

RESOLUTION LIST:

AUGUST 20, 2013

- Res. #589** Authorizes Town Clerk to Publish and Post the Attached Notice to Bidders for Town of Riverhead Replacement of Tension Membranes for Salt Storage Buildings
- Res. #590** Water Department Budget Adjustment
- Res. #591** Authorizes Attendance of Assessor at Seminar
- Res. #592** Authorizes the Supervisor to Execute an Agreement to Obtain Medical Arbitration Services from Rehabilitation Medicine Associates
- Res. #593** Authorizes Publication of Help Wanted Advertisement for an Assessment Clerk
- Res. #594** Ratifies the Appointment of a Part-Time Court Officer (Anthony Schoberl)
- Res. #595** Authorization to Republish Advertisement
- Res. #596** Appoints an Asst. Recreation Leader to the Recreation Department (Steven Lomonaco)
- Res. #597** Appoints Seasonal Recreation Staff to the Recreation Department
- Res. #598** Order Calling Public Hearing Regarding Extension to Riverhead Sewer District to Serve Mattituck Laundry (1044 Parkway Street)
- Res. #599** Authorizes the Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment to Chapter 101 "Vehicles & Traffic" of the Riverhead Town Code (§101-4 One-Way Streets)
- Res. #600** Authorizes Supreme Court Action Against the Owners, Tenants, Occupants and Mortgagees of Premises Located at 31 Goose Lane, Baiting Hollow, New York (Town of Riverhead v. Hooghkirk)
- Res. #601** Authorization to Execute an Inter-municipal Agreement with Neighboring Municipalities to Form the Peconic Estuary Protection Committee

- Res. #602** Authorization to Publish Extension of Submission Deadline for a Request for Proposals for the Installation of a Closed Circuit Television Security System (CCTV) in Designated Locations Within the Town of Riverhead Parking District
- Res. #603** Awards Bid for 2013 Pick-Up Truck for the Town Sanitation Department
- Res. #604** Approves Condo's Brothers Construction Corp. as Drainlayer for Riverhead Sewer District
- Res. #605** Grants Landclearing Permit as Provided by Chapter 62 to Knightland, Inc.
- Res. #606** Authorizes Town Clerk to Publish and Post a Public Notice to Consider a Local to Amend Chapter 108 Entitled "Accessory Apartments" of the Riverhead Town Code
- Res. #607** 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
- Res. #608** Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 86 Entitled "Rental Dwelling Units" of the Riverhead Town Code
- Res. #609** Approves the Chapter 90 Application of Event Power ("Riverhead Rocks Triathlon" – August 2nd & 3rd, 2014
- Res. #610** Adopts a Local Law Amending Chapter 106 Entitled "Waterways" of the Riverhead Town Code
- Res. #611** Appoints a Call-In Guard – Level II to the Recreation Department (Andrew Blackmore)
- Res. #612** Authorizes the Supervisor to Execute an Easement for Underground Electrical and Natural Gas Services to the Woolworth Building
- Res. #613** Authorizes the Supervisor to Execute an Easement for Underground Water Supply Services to the Woolworth Building
- Res. #614** Resolution Authorizing Free Firewood Day for Residents
- Res. #615** Pays Bills

06/04/13 TABLED
08/20/13 UNTABLED
08/20/13 WITHDRAWN

06.04.13
130443

TOWN OF RIVERHEAD

Resolution # 443

**ADOPTS A LOCAL LAW AMENDING CHAPTER 106 ENTITLED
"WATERWAYS" OF THE RIVERHEAD TOWN CODE**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 106 entitled "Waterways" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 7th day of May, 2013 at 2:15 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 106 entitled "Waterways" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Tabled

08/20/2013

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution #443 was **UNTABLED** and simultaneously **WITHDRAWN**

The vote was unanimous, motion carried

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law amending Chapter 106 entitled “Waterways”, of the Riverhead Town Code at its meeting held on June 4, 2013. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**CHAPTER 106
WATERWAYS
ARTICLE I. General Provisions**

§ 106-1. Short title.

This chapter shall be known as the "~~Waterways Ordinance of the Town of Riverhead.~~"

§ 106-2 ~~§ 106-1.~~ Legislative findings.

It is hereby declared and found that the operation of boats and use of vessels for residential and/or business purposes (offices) in the waters or waterways of the Town of Riverhead, New York, is a matter affecting the public interest and consequently should be subject to the supervision and administrative control of municipal authority for the purpose of safeguarding the public. It is the intent of this article to prevent pollution, fire hazards, interference with navigable waterways and overcrowding within the waters adjacent to the Town of Riverhead and subject to its jurisdiction, and, further to preserve and protect the health, safety and welfare of the people of the Town of Riverhead, natural ecology of the waters of the Town of Riverhead, and the tidal and freshwater wetlands.

§ 106-3. ~~§ 106-2.~~ Areas covered; compliance with other regulations.

§ 106-4. ~~§ 106-3.~~ Definitions and word usage.

A. The following terms, phrases and their derivatives shall have the meanings given herein:

FLOATING HOME/CABANA – Any vessel in fact used, designed or occupied as a dwelling unit, business office or source of any occupation or for any private or social club of whatsoever nature, including but not limited to a structure constructed upon a barge or pontoons which is primarily immobile and out of navigation which functions substantially as a land structure while the same is moored or docked within the municipal limits of the Town of Riverhead, whether such vessel is self-propelled or not.

HOUSEBARGE – Any vessel or craft used or designed to be used on the water surface and to provide residential accommodations with sleeping and toilet facilities, whose volume coefficient is greater than fifteen hundred (1,500) cubic feet. Volume coefficient is the ratio of the habitable space of a vessel measured in cubic feet to the draft of a vessel measured in feet of depth. Habitable space is any enclosed area used or designed to be used for a person to sleep, sit or eat.

RESIDENTIAL HOUSEBOAT – A vessel not designed primarily for residential dwelling units, designed primarily for pleasure craft, recreation and for independent navigation and not considered a floating home, in accordance with the definition set forth above, and which is being used or occupied for residential purposes.

RESIDENTIAL PURPOSES – The use of a houseboat, vessel or floating home as a dwelling place, residence or place of abode. The term “residential purposes” shall not be construed to prohibit the occasional overnight use of a houseboat incidental to a transient stay by the vessel within the Town of Riverhead between April 1 and November 1 of each year.

§ 106-5. § 106-4. Sanitation.

ARTICLE II. Houseboats & House Barges

§ 106.5 Sanitation Purpose and intent.

A. Applicability.

This article is intended to regulate the use of vessels commonly described and known as Floating Homes, Floating Cabanas or House Barges and defined in §106-3 of this chapter within the Town of Riverhead and shall apply to all waters within or bordering the Town of Riverhead to a distance of one thousand five hundred (1500) feet from the shore and to such other waters, including tidal and freshwater wetlands within the Town of Riverhead.

B. Use, mooring, docking.

No person, corporation, firm, association, organization, owner or agent shall construct, install, anchor, moor, dock or otherwise maintain a floating home, floating cabana or house barge within Town waters, nor shall any person dwell, reside, sleep, occupy (in the case of an office) or otherwise maintain a place of abode on any such prohibited floating home, floating cabana or house barge. This provision shall not apply to floating homes, floating cabanas or house barges existing and legally berthed, moored or anchored and continuously occupied for a period of three months within the waters of the Town of Riverhead as of the date of passage of this article, however, any vessel falling into this category shall be required to adhere to the restrictions and requirements set forth in §106-5 C. Any floating home in existence on the effective date of this article which has been continuously occupied for a period of three months or more shall be exempt from the provisions hereof and not prohibited; provided, however, that if, subsequent to the effective date hereof any such exempt floating home is, for a continuous period of one year or more, either unoccupied or removed from Town waters, such floating home shall lose such exemption and shall thereafter to be subject to this article and prohibited.

C. Existing Floating Homes, Floating Cabana’s, House Barges.

Any existing floating homes, floating cabanas, house barges which meets the criteria set forth in §106-5 B located within the waters of the Town of Riverhead may apply to the Conservation Advisory Council for a permit exempting said floating home, floating cabana or house barge from the above provisions subject to the following conditions:

1. An application seeking a permit must be made within 120 days of the effective date of this chapter.
2. Upon filing of an application for a permit, applicant agrees and consents to inspection by federal, state or local departments or agencies with jurisdiction and enforcement authority, including and to the extent applicable, Town of Riverhead Building Department, Suffolk County Health Department, and United States Coast Guard, for such local laws, rules, and regulations applicable to floating homes, floating cabanas, and house barges.
3. A permit issued by the Conservation Advisory Council must be renewed every year. To entitle applicant to a renewal, applicant must demonstrate compliance with all sections of this Article, Chapter 47 and Chapter 107, as well as any and all terms or conditions set forth and made part of the permit granted by the Conservation Advisory Council.
4. Said permit must be renewed within 120 days of a sale or transfer of the floating home, floating cabana, house barge to any person or entity other than a member of the owners family.
5. A permit shall cease and be of no further force and effect upon destruction of the floating home, floating cabana, house barge by reason of storm, fire or act of God to the extent of 50% or more of its fair market value shall be destroyed. Where more than 50% of fair market value remains, any existing use having a permit may be restored to the same existing use as it existed before such damage.
6. Within six (6) months of enactment of this local law, all floating homes, floating cabanas, house barges shall have holding tank for all waste water and waste water disposal system in conformance with all applicable laws and regulations.
7. No such floating home, floating cabana, house barge shall be place in any manner that will obstruct or interfere with navigation.

D. Acceptance of Permit.

An acceptance of a permit shall constitute an agreement by permit holder that he or she will defend and hold the Town of Riverhead, its departments, officers or agents harmless from any and all claims of loss, damage, suit, judgment for property damage or personal injury, including death and reasonable attorneys fees, which may arise from or in connection with the operation, docking, tying, lowering, removal or disposal of the floating home, floating cabana, house barge, and further agrees to fully reimburse the Town of Riverhead for any damage caused to the Town of Riverhead. An acceptance of a permit shall constitute an agreement by the permit holder to

abide by all of the rules, regulations and provisions of Chapter 47, 107 and 106 of the Riverhead Town Code.

E. Penalties for offenses.

For any and every violation of the provisions of this chapter, the owner, general agent, tenant, lessee of a floating home, floating cabana or house barge where such violation has been committed or shall exist shall be guilty of an offense and, upon conviction thereof, be punishable by a fine not exceeding \$500 or imprisonment for a period not to exceed six months, or both. Each week's continued violation shall constitute a separate additional violation.

ARTICLE III. Anchoring and Abandoned Vessels

§ 106.6. Anchoring, docks and moorings.

- A. Vessels shall not moor or anchor in any channel within 50 feet of any channel marker or so as to interfere with the full use of the channel, nor shall any vessel be moored or anchored within 50 feet of any dock, pier or other vessel docking or launching facilities.
- B. No vessel shall restrict or obstruct the use on any public bulkhead, dock or landing owned or controlled by the Town of Riverhead.
- C. Boats shall not moor or anchor so as to endanger the safety of or cause damage to any boat previously anchored or moored nor so as to interfere with the mooring of any boat previously laid down. Any boats so moored or anchored shall be removed by the owner or person in charge thereof on order of the Town Board or any duly authorized officer or agent thereof or member of the Town Police or Bay Constable of the Town. If said boat is not removed after orders to so remove it, it may be removed by or at the direction of the Town Board or any duly authorized officer or agent thereof or member of the Town Police or Bay Constable of the Town, at the expense of the owner or person in charge of said vessel, to be enforced by civil suit.

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

Dated: Riverhead, New York
June 4, 2013

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, TOWN CLERK

08.20.13
130589

ADOPTED

TOWN OF RIVERHEAD

Resolution #589

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST THE ATTACHED NOTICE
TO BIDDERS FOR TOWN OF RIVERHEAD REPLACEMENT OF TENSION
MEMBRANES FOR SALT STORAGE BUILDINGS**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

RESOLVED, that the Town Board of the Town of Riverhead be and does hereby authorize the Town Clerk to post and publish the attached Notice to Bidders in the August 29, 2013 issue of the official Town newspaper for the Replacement of Tension Membranes for Salt Storage Buildings, 1177 Osborn Avenue, Riverhead, New York; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Drew Dillingham, P.E., George Woodson, Purchasing Department and the Office of Accounting; and

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the purchase and installation of two tension membranes for the salt storage buildings at the Town of Riverhead Highway Maintenance facility located at 1177 Osborn Avenue, Riverhead, New York will be received by the Town of Riverhead in the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 11:00 am September 26, 2013. Bids will be will be publicly opened and read aloud 11:00 am September 27, 2013 in the Office of the Town Clerk.

Plans and specifications may be examined and/or obtained on or about August 29, 2013 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website: www.townofriverheadny.gov and click on Bid Requests.

A non-refundable fee of \$50.00 will be required for each hard copy of the contract documents obtained from the Office of the Town Clerk.

A mandatory prebid meeting will be held at the existing salt barns located at the Town of Riverhead Highway Maintenance facility. The prebid meeting will take place at 9:00 am on September 12, 2013.

Each proposal must be submitted on the form provided and must be in a sealed envelope clearly marked, "Replacement of Tension Membranes for Salt Storage Buildings" and must be accompanied by a bid surety as stated in the Instructions to Bidders.

Please take further notice, that the Town Board reserves the right to reject n whole or in part any or all bids, waive any informality in the bids and accept the bid which is deemed most favorable in the interest of the Town of Riverhead. The Town Board will use its discretion to make judgmental determination as to its best estimate of the lowest bidder.

BY ORDER OF THE RIVERHEAD TOWN BOARD
DIANE M. WILHELM, Town Clerk
Riverhead, New York 11901

Dated: August 20, 2013

08.20.13
130590

ADOPTED

TOWN OF RIVERHEAD

Resolution #590

WATER DEPARTMENT

BUDGET ADJUSTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, \$2,209.05 has been received by the Water Superintendent for participating in an energy efficient program called "Operation Save New York".

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

		<u>FROM</u>	<u>TO</u>
112.092770.422031	Miscellaneous Water Charges	2,209.05	
112.083200.546000	Power, Light and Fuel		2,209.05

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

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

08.20.13
130591

ADOPTED

TOWN OF RIVERHEAD

Resolution #591

AUTHORIZES ATTENDANCE OF ASSESSOR AT SEMINAR

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, on October 1 – October 4, 2013, the Annual Meeting and Seminar on Assessment Administration is being held in Lake Placid, New York, and

WHEREAS, One member of the Board of Assessors has expressed an interest and desire in attending said seminar.

NOW, THEREFORE, BE IT RESOLVED, that the assessor is hereby authorized to attend said seminar, and

BE IT FURTHER RESOLVED, that the use of a Town vehicle is hereby authorized, and

BE IT FURTHER RESOLVED, that the costs of registration, deposit, travel, lodging and meals, not to exceed a total of \$1,260.00, and

BE IT FURTHER RESOLVED, that expenses incurred for tuition, travel, lodging and meals are subject to reimbursement by the State of New York to the Town of Riverhead upon completion of said seminar, and

BE IT FURTHER RESOLVED, that the remainder of the expenses which are not reimbursed by the State of New York to the Town of Riverhead, will be reimbursed to the assessor upon proper submission of receipts in accordance with the Town's Travel and Conference Policy, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Assessor's Office and the Accounting Department.

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

08.20.13
130592

ADOPTED

TOWN OF RIVERHEAD

Resolution #592

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT
TO OBTAIN MEDICAL ARBITRATION SERVICES FROM
REHABILITATION MEDICINE ASSOCIATES**

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

WHEREAS, the Town of Riverhead is desirous of utilizing professional medical services for the purpose of evaluating illnesses or injuries relating to or affecting an employee’s job duties; and,

WHEREAS, Rehabilitation Medicine Associates’ employees, agents and/or subcontractors possess the required education, knowledge and experience to perform professional medical evaluation.

NOW, THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute an agreement with Rehabilitation Medicine Associates in substantially the same form as annexed hereto and subject to review and recommendation by the Office of the Town Attorney; and,

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Craig H. Rosenberg, MD, President and Medical Director, Rehabilitation Medicine Associates, P.O. Box 230, Islip, New York, 11751; 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

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

The resolution was was not
thereupon duly declared adopted

MEDICAL ARBITRATION SERVICES AGREEMENT

THIS AGREEMENT (Agreement) is between the Town of Riverhead (hereinafter "Town"), a municipal corporation of the State of New York, having its principal office at 200 Howell Avenue, Riverhead, New York; and,

REHABILITATION MEDICINE ASSOCIATES (hereinafter "RMA"), a corporation organized under the laws of the State of New York, having its principal place of business at 301 East Main Street, Bay Shore, New York.

The parties hereto desire to make available to the Town the services of RMA to provide medical arbitration services for individuals referred by the Town as described in Exhibits A through C.

TERM OF AGREEMENT: shall be indefinite up until such time that there is a change in the Agreement.

TERMS AND CONDITIONS: shall be as set forth in Exhibits A through C, attached.

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

REHABILITATION MEDICINE ASSOCIATES

By: _____

Craig H. Rosenberg, MD
President & Medical Director

Date: _____

TOWN OF RIVERHEAD

By: _____

Sean M. Walter
Town Supervisor

Date: _____

MEDICAL ARBITRATION SERVICES AGREEMENT

THIS AGREEMENT (Agreement) is between the Town of Riverhead (hereinafter "Town"), a municipal corporation of the State of New York, having its principal office at 200 Howell Avenue, Riverhead, New York; and,

REHABILITATION MEDICINE ASSOCIATES (hereinafter "RMA"), a corporation organized under the laws of the State of New York, having its principal place of business at 301 East Main Street, Bay Shore, New York.

The parties hereto desire to make available to the Town the services of RMA to provide medical arbitration services for individuals referred by the Town as described in Exhibits A through C.

TERM OF AGREEMENT: shall be indefinite up until such time that there is a change in the Agreement.

TERMS AND CONDITIONS: shall be as set forth in Exhibits A through C, attached.

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

REHABILITATION MEDICINE ASSOCIATES

By: Craig H. Rosenberg
Craig H. Rosenberg, MD
President & Medical Director
Date: 8/5/13

TOWN OF RIVERHEAD

By: _____
Sean M. Walter
Town Supervisor
Date: _____

EXHIBIT A

General Terms and Conditions

1. PROVIDER RESPONSIBILITIES

(a) The duties of RMA shall be to provide medical arbitration services for individuals referred by Town as more particularly described in this Exhibit A and Exhibits B through C attached to and made part of this Agreement.

(b) RMA shall perform such professional services as may be necessary to accomplish the work required to be performed under and in accordance with this Agreement. RMA specifically represents and warrants that it has and shall possess, and that its employees, agents and subcontractors have and shall possess, the required education, knowledge, experience and character necessary to qualify them individually for the particular duties they perform. Parties understand and agree that RMA, its employees, agents and subcontractors are not treating physicians and are not providing medical treatment for or to any town employee. Parties agree that RMA may order appropriate diagnostic tests when warranted regarding town employees referred for evaluation. RMA shall provide a written report to the Town for every diagnostic test so ordered which shall serve as the basis for payment.

2. INCONSISTENT PROVISIONS:

The provisions of this Exhibit A shall prevail over inconsistent provisions of any other Exhibit and over any other document not specifically referred to in this Agreement or made part thereof by this Agreement or by subsequent amendment in writing and signed by both parties except to the extent that such provisions of this Exhibit A are specifically referred to and amended or superseded by such Exhibitor Amendments.

3. REPORTS:

RMA shall be responsible for issuing timely reports, both orally and in writing, to Town on the status pending and proposed activities. Such reports shall include those described in the Proposal and as the Town may reasonably require.

4. TERM AND TERMINATION:

(a) Term: This Agreement shall cover the period provided on the first page thereof, unless sooner terminated as provided below.

(b) Termination for Cause: This Agreement may be terminated in whole or in part in writing by either party in the event of failure by the other party to fulfill its obligations under this Agreement; provided that no such termination shall be effective unless RMA is given five (5) calendar days written notice of intent to terminate, delivered personally or by certified mail, return receipt requested, and an opportunity for consultation with the other party prior to termination. Prior to issuance of a written termination notice ("Termination Notice") by the Town, RMA shall be given an additional five (5) days to cure any material failure to fulfill its obligations under this Agreement. In the event that Contractor has not cured any material failure to the satisfaction of the Town by the end of the combined ten (10) day period, the Town may issue a Termination Notice.

(c) Upon receipt of a termination notice pursuant to the foregoing paragraph, the parties shall promptly discontinue all services affected unless otherwise directed by the notice of termination.

(d) Termination for Convenience:

(i) Town shall have the right to postpone, delay, suspend or terminate the services for which RMA is herein engaged at any time and for any reason deemed to be in Town's interest, provided that no such termination shall be effective unless RMA is given sixty (60) calendar days' written notice of Town's intent to terminate and furthermore Town issues a Termination Notice. In such event of termination, for Town's convenience, Town shall pay RMA for the services rendered through the date when notice of termination was received by RMA with an equitable adjustment of the fee. In the event of delay, postponement or suspension, RMA agrees that it shall only be entitled to a reasonable extension of time to complete the project and not to monetary compensation.

(ii) RMA shall have the right to postpone, delay, suspend or terminate the services for which RMA is herein engaged at any time and for any reason deemed to be in RMA's interest, provided that no such termination shall be effective unless Town is given sixty (60) days* written notice of RMA's intent to terminate and furthermore, RMA issues a Termination Notice. In such event of termination, for RMA's convenience, Town shall pay RMA for the services rendered through date when notice of termination was received by Town with an equitable adjustment of the fee. In the event of delay, postponement or suspension, RMA agrees that it shall only be entitled to a reasonable extension of time to complete the project and not to monetary compensation.

5. PAYMENT AND COMPENSATION:

(a) RMA shall prepare and present a claim form provided by the Town and approved for payment by the Town for services rendered by RMA. Payment of the claim shall be made within thirty (30) days unless said claim is rejected in writing. If the Town disputes the claim, the Town shall have ten (10) business days to reject said claim. If no such written rejection of the claim form is issued by the Town within ten (10) business days of receipt of the claim form, said claim form shall be deemed approved.

(b) RMA agrees that it shall be entitled to no more than the total cost of the Agreement as set forth on page one of this Agreement and as set forth in any amendments to this Agreement, for the completion of work, labor and services contemplated in this Agreement and amendments, and in full re-imbusement of all travel and other expenses of every nature and kind whatsoever, if reasonable, proper and warranted. RMA shall be entitled to additional compensation for other services provided the parties have amended this Agreement as regards the scope of such services and the cost of such services.

(c) Charges payable to RMA under this Agreement are exclusive of federal, state and local taxes. Town shall be exempt from payment of such taxes as a municipality.

Rate Sheet

Medical Examination (Initial & Follow-Up):	\$565.00 Per Hour
Functional Capacity Exams: Screening:	\$275.00
Two Hour Assessment:	\$400.00
Four Hour Assessment:	\$675.00
<p>Related Diagnostics Services: Prevailing Hospital Charge or such other rates as may be negotiated, with the exception of the following tests, which shall be paid at the following rates:</p>	
Radiographic Myelogram (Including Radiologists Interpretation): Cervical :	\$345.00
Lumbar:	\$460.00
Complete:	\$650.00
Electromyogram and Nerve Conduction Studies (All inclusive comprehensive service):	\$525.00/Extremity
Stress Testing (Including Cardiologist's Interpretation):	\$285.00
Electrocardiogram (Including Cardiologist's Interpretation):	\$195.00
CT Scan	\$485.00
Discogram	TBD
MRI	\$825.00
Laboratory Cardiac Profile Testing:	\$85.00
Laboratory Liver Function Testing:	\$135.00
Electroencephalogram:	\$175.00
Echocardiogram (Including Cardiologist's Interpretation):	\$265.00
Other Specialist Examinations:	\$325.00/Per Hour

REHABILITATION MEDICINE ASSOCIATES

P.O. Box 230

Islip, New York 11751-0230

Telephone: (631) 968-3100

Fax: (631) 968-3319

RIVERHEAD POLICE DEPARTMENT
RATE SHEET 2014

Medical (Medscope) Examination (Initial & Follow-Up) Review of Records and Report	\$ 580.00 Per Hour
Functional Capacity Exams: Two Hours Assessment	\$415.00
Electromyogram and Nerve Conduction Studies (All Inclusive comprehensive Service)	\$575.00
Other Specialist Examinations	\$390.00
CDP- Balance Test	\$550.00

Medical examinations will be charged and paid at the full rate if cancelled less than 72 business hours prior to scheduled examinations, excluding weekends and holidays.

6. (a) Medical Examinations will be charges and paid at the full rate if cancelled less than 2 business days prior to scheduled examination, excluding weekends and holidays, unless the cancellation is related to a medical issue concerning the examinee subject to documentation, in which case there will be no charge for the cancellation. If "block" Medical Examination periods are scheduled and not cancelled within 6 business days prior to the scheduled examinations date, they will be charges and paid at the full rate.

(b) The charges payable to RMA under this Agreement are exclusive of federal, state and local taxes.

(c) The acceptance by RMA of full payment of all billings made on the invoice shall operate as and shall be a release to Town from all claims and liability to RMA, its successors, legal representatives and assigns, for anything done or furnished under and by the provisions of this Agreement.

7. RATES FOR ADDITIONAL SERVICES

(a) Rates for additional services not set forth herein will be negotiated with the Town.

(b) Town shall provide time and fee estimates for any optional service requested by the Town before commencing any activity. The parties will agree in writing as to such fees.

8. CONTACT PERSONS:

(a) Any communication, notice, claim for payment, report or other submissions necessary or required to be made by the parties regarding this Agreement shall be deemed to have been duly made upon receipt by Town or RMA or their designated representative at the following address or at such other address mat may be specified in writing by the parties:

For Town of Riverhead:

Sean M. Walter
Riverhead Town Supervisor
200 Howell Avenue
Riverhead, New York 11901

For RMA:

Craig H. Rosenberg, M.D.
President & Medical Director
PO Box 230 Islip, NY 11751

(b) Termination/Litigation

For the Town:

Robert F. Kozakiewicz, Town Attorney
Riverhead Town Attorney's Office
200 Howell Avenue Riverhead, New York
11901 631-727-3200x605

For the Contractor:

Rehabilitation Medicine Associates
P.O. Box 230
Islip, New York 11751
631-968-3100

(c) Each party shall give prompt written notice to the other party of the appointment of successor (s) to the designated contact person (s) or his or her designated successors.

(d) Any communication or notice regarding litigation shall be deemed to have been duly made upon receipt at the addresses specified above or at such other addresses that may be specified in writing by either party.

9. INDEMNIFICATION FOR PERSONAL INJURY, TANGIBLE PROPERTY DAMAGE OR WRONGFUL DEATH:

(a) RMA shall indemnify and hold Town harmless from and against all claims, costs, judgments, liens, encumbrances and expenses, including reasonable attorneys' fees, for personal injury, tangible property damage or wrongful death arising out of the negligence or intentionally wrongful acts or omissions of RMA, its agents, employees or subcontractors in connection with the services described or referred to in this Agreement and applicable Amendments.

(b) Town shall indemnify and hold harmless RMA, from and against all claims, costs, judgments, liens, encumbrances and expenses, including reasonable attorneys' fees, for personal injury, tangible property damage or wrongful death arising out of the acts or omissions or negligence of Town, its officers, agents or employees in connection with the services described or referred to in this Agreement and applicable Amendments.

10. INSURANCE:

(a) RMA agrees to procure and pay the entire premium for and maintain throughout the term of this Agreement, and applicable Amendments, insurance in the amounts and types specified by the Town. Unless otherwise specified by the Town and agreed to by RMA, in writing, such insurance will be as follows:

- (i) **Commercial General Liability Insurance.** RMA shall maintain a primary General Liability policy naming Town as an additional insured, having minimum limits of \$2,000,000.00 (Two Million) combined single limit for bodily injury and property damage per occurrence and aggregate.
- (ii) **Professional Liability Insurance.** In addition, RMA must maintain Professional Liability in an amount equal to \$1,300,000.00 (One Million Three Hundred Thousand) per each occurrence and \$3,000,000.00 (Three Million) in the aggregate.
- (iii) **Automobile Liability Insurance,** (if any vehicles are used in the performance of this Agreement) in an amount of \$300,000.00 combined single limit for bodily injury and property damage per occurrence.
- (iv) **Workmen's Compensation and Employer's Liability Insurance.** Shall comply with all applicable New York State laws and regulations and Disability Benefits Insurance if required by law and shall have furnished to the Town prior to its execution of this Agreement the documentation required by the State of New York Workers Compensation Board of coverage or exemption from coverage pursuant to Section 57 and 220 of the Workers Compensation Law. In accordance with General Municipal Law Section 108, this Agreement shall be void and of no effect unless RMA shall provide and maintain coverage during the term of this Agreement for the benefit of such employees as are required to be covered by the provisions of the Workers Compensation Law.

(b) All said policies shall be for periods of not less than one year and shall contain a provision whereby the same cannot be canceled unless Town is given at least thirty (30) days prior written notice of such cancellation. RMA shall procure such insurance and pay for renewals of the same, as required. Insurance as specified herein must be maintained at all times during the life of this Agreement. Prior to the commencement of this Agreement, a Certificate of Insurance, acceptable to Town evidencing such coverages shall be furnished to Town.

(c) Insurance coverage shall be provided by an Insurance Company licensed as an "admitted Carrier" by the New York State Insurance Department and rated by "bests" at "A-" or better, or as otherwise deemed acceptable to Town.

(d) RMA shall furnish to the Town certificates of insurance evidencing compliance with the aforesaid insurance requirements. In the case of commercial general liability insurance and automobile liability insurance, said certificates shall name the Town of Riverhead as an additional insured. All such certificates or other evidence of insurance shall provide for the Town of Riverhead to be a certificate holder. RMA shall notify Town in writing thirty (30) days prior to any written notice of cancellation, non-renewal or material change (with the exception of professional liability insurance that is non-cancelable). Such certificates, policies, and notices shall be mailed to the Town at the address set forth in paragraph 8, entitled "Contact Persons", subparagraph b.

Subcontractors shall adhere to the above.

11. GRATUITIES:

RMA represents and warrants that it has not offered or given any gratuity to any official, employee or agent at the Town or any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an Agreement or the making of any determinations with respect to the performance of an agreement, and that the signer of this Agreement has read and is familiar with the provisions of Local Law No. 32-1980 of Suffolk County (Chapter 386 of the Suffolk County Code).

12. INDEPENDENT CONTRACTOR:

It is expressly agreed that RMA's status hereunder is that of an independent contractor. Neither RMA nor any person hired by RMA shall be considered employees of the Town for any purpose.

13. CONFLICT OF INTEREST

Neither RMA nor its employees may simultaneously represent other private clients in actions or proceedings against the Town, its agencies or Town employees in their official capacity, without the prior approval of the Town. The representation of any individual in a dispute concerning the legal relationship between the individual and the Town or its agencies would also create a conflict that may require disqualification. RMA is charged with the duty to disclose to the Town the existence of any material adverse interests. The duty shall continue so long as RMA is retained on behalf of the Town or its employees. The determination as to when a conflict exists shall ultimately be made by the Riverhead Town Attorney's Office after full disclosure is obtained.

14. NO DEFAULT

To the best of its knowledge, RMA warrants that it is not in arrears to the Town upon debt or contract and is not in default as surety, contractor or otherwise on any obligation to the Town.

15. NO ASSIGNMENT:

RMA shall not assign, transfer, convey, sublet or otherwise dispose of this Agreement or any of its right, title or interest therein, or its power to execute this Agreement, or assign all or any portion of the monies that may be due or become due to RMA under the terms of this Agreement, to any other person or corporation, without the prior consent of the Town.

16. SEVERABILITY:

It is expressly agreed that if any term or provision of this Agreement, or the application thereof to any person or circumstance shall be held invalid or unenforceable to any extent, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and every other term and provision of this Agreement shall be valid and shall be enforced to the fullest extent permitted by law.

17. ENTIRE AGREEMENT:

It is expressly agreed that this instrument represents the entire Agreement of the parties and that all previous understandings are merged in this Agreement

18. NO ORAL CHANGES:

No modification of this Agreement shall be valid unless written in the form of an Addendum or Amendment signed by both parties.

End of Text for Exhibit A.

EXHIBIT B

Description of Responsibilities

1. RESPONSIBILITIES OF RMA:

(a) Independent medical examinations conducted by RMA will be used to help Town and the Union resolve disputed cases of illnesses or injuries relating to or affecting an employee's job duties. It will be RMA's responsibility to:

- (b) Determine whether a physical illness or injury suffered by the employee was incurred in the performance of his/her duties.
- (c) Determine whether a current illness or injury is a recurrence or aggravation of prior injury, which occurred in the performance of the employee's duties.
- (d) Determine whether an employee who incurred a totally disabling illness or injury as a result of the performance of the employee's duties has sufficiently recovered and is able to perform either temporary limited duty assignments or full duty.
- (e) Upon determination that the employee is able to return to work, a facsimile of the physical condition and restrictions report will be sent to Town and Union.
- (f) In a prompt and timely fashion submit documentation to Town and Union, suitable in format for use in the medical arbitration process.
- (g) Make appointment times available for medical examinations, which will satisfy Town's and/or employee's needs under the medical arbitration process.
- (h) Identify to Town and Union a single individual within RMA who will be authorized and responsible to communicate patient specific, therefore confidential, information.
- (i) Deny any requests for information from unauthorized individuals and communicate only with the designated individuals.
- (j) Assist Town and Union by providing any and all reasonable services related to the provision of medical arbitration services.

2. RESPONSIBILITIES OF TOWN:

- (a) Convey information to employees referred to RMA for medical examination, which will facilitate the appointment scheduling process.
- (b) Communicate with RMA about each employee being referred, to RMA for medical examination services, prior to initial patient contact.
- (c) Provide RMA with all required clinical and related documentation for each referred patient, prior to the medical examination.

- (d) Provide RMA with a copy of a signed patient consent for release of medical information, subject to applicable laws regarding confidentiality of patient information, prior to the medical examination.
- (e) Designate an individual who will be Town's contact person and sole communicant regarding all referred cases.
- (i) Provide clear guidelines at all times regarding the desired format for documentation to be provided to Town.
- (g) Supply any special forms required for completion as a part of the medical examination and billing process.

End of Text for Exhibit B.

EXHIBIT C

**Incorporated by reference: Agreements between Town of Riverhead and Police Benevolent Association
and Superior Officers Association**

08.20.13
130593

ADOPTED

TOWN OF RIVERHEAD

Resolution #593

**AUTHORIZES PUBLICATION OF HELP WANTED ADVERTISEMENT FOR
AN ASSESSMENT CLERK**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

BE IT RESOLVED, that the Town Clerk is hereby authorized to publish the attached help wanted advertisement for an Assessment Clerk in the August 29, 2013 issue of The New Review, and

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

THE VOTE

Giglio Yes No Gabrielsen Yes No

Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

ADVERTISEMENT TO BE PLACED IN NEWS REVIEW

HELP WANTED

PLEASE TAKE NOTICE that the Town of Riverhead is seeking a qualified individual to serve in the FT position of Assessment Clerk in the Assessor's Office. Applicants must be at least 18 years of age. Preferable candidates should possess good knowledge of assessment office terminology and clerical techniques; good knowledge of the operation of a computer terminal; good knowledge of clerical requirements of the New York State Real Property Information System; the ability to deal courteously and effectively with the public; the ability to learn assigned tasks readily and to follow prescribed departmental procedures; and, the physical condition commensurate with the demands of the position. All applications are to be submitted to the Personnel Office, 1295 Pulaski Street, Riverhead, NY, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. No applications will be accepted after 4:00 p.m. on September 13, 2013. EOE

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

08.20.13
130594

ADOPTED

TOWN OF RIVERHEAD

Resolution #594

RATIFIES THE APPOINTMENT OF A PART-TIME COURT OFFICER

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, a vacancy for the position of Part-Time Court Officer existed at the Riverhead Town Police Department; and

WHEREAS, a recommendation had been made by the Chief of Police to appoint Part Time Traffic Control Officer Anthony Schoberl to this position; and

WHEREAS, this candidate has passed all qualifying psychological exams and background checks, and has been deemed qualified and eligible for the title of Court Officer by the Suffolk County Department of Civil Service

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby ratifies the appointment of Anthony Schoberl to the position of Part Time Court Officer at an hourly rate of \$20.00 effective August 12, 2013; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Anthony Schoberl, the Chief of Police, the Personnel Officer and the Financial Administrator. Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device, and if needed, a certified copy of same can be obtained from the office of the Town Clerk.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

08.20.13
130595

ADOPTED

TOWN OF RIVERHEAD

Resolution #595

**AUTHORIZATION TO REPUBLISH ADVERTISEMENT
FOR FOOD AND MEAT PRODUCTS**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for FOOD AND MEAT PRODUCTS for the Town of Riverhead and;

WHEREAS, 2 bids were received and opened on July 25, 2013.

WHEREAS, one bidder required a \$500 minimum order for delivery and the other bidder neglected to include 206 items of the bid;

WHEREAS, the Town Clerk is hereby authorized to republish and post the following public notice in the AUGUST 29, 2013 issue of the News Review and;

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

NOTICE TO BIDDERS

Sealed bids for the purchase of **FOOD AND MEAT PRODUCTS** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m.** on **SEPTEMBER 6TH, 2013.**

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

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR FOOD AND MEAT PRODUCTS FOR THE TOWN OF RIVERHEAD.**

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

Diane M. Wilhelm, Town Clerk

08.20.13
130596

ADOPTED

TOWN OF RIVERHEAD

Resolution #596

**APPOINTS AN ASST. RECREATION LEADER
TO THE RECREATION DEPARTMENT**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, a Call-In Asst. Recreation Leader I (Level 1) is needed by the Riverhead Town Recreation Department.

NOW THEREFORE BE IT RESOLVED, that effective August 20th, 2013, this Town Board hereby appoints Steven Lomonaco to the position of Call-In Asst. Recreation Leader, to be paid the rate of \$9.50 per hour to the Recreation Department and

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**RECREATION DEPARTMENT APPOINTMENTS
8/20/13 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Level</u>	<u>Start Date</u>	<u>End Date</u>	<u>Salary</u>
Harden	Jordan	Summer Rec. Aide*	VI	8/24/13	9/2/13	\$11.50
Horton	Rosaleigh	Summer Program Leader	I	8/24/13	9/2/13	\$13.50
Nieves	Alexa	Summer Rec. Aide*	VI	8/24/13	9/2 /13	\$11.50

*CPR certified

08.20.13
130597

ADOPTED

TOWN OF RIVERHEAD

Resolution #597

APPOINTS SEASONAL RECREATION STAFF TO THE RECREATION DEPARTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, seasonal employees are needed by the Riverhead Town Recreation Department for Town Summer Recreation Programs

NOW THEREFORE BE IT RESOLVED, that effective August 24, 2013 through and including September 2, 2013, this Town Board hereby appoints the attached list of Summer Recreation staff to the Recreation Department

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

08.20.13
130598

ADOPTED

TOWN OF RIVERHEAD

Resolution #598

ORDER CALLING PUBLIC HEARING
REGARDING EXTENSION TO RIVERHEAD SEWER DISTRICT
TO SERVE MATTITUCK LAUNDRY (1044 PARKWAY STREET)

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, application has been filed by Mattituck Laundry requesting extension of boundary of the Riverhead Sewer District to accommodate sewer connection of the proposed Mattituck Laundry located at 1044 Parkway Street, Riverhead; and

WHEREAS, it is necessary that a public hearing be held on the question of the extension of boundary of the Riverhead Sewer District to accommodate sewer connection for the proposed Mattituck Laundry located at 1044 Parkway Street, Riverhead, NY to include within the district premises described as Suffolk County Tax Map NO. 0600-125-1-10.1 as more particularly shown on the attached map and plan dated August 9, 2013 as prepared by H2M Group as consulting engineers of the Riverhead Sewer District, and

WHEREAS, the extension of the sewer district boundaries as included in said map and plan are proposed at no cost to the district but at proposed cost to the applicant of \$102,322.50 "No Net Nitrogen Increase" charges and cost of review of pre-treatment by District engineer.

NOW THEREFORE IT IS HEREBY

ORDERED, by the Town Board of the Town of Riverhead, as follows:

1. A public hearing will be held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 4th day of September, 2013 at 2:05 p.m. on the question of the extension of boundary of the Riverhead Sewer District in the manner described in the preambles hereof, and to hear all persons in the subject thereof, concerning the same, and to take such action as is required or authorized by law.

2. The Town Clerk is hereby authorized and directed to cause a copy of this resolution to be published in the August 22, 2013 edition of The News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy thereof to be posted on the sign board of the town, such publication and posting to be made not less than ten nor more than twenty days before the date designated for the public hearing.
3. The project described in the preambles hereto is hereby determined to be an "unlisted action" under the State Environmental Quality Review Act, the implementation of which, as proposed, will not result in any significant environmental effects.
4. This order shall take effect immediately.

RESOLVED, that the Town Clerk be and hereby is authorized to forward a copy of this resolution to Mattituck Laundry,

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.

Dated: Riverhead, NY
August 20, 2013

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF RIVERHEAD,
SUFFOLK COUNTY, NY

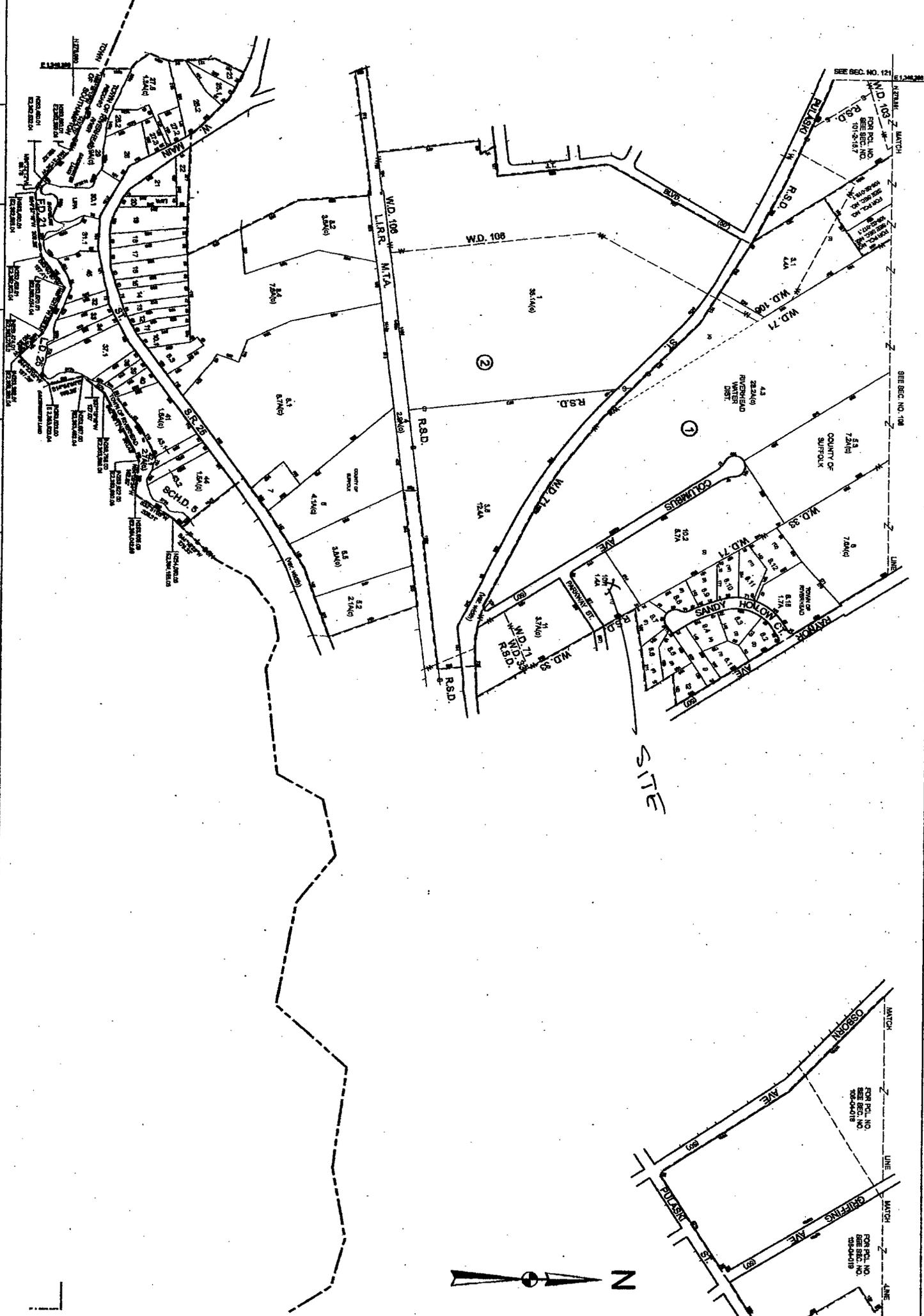
DIANE M. WILHELM, TOWN CLERK

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

<p>SECTION 21</p> <p>SECTION 22</p> <p>SECTION 23</p> <p>SECTION 24</p> <p>SECTION 25</p> <p>SECTION 26</p> <p>SECTION 27</p> <p>SECTION 28</p> <p>SECTION 29</p> <p>SECTION 30</p> <p>SECTION 31</p> <p>SECTION 32</p> <p>SECTION 33</p> <p>SECTION 34</p> <p>SECTION 35</p> <p>SECTION 36</p> <p>SECTION 37</p> <p>SECTION 38</p> <p>SECTION 39</p> <p>SECTION 40</p> <p>SECTION 41</p> <p>SECTION 42</p> <p>SECTION 43</p> <p>SECTION 44</p> <p>SECTION 45</p> <p>SECTION 46</p> <p>SECTION 47</p> <p>SECTION 48</p> <p>SECTION 49</p> <p>SECTION 50</p> <p>SECTION 51</p> <p>SECTION 52</p> <p>SECTION 53</p> <p>SECTION 54</p> <p>SECTION 55</p> <p>SECTION 56</p> <p>SECTION 57</p> <p>SECTION 58</p> <p>SECTION 59</p> <p>SECTION 60</p> <p>SECTION 61</p> <p>SECTION 62</p> <p>SECTION 63</p> <p>SECTION 64</p> <p>SECTION 65</p> <p>SECTION 66</p> <p>SECTION 67</p> <p>SECTION 68</p> <p>SECTION 69</p> <p>SECTION 70</p> <p>SECTION 71</p> <p>SECTION 72</p> <p>SECTION 73</p> <p>SECTION 74</p> <p>SECTION 75</p> <p>SECTION 76</p> <p>SECTION 77</p> <p>SECTION 78</p> <p>SECTION 79</p> <p>SECTION 80</p> <p>SECTION 81</p> <p>SECTION 82</p> <p>SECTION 83</p> <p>SECTION 84</p> <p>SECTION 85</p> <p>SECTION 86</p> <p>SECTION 87</p> <p>SECTION 88</p> <p>SECTION 89</p> <p>SECTION 90</p> <p>SECTION 91</p> <p>SECTION 92</p> <p>SECTION 93</p> <p>SECTION 94</p> <p>SECTION 95</p> <p>SECTION 96</p> <p>SECTION 97</p> <p>SECTION 98</p> <p>SECTION 99</p> <p>SECTION 100</p>	<p>SECTION 101</p> <p>SECTION 102</p> <p>SECTION 103</p> <p>SECTION 104</p> <p>SECTION 105</p> <p>SECTION 106</p> <p>SECTION 107</p> <p>SECTION 108</p> <p>SECTION 109</p> <p>SECTION 110</p> <p>SECTION 111</p> <p>SECTION 112</p> <p>SECTION 113</p> <p>SECTION 114</p> <p>SECTION 115</p> <p>SECTION 116</p> <p>SECTION 117</p> <p>SECTION 118</p> <p>SECTION 119</p> <p>SECTION 120</p> <p>SECTION 121</p> <p>SECTION 122</p> <p>SECTION 123</p> <p>SECTION 124</p> <p>SECTION 125</p> <p>SECTION 126</p> <p>SECTION 127</p> <p>SECTION 128</p> <p>SECTION 129</p> <p>SECTION 130</p> <p>SECTION 131</p> <p>SECTION 132</p> <p>SECTION 133</p> <p>SECTION 134</p> <p>SECTION 135</p> <p>SECTION 136</p> <p>SECTION 137</p> <p>SECTION 138</p> <p>SECTION 139</p> <p>SECTION 140</p> <p>SECTION 141</p> <p>SECTION 142</p> <p>SECTION 143</p> <p>SECTION 144</p> <p>SECTION 145</p> <p>SECTION 146</p> <p>SECTION 147</p> <p>SECTION 148</p> <p>SECTION 149</p> <p>SECTION 150</p>	<p>SECTION 151</p> <p>SECTION 152</p> <p>SECTION 153</p> <p>SECTION 154</p> <p>SECTION 155</p> <p>SECTION 156</p> <p>SECTION 157</p> <p>SECTION 158</p> <p>SECTION 159</p> <p>SECTION 160</p> <p>SECTION 161</p> <p>SECTION 162</p> <p>SECTION 163</p> <p>SECTION 164</p> <p>SECTION 165</p> <p>SECTION 166</p> <p>SECTION 167</p> <p>SECTION 168</p> <p>SECTION 169</p> <p>SECTION 170</p> <p>SECTION 171</p> <p>SECTION 172</p> <p>SECTION 173</p> <p>SECTION 174</p> <p>SECTION 175</p> <p>SECTION 176</p> <p>SECTION 177</p> <p>SECTION 178</p> <p>SECTION 179</p> <p>SECTION 180</p> <p>SECTION 181</p> <p>SECTION 182</p> <p>SECTION 183</p> <p>SECTION 184</p> <p>SECTION 185</p> <p>SECTION 186</p> <p>SECTION 187</p> <p>SECTION 188</p> <p>SECTION 189</p> <p>SECTION 190</p> <p>SECTION 191</p> <p>SECTION 192</p> <p>SECTION 193</p> <p>SECTION 194</p> <p>SECTION 195</p> <p>SECTION 196</p> <p>SECTION 197</p> <p>SECTION 198</p> <p>SECTION 199</p> <p>SECTION 200</p>	<p>SECTION 201</p> <p>SECTION 202</p> <p>SECTION 203</p> <p>SECTION 204</p> <p>SECTION 205</p> <p>SECTION 206</p> <p>SECTION 207</p> <p>SECTION 208</p> <p>SECTION 209</p> <p>SECTION 210</p> <p>SECTION 211</p> <p>SECTION 212</p> <p>SECTION 213</p> <p>SECTION 214</p> <p>SECTION 215</p> <p>SECTION 216</p> <p>SECTION 217</p> <p>SECTION 218</p> <p>SECTION 219</p> <p>SECTION 220</p> <p>SECTION 221</p> <p>SECTION 222</p> <p>SECTION 223</p> <p>SECTION 224</p> <p>SECTION 225</p> <p>SECTION 226</p> <p>SECTION 227</p> <p>SECTION 228</p> <p>SECTION 229</p> <p>SECTION 230</p> <p>SECTION 231</p> <p>SECTION 232</p> <p>SECTION 233</p> <p>SECTION 234</p> <p>SECTION 235</p> <p>SECTION 236</p> <p>SECTION 237</p> <p>SECTION 238</p> <p>SECTION 239</p> <p>SECTION 240</p>
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NOTICE

NOTICE OF THE COUNTY OF SUFFOLK FOR THE SALE OF REAL PROPERTY TAX LIENS AND DEEDS WITHOUT THE NECESSITY OF A COURT ORDER.



COUNTY OF SUFFOLK

Real Property Tax Services Agency

County Center Building, N.Y. 11901

4 COLLEGE BLVD.

400

TOWN OF	BRIDGEHEAD
VILLAGE OF	
DISTRICT NO.	0000
PARCEL	



architects + engineers

175 Pinelawn Road, Ste 308
Melville, NY 11747

tel 631.756.8000
fax 631.393.6322

August 9, 2013

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

Attention: Superintendent Michael P. Reichel

**Re: Riverhead Sewer District Extension
Map & Plan for Mattituck Laundry Sewer Connection (1044 Parkway Street)
H2M File No.: RDS13-04**

Dear Superintendent Reichel:

In accordance with the applicant's letter dated November 8, 2012 and Town Purchase Order No. 131367, we are providing this Map & Plan for the extension of the sewer district boundaries to serve the referenced property. The owner wishes to construct a commercial laundry and requires sewer service pursuant to Suffolk County Department of Health Services (SCDHS) requirements to be able to provide the desired laundry facilities.

The Suffolk County Tax Map number for the property is: District 600, Section 125, Block 1, Lot 10.1. The subject property is located outside the boundaries of the Riverhead Sewer District. The attached map is taken from the Suffolk County Real Property Tax Maps and shows the location of the property.

The Riverhead Sewer District's State Pollutant Discharge Elimination System (SPDES) permit requires approval by the New York State Department of Environmental Conservation (NYSDEC) for any extensions to the boundaries of the District. Consequently, following the close of the public comment period as presented via the scheduled public hearing of about September 3, 2013 for this map and plan, H2M (on behalf of the Town Board and if so approved by the Town Board) will advise the NYSDEC of this minor extension and seek approval to revise the boundaries of the District to include the property. The extension will only take place if NYSDEC approves of the request.

Discharge Flow

Based on information provided by the applicant, and verified by H2M, the flow from the facility based on a single 8-hour shift is 4,985 gallons per day (gpd), comprised of laundry flow of 4,760 gpd and restroom flow of 225 gpd. The flow shall be capped at this rate for the 8-hour shift, which calculates to be 10 gallons per minute (gpm) over that 8 hour period.

If the applicant expands the operation to two (2) 8-hour shifts, the total flow discharged shall not exceed 9,745 gpd and shall still remain capped at the rate of 10 gpm. In order to cap the flow at 10 gpm for the double shift, the applicant shall construct a flow equalization facility as generally described hereinafter. A pretreatment system shall also be installed to eliminate lint from entering the sewer system. Design



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Riverhead Sewer District Extension
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Mattituck Laundry Sewer Connection (1044 Parkway Street)
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documents for the flow equalization and pretreatment systems shall be prepared by a New York State licensed professional engineer and submitted to the Superintendent of the Riverhead Sewer District for approval prior to construction.

A third shift shall not be permitted without prior approval of the Superintendent and Town Board pursuant to any additional requirements imposed on the discharge.

Sewage Treatment Plant Capacity

The NYSDEC will require a statement regarding the available capacity of the treatment plant. The following formula is used to establish the available capacity that can be used for sewer district extensions and/or out-of-district sewer connections:

Available Capacity = ① NYSDEC Permitted Flow – (② Existing Sewer District Flow + ③ Pending Sewer Connection Flow + ④ Remaining Buildout Flow)

1. The NYSDEC current permitted flow is 1.3 mgd. The permitted flow will increase to 1.5 mgd after the TMDL upgrade of the plant is completed. The new flow is comprised of the Sewer District flow of 1.4 mgd and the Scavenger Waste Plant flow of 0.1 mgd. Therefore, the NYSDEC flow that is used in the formula is **1.4 mgd**.
2. The plant flow is greatest during the summer months. The flow for last year's (2012) summer months averaged 0.842 mgd. The highest flow was processed in June at 0.913 mgd and the lowest flow was processed in May 2012 at 0.773 mgd. The average flow of **0.842 mgd** will be used.
3. The lone pending sewer connection approved by NYSDEC is Blackman Plumbing totaling 2,000 gpd (**.002mgd**).
4. Sewer District Buildout Flow was obtained through the cooperation of Mr. Robert Hubbs and Ms. Laverne Tennenberg. Mr. Hubbs was able to use the tax information and plot the lots located within the Riverhead Sewer District that are not connected for sewer service. For the purposes of this analysis, the flow generated from these properties is called the "Buildout Flow". These unconnected properties were then overlaid onto a zoning map so that we can estimate the flow based on future development. The flow was calculated using the Suffolk County Department of Health Services (SCDHS) standards. The buildout flow is estimated at **0.352 mgd** and includes the Main Street Zoning Use District of 500 residential units.

Therefore, the Available Capacity is calculated as follows:

Available Capacity = 1.4 mgd – (0.842 mgd + 0.002 mgd + 0.352 mgd) = 0.204 mgd (204,000 gpd)



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Therefore, the sewage treatment plant has sufficient flow capacity to handle the additional flow of 9,745 gpd.

Sewage Collection and Pump Station Capacity

A terminus manhole is present on Parkway Street. The Parkway Street sewer flows to downstream sewers which in turn convey the flow to the West Main Street Pump Station. The West Main Street Pump Station discharges to the Defriest Pump Station Collection zone. The Defriest Pump Station pumps the flow to the plant.

The downstream gravity sewers, pump stations and force mains can easily handle the capped equalized flow of 10 gpm.

Pretreatment and Flow Equalization Facilities

The applicant shall install pretreatment equipment to remove lint from the waste stream prior to discharge to the sewer system. The lint removal system shall be screened using a commercially available unit and properly sized for the maximum hourly flow. Lint troughs, where lint is separated by gravity, shall not be allowed. Lint disposal shall remain the responsibility of the owner. Catalog information for the lint screen showing hydraulic capacity shall be submitted to the Superintendent for approval prior to installation.

The applicant shall install a flow equalization system consisting of a flow equalization tank, pumping equipment, constant head box, flow shutoff valve, and a sampling manhole.

The flow equalization tank shall have a minimum effective volume of 1,900 gallons as measured from the invert of the building drain line where it enters the tank to the invert elevation of the tank floor.

The constant head box shall accept the pumped flow from the flow equalization tank and be constructed with two weirs; a broadcrest weir and a v-notch weir. The v-notch weir shall be used to set the forward flow where the head over the v-notch equals the elevation of the broadcrest weir. Therefore, all flow in excess of 10 gpm is to be recycled back to the flow equalization tank. Pump controls shall be provided as required.

The forward flow shall be gravity fed to a manhole located on the property of the owner and a properly sized drain line installed to connect to the District's existing terminus manhole. A flow shut off valve shall be installed on the drain line and located within the public right-of-way. A drop connection inside the terminus manhole shall be provided to match the invert elevation of the existing sewer line. A detail of the drop assembly shall be provided for approval prior to installation.



Superintendent Michael P. Reichel
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Applicant Costs

The applicant shall pay all costs associated with the installation of the facilities. In addition, the applicant is responsible for the District's No Net Nitrogen charges. The charge shall be based on the two shift flow equal to \$102,322.50 (9,745 gpd x \$10.5 per gallon) Also a lump sum fee of \$5,000 shall be required to review the submissions for the pretreatment and flow equalization system. The total cost to the applicant, exclusive of on-site facilities, is \$107,322.50. Standard sewer application fees and sewer district inspection costs in effect at the time of the physical connection are also not included and are sewer code derived.

Please feel free to contact this office should you have any questions. Thank you for considering Holzmacher, McLendon & Murrell, P.C. for this assignment.

Very truly yours,

HOLZMACHER, McLENDON & MURRELL, P.C.

Frank M. Russo, P.E.
Vice President
Director of Wastewater Engineering

Encl.

CC: Mr. Richard A. Ehlers, Esq. (w/ encl.)
S. Hearl, C. Weiss (w/ encl.)

08.20.13
130599

ADOPTED

TOWN OF RIVERHEAD

Resolution #599

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT TO CHAPTER 101 "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE (§101-4. One-way streets.)

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

NOW THEREFORE BE IT 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 August 29, 2013 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

Giglio Yes No Gabrielsen 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 17th day of September, 2013 at 7:05 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 III
Traffic Regulations

§ 101-4. One-way streets.

The streets or portions thereof listed below are hereby designated as one-way streets, and traffic shall travel on such only in the direction indicated:

Street	Direction	Limits
Cranberry Street	West	Between Roanoke Avenue and North Griffing Avenue

- Overstrike represents deletion(s)

Dated: Riverhead, New York
August 20, 2013

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

DIANE M. WILHELM, Town Clerk

08.20.13
130600

ADOPTED

TOWN OF RIVERHEAD

Resolution #600

**AUTHORIZES SUPREME COURT ACTION AGAINST THE OWNERS, TENANTS,
OCCUPANTS AND MORTGAGEES OF PREMISES LOCATED AT
31 GOOSE LANE, BAITING HOLLOW, NEW YORK
(Town of Riverhead v. Hooghkirk)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town Board desires to authorize the Office of the Riverhead Town Attorney to act as special counsel in connection with the commencement of Supreme Court actions for the enforcement of Riverhead Town Code violations against the owner, operators, tenants and mortgagees of property located at 31 Goose Lane, Baiting Hollow, New York, further described as Suffolk County Tax Map # 0600-79-3-4.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Office of the Town Attorney to act as special counsel in connection with the commencement of Supreme Court actions for the enforcement of Riverhead Town Code violations against the owner, operators, tenants and mortgagees, in connection with the above referenced real property; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution #601

**AUTHORIZATION TO EXECUTE AN INTERMUNICIPAL AGREEMENT WITH
NEIGHBORING MUNICIPALITIES TO FORM THE PECONIC ESTUARY
PROTECTION COMMITTEE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the County of Suffolk, the Town of Brookhaven, the Town of East Hampton, the Town of Shelter Island, the Town of Southampton, the Town of Southold, the Village of Dering Harbor, the Village of Greenport, the Village of North Haven, the Village of Sag Harbor, and the New York State Department of Transportation recognize the importance of the Peconic Estuary as a vital coastal ecosystem essential to the environmental and economic well-being of the people in the areas surrounding the Peconic Estuary; and

WHEREAS, Peconic Estuary Program participants developed a Comprehensive Conservation and Management Plan (CCMP) which set forth long range goals and plans for the use and improvement of the Peconic Estuary; and

WHEREAS, the Committee shall be funded by annual contributions to be paid by the member municipalities to meet Committee goals such as improving the water quality of the Peconic Estuary, restoring and enhancing the surrounding tidal wetlands, controlling and reducing pollution, achieving compliance with federal and state regulations which affect the Peconic Estuary and coordinating local coastal regulations to maximize protection and improvement of the Peconic Estuary; and

WHEREAS, to maximize the efficiency of Town personnel, time and money and to lead to a higher level of coordination to meet NYSDEC Stormwater Management requirements, the Town of Riverhead is desirous of entering into an Inter-Municipal Agreement (IMA) ; and

WHEREAS, New York State General Municipal Law Article 5-G, Section 119-o, authorizes municipalities to enter into agreements with fellow municipalities for the performance of various endeavors.

NOW BE IT RESOLVED THAT, the Supervisor is hereby authorized to execute an IMA with the County of Suffolk, the Town of Brookhaven, the Town of Shelter Island, the Town of Southampton, the Town of Southold, the Village of Dering Harbor, the Village of Greenport, the Village of North Haven, the Village of Sag Harbor and the New York State Department of Transportation for the purpose of collaborating on efforts including but not limited to efforts to improve the water quality of the Peconic Estuary; and be it further

RESOLVED, that this authorization shall be subject to the review and approval of the IMA by the Town Attorney; and be it further

RESOLVED, that the Town's Financial Administrator is hereby authorized and directed, after Town Attorney review and approval of the IMA, to disburse funding in the amount of 10% of the total dues addressed in the IMA; however, not to exceed \$7,500.00 (Seven Thousand Five Hundred Dollars) and solely limited to fiscal year 2014; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution #602

AUTHORIZATION TO PUBLISH EXTENSION OF SUBMISSION DEADLINE FOR A REQUEST FOR PROPOSALS FOR THE INSTALLATION OF A CLOSED CIRCUIT TELEVISION SECURITY SYSTEM (CCTV) IN DESIGNATED LOCATIONS WITHIN THE TOWN OF RIVERHEAD PARKING DISTRICT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Town of Riverhead is seeking proposals from qualified parties for the installation and maintenance of a closed circuit television security system (CCTV) in designated locations within the Town of Riverhead Parking District.

WHEREAS, the Town of Riverhead had previously established a submission deadline of August 26, 2013, at 11:00 a.m., for such Requests for Proposals (RFP), and;

WHEREAS, numerous prospective bidders have requested a pre-bid, site inspection meeting and additional technical data from the Town of Riverhead for the purpose of submitting a comprehensive response to the RFP.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes and extends the submission deadline regarding a Request for Proposals for the installation and maintenance of a closed circuit television security system (CCTV) on behalf of the Town of Riverhead Parking District in designated locations to **Monday, October 21, 2013, at 11:00 a.m.**; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish and post the following public notice in the August 29, 2013, issue of the News-Review; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

NOTICE TO BIDDERS

PLEASE TAKE NOTICE, that the Town of Riverhead hereby extends the previously designated RFP response submission deadline of Monday, August 26, 2013, at 11:00 a.m., to **Monday, October, 21, 2013, at 11:00 a.m.** Such sealed proposals must be received by the Office of the Town Clerk at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, by the extended deadline, for:

REQUEST FOR PROPOSALS

The Town of Riverhead, in conjunction with the Town of Riverhead Parking District, is seeking proposals from qualified closed circuit television security consultants that can provide installation and maintenance of a closed circuit television security system at designated locations on behalf of the Town of Riverhead Parking District.

Specifications and guidelines for submission of proposals continue to be available on the Town website at <http://townofriverheadny.gov>, or at the Office of the Town Clerk and may be picked up between the hours of 8:30 a.m. and 4:15 p.m., Monday through Friday.

In addition, a pre-bid, site inspection meeting shall be conducted on Wednesday, September 18, 2013, at 9:30 a.m., in the Riverhead Town Hall board meeting room, located at 200 Howell Avenue, Riverhead, New York, 11901.

Please note that each proposal must be submitted in a sealed envelope clearly marked **“RFP Response For The Installation and Maintenance Of A Closed Circuit Television Security System”** and must be received by the Office of the Town Clerk by no later than **11:00 a.m. on October 21, 2013.**

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

**BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
Diane M. Wilhelm, TOWN CLERK**

08.20.13
130603

ADOPTED

TOWN OF RIVERHEAD

Resolution #603

**AWARDS BID FOR 2013 PICK-UP TRUCK FOR THE TOWN SANITATION
DEPARTMENT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Board of the Town of Riverhead, by Resolution #526 adopted on July 2, 2013, authorized the Town Clerk to publish and post a notice to bidders for 2013 Pick-Up Truck with Power Lift Gate and Snowplow Package for use by the Town Sanitation Department; and

WHEREAS, pursuant to the Notice to Bidders, each proposal must comply with the instructions contained therein and required that all proposals be submitted on or before 11:00 am on July 25, 2013; and

WHEREAS, three (3) responses to the Notice to Bidders were received, opened and read aloud on July 25, 2013 at 11:00 am in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, NY 11901; and

WHEREAS, the Town Purchasing Department and Sanitation Department did review all proposals and, after serious consideration and evaluation, it was determined that Eagle Auto Mall Sales, Inc. was the lowest responsible bidder and recommend that the bid be awarded to Eagle Auto Mall Sales, Inc.

NOW THEREFORE BE IT RESOLVED, that the bid for 2013 Pick-Up Truck with Power Lift Gate and Snowplow Package be and is hereby awarded to Eagle Auto Mall Sales, Inc. in the amount of \$32,920.00; and be it

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Eagle Auto Mall Sales, Inc., Attn. John Dahl, 1330 Old Country Road, Riverhead, NY 11901, Town Sanitation Department, Accounting Department and Purchasing Department; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

08.20.13
130604

ADOPTED

TOWN OF RIVERHEAD

Resolution #604

APPROVES CONDOS BROTHERS CONSTRUCTION CORP. AS DRAINLAYER FOR RIVERHEAD SEWER DISTRICT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, pursuant to Section 88-3 of the Riverhead Town Code, Condos Brothers Construction Corp. has submitted a request to become an authorized drainlayer with the Town of Riverhead Sewer District; and

WHEREAS, The First National Bank of Long Island Check No. 143973 in the amount of Five Thousand (\$5,000.00) Dollars has been received and a Certificate of Insurance has been received naming the Town of Riverhead as an additional insured.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby approves Condos Brothers Construction Corp. an authorized drainlayer with the Town of Riverhead Sewer District; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Condos Brothers Construction Corp., P.O. Box 499, Kings Park, New York, 11754; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution #605

**GRANTS LANDCLEARING PERMIT AS PROVIDED BY CHAPTER 62 TO
KNIGHTLAND, INC.**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Peter S. Danowski, Jr., Esq., is acting as agent for Knightland Inc., who is the owner of the subject property located at the corner of Route 25A and Sound Avenue, Wading River, New York, also known as Suffolk County Tax Map # 600-075.-2-4: 13.2: 11.2 and 12.1 (the "premises"); and

WHEREAS, Peter S Danowski, Jr., Esqs., as agent for Knightland Inc. has petitioned the Town Board for a land clearing permit pursuant to Chapter 62 of the Riverhead Town Code for the land clearing, balance cut and fill a total of 3825 cubic yards of soils for the construction of 24 retail buildings on the premises, alteration to an existing restaurant as depicted on a survey dated February 10, 2012 prepared by Angelo S Nicosia, P.E.; and

WHEREAS, Knightland, Inc. has submitted an application for building permits for the construction of 24 retail buildings on the premises, alteration to an existing restaurant as depicted on a survey dated February 10, 2012 prepared by Angelo S Nicosia, P.E.; and

WHEREAS, the Building Department has reviewed the application for building permits and is prepared to issue said building permits for the construction of 24 retail buildings on the premises, alteration to an existing restaurant as depicted on a survey dated February 10, 2012 prepared by Angelo S Nicosia, P.E.; and

WHEREAS, the Town Board has reviewed and considered the application for the aforementioned land clearing permit.

RESOLVED, the Building Department is hereby authorized to accept a check for \$7,650.00 for land clearing of 3825 cubic yards of soil and a clearing permit fee of \$100.00; and be it further

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

RESOLVED, that the excavation permit is conditioned upon the simultaneous issuance of the building permits for the construction of 24 retail buildings, alteration to an existing restaurant as depicted on a survey dated February 10, 2012 prepared by Angelo S Nicosia, P.E.; and be it further

RESOLVED, that all other provisions of Chapter 62 being hereby waived pursuant to Chapter 62.5; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Peter S Danowski, Jr., Esq., 616 Roanoke Avenue, Riverhead, NY, and that all Town Hall Departments may review and obtain a copy of this resolution from electronic storage device, and if needed, a copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

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

The Resolution Was Thereupon Duly Declared **TABLED**

08.20.13
130606

ADOPTED

TOWN OF RIVERHEAD

Resolution #606

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

Councilman Wooten offered the following resolution,
which was seconded by Councilman Gabrielsen

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice to consider a proposed local law to amend Chapter 108 entitled “Accessory Apartments” of the Riverhead Town Code once in the August 29, 2013 issue of the News-Review, the newspaper hereby designated as the official newspaper for this purpose, and post same on the sign board at Town Hall; and be it further

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

THE VOTE

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

The Resolution Was 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 17th day of September, 2013 at 7:10 o'clock p.m. to consider a local law amending Chapter 108 entitled "Accessory Apartments" of the Riverhead Town Code as follows:

Article VIII. Accessory Apartments

§ 108-34. Purpose; findings; standards.

(4) Accessory apartment size. The minimum area for an accessory apartment shall be 300 square feet and a maximum of 650 square feet. The accessory apartment shall not exceed 40% of the area of the principal dwelling. For preexisting apartments seeking to comply with the Code provisions set forth in this chapter, the Accessory Apartment ~~Review Board~~Committee, comprised of the Building and Planning Administrator, Planning Director or his/her designee and the Building Inspector or his/her designee, may review, approve, approve with conditions, or deny accessory apartments that exceed 650 square feet, up to a maximum of 850 square feet, provided that the accessory apartment does not exceed 40% of the area of the principal dwelling of which the apartment is accessory. In no event may there be more than one bedroom per accessory apartment.

[Amended 3-17-2009 by L.L. No. 9-2009]

(8) Inspection. No nonconformities or violations of the Town Code shall exist at the time of application for an accessory apartment. The Building Department Administrator for the Town of Riverhead Building Department or his or her designated representative or a Code Enforcement Officer shall be is authorized to make or cause to be made inspections, upon reasonable notice, to determine the condition of the dwellings and compliance with the provisions of this article to safeguard the health, safety, and welfare of the public, and the application shall not be processed until all outstanding violations are corrected. A renewal application or transfer application shall be subject to identical inspection criteria as set forth above.

(9) Duration. All permits issued hereunder shall be valid for an initial period of three years and shall be renewable for successive periods of up to five years at the discretion of the Accessory Apartment ~~Board~~Committee.

(11) ~~Amnesty. For the detached single family dwellings that illegally have an accessory apartment, the owner shall have two years from the enactment of~~

~~this article to make application, without penalty as set forth in § 52-18, and preconstruction fees (triplicate fees) as set forth in § 52-10H shall be waived upon receipt of an accessory apartment permit. As set forth in § 108-35F of this article, the applicant/owner shall have 90 days of issuance of the building permit to comply with all requirements of this article, including but not limited to review and approval by the Accessory Apartment Review Board, and all applicable provisions of the Town Code of the Town of Riverhead, Suffolk County Department of Health Services, New York State Uniform Fire Prevention and Building Code, and any and all such other agencies having jurisdiction. Prior to the issuance of any accessory apartment permit or renewal thereof, the property owner shall provide a certification from a licensed architect, a licensed professional engineer or a Code Enforcement Official that the property which is the subject of the application is in compliance with all of the provisions of the Code of the Town of Riverhead, the laws and sanitary and housing regulations of the County of Suffolk and the laws of the State of New York.~~

§ 108-35. Applications.

A. There shall be submitted to Building Department the following:

- (1) An application to the Building Department for preapproval of occupancy and use, together with plans by a licensed design professional and any such other plans, documents or surveys required by the Building Department;
- (2) A nonrefundable administration fee of \$150;
- (3) An application to the Building Department for all necessary building permits;
- (4) An application to the Accessory Apartment for an accessory apartment permit.

C. The Accessory Apartment ~~Committee~~ Review Board as part of its application, may require the applicant to submit supporting documents, including but not limited to floor plans, surveys, less than 10 years old that show all existing structures, photographs, and/or exterior renderings.

[Amended 3-17-2009 by L.L. No. 9-2009]

D. The application for the transfer of an accessory apartment permit to a subsequent property owner shall be completed on such forms and in such a manner as prescribed by the Accessory Apartment ~~Committee~~ Review Board.

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

- A. The Accessory Apartment ~~Committee Review Board~~ shall consist of three members appointed by the ~~Town Board~~, all of whom shall be residents of the Town of Riverhead and one of whom shall be designated Chairman. The ~~Town Board~~ may provide for compensation to be paid to said members and provide for such other expenses as may be necessary and proper. Of the members of the Board first appointed, one shall hold office for the term of one year, one for the term of two years and one for the term of three years; provided, however, that the ~~Town Board~~ may, by resolution, increase the number of members of the Accessory Apartment Review Board to five members and provide for their compensation, and thereafter such additional members shall be appointed for terms of one year and three years, respectively. Their successors shall be appointed for the term of three years from and after the expiration of the terms of their predecessors in office. Building and Planning Administrator, Planning Director or his/her designee and the Building Inspector or his/her designee.
- B. The Accessory Apartment ~~Committee Review Board~~ shall hear and decide applications for accessory apartments pursuant to the standards enumerated in ~~§ 108-34C~~ of this article issue an accessory apartment permit in the manner of all other applications for building permits.
- C. The Accessory Apartment ~~Committee Review Board~~ shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this article. ~~Meetings shall be held at the call of the Chairman and at such other times as the Board may determine. The Board shall keep minutes of its proceedings and records of its examinations and other official actions, all of which shall be a public record.~~
- D. All applications made to the ~~Committee Board~~ shall be in writing, on forms prescribed by the ~~Committee Board~~. The Accessory Apartment ~~Committee Review Board~~ shall fix a reasonable time for the hearing of the application and give public notice thereof, as well as due notice to the applicant. The applicant shall mail notice of the hearing posted at least seven days prior to the date of the public hearing by either certified or registered mail, return receipt requested, to every property owner, as shown on the current Riverhead assessment rolls, owning property immediately adjacent and contiguous to that of the applicant. For purposes of this section, property separated from that of the application by a public road or right-of-way shall be deemed contiguous.
- E. The following shall be submitted with such application:
- (1) A copy of the notice sent to property owners.
 - (2) A list, in duplicate, containing the names and addresses of the owners to whom notices were sent.
 - (3) Return receipts.
 - (4) An affidavit of mailing of the aforesaid notices.

- (5) A valid certificate of occupancy issued at least three years prior to the date of application.
 - (6) Proof of ownership.
 - (7) Proof of residency.
 - (8) Personal identification.
 - (9) Three surveys giving the exact description and location of property with all existing and proposed structures and setback from all property lines.
- F. Revocation. The Accessory Apartment ~~Committee Review Board~~ shall retain the right to revoke any accessory apartment permit issued hereunder should the applicant or applicant's tenant violate any provision of this article, any condition imposed upon the issuance of the accessory apartment permit, or violation of the provisions of the Town Code of the Town of Riverhead. Said revocation shall be after a ~~hearing held on~~ notice is given by certified return receipt mail to the applicant and, if known, the tenant. As an alternative to revocation, the Accessory Apartment ~~Committee Review Board~~ may continue the permit on a probationary basis, and in such event, it may revoke the permit without further notice to the applicant or tenant upon a violation of any conditions attached to the probationary permit.
- G. Lapse of accessory apartment permit. Every application for accessory apartment permit granted by the Accessory Apartment ~~Committee Review Board~~ shall be and become null and void and of no further force and effect unless the applicant obtains a building and zoning permit for work to be done and/or change of use no later than 30 days after ~~approval~~ an accessory apartment permit is granted by the Accessory Apartment ~~Committee Review Board~~.
- H. No person shall create or occupy an accessory apartment without obtaining an accessory apartment permit from the Accessory Apartment ~~Committee Review Board~~ and a certificate of occupancy for said use from the Building Department. In order to construct an accessory apartment, the applicant shall apply for and receive a building permit from the Town Building Department in the manner of all other applications for building permits.
- I. The article shall sunset upon the issuance of the 250th accessory apartment permit, excluding accessory apartment permits issued to applicants seeking to legalize a pre-existing accessory apartment under the amnesty provision set forth in § **108-34C(11)**. The Town Board may, by resolution, extend the sunset provision up to the 500th accessory apartment permit and/or impose saturation limits within a specified geographical radius or zoning district.

§ 108-38. Appeals.

All appeals from the determination of the Accessory Apartment ~~Committee Review Board~~ or from any administrative determination regarding interpretation

of any provision of this article shall solely be by an Article 78 proceeding. This shall be the exclusive remedy of any aggrieved party.

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

Dated: Riverhead, New York
August 20, 2013

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, TOWN CLERK

08.20.13
130607

ADOPTED

TOWN OF RIVERHEAD

Resolution #607

**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**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

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 August 29, 2013 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC
HEARING**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town at Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 17th day of September, 2013 at 7:20 o'clock p.m. to amend Chapter 108, entitled "Zoning" of the Riverhead Town Code.

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

CHAPTER 108

Zoning

§ 108-3. Definitions; word usage.

BREEZEWAY

~~A roof which may or may not be supported by columns or pillars, tied into two buildings by structural members. A "breezeway" so constructed shall be considered as a part of the building and the two buildings which it connects shall be considered as one building.~~

Open construction with a roof projecting from the outside wall of a building, not to exceed dimensions of eight feet by 10 feet, connecting the main building and a garage. Other types of attachments which extend more than 10 feet, or exceed 80 square feet in area, shall not attach a main building to a separate building unless such attachment meets the requirements of occupiable or habitable floor area.

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

Dated: Riverhead, New York
August 20, 2013

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

DIANE M. WILHELM, Town Clerk

08.20.13
130608

ADOPTED

TOWN OF RIVERHEAD

Resolution # 608

**AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE TO
CONSIDER A LOCAL LAW TO AMEND CHAPTER 86 ENTITLED "RENTAL
DWELLING UNITS" OF THE RIVERHEAD TOWN CODE**

Councilwoman Giglio 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 86 entitled, "Rental Dwelling Units" of the Riverhead Town Code once in the August 29, 2013 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC
HEARING**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town at Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 17th day of September, 2013 at 7:15 o'clock p.m. to amend Chapter 86, entitled "Rental Dwelling Units" of the Riverhead Town Code.

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:

TRANSIENT

A rental period of 29 days or less.

§ 86-4. Rental occupancy permit required.

- A. It shall be unlawful and a violation of this chapter for any person or entity who owns a dwelling unit in the Town to use, establish, maintain, operate, let, lease, rent or suffer or permit the occupancy and use thereof as a rental occupancy by someone other than the owner without first having obtained a valid rental occupancy permit therefor. Failure or refusal to procure a rental occupancy permit hereunder shall be deemed a violation.
- B. A rental occupancy permit issued under this chapter shall only be issued to the owner(s) of the real property at issue.
- C. In the event that the ownership of a rental dwelling is transferred the new owner shall register the property within 30 days of the closing of title pursuant to the requirements set forth in this chapter as a rental occupancy permit issued under this chapter is not transferable. If the rental dwelling is not registered as required by this chapter will be a presumption that said property is being utilized as rental property by the new owner(s) in violation of this chapter.

D. A transient rental is prohibited. The prohibition on transient rental shall not apply to the following:

Any legally operating commercial hotel/motel business or bed-and-breakfast establishment 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 business.

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

Dated: Riverhead, New York
August 20, 2013

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution #609

**APPROVES THE CHAPTER 90 APPLICATION OF
EVENT POWER
("Riverhead Rocks Triathlon" – August 2nd & 3rd, 2014)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, on July 31, 2013, Event Power submitted a Chapter 90 Application for the purpose of conducting a triathlon event entitled "Riverhead Rocks Triathlon", said triathlon to include swim, bike and run events, which will encompass various roads within the Town of Riverhead, including the Peconic River, Riverhead, New York, on Saturday, August 2, 2014 between the hours of 11:00 a.m. and 5:00 p.m. and on Sunday, August 3rd, 2014 between the hours of 4:30 a.m. and 12:30 p.m.; and

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

WHEREAS, the applicable Chapter 90 Application fee has been paid.

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 Event Power for the purpose of conducting a triathlon event entitled "Riverhead Rocks Triathlon" at the aforementioned locations and times is hereby approved; and be it further

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

RESOLVED, that this approval is subject to receipt of a certificate of insurance evidencing acceptable limits, naming the Town of Riverhead as an additional insured, no later than July 1, 2014; and be it further

RESOLVED, that this approval is subject to receipt of written confirmation from the Riverhead Volunteer Ambulance Corp. that they have been contacted and will be available to provide their services at the event on the specified dates and times; and be it further

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

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

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

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

08.20.13
130610

ADOPTED

TOWN OF RIVERHEAD

Resolution #610

**ADOPTS A LOCAL LAW AMENDING CHAPTER 106 ENTITLED
"WATERWAYS" OF THE RIVERHEAD TOWN CODE**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

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 106 entitled "Waterways" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 7th day of May, 2013 at 2:15 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 106 entitled "Waterways" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

Giglio Yes No Gabrielsen 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 106 entitled "Waterways", of the Riverhead Town Code at its meeting held on August 20, 2013. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**CHAPTER 106
WATERWAYS
ARTICLE I. General Provisions**

~~§ 106-1.~~ Short title.

This chapter shall be known as the "Waterways Ordinance of the Town of Riverhead."

~~§ 106-2~~ § 106-1. Legislative findings.

It is hereby declared and found that the operation of boats and use of vessels for residential and/or business purposes (offices) in the waters or waterways of the Town of Riverhead, New York, is a matter affecting the public interest and consequently should be subject to the supervision and administrative control of municipal authority for the purpose of safeguarding the public. It is the intent of this article to prevent pollution, fire hazards, interference with navigable waterways and overcrowding within the waters adjacent to the Town of Riverhead and subject to its jurisdiction, and, further to preserve and protect the health, safety and welfare of the people of the Town of Riverhead, natural ecology of the waters of the Town of Riverhead, and the tidal and freshwater wetlands.

~~§ 106-3.~~ § 106-2. Areas covered; compliance with other regulations.

~~§ 106-4.~~ § 106-3. Definitions and word usage.

A. The following terms, phrases and their derivatives shall have the meanings given herein:

FLOATING HOME/CABANA – Any vessel in fact used, designed or occupied as a dwelling unit, business office or source of any occupation or for any private or social club of whatsoever nature, including but not limited to a structure constructed upon a barge or pontoons which is primarily immobile and out of navigation which functions substantially as a land structure while the same is moored or docked within the municipal limits of the Town of Riverhead, whether such vessel is self-propelled or not.

HOUSEBARGE – Any vessel or craft used or designed to be used on the water surface and to provide residential accommodations with sleeping and toilet facilities, whose volume coefficient is greater than fifteen hundred (1,500) cubic feet. Volume coefficient is the ratio of the habitable space of a vessel measured in cubic feet to the draft of a vessel measured in feet of depth. Habitable space is any enclosed area used or designed to be used for a person to sleep, sit or eat.

RESIDENTIAL HOUSEBOAT – A vessel not designed primarily for residential dwelling units, designed primarily for pleasure craft, recreation and for independent navigation and not considered a floating home, in accordance with the definition set forth above, and which is being used or occupied for residential purposes.

RESIDENTIAL PURPOSES – The use of a houseboat, vessel or floating home as a dwelling place, residence or place of abode. The term “residential purposes” shall not be construed to prohibit the occasional overnight use of a houseboat incidental to a transient stay by the vessel within the Town of Riverhead between April 1 and November 1 of each year.

~~§ 106-5.~~ **§ 106-4. Sanitation.**

ARTICLE II. Houseboats & House Barges

§ 106.5 Sanitation Purpose and intent.

A. Applicability.

This article is intended to regulate the use of vessels commonly described and known as Floating Homes, Floating Cabanas or House Barges and defined in §106-3 of this chapter within the Town of Riverhead and shall apply to all waters within or bordering the Town of Riverhead to a distance of one thousand five hundred (1500) feet from the shore and to such other waters, including tidal and freshwater wetlands within the Town of Riverhead.

B. Use, mooring, docking.

No person, corporation, firm, association, organization, owner or agent shall construct, install, anchor, moor, dock or otherwise maintain a floating home, floating cabana or house barge within Town waters, nor shall any person dwell, reside, sleep, occupy (in the case of an office) or otherwise maintain a place of abode on any such prohibited floating home, floating cabana or house barge. This provision shall not apply to floating homes, floating cabanas or house barges existing and legally berthed, moored or anchored and continuously occupied for a period of three months within the waters of the Town of Riverhead as of the date of passage of this article, however, any vessel falling into this category shall be required to adhere to the restrictions and requirements

set forth in §106-5 C. Any floating home in existence on the effective date of this article which has been continuously occupied for a period of three months or more shall be exempt from the provisions hereof and not prohibited; provided, however, that if, subsequent to the effective date hereof any such exempt floating home is, for a continuous period of one year or more, either unoccupied or removed from Town waters, such floating home shall lose such exemption and shall thereafter to be subject to this article and prohibited.

C. Existing Floating Homes, Floating Cabana's, House Barges.

Any existing floating homes, floating cabanas, house barges which meets the criteria set forth in §106-5 B located within the waters of the Town of Riverhead may apply to the Conservation Advisory Council for a permit exempting said floating home, floating cabana or house barge from the above provisions subject to the following conditions:

1. An application seeking a permit must be made within 120 days of the effective date of this chapter.
2. Upon filing of an application for a permit, applicant agrees and consents to inspection by federal, state or local departments or agencies with jurisdiction and enforcement authority, including and to the extent applicable, Town of Riverhead Building Department, Suffolk County Health Department, and United States Coast Guard, for such local laws, rules, and regulations applicable to floating homes, floating cabanas, and house barges.
3. A permit issued by the Conservation Advisory Council must be renewed every year. To entitle applicant to a renewal, applicant must demonstrate compliance with all sections of this Article, Chapter 47 and Chapter 107, as well as any and all terms or conditions set forth and made part of the permit granted by the Conservation Advisory Council.
4. Said permit must be renewed within 120 days of a sale or transfer of the floating home, floating cabana, house barge to any person or entity other than a member of the owners family.
5. A permit shall cease and be of no further force and effect upon destruction of the floating home, floating cabana, house barge by reason of storm, fire or act of God to the extent of 50% or more of its fair market value shall be destroyed. Where more than 50% of fair market value remains, any existing use having a permit may be restored to the same existing use as it existed before such damage.
6. Within six (6) months of enactment of this local law, all floating homes, floating cabanas, house barges shall have holding tank for all waste water and waste water disposal system in conformance with all applicable laws and regulations.

7. No such floating home, floating cabana, house barge shall be place in any manner that will obstruct or interfere with navigation.

D. Acceptance of Permit.

An acceptance of a permit shall constitute an agreement by permit holder that he or she will defend and hold the Town of Riverhead, its departments, officers or agents harmless from any and all claims of loss, damage, suit, judgment for property damage or personal injury, including death and reasonable attorneys fees, which may arise from or in connection with the operation, docking, tying, lowering, removal or disposal of the floating home, floating cabana, house barge, and further agrees to fully reimburse the Town of Riverhead for any damage caused to the Town of Riverhead. An acceptance of a permit shall constitute an agreement by the permit holder to abide by all of the rules, regulations and provisions of Chapter 47, 107 and 106 of the Riverhead Town Code.

E. Penalties for offenses.

For any and every violation of the provisions of this chapter, the owner, general agent, tenant, lessee of a floating home, floating cabana or house barge where such violation has been committed or shall exist shall be guilty of an offense and, upon conviction thereof, be punishable by a fine not exceeding \$500 or imprisonment for a period not to exceed six months, or both. Each week's continued violation shall constitute a separate additional violation.

ARTICLE III. Anchoring and Abandoned Vessels

§ 106.6. Anchoring, docks and moorings.

- A. Vessels shall not moor or anchor in any channel within 50 feet of any channel marker or so as to interfere with the full use of the channel, nor shall any vessel be moored or anchored within 50 feet of any dock, pier or other vessel docking or launching facilities.
- B. No vessel shall restrict or obstruct the use on any public bulkhead, dock or landing owned or controlled by the Town of Riverhead.
- C. Boats shall not moor or anchor so as to endanger the safety of or cause damage to any boat previously anchored or moored nor so as to interfere with the mooring of any boat previously laid down. Any boats so moored or anchored shall be removed by the owner or person in charge thereof on order of the Town Board or any duly authorized officer or agent thereof or member of the Town Police or Bay Constable of the Town. If said boat is not removed after orders to so remove it, it may be removed by or at the direction of the Town Board or any duly authorized officer or agent thereof or member of the Town Police or Bay Constable of the Town, at the expense of the owner or person in charge of said vessel, to be enforced by civil suit.

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

Dated: Riverhead, New York
August 20, 2013

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, TOWN CLERK

08.20.13
130611

ADOPTED

TOWN OF RIVERHEAD

Resolution #611

APPOINTS A CALL-IN GUARD – Level II TO THE RECREATION DEPARTMENT

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, a Call-In Guard – Level II is needed by the Riverhead Town Recreation Department for work in recreation facilities,

NOW THEREFORE BE IT RESOLVED, that effective August 20th, 2013, this Town Board hereby appoints Andrew Blackmore to the position of Call-In Guard, Level 2, to be paid the rate of \$11.65 per hour and

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution #612

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN EASEMENT FOR
UNDERGROUND UTILITY SERVICES TO
THE WOOLWORTH BUILDING**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Woolworth Revitalization LLC wishes to install new underground utility services to lay, maintain, repair and operate electrical, natural gas and water services (“utility services”) to the former Woolworth Building located at 130 East Main Street, Riverhead, County of Suffolk and State of New York, also known as SCTM # 0600-129-1-8.2 (the “premises”); and

WHEREAS, Woolworth Revitalization LLC proposes to enter onto, under and across the property of the Riverhead Public Parking District #1 to install the new utility services to the premises; and

WHEREAS, the re-use of the former Woolworth Building has the support of the Town Board; and

WHEREAS, the Town Board finds that installation of the utility services to the former Woolworth Building will enhance the reuse and redevelopment of the former Woolworth Building.

NOW THEREFORE BE IT RESOLVED, that the Town Board, acting on behalf of Riverhead Public Parking District #1, the owner of the premises where the utility services to the former Woolworth Building are proposed, authorizes the grant of an easement to Woolworth Revitalization; and be it further

RESOLVED, that Supervisor is hereby authorized to execute the attached easement in substantially the same form or such other form that is found 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 Woolworth Revitalization LLC, 130 East Main Street, Riverhead, New York 11901; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

UTILITY EASEMENT

THIS AGREEMENT, made the ____ day of _____, 2013, the TOWN OF RIVERHEAD, a municipal corporation acting on behalf of the Riverhead Public Parking District # 1, with a principal place of business located at 200 Howell Avenue, Riverhead, New York 11901, as fee simple owner of the premises described below, (hereinafter referred to as the “Grantor”) and Woolworth Revitalization LLC, a domestic corporation with an address of 130 East Main Street, Riverhead, New York 11901, (hereinafter referred to as the “Grantee”).

WITNESSETH:

1. That for and in consideration of the sum of ten (\$10.00)dollars, the receipt of which is hereby acknowledged, the Grantor hereby grants to the Grantee, an easement and right-of-way in, under, upon and through the premises of the Grantor for the purpose of enabling the Grantee to lay, maintain, repair and operate utility lines to provide electricity, natural gas and water services (“utility services”), said property being located on the west side of East Avenue, north of and adjacent to Main Street, SR 25), Town of Riverhead, County of Suffolk and State of New York, more particularly described as follows:

Starting at the northeasterly corner of the above described parcel of Woolworth Revitalization LLC, North 84 degrees 31 minutes 52 seconds East 64.8 feet along the southern boundary of the Riverhead Parking district to the western boundary of East Avenue;

North 19 degrees 31 minutes 48 seconds West 10.00 feet;

South 84 degrees 31 minutes 32 seconds West 75.4 feet;

South 04 degrees 10 minutes 23 seconds East 57.4 feet;

South 85 degrees 44 minutes 41 seconds West 55.7 feet;

North 04 degrees 15 minutes 19 seconds West 206.4 feet;

North 85 degrees 44 minutes 41 seconds East 10.00 feet;
South 04 degrees 15 minutes 19 seconds East 205.5 feet;
North 85 degrees 44 minutes 41 seconds East 70.6 feet;
North 04 degrees 10 seconds 23 minutes West 53.5 feet;
North 84 degrees 31 minutes 52 seconds East 8.32 feet to the point or place of beginning and as depicted on the Map Attached.

Annexed hereto and made a part hereof is a map made by Martin F. Sendlewski, AIA, entitled "Proposed Utility Easement Plan".

2. Said easement is subject to the following terms and conditions:
 - a. The following definitions shall apply to this grant of easement:
 - i. "Maintain" shall mean alter, repair, replace, maintain, operate, restore or remove, whether structural or non-structural, foreseen or unforeseen, regular or periodic in accordance with all Laws and insurance requirements (which work shall also be deemed to include any derivation of "Maintain"); and
 - ii. "Maintenance" shall be the conduct of the definition of Maintain.
 - b. This easement is granted for the purpose of enabling the Grantee, and/or its agents and assigns (which shall include but not be limited to the Long Island Power Authority and National Grid) to install, maintain, operate, inspect, repair, replace, and remove any and all equipment and facilities as Grantee may from time to time require to provide utility services. Such equipment and facilities shall include, but not be limited to, conduit, pipes, vaults, above-ground markers, poles, transmission equipment,

distribution equipment, variable numbers of wires, lines, cables, surface mounted equipment, meters, manholes, transformers, switches, and sectionalizing devices and other such equipment and appurtenances. The Grantee, its employees and contractors shall have the right to enter in and upon the premises for the purposes stated above, after prior written notice has been given to the Grantor of the anticipated date of the work (except in the event of an emergency) and at such a time and in such a manner, to the greatest extent reasonably practicable in accordance with good construction practice, as will minimize interference with the easement and with the business being conducted by Grantor upon its land surrounding and adjoining the easement.

c. Placement and maintenance of Grantee's equipment and facilities in the easement shall be performed at the Grantee's sole cost and expense.

d. If the Grantee, in exercising its rights under this Utility Easement, damages the Grantor's property, the Grantee shall restore said property, including but not limited to the surface of the land, to the same condition as it was prior to the undertaking of any such work within thirty (30) days of completing such work, to the satisfaction of the Grantor. In addition, the Grantee agrees to guarantee the restoration and/or repair of the Grantor's property for a period of one (1) year. The Grantee shall have the right, from time to time, to remove or clear and keep clear any or all trees and other obstructions upon the easement or which extend into the easement area as in the judgment of Grantee may interfere with or endanger Grantee's equipment or facilities upon prior written notice and approval of the Grantor.

e. In the event that any of the Grantee's equipment and/or facilities situated upon the easement area impedes the Grantor's future use and development of said property such shall be removed and relocated by the Grantee within sixty (60) days of a written request by the Grantor. All costs and expenses to remove and relocate the Grantee's equipment and/or facilities shall be paid by the Grantee. If the Grantee removes and relocates its equipment and/or facilities the Grantee shall restore said property, including but not limited to the surface of the land, to the same condition as it was prior to undertaking such work, within thirty (30) days of completing such work, to the satisfaction of the Grantor. In addition, the Grantee agrees to guarantee the restoration and/or repair of the Grantor's property for a period of one (1) year.

f. The Grantor reserves unto itself and others to whom easements shall be granted the right to use the easement area for all purposes not inconsistent with this Utility Easement.

g. The Grantee acknowledges that the Grantor has not made any representations with respect to the adequacy or appropriateness of the easement area and that the Grantee is accepting the easement area "AS IS". The Grantee waives all claims against and releases the Grantor from any and all liability resulting from the Grantee's inability to use all or any portion of this easement, except as a result of the Grantor's negligence or willful failure to provide this easement or negligence or willful failure to comply with this Utility Easement.

h. The Grantee agrees to indemnify, defend and hold harmless the Grantor, its officers, employees and agents from and against any and all obligations,

liabilities, claims, liens, encumbrances, losses, damages, costs, expenses, reasonable attorneys' fees and disbursements, suffered or incurred by the Grantor (including claims by third parties) arising out of or otherwise related to the Grantee or its officers, directors, employees, agents, contractors, customers, visitors, invitees, or licensees use, enjoyment, possession or maintenance, repair or restoration of the easement.

i. The Grantor represents and warrants to the Grantee that it has the full right, title, power and authority to grant this easement.

j. This Utility Easement, is subject to (i) all prior liens, encumbrances, restrictions and easements of record, (ii) all agreements with and rights of governmental authorities and public utilities, recorded or unrecorded, (iii) requirements of all applicable insurance bodies, (iv) reasonable rules and regulations promulgated by the Grantor and (v) laws, rules, regulations, ordinances and requirements of all applicable governmental authorities, including environmental and administrative consent orders, now or hereafter in effect.

k. This Utility Easement shall (i) run with the lands, buildings and improvements affected hereby, (ii) inure to the benefit of the Grantor and Grantee and their successors and assigns having an interest in the properties affected hereby, and (iii) shall be binding on the parties hereto, their heirs, assigns and successors in title or interest in perpetuity.

l. The Grantee shall have the right to record this Utility Easement in the real property records at its own cost and expense and the Grantor shall sign such other documentation, if any, which is reasonably required to effect the recordation. The

Grantee shall forward a recorded copy of this Utility Easement to the Grantor within seven (7) days of the filing of such.

m. It is agreed by the parties herein that no representations or statements, verbal or written, have been made modifying, adding to or changing the terms of this Utility Easement.

[SIGNATURE PAGE FOLLOWS]

GRANTOR: Town of Riverhead, acting on behalf of
Riverhead Public Parking District # 1

By: _____
Name: Sean M. Walter
Title: Town Supervisor
Date: _____

GRANTEE: Woolworth Revitalization LLC

By: _____
Name: Michael Butler
Title: Member
Date: _____

STATE OF NEW YORK }
} SS.:
COUNTY OF SUFFOLK }

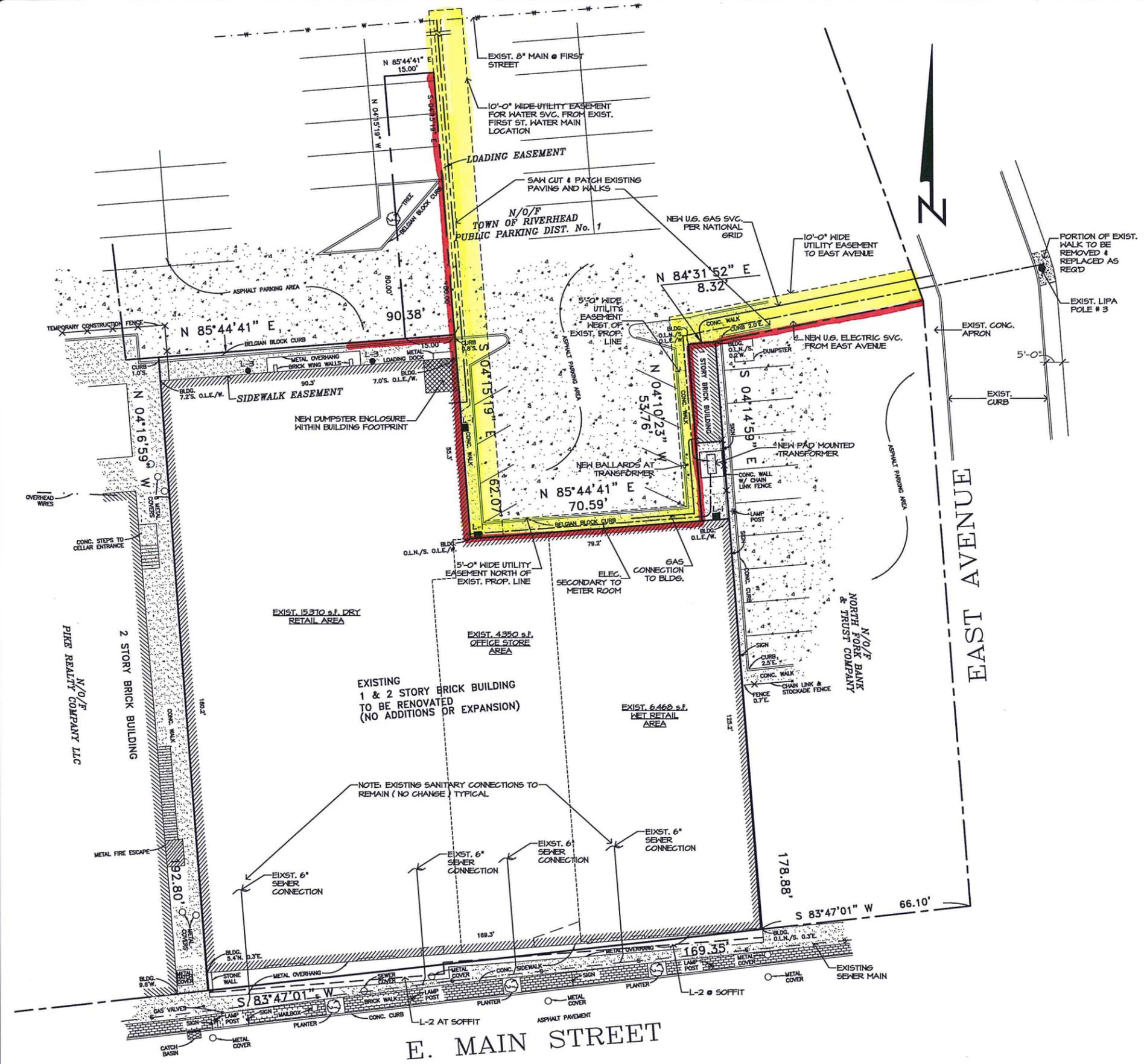
On the _____ day of _____, in the year 2013, before me the undersigned personally appeared SEAN M. WALTER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signatures on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public – State of New York

STATE OF NEW YORK }
} SS.:
COUNTY OF SUFFOLK }

On the _____ day of _____, in the year 2013, before me the undersigned personally appeared MICHAEL BUTLER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signatures on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public – State of New York



1 SITE PLAN
SCALE: 1/16" = 1'-0"

NOTE
NO CHANGES TO SITE EXCEPT FOR
ELECTRIC AND WATER SERVICE



2 LOCATION MAP
SCALE: 1" = 600'-0"

DCI DOWNTOWN CENTER ZONE		
ITEM	REQUIRED	PROVIDED
MIN. LOT AREA	5,000 S.F.	21,698
MIN. LOT WIDTH	50 FT.	164.31 FT.
MAX. LOT COVERAGE	80% = 22,158 S.F.	94.54% = 26,108 S.F.
MAX. FAR	4.00 = 110,742 S.F. SF	1.54% = 42,163 SF
MAX IMPERVIOUS	100% = 21,648 SF	100% = 21,648 SF
MAX. BUILDING HT.	60 FT.	32 FT.
MIN. FRONT YARD	0 FT.	0 FT.
MIN. SIDE YARD	0 FT.	0 FT.
MIN. REAR YARD	0 FT.	0 FT.

PARKING DATA

PARKING ALLOTTED PER ZONING
 19 APARTMENTS x 15 = 30
 4800 S.F. RETAIL / 200 = 24
 21128 S.F. GYM / 300 = 71
 TOTAL = 125

PARKING PROVIDED ON SITE = 0
 PROPERTY LOCATED WITHIN
 MUNICIPAL PARKING DISTRICT

EXISTING HYDRAULIC LOAD CALCULATION

EXISTING FIRST FLOOR NET RETAIL 6,468 S.F. x .05 = 323.4
 EXISTING FIRST FLOOR DRY RETAIL 15,310 S.F. x .03 = 461.1
 EXISTING FIRST FLOOR OFFICE 4,350 S.F. x .06 = 261
 MEZZ OFFICE 1184 S.F. x .6 = 710.4
 SECOND FLOOR OFFICE 5000 S.F. x .06 = 300
 SECOND FLOOR RETAIL STORAGE 10341 S.F. x .03 = 311.73
 TOTAL EXISTING HYDRAULIC LOAD = 2,844.81

PROPOSED HYDRAULIC LOAD CALCULATION

21128 S.F. GYM W/ SHOWERS x 3 = 6338.4 G.P.D. * SEE NOTE 1
 4800 S.F. RETAIL (NET) x .05 = 240 G.P.D.
 10 APTS < 600 S.F. x 150 = 1500 G.P.D.
 9 APTS > 600 S.F. x 225 = 2025 G.P.D.
 TOTAL PROPOSED HYDRAULIC LOAD = 10,103.4 G.P.D.

NOTES:
 1. THE GYM USE IS CURRENTLY WITHIN THE RIVERHEAD SEWER DISTRICT AND IS BEING RELOCATED TO THIS SITE. THERE IS NO INCREASE IN HYDRAULIC LOAD ANTICIPATED AS A RESULT OF THIS RELOCATION FOR THIS USE.

PROPOSED FLOW = 10,103.4
 LESS EXIST. RELOCATED GYM = 6,338.4
 LESS EXIST. BUILDING FLOW = 2,844.81
 TOTAL INCREASE = 920.19

LIGHTING SCHEDULE

- L1 65 NIKKO VISTA MODEL# 14719, LAMP E26 1x60w BIO COLOR METALLIC GRAY MFC. BY LBL LIGHTING
- L2 CONTINUOUS RECESSED LED ACCENT LIGHTING
- L3 DECORATIVE LANTERN- KICHLER LIGHTING PACIFIC EDGE MODERN/ CONTEMPORARY WALL SCENCE- KCH-49346P55316, 150 W. INCANDESCENT, MEDIUM BASE (E26)

DATE: ISSUE
 04-30-13 ISSUED FOR SITE PLAN APPROVAL
 06-7-13 ISSUED FOR REVERHEAD SEWER DIST. AND SCHD APPROVALS
 06-14-13 ISSUED FOR BIDDING
 07-08-13 REVISED WITH UTILITY EASEMENTS

SEAL:

MARTIN F. SENDLEWSKI, A.I.A.
 ARCHITECT - PLANNER
 (631) 727-5352
 215 ROANOKE AVENUE
 RIVERHEAD, NEW YORK 11901

PROJECT:
 WOOLWORTH REVITALIZATION, LLC
 150 E. MAIN STREET
 RIVERHEAD NY 11901
 SITE PLAN

PROJECT #: 1217

DRAWN BY: JMS

CAD FILE: 2012/12/17/DWG/

DRAWING#:

SP-1

08.20.13
130613

WITHDRAWN

TOWN OF RIVERHEAD

Resolution #613

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN EASEMENT FOR
UNDERGROUND WATER SUPPLY SERVICES TO
THE WOOLWORTH BUILDING**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Woolworth Revitalization LLC wishes to install new underground water supply services to the former Woolworth Building located at 130 East Main Street, Riverhead, County of Suffolk and State of New York, also known as SCTM # 0600-129-1-8.2 (the "premises"); and

WHEREAS, Woolworth Revitalization LLC proposes to enter onto the property of the Riverhead Public Parking District #1 to install the new water supply gas underground service to the premises; and

WHEREAS, the re-use of the former Woolworth Building has the support of the Town Board; and

WHEREAS, the Town Board finds that installation of water service to the former Woolworth Building will enhance the reuse and redevelopment of the former Woolworth Building.

NOW THEREFORE BE IT RESOLVED, that the Town Board, acting on behalf of Riverhead Public Parking District #1, the owner of the premises where the water service to the former Woolworth Building are proposed, authorizes the grant of an easement to Woolworth Revitalization LLC; and be it further

RESOLVED, that Supervisor is hereby authorized to execute the attached easement in substantially the same form or such other form that is found 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 Woolworth Revitalization LLC, 130 East Main Street, Riverhead, New York 11901; and be it further

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

THE VOTE

Giglio Yes No

Gabrielsen Yes No

Dunleavy Yes No

Wooten Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared **WITHDRAWN**

WITHDRAWN

WATER EASEMENT

THIS AGREEMENT, made the ____ day of _____, 2013, the TOWN OF RIVERHEAD, a municipal corporation acting on behalf of the Riverhead Public Parking District # 1, with a principal place of business located at 200 Howell Avenue, Riverhead, New York 11901, (hereinafter referred to as the “Grantor”) and Woolworth Revitalization LLC, a domestic corporation with an address of 130 East Main Street, Riverhead, New York 11901, (hereinafter referred to as the “Grantee”).

W I T N E S S E T H :

1. That for and in consideration of the sum of ten (\$10.00)dollars, the receipt of which is hereby acknowledged, the Grantor hereby grants to the Grantee, an easement and right-of-way in, under, upon and through the premises of the Grantor for the purpose of enabling the Grantee to provide water supply service, said property being located on the west side of East Avenue, north of and adjacent to Main Street, SR 25), Town of Riverhead, County of Suffolk and State of New York, more particularly described as follows:

Starting at the northeasterly corner of the above described parcel of Woolworth Revitalization LLC, North 84 degrees 31 minutes 52 seconds East 64.8 feet along the southern boundary of the Riverhead Parking district to the western boundary of East Avenue;

SEE SCHEDULE A ANNEXED HERETO AND MADE PART HEREOF

Annexed hereto and made a part hereof is a map made by Martin F. Sendlewski, AIA, entitled “Proposed Water UtilityEasement Plan”.

2. Said easement is subject to the following terms and conditions:
- a. The following definitions shall apply to this grant of easement:

- i. "Maintain" shall mean alter, repair, replace, maintain, operate, restore or remove, whether structural or non-structural, foreseen or unforeseen, regular or periodic in accordance with all Laws and insurance requirements (which work shall also be deemed to include any derivation of "Maintain"); and
- ii. "Maintenance" shall be the conduct of the definition of Maintain.

b. This easement is granted for the purpose of enabling the Grantee, and/or its agents and assigns to install, maintain, operate, inspect, repair, replace, and remove any and all equipment and facilities as Grantee may from time to time require to provide water supply service. Such equipment and facilities shall include, but not be limited to, conduit, pipes, vaults, above-ground markers, poles, transmission equipment, distribution equipment, variable numbers of wires, lines, cables, surface mounted equipment, meters, manholes, transformers, switches, and sectionalizing devices and other such equipment and appurtenances. The Grantee, its employees and contractors shall have the right to enter in and upon the premises for the purposes stated above, after prior written notice has been given to the Grantor of the anticipated date of the work (except in the event of an emergency) and at such a time and in such a manner, to the greatest extent reasonably practicable in accordance with good construction practice, as will minimize interference with the easement and with the business being conducted by Grantor upon its land surrounding and adjoining the easement.

c. Placement and maintenance of Grantee's equipment and facilities in the easement shall be performed at the Grantee's sole cost and expense.

d. If the Grantee, in exercising its rights under this Water Easement, damages the Grantor's property, the Grantee shall restore said property, including but not limited to the surface of the land, to the same condition as it was prior to the undertaking of any such work within thirty (30) days of completing such work, to the satisfaction of the Grantor. In addition, the Grantee agrees to guarantee the restoration and/or repair of the Grantor's property for a period of one (1) year. The Grantee shall have the right, from time to time, to remove or clear and keep clear any or all trees and other obstructions upon the easement or which extend into the easement area as in the judgment of Grantee may interfere with or endanger Grantee's equipment or facilities upon prior written notice and approval of the Grantor.

e. In the event that any of the Grantee's equipment and/or facilities situated upon the easement area impedes the Grantor's future use and development of said property such shall be removed and relocated by the Grantee within sixty (60) days of a written request by the Grantor. All costs and expenses to remove and relocate the Grantee's equipment and/or facilities shall be paid by the Grantee. If the Grantee removes and relocates its equipment and/or facilities the Grantee shall restore said property, including but not limited to the surface of the land, to the same condition as it was prior to undertaking such work, within thirty (30) days of completing such work, to the satisfaction of the Grantor. In addition, the Grantee agrees to guarantee the restoration and/or repair of the Grantor's property for a period of one (1) year.

f. The Grantor reserves unto itself and others to whom easements shall be granted the right to use the easement area for all purposes not inconsistent with this Water Easement.

g. The Grantee acknowledges that the Grantor has not made any representations with respect to the adequacy or appropriateness of the easement area and that the Grantee is accepting the easement area "AS IS". The Grantee waives all claims against and releases the Grantor from any and all liability resulting from the Grantee's inability to use all or any portion of this easement, except as a result of the Grantor's negligence or willful failure to provide this easement or negligence or willful failure to comply with this Water Easement.

h. The Grantee agrees to indemnify, defend and hold harmless the Grantor, its officers, employees and agents from and against any and all obligations, liabilities, claims, liens, encumbrances, losses, damages, costs, expenses, reasonable attorneys' fees and disbursements, suffered or incurred by the Grantor (including claims by third parties) arising out of or otherwise related to the Grantee or its officers, directors, employees, agents, contractors, customers, visitors, invitees, or licensees use, enjoyment, possession or maintenance, repair or restoration of the easement.

i. The Grantor represents and warrants to the Grantee that it has the full right, title, power and authority to grant this easement.

j. This Water Easement, is subject to (i) all prior liens, encumbrances, restrictions and easements of record, (ii) all agreements with and rights of governmental authorities and public utilities, recorded or unrecorded, (iii) requirements

of all applicable insurance bodies, (iv) reasonable rules and regulations promulgated by the Grantor and (v) laws, rules, regulations, ordinances and requirements of all applicable governmental authorities, including environmental and administrative consent orders, now or hereafter in effect.

k. This Water Easement shall (i) run with the lands, buildings and improvements affected hereby, (ii) inure to the benefit of the Grantor and Grantee and their successors and assigns having an interest in the properties affected hereby, and (iii) shall be binding on the parties hereto, their heirs, assigns and successors in title or interest in perpetuity.

l. The Grantee shall have the right to record this Water Easement in the real property records at its own cost and expense and the Grantor shall sign such other documentation, if any, which is reasonably required to effect the recordation. The Grantee shall forward a recorded copy of this Water Easement to the Grantor within seven (7) days of the filing of such.

m. It is agreed by the parties herein that no representations or statements, verbal or written, have been made modifying, adding to or changing the terms of this Water Easement.

[SIGNATURE PAGE FOLLOWS]

GRANTOR: Town of Riverhead, acting on behalf of
Riverhead Public Parking District # 1

By: _____
Name: Sean M. Walter
Title: Town Supervisor
Date: _____

GRANTEE: Woolworth Revitalization LLC

By: _____
Name: Michael Butler
Title: Member
Date: _____

STATE OF NEW YORK }
} SS.:
COUNTY OF SUFFOLK }

On the _____ day of _____, in the year 2013, before me the undersigned personally appeared SEAN M. WALTER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signatures on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public – State of New York

STATE OF NEW YORK }
} SS.:
COUNTY OF SUFFOLK }

On the _____ day of _____, in the year 2013, before me the undersigned personally appeared MICHAEL BUTLER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signatures on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public – State of New York

08.20.13
130614

ADOPTED

TOWN OF RIVERHEAD

Resolution #614

RESOLUTION AUTHORIZING FREE FIREWOOD DAY FOR RESIDENTS

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, Hurricane Sandy left the Town of Riverhead with piles of debris, including trees and tree limbs; and

WHEREAS, due to the overabundance of trees and large tree limbs stockpiled at the Town's Yard Waste Facility, the Sanitation Superintendent recommended that the Town authorize the Sanitation Department to offer residents an opportunity to collect the trees and tree limbs free of charge for use as firewood in their homes; and

WHEREAS, the Sanitation Superintendent recommends that permits be issued to residents providing identification with proof of residence in the Town of Riverhead, on a first come, first served basis, allowing each permit holder to enter the Town's Yard Waste Facility for the purpose of loading and removing trees/tree limbs at such time designated by the Sanitation Superintendent and under such terms and conditions identified in the application/notice for permit, including but not limited to completion of a waiver of liability; and

NOW THEREFORE BE IT RESOLVED, that the Town of Riverhead authorizes a "Free Firewood Day" and authorizes the Sanitation Superintendent to issue permits to residents providing identification with proof of residence in the Town of Riverhead, on a first come, first served basis, allowing each permit holder to enter the Town's Yard Waste Facility for the purpose of loading and removing trees/tree limbs at such time designated by the Sanitation Superintendent and under such terms and conditions identified in the application/notice for permit, including but not limited to completion of a waiver of liability; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Sanitation Department; and

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution #615

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

RESOLUTION #		ABSTRACT #13-30 August 8, 2013 (TBM 8/20/13)	
offered the following Resolution which was seconded by			
FUND NAME		Ckrun Total	GRAND TOTALS
GENERAL FUND	1	957,049.62	957,049.62
POLICE ATHLETIC LEAGUE	4	1,116.85	1,116.85
RECREATION PROGRAM FUND	6	54,359.70	54,359.70
HIGHWAY FUND	111	83,598.60	83,598.60
WATER DISTRICT	112	182,318.45	182,318.45
RIVERHEAD SEWER DISTRICT	114	27,621.37	27,621.37
REFUSE & GARBAGE COLLECTION	115	6,476.49	6,476.49
STREET LIGHTING DISTRICT	116	40,384.67	40,384.67
PUBLIC PARKING DISTRICT	117	2,700.16	2,700.16
AMBULANCE DISTRICT	120	1,269.36	1,269.36
EAST CREEK DOCKING FACILITY	122	1,342.15	1,342.15
CALVERTON SEWER DISTRICT	124	882.73	882.73
RIVERHEAD SCAVENGER WASTE	128	17,037.20	17,037.20
RISK RETENTION FUND	175	5,525.74	5,525.74
CDBG CONSORTIUM ACCOUNT	181	829.41	829.41
TRUST & AGENCY	735	1,094,537.94	1,094,537.94
		2,477,050.44	2,477,050.44

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution #615

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

RESOLUTION #		ABSTRACT #13-31 August 15, 2013 (TBM 8/20/13)		
offered the following Resolution which was seconded by				
FUND NAME		Ckrun Total		GRAND TOTALS
GENERAL FUND	1	539,037.96		539,037.96
POLICE ATHLETIC LEAGUE	4	7,990.93		7,990.93
RECREATION PROGRAM FUND	6	40,750.68		40,750.68
CHILD CARE CENTER BUILDING FUND	9	54.13		54.13
HIGHWAY FUND	111	60,700.77		60,700.77
WATER DISTRICT	112	90,032.37		90,032.37
REPAIR & MAINTENANCE RESERVE FUND	113	22,430.00		22,430.00
RIVERHEAD SEWER DISTRICT	114	80,231.70		80,231.70
REFUSE & GARBAGE COLLECTION DIST	115	4,500.58		4,500.58
STREET LIGHTING DISTRICT	116	8,707.87		8,707.87
PUBLIC PARKING DISTRICT	117	877.77		877.77
AMBULANCE DISTRICT	120	4,986.31		4,986.31
EAST CREEK DOCKING FACILITY FUND	122	4,124.75		4,124.75
CALVERTON SEWER DISTRICT	124	8,506.65		8,506.65
RIVERHEAD SCAVANGER WASTE DIST	128	26,387.15		26,387.15
WORKERS' COMPENSATION FUND	173	12,906.56		12,906.56
TOWN HALL CAPITAL PROJECTS	406	1,900.00		1,900.00
RIVERHEAD SEWER CAPITAL PROJECT	414	7,410.00		7,410.00
TRUST & AGENCY	735	176,051.32		176,051.32
CALVERTON PARK - C.D.A.	914	26.69		26.69
		1,097,614.19	0.00	1,097,614.19

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted