the March 10, 2016 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to post same on the sign board at Town Hall; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 5th day of April 2016 at 2:05 o'clock to consider a local law enacting Chapter 33 entitled "Term Limits" of the Riverhead Town Code as follows:

CHAPTER 33
TERM LIMITS

§ 33-1. Legislative intent.

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

§ 33-2. Term Limitation for Supervisor

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

§ 33-3. Term Limitation for Town Council

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

§ 33-4. Other Elective Office

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

§ 33-5. Supersession of state law.

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

§ 33-6. When effective; applicability.

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

- Underline represents additions

Dated: Riverhead, New York
February 17, 2016

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

02.17.2016
160112

ADOPTED

TOWN OF RIVERHEAD

Resolution # 112

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST
PUBLIC NOTICE TO CONSIDER THE ADOPTION OF A LOCAL LAW
ENTITLED, "LOCAL LAW TO CHANGE THE TERM OF OFFICE OF
TOWN SUPERVISOR FROM TWO (2) YEARS TO FOUR (4) YEARS"**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Dunleavy

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice of proposed local law entitled, "Local Law to Change the Term of Office of Town Supervisor from Two (2) Years to Four (4) Years", once in the March 10, 2016 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed "Local Law to Change the Term of Office of Town Supervisor from Two (2) Years to Four (4) Years", to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Suffolk County Board of Elections.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 5th day of April at 2:10 o'clock p.m. to consider a proposed local law entitled, "Local Law to Change the Term of Office of Town Supervisor from Two (2) Years to Four (4) Years" and amend Chapter 26 of the Town Code as follows:

SAMPLE LOCAL LAW

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

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

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

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

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

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

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

Section 3. MANDATORY REFERENDUM: This local law is adopted subject to a mandatory referendum and shall be submitted for approval of the qualified electors of the Town of Riverhead at the general election to be held November 8, 2016. A proposition in the following form shall be included on the ballot at such general election,

and the increased term of office shall not take effect unless such proposition is approved by a majority vote of the qualified electors of the Town of Riverhead voting thereon:

“Shall Local Law No. _____ of the year 2016, entitled a Local Law Increasing the Term of Office of the Town Supervisor from Two to Four Years be approved?”

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

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

Dated: Riverhead, New York
February 17, 2016

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 113

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF
PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN
AMENDMENT OF CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" OF THE
RIVERHEAD TOWN CODE**

**(§101-3. Stop and yield intersections; railroad crossings; parking fields.
(Burman Blvd. intersecting with Grumman Blvd., Calverton)**

Councilman Dunleavy 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 to amend Chapter 101 entitled "Vehicles & Traffic" of the Riverhead Town Code, once in the February 25th, 2016 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 1st day of March, 2016 at 2:10 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

Chapter 101
VEHICLES AND TRAFFIC
ARTICLE III
Traffic Regulations

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

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

Intersection	Stop Sign On	Entrance From
<u>Grumman Boulevard & Burman Boulevard</u>	<u>Burman Boulevard</u>	<u>North</u>

- Underline represents addition(s)

Dated: Riverhead, New York
February 17, 2016

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

DIANE M. WILHELM, Town Clerk



Stop Sign →

1

GRUMMAN BLVD.

GRUMMAN BLVD. (var. width)

BURMAN AVE.

BURMAN

JAN WAY

SCOTT BLVD.

SEWER DISTRICT

CALVERTON SEWER DISTRICT

TOWN OF RIVERHEAD (OPEN SPACE)

TOWN OF RIVERHEAD (OPEN SPACE)

CALVERTON SEWER DISTRICT

E 1,320.766
N 271.640

02.17.2016
160114

ADOPTED

TOWN OF RIVERHEAD

Resolution # 114

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 101 ENTITLED, "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE (§101-10. Parking prohibited. – Sound Avenue & CR 105)

Councilman Hubbard offered the following resolution,

which was seconded by Councilwoman Giglio

RESOLVED, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider a proposed local law for the amendment of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the February 25, 2016 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 1st day of March, 2016 at 2:05 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

Chapter 101
VEHICLES AND TRAFFIC
ARTICLE V
Parking, Standing and Stopping

§ 101-10. 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 C.R. 105 continuing in an easterly direction for a distance of 400 feet</u>

- Underscore represents addition(s)

Dated: Riverhead, New York
February 17, 2016

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

DIANE M. WILHELM, Town Clerk

FOR PCL NO.
SEE SEC. NO
020-01-003

FOR PCL NO.
SEE SEC. NO
020-01-002.3

12
24.2A(c)
(TOWN OF RIVERHEAD
DEVELOPMENT RIGHTS)

10
23.9A(c)

4
112.2A(c)

3
91.7A(c)

2.1
2.0A

2.2
2.0A

14
FOR PCL NO.
SEE SEC. NO
044-02-010.4

FOR PCL NO.
SEE SEC. NO.
044-02-012.2

FOR PCL NO.
SEE SEC. NO
044-02-012.1

FOR PCL NO.
SEE SEC. NO
044-03-001.4

Diermere Farm

No Parking

GROSS RIVER DR. (UNION W.E.)
C.R. 105

MATCH

MATCH

MATCH

MATCH

UNLESS OTHERWISE NOTED ALL PROPERTIES ARE WITHIN THE COUNTY SURVEY

DATE: 04/02/2014

SCALE: 1" = 100'

NOTICE: MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT THE WRITTEN PERMISSION OF THE COUNTY ENGINEER.

COUNTY OF SUFFOLK
Real Property Tax Service Agency
County Center Riverhead, N.Y. 11901

K	006	TOWN OF	RIVERHEAD
E	018	VILLAGE OF	
Y	019		
M	020		
A	044	DISTRICT NO	0600

SECTION NO
19

PROPERTY MAP

02.17.2016
160115

TABLED

TOWN OF RIVERHEAD

Resolution # 115

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE
RIVERHEAD TOWN CODE
(Residence (RC) Use District (Retirement Community))**

Councilwoman Giglio 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 108 entitled, "Zoning" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 20th day of January, 2016 at 7:05 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 108 "Zoning", 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, the official newspaper, and to post same on the signboard at Town Hall; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared TABLED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on February 17, 2016. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 108
Zoning

**ARTICLE XXIII. Residence RC District
(Retirement Community)**

§108-119. Additional requirements.

A. All lots shall be located within the Town of Riverhead Water District and Sewer District or be located within 1,500 feet of the Water District and Sewer District and subject to approval for the requisite capacity for the proposed development. The applicant shall be responsible for all costs related to application for Water and/or Sewer District extension and costs related to extension of the appurtenances to include the parcel in the water and sewer districts.

B. The method of water supply and of sewage disposal, conforming to Health Department requirements.

C. At least 30% of the total site area shall be devoted to open space which shall be kept in its natural state or landscaped and maintained with grass for passive recreational uses such as picnic areas, walking trails, gardening and horticultural.

D. The use of interconnecting walkways, trails and natural walking paths for pedestrian traffic shall be an integral part of the design of any development to facilitate access between common areas, groups of dwelling units and open space areas.

E. All primary walkways and sidewalks shall meet Americans with Disabilities Act (ADA) requirements. Trails and natural walking paths are exempt from this requirement; however, the Town encourages maximizing accessibility to all residents. Due consideration shall be given to planning walks, ramps, and driveways to prevent slipping, stumbling, and handrails and ample places for

rest shall be strategically provided.

F. A buffer strip of not less than 10 feet in width consisting of massed trees and shrubbery or existing mature vegetation supplemented by new landscaping shall be maintained alongside front and rear property lines, except the buffer area shall be 25 feet in width along any lot line abutting a residential district or use. The trees and shrubbery shall consist of evergreens and deciduous plant material which, when planted, shall be at least six feet tall and when mature shall be maintained at a height of not less than eight feet, so as to provide an effective natural screen. No structure shall be permitted within this strip or buffer.

G. All utilities shall be placed underground, including telephone, electric and cable telephone service.

H. All parking shall comply with the parking schedule set forth in § **108-60** of this chapter, notwithstanding the following:

(1) No parking shall be provided within 25 linear feet of the principal frontage.

(2) Parking and loading areas shall be placed as far from adjacent residences as possible (but a minimum of 50 linear feet) and surrounded by landscaping.

I. The proposed method of collection and disposal of stormwater, designed so as not to interfere with adjoining properties or burden public facilities.

J. The proposed lighting facilities for the safety of pedestrian and vehicular traffic, with exterior spotlighting of buildings or grounds to be from shaded sources and located so that the light beams are not directed toward any lot in a residential district or toward a public highway.

K. The provisions of this Section (108-119) which were added by Local Law 9-2012, adopted on June 19, 2012 are intended to and shall take effect to those parcels designated or mapped as Retirement Community after the effective date of Local Law No. 9-2012. Parcels that were mapped as Retirement Community prior to June 19, 2012 shall be subject to the Additional requirements of section 108-119 in effect prior to June 19, 2012.

- Underline represents addition(s)

Dated: Riverhead, New York
February 17, 2016

BY ORDER OF THE TOWN BOARD

OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

TABLED

TOWN OF RIVERHEAD

Resolution # 116

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE
RIVERHEAD TOWN CODE
(Rural Corridor (RLC) Zoning Use District)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Rural Corridor (RLC) Zoning Use District of the Town of Riverhead was designated predominantly in the hamlets of Calverton, Aquebogue and Jamesport and these hamlets are uniquely situated adjacent to residential areas; and

WHEREAS, in an attempt to further promote harmony between the business development and adjacent residential neighborhoods, the Town Board finds that the hours of operation of retail business establishments should be regulated; and

WHEREAS, in order to promote the public health, safety and welfare, the Town Board of the Town of Riverhead finds that the hours of operation of retail business establishments should be regulated. Such regulations will enhance the quality of life for the residents and visitors of the Town of Riverhead as well as the health, safety, peace and comfort of persons residing near such establishments; and

WHEREAS, the hours of operation of premises licensed to sell alcoholic beverages at retail for on-premises consumption are expressly regulated by 106(5) of the **Alcoholic Beverage Control Law**. In view of the provisions of such express legislation, this local law does not attempt to regulate the hours of operation of retail establishments licensed to sell alcoholic beverages for on-premises consumption, such as restaurants, taverns or bars; and

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

WHEREAS, it has been determined that the proposed action is classified as Unlisted pursuant to SEQRA 617. The Town has completed and submitted a SEAF dated December 31, 2015; and

WHEREAS, a public hearing was held on the 20th day of January, 2016 at 7:05 o'clock p.m. at 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 Town of Riverhead hereby determined the action to be an "Unlisted" action in accordance with 6 NYCRR 617.7(a) and hereby issues a Negative Declaration pursuant to 6 NYCRR 617.7(a)(2); and be it further

RESOLVED, that a local law amending Chapter 108 "Zoning", 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, the official newspaper, and to post same on the signboard at Town Hall; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on February 17, 2016. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 108
Zoning
ARTICLE LII
Rural Corridor (RLC)

§ 108-284. Supplementary guidelines.

C. Additional requirements.

Hours of operation of retail business establishments. As used herein, a "retail business establishment" shall mean and include a retail store or shop or other business establishment in which goods, wares, foods, commodities, articles or products are sold at retail, except that a "retail business establishment" shall not be construed to include any business establishment licensed to sell alcoholic beverages at retail for on-premises consumption. No retail business establishment shall remain open for business during the five-hour period between 12:00 midnight and 5:00 a.m. Every retail business establishment shall be closed to the public during the aforementioned five-hour period, and business with the public therein is prohibited after the hour of 12:00 midnight and before the hour of 5:00 a.m. of every day.

- Underline represents addition(s)

Dated: Riverhead, New York
February 17, 2016

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 117

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE
RIVERHEAD TOWN CODE
(Hamlet Center (HC) Zoning Use District)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Hamlet Center (HC) Zoning Use District of the Town of Riverhead was designated predominantly in the hamlets of Aquebogue and Jamesport and these hamlets are uniquely situated adjacent to residential areas; and

WHEREAS, in an attempt to further promote harmony between the business development and adjacent residential neighborhoods, the Town Board finds that the hours of operation of retail business establishments should be regulated; and

WHEREAS, in order to promote the public health, safety and welfare, the Town Board of the Town of Riverhead finds that the hours of operation of retail business establishments should be regulated. Such regulations will enhance the quality of life for the residents and visitors of the Town of Riverhead as well as the health, safety, peace and comfort of persons residing near such establishments; and

WHEREAS, the hours of operation of premises licensed to sell alcoholic beverages at retail for on-premises consumption are expressly regulated by 106(5) of the **Alcoholic Beverage Control Law**. In view of the provisions of such express legislation, this local law does not attempt to regulate the hours of operation of retail establishments licensed to sell alcoholic beverages for on-premises consumption, such as restaurants, taverns or bars; and

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

WHEREAS, it has been determined that the proposed action is classified as Unlisted pursuant to SEQRA 617. The Town has completed and submitted a SEAF dated December 31, 2015; and

WHEREAS, a public hearing was held on the 20th day of January, 2016 at 7:05 o'clock p.m. at 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 Town of Riverhead hereby determined the action to be an "Unlisted" action in accordance with 6 NYCRR 617.7(a) and hereby issues a Negative Declaration pursuant to 6 NYCRR 617.7(a)(2); and be it further

RESOLVED, that a local law amending Chapter 108 "Zoning", 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, the official newspaper, and to post same on the signboard at Town Hall; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on February 17, 2016. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 108
Zoning
Article LIII

Hamlet Center (HC) Zoning Use District

§108-288. Supplementary guidelines.

C. Additional requirements.

Hours of operation of retail business establishments. As used herein, a "retail business establishment" shall mean and include a retail store or shop or other business establishment in which goods, wares, foods, commodities, articles or products are sold at retail, except that a "retail business establishment" shall not be construed to include any business establishment licensed to sell alcoholic beverages at retail for on-premises consumption. No retail business establishment shall remain open for business during the five-hour period between 12:00 midnight and 5:00 a.m. Every retail business establishment shall be closed to the public during the aforementioned five-hour period, and business with the public therein is prohibited after the hour of 12:00 midnight and before the hour of 5:00 a.m. of every day.

- Underline represents addition(s)

Dated: Riverhead, New York
February 17, 2016

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 118

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE
RIVERHEAD TOWN CODE
(Village Center (VC) Zoning Use District)**

Councilman Hubbard offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Village Center (VC) Zoning Use District of the Town of Riverhead was designated predominantly in the hamlets of Aquebogue, Riverhead and Jamesport and these hamlets are uniquely situated adjacent to residential areas; and

WHEREAS, in an attempt to further promote harmony between the business development and adjacent residential neighborhoods, the Town Board finds that the hours of operation of retail business establishments should be regulated; and

WHEREAS, in order to promote the public health, safety and welfare, the Town Board of the Town of Riverhead finds that the hours of operation of retail business establishments should be regulated. Such regulations will enhance the quality of life for the residents and visitors of the Town of Riverhead as well as the health, safety, peace and comfort of persons residing near such establishments; and

WHEREAS, the hours of operation of premises licensed to sell alcoholic beverages at retail for on-premises consumption are expressly regulated by 106(5) of the **Alcoholic Beverage Control Law**. In view of the provisions of such express legislation, this local law does not attempt to regulate the hours of operation of retail establishments licensed to sell alcoholic beverages for on-premises consumption, such as restaurants, taverns or bars; and

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

WHEREAS, it has been determined that the proposed action is classified as Unlisted pursuant to SEQRA 617. The Town has completed and submitted a SEAF dated December 31, 2015; and

WHEREAS, a public hearing was held on the 20th day of January, 2016 at 7:05 o'clock p.m. at 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 Town of Riverhead hereby determined the action to be an "Unlisted" action in accordance with 6 NYCRR 617.7(a) and hereby issues a Negative Declaration pursuant to 6 NYCRR 617.7(a)(2); and be it further

RESOLVED, that a local law amending Chapter 108 "Zoning", 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, the official newspaper, and to post same on the signboard at Town Hall; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on February 17, 2016. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 108
Zoning
Article LIV
Village Center (VC) Zoning Use District

§108-292. Supplementary guidelines.

C. Additional requirements.

Hours of operation of retail business establishments. As used herein, a "retail business establishment" shall mean and include a retail store or shop or other business establishment in which goods, wares, foods, commodities, articles or products are sold at retail, except that a "retail business establishment" shall not be construed to include any business establishment licensed to sell alcoholic beverages at retail for on-premises consumption. No retail business establishment shall remain open for business during the five-hour period between 12:00 midnight and 5:00 a.m. Every retail business establishment shall be closed to the public during the aforementioned five-hour period, and business with the public therein is prohibited after the hour of 12:00 midnight and before the hour of 5:00 a.m. of every day.

- Underline represents addition(s)

Dated: Riverhead, New York
February 17, 2016

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

DIANE M. WILHELM, Town Clerk

02.17.2016
160119

ADOPTED

TOWN OF RIVERHEAD

Resolution # 119

ADOPTS A LOCAL LAW TO AMEND CHAPTER 86 ENTITLED, "RENTAL DWELLING UNITS" OF THE CODE OF THE TOWN OF RIVERHEAD

Councilwoman Giglio 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 86, entitled "Rental Dwelling Units" of the Riverhead Town Code of the Code of the Town of Riverhead ("Town Code"); and

WHEREAS, a public hearing was held on the 15th day of December, 2015 at 7:10 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, the Riverhead Planning Department has reviewed the submission and recommended it be considered a Type II action pursuant to 6NYCRR Part 617.5(c) (20) & (27) as routine or continuing administration and management and the adoption of policies in connection therewith; and

WHEREAS, pursuant to 617.3(f), 617.5(a) and 617.6(a) (1) (i), agency SEQR responsibilities end with this designation with no significance determination being necessary.

NOW THEREFORE BE IT RESOLVED, that the Town Board be and hereby, declares itself to be the lead agency for purposes of the amendment of Chapter entitled, "Zoning" of the Town Code and hereby classifies same to be a Type II action for purposes of SEQR compliance; and be it further

RESOLVED, that the local law amending Chapter 86 entitled, "Rental Dwelling Units" of the Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 86 entitled "Rental Dwelling Units" of the Riverhead Town Code at its regular meeting held on February 17, 2016.

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

CHAPTER 86

RENTAL DWELLING UNITS

§ 86-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DWELLING UNIT

~~A structure or building, one-, two- or three-family dwelling, apartments, multiunit apartments, apartment houses, condominiums, cooperatives, garden apartments or townhouses, occupied or to be occupied by one or more persons as a home or residence.~~

A dwelling unit is a single unit within a building or structure providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping eating cooking and sanitation.

§ 86-5. Application for rental occupancy permit.

B. New applications.

G. Notwithstanding the above, no rental occupancy permit shall be required for any commercial hotel/motel business operating exclusively and catering to transient clientele, that is, customers who customarily reside at these establishments for short durations for the purpose of vacationing, travel, business, recreational activities, conventions, emergencies and other activities that are customary to a commercial hotel/motel operation, except that the exemption in this subsection G shall not apply to any commercial hotel/motel whose primary purpose is to provide permanent residences to its customers as defined in this chapter.

§ 86-6. Fees.

A. A nonrefundable ~~biannual~~ biennial permit application fee shall be paid, upon filing an application for a rental occupancy permit or for a renewal rental occupancy permit, in accordance with the following schedule of rental dwelling units per structure:

Type of Dwelling	Fee
One-unit	\$150 <u>300.00</u>
Two-unit	\$200 <u>400.00</u>
Three-unit	\$250 <u>500.00</u>
Four-unit	\$325 <u>650.00</u>
More than four units	\$500 <u>1,000.00</u> , plus \$50 100 for each unit in excess of four <u>five</u>

B. The fee required by this section shall be waived for any applicant which demonstrates that the dwelling unit is occupied by the immediate family of the owner of the dwelling unit as defined in this chapter.

C. Any commercial hotel/motel business operating exclusively and catering to transient clientele, that is, customers who customarily reside at these establishments for short durations for the purpose of vacationing, travel, business, recreational activities, conventions, emergencies and other activities that are customary to a commercial hotel/motel operation, shall be exempt from the fee required by this section. ~~Pay a biannual fee of \$500 per application, plus \$50 for each unit.~~ For the purposes of this chapter, a "short duration" shall be defined as not more than 21 consecutive days. ~~The exemption in this subsection C is section~~ shall not apply to any commercial hotel/motel whose primary purpose is to provide permanent residences to its customers and shall pay a biennial fee of 1,000 per application, plus \$50 \$100 for each unit. For the purposes of this chapter, "permanent residence" shall be defined as more than 21 consecutive days.

D. Any rental dwelling unit that only operates during a one-hundred-fifty-day period in the months of May, June, July, August and September, only, shall pay a ~~biannual~~ biennial fee of ~~\$25~~ \$50 per unit.

E. Notwithstanding any other section of this Chapter, any violation of §86-6 for the failure to obtain or timely renew a rental permit by the owner(s) and/or tenant(s) shall be punishable as follows:

(1) By a fine of not less than \$250.00 and not exceeding \$1,000.00 or by imprisonment for a period not to exceed 15 days, or both, for conviction of a first offense.

(2) By a fine of not less than \$1,000.00 nor more than \$3,000.00 or by imprisonment for a period not to exceed 15 days, or both, for conviction of the second of two offenses, both of which were committed within a period of five years.

(3) By a fine of not less than \$2,000.00 nor more than \$5,000.00 or by imprisonment for a period not to exceed 15 days, or both, for conviction of the third or subsequent offenses of a series of offenses, all of which were committed within a period of five years.

F. Each week's continued violation shall constitute a separate additional violation.

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

Dated: Riverhead, New York
February 17, 2016

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

DIANE M. WILHELM, TOWN CLERK

02.17.2016
160120

ADOPTED

TOWN OF RIVERHEAD

Resolution # 120

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO
CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF
THE RIVERHEAD TOWN CODE
(COMMUNITY BENEFIT ZONING USE DISTRICT (CBD))**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Dunleavy

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the February 25, 2016 issue of the News Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

THE VOTE

Hubbard Yes No

Giglio Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 15th day of March, 2016 at 7:05 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

ARTICLE LXIII

COMMUNITY BENEFIT ZONING USE DISTRICT (CBD)

§ 108-333. Purpose and Intent.

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

B. Such development is to be combined with an on-site community center and non-residential use(s) that, together or individually, provide an enhancement of not only the subject project for its residents but for the use, enjoyment and enhancement of the surrounding community as well.

C. The goals of the CBD District are:

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

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

108-334. Definitions.

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

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

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

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

B. In the event of a conflict between the provisions of this Article and other provisions of the Town of Riverhead Ordinance, the provisions of this Article shall apply.

C. All special permit uses set forth herein shall be subject to the approval of

the Town Board pursuant to the requirements and procedures set forth in Section 108.133.1 of this Code.

§ 108-336. Eligible Properties.

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

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

§ 108-337. Uses.

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

1. Detached and/or attached multi-family dwelling units;

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

B. Any development pursuant to this Article shall contain some combination of residential, recreational and non-residential uses listed in subsection "A" of this section.

§ 108-338. Accessory Uses.

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

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

§ 108-339. Workforce Housing Requirement.

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

§ 108-340. Community Center Requirements.

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

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

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

- A. The Professional Office use shall be of such character as to be appropriate for a residential neighborhood setting.
- B. All such structures are to be limited in floor area, not to exceed 2,500 square feet (SF) in size each.
- C. One residence may be located within each such structure, and may only be occupied by the owner or an employee of the Professional Office that occupies that structure.

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

<u>Maximum Building Net Floor Area Ratio</u>	<u>0.40</u>
<u>Maximum Lot Coverage (total footprint)</u>	<u>0.20</u>
<u>Minimum Front Yard Depth</u>	<u>15 feet</u>
<u>Minimum Rear Yard Depth</u>	<u>20 feet</u>
<u>Minimum Side Yard Setback (both)</u>	<u>15 feet</u>

Maximum Building Height 50 feet not to exceed three and a half (3 1/2) stories

Dwelling Unit Density and Mix:

Dwelling Unit Density 1 unit per 40,000 sq. ft.

§ 108-343. Redemption of Preservation Rights to Increase Dwelling Unit Yield.

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

B. Preservation credits may be acquired through the transfer of development rights pursuant to Article LXII of the Riverhead Town Code or the acquisition of Workforce Housing Development Rights through the Suffolk County Workforce Housing Transfer of Development Rights Program. Any preservation rights acquired through the Suffolk County Workforce Housing Transfer of Development Rights Programs must be rights that were placed in the program from the purchase or preservation of property located in the Town of Riverhead.

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

improvements.

§ 108-344. Open Space Requirements.

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

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

§108-345. Off-Street Parking Requirements.

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

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

In recognition of the shared use aspects of the CBD District, if the planning board determines that an applicant has conclusively demonstrated that one or more of such uses will be generating a demand for the parking spaces primarily during periods when another use or uses has or have a significant lower parking demand, the planning board may, upon application, reduce the total parking spaces required.

§ 108-346. Additional Guidelines.

A. All utility service lines within the site shall be constructed underground.

B. The development shall provide safety and security lighting in appropriate areas, including but not limited to building exteriors, building entrances, walkways, vehicle access points and within parking areas.

C. All exterior lighting fixtures shall conform to Article XLV of the Riverhead Zoning Ordinance, such that no fugitive lighting impacts adjacent properties.

D. To the maximum extent practicable, sustainable energy site lighting shall be utilized.

E. All lighting fixtures, whether mounted on building walls or on poles, shall be placed at the minimum height necessary to cast adequate lighting intensities on illuminated surfaces.

F. All buildings shall be handicapped accessible.

G. A maintenance plan for all ground and buildings shall be in effect and such initial plan shall be included in site plan review.

H. Landscaping shall be designed to reduce heat island effects.

I. Onsite retention/harvesting of storm water runoff to minimize sewer impact and reduce water usage for irrigation shall be utilized.

J. In recognition of the inherent mixed use character of the CBD District, no abutting landscape buffer areas other than those specifically required in this section shall be required.

K. For the purpose of the requirements for off-street loading berths, the permitted and accessory uses shall not be considered as being used for business, industrial or hospital purposes.

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

§ 108-347. Service Providers Amenities and Services.

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

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

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

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

* Underline represents addition(s)

** Overstrike represents deletion(s)

Dated: Riverhead, New York
February 17, 2016

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

DIANE WILHELM, Town Clerk

02.17.2016
160121

ADOPTED

TOWN OF RIVERHEAD

Resolution # 121

APPROVES THE CHAPTER 90 APPLICATION OF
CROSSFIT IMPERVIOUS LLC
(Cross Fit Athletic Competition – Saturday, May 21st, 2016)

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, on January 26, 2016, Sam Cila, on behalf of Crossfit Impervious, LLC, submitted a Chapter 90 Application for the purpose of conducting a cross fit athletic competition event entitled “Armed Forces Day Team Competition”, to be held at the Polish Town Civic Association Pavilion, located at 300 Lincoln Street, Riverhead, New York, on Saturday, May 21, 2016, between the hours of 8:00 a.m. and 5:00 p.m., (set-up at 6 a.m. and break-down at 6 p.m.); and

WHEREAS, Crossfit Impervious, LLC has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

WHEREAS, the applicable Chapter 90 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 Town of Riverhead hereby determines the action to be an “Unlisted” action in accordance with 6 NYCRR 617.7(a) and hereby issues a Negative Declaration pursuant to 6 NYCRR 617.7(a)(2); and be it further

RESOLVED, that the Chapter 90 Application of Crossfit Impervious, LLC for the purpose of conducting a cross fit athletic competition event entitled “Armed Forces Day Team Competition”, to be held at the Polish Town Civic Association Pavilion, located at

300 Lincoln Street, Riverhead, New York, on Saturday, May 21, 2016, between the hours of 8:00 a.m. and 5:00 p.m., (set-up at 6 a.m. and break-down at 6 p.m.) is hereby approved; and be it further

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

RESOLVED, that this approval is subject to receipt of a certificate of insurance, acceptable to the Town Attorney, **no later than March 17, 2016**; and be it further

RESOLVED, that an Outdoor Public Safety Plan is to be submitted to the Fire Marshal's office **no later than March 17, 2016**; and be it

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Crossfit Impervious, LLC, 121A Main Road, 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 Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 122

RATIFIES THE AMENDMENT OF RESOLUTION #38 OF 2016
(AUTHORIZES ATTENDANCE AT THE 2016 TRAINING SCHOOL AND ANNUAL
MEETING HELD BY THE ASSOCIATION OF TOWNS)

Councilman Hubbard offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, Resolution #38, adopted by the Riverhead Town Board on January 14, 2016, authorized the attendance of Town employees/elected officials to attend the 2016 Training School and Annual Meeting held by the Association of Towns in New York City on Sunday, February 14th through Wednesday, February 17th, 2016; and

WHEREAS, John Dunleavy, Councilman, has expressed a desire to attend said event.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby ratifies the authorization of the attendance of John Dunleavy, Councilman at the aforementioned event; and be it further

RESOLVED, that all other terms and conditions of Resolution #38 shall remain in full force and effect; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

02.17.2016
160123

ADOPTED

TOWN OF RIVERHEAD

**AWARDS BID FOR SENSUS WATER METERS AND ACCESSORY
EQUIPMENT FOR USE IN THE RIVERHEAD WATER DISTRICT**

RESOLUTION # 123

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for water meters and accessory equipment for use by the Riverhead Water District; and

WHEREAS, bids were received, opened and read aloud on the 12th day of February, 2016, at 11:00 a.m. at the Office of the Town Clerk, 2000 Howell Avenue, Riverhead, New York 11901, the date and time specified in the notice to bidders; and

WHEREAS, the bid proposals were reviewed by the Riverhead Water District for compliance with the bid specifications.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for water meters for use in the Riverhead Water District be and is hereby awarded to T Mina Supply, Inc., as listed on the bid proposal sheet attached hereto; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to T Mina Supply, Inc., 168 Long Island Avenue, Holtsville, New York, 11742; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

BID PROPOSAL SHEET
BID #RWD-2016-20A
SENSUS WATER METERS & ACCESSORY EQUIPMENT,
OR REASONABLE EQUIVALENT

**ALL BRASS ITEMS (IF ANY) BID MUST BE "NO-LEAD" PURSUANT
 TO THE *REDUCTION OF LEAD IN DRINKING WATER ACT*
 (SENATE BILL 3874 SIGNED JANUARY, 2011)**

<u>ITEM #</u>	<u>ITEM DESCRIPTION</u>	<u>NET DELIVERED PRICE</u>	
		<u>TOUCH COUPLER VERSION</u>	<u>WIRED VERSION</u>
1.	MXU 510M, Non-Pit Installation, Single Port	\$ <u>123.17</u>	\$ <u>120.73</u>
2.	MXU 510M, Non-Pit Installation, Dual Port	\$ <u>141.46</u>	\$ <u>139.02</u>
3.	MXU 520M, Pit Installation, Single Port	\$ <u>129.27</u>	\$ <u>147.56</u>
4.	MXU 520M, Pit Installation, Dual Port	\$ <u>149.38</u>	\$ <u>156.17</u>
5.	1.5" Omni F ² Fireline Bypass Retrofit Meter		\$ <u>1207.23</u>
6.	2" Omni F ² Fireline Bypass Retrofit Meter		\$ <u>1293.98</u>
7.	Epoxy Coated Spacer for 1.5" Omni F ² Fireline Bypass Retrofit Meter		\$ <u>NO BID</u>
8.	Epoxy Coated Spacer for 2" Omni F ² Fireline Bypass Retrofit Meter		\$ <u>NO BID</u>
9.	¾" iPERL Water Management System Fire Service		\$ <u>154.59</u>
10.	1" iPERL Water Management System Fire Service		\$ <u>191.84</u>
11.	FlexNet CommandLink		\$ <u>400.00</u>

COMPANY NAME T. Mina Supply, Inc.
 Riverhead Water District

Riverhead Water District
BID 2016-20A

EXCEPTIONS TO BID SPECIFICATIONS FOR SENSUS WATER METERS OR REASONABLE EQUIVALENT

The purpose of this document is to clarify the pricing for line items 9 & 10 from the bid and to add two additional items that the district may need, but does not appear on the bid

Item 9 pricing on the original bid will be priced for "TYPE TR/PL" 3/4" Fire Service Iperl Meters
Item 10 pricing on the original bid will be priced for "TYPE TR/PL" 1" Fire Service Iperl Meters

Two additional lines (lines 12 & 13) will be priced for "TYPE ECR" Fire Service Iperl Meters

	Description	Net Delivered Price
Item 12	3/4" Fire Service Iperl Meter TYPE ECR - 3-wire with 6' cable - Plain end	\$148.19
item 13	1" Fire Service Iperl Meter TYPE ECR - 3-wire with 6' cable - Plain end	\$185.43

Company Name - T.Mina Supply Inc.
2/8/2016

02.17.2016
160124

ADOPTED

TOWN OF RIVERHEAD

Resolution # 124

**RATIFIES THE SUPERVISOR TO EXECUTE STIPULATION OF SETTLEMENT
AGREEMENT WITH CIVIL SERVICE EMPLOYEES
ASSOCIATION, INC. LOCAL 1000, AFSCME, AFL-CIO, RIVERHEAD
UNIT OF THE SUFFOLK LOCAL, #852**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Dunleavy

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board, be and hereby, ratifies the execution of an agreement with the CSEA resolving PERB Case No. U-34634; and be it further

RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the local CSEA, to the Personnel Director, the Office of the Town Attorney and the Office of Accounting.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

02.17.2016
160125

ADOPTED

TOWN OF RIVERHEAD

Resolution # 125

APPOINTS THE LAW FIRM OF SMITH, FINKELSTEIN, LUNDBERG, ISLER AND YAKABOSKI, LLP TO ACT AS SPECIAL COUNSEL IN THE MATTER OF TRADITIONAL LINKS LLC V. RIVERHEAD TOWN ASSESSORS AND AUTHORIZES THE SUPERVISOR TO EXECUTE A RETAINER AGREEMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Riverhead Town Assessors have been named defendants in various tax certiorari proceedings commenced by Traditional Links LLC under Index Nos. 12-20496, 12-20497, 12-20498, 12-20499, 14-16124, 14-16125 and 14-16126; and

WHEREAS, Justice Bivona has rendered his findings and conclusions in a 23 page decision; and

WHEREAS, the Town Board has determined that an appeal is founded and further, determines that the law firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP is qualified and be retained to defend or appear on behalf of Riverhead Town Assessors.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby appoints the Law Firm of Smith, Finkelstein, Lundberg, Isler, and Yakaboski, LLP to act as legal counsel in connection with the aforementioned proceedings and authorizes the Supervisor to execute a Retainer Agreement acceptable to the Town Attorney; 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; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

02.17.2016
160126

ADOPTED

TOWN OF RIVERHEAD

Resolution # 126

APPOINTS ANTI-BIAS TASK FORCE MEMBERS AND OFFICERS

Councilman Hubbard offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, on March 18, 2015 the Riverhead Town Board adopted resolution #167 re-establishing the Riverhead Anti-Bias Task Force and its by-laws; and

WHEREAS, the purpose of the Town of Riverhead Anti-Bias Task Force is to assist this government in identifying issues related to prejudice or bias and to advise the Town Board of the task force recommendations as to the direction the Town can take in combating bias, improving social conditions for all and furthering a proactive means to eradicate various forms of social oppression; and

WHEREAS, according to Article III, Section 1 of the established by-laws of the Riverhead Anti-Bias Task Force, the membership roster shall be established at the January organizational meeting of each year and affirmed by the Town Board no later than February of each calendar year; and

WHEREAS, the Riverhead Anti-Bias Task Force voted and agreed upon 2016 membership and officer assignments; and

WHEREAS, Article III, Section 2 of the by-laws states that the term of membership shall be for the calendar year in which the appointment is made.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board does hereby authorize the appointment of the following members to the Riverhead Anti-Bias Task Force:

Tim Hubbard, Councilman
David J. Hegermiller, Police Chief

Ex-Officio Member, Town Board Liaison
Ex-Officio Member, Police Department Liaison

MEMBERS:

Connie Lassandro
Noreen LeCann

Chairperson
Vice-chairperson

Susan Bergmann
Marjorie Acevedo
Nancy Carney
Angela Devito
Father Larry Dunklee

Secretary/Treasurer

Elizabeth Flood
Rev. Dr. Enrique Lebron
Sarah Mayo
Greg Moore
Stephen T. Palmer
Bryon Perez
Roberto Ramos
Shirley Sinclair
Sister Margaret Smyth
Ethel Sussman
Ann L Tessitor
Keisha Washington-Dean
Louise Wilkinson
Diane Woodcheke

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the above named individuals; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

160127

TOWN OF RIVERHEAD

Resolution # 127PAYS BILLS

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

RESOLUTION #127			
<u>ABSTRACT #15-04 February 03, 2016</u>			
<u>(TBM 02/17/16)</u>			
			Grand
Fund Name	Fund #	Ckrun	Totals
GENERAL FUND	1	1,423,763.10	1,423,763.10
RECREATION PROGRAM FUND	6	5,517.12	5,517.12
HIGHWAY FUND	111	161,791.76	161,791.76
WATER DISTRICT	112	96,031.80	96,031.80
RIVERHEAD SEWER DISTRICT	114	83,938.73	83,938.73
REFUSE & GARBAGE COLLECTION DI	115	216,255.92	216,255.92
STREET LIGHTING DISTRICT	116	16,500.90	16,500.90
PUBLIC PARKING DISTRICT	117	4,127.26	4,127.26
BUSINESS IMPROVEMENT DISTRICT	118	39,268.00	39,268.00
AMBULANCE DISTRICT	120	303.76	303.76
EAST CREEK DOCKING FACILITY FUND	122	3,175.94	3,175.94
CALVERTON SEWER DISTRICT	124	2,792.39	2,792.39
RIVERHEAD SCAVENGER WASTE DIST	128	38,244.80	38,244.80
WORKERS' COMPENSATION FUND	173	5,317.72	5,317.72
TRUST & AGENCY	735	2,325,007.71	2,325,007.71
		4,422,036.91	4,422,036.91

RESOLUTION #127			
<u>ABSTRACT #15-05 February 17, 2016 (TBM 02/17/16)</u>			
			Grand
Fund Name	Fund #	Ckrun	Totals
GENERAL FUND	1	1,644,406.24	1,644,406.24
RECREATION PROGRAM FUND	6	3,364.67	3,364.67
HIGHWAY FUND	111	154,341.87	154,341.87
WATER DISTRICT	112	181,271.15	181,271.15
RIVERHEAD SEWER DISTRICT	114	89,012.33	89,012.33
REFUSE & GARBAGE COLLECTION DI	115	4,880.12	4,880.12
STREET LIGHTING DISTRICT	116	51,135.43	51,135.43
PUBLIC PARKING DISTRICT	117	2,685.94	2,685.94
AMBULANCE DISTRICT	120	2,144.29	2,144.29
EAST CREEK DOCKING FACILITY FUND	122	3,304.22	3,304.22
CALVERTON SEWER DISTRICT	124	6,415.34	6,415.34
RIVERHEAD SCAVENGER WASTE DIST	128	56,870.50	56,870.50
RISK RETENTION FUND	175	2,801.40	2,801.40
CDBG CONSORTIUM ACCOUNT	181	5,000.00	5,000.00
WATER DISTRICT CAPITAL PROJECT	412	46,607.00	46,607.00
RIVERHEAD SEWER CAPITAL PROJECT	414	19,260.98	19,260.98
TRUST & AGENCY	735	1,628,009.44	1,628,009.44
CALVERTON PARK - C.D.A.	914	2,743.99	2,743.99
		3,904,254.91	3,904,254.91

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

02.17.2016
160128

ADOPTED

TOWN OF RIVERHEAD

Resolution # 128

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO
CONSIDER A LOCAL LAW TO ENACT CHAPTER 33 OF THE
RIVERHEAD TOWN CODE ENTITLED "TERM LIMITS"**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilwoman Giglio

RESOLVED, that the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to enact Chapter 33 of the Riverhead Town Code entitled, "Term Limits", once in the March 10, 2016 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to post same on the sign board at Town Hall; and be it further

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

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution #128 was TAKEN OFF THE FLOOR, motion carried by unanimous vote. Immediately thereafter there was a motion to put to vote.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 5th day of April 2016 at 2:05 o'clock to consider a local law enacting Chapter 33 entitled "Term Limits" of the Riverhead Town Code as follows:

CHAPTER 33
TERM LIMITS

§ 33-1. Legislative intent.

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

§ 33-2. Term Limitation for Supervisor

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

§ 33-3. Term Limitation for Town Council

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

§ 33-4. Exception; Other Elective Office

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

§ 33-5. Supersession of state law.

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

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

§ 33-6. When effective; applicability.

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

- Underline represents additions

Dated: Riverhead, New York
February 17, 2016

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, TOWN CLERK