

RESOLUTION LIST

AUGUST 1, 2017

- Res. #579 Ambulance District Vehicle Reserve Adjustment**
- Res. #580 General Fund – Justice Court Budget Adjustment**
- Res. #581 Engineering Fees for the Installation of Emergency Generators at Plants 1 & 16 Budget Adoption**
- Res. #582 Engineering Fees for the Installation of Water Mains and Appurtenances Budget Adoption**
- Res. #583 Pulaski Street Land Condemnation Budget Adoption**
- Res. #584 Construction of a Concrete Ground Storage Tank and Booster Station at Plant 15 Budget Adoption**
- Res. #585 Authorizes the Release of Foundation Security for Peconic Bay Medical Center/Northwell Health**
- Res. #586 Authorizes Application to Suffolk County for HUD Home Funds and Authorizes Supervisor to Execute Grant Agreement**
- Res. #587 Authorizes Submission of Letter of Intent and Execution of Contract by the Supervisor for Operation and Maintenance Grant Program to New York State Environmental Facilities Corporation (EFC)**
- Res. #588 Authorization to Publish Advertisement for Collection and Recycling of Electronic Waste**
- Res. #589 Awards Bid for Disposal of Town Generated Construction and Demolition Material**
- Res. #590 Appoints a Community Development Project Supervisor (Dawn Thomas)**
- Res. #591 Authorization to Publish Advertisement for Charter Coach Transportation for the Town of Riverhead**
- Res. #592 Authorizes the Designation of a Secondary Name to 20th Street in Honor of Suffolk County EMS Chief and Wading River Fire District Commissioner Thomas Lateulere**
- Res. #593 Authorizes Town Clerk to Publish and Post Public Notice for Advertisement for Request for Qualifications for Former Child Care Facility at Stotzky Park**

- Res. #594 Awards Bid for Residential Solid Waste Collection and Disposal Services for the Riverhead Refuse and Garbage District**
- Res. #595 Offers Support for County of Suffolk’s Application Regarding 2017-18 Local Government Efficiency Grant Program**
- Res. #596 Authorizes Town Clerk to Publish and Post a Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 289 Entitled, “Vehicles, Traffic and Parking Regulations” of the Riverhead Town Code (§289-10. Parking prohibited. – Meetinghouse Creek Road & Peconic Bay Blvd.)**
- Res. #597 Adopts a Local Law to Amend Chapter 289 Entitled “Vehicles, Traffic & Parking Regulations” of the Riverhead Town Code (§289-3. Stop and yield intersections; railroad crossings; parking fields. (Intersection of Peconic Bay Boulevard and Meetinghouse Creek Road)**
- Res. #598 Adopts a Local Law Amending Chapter 217 Entitled “Building, Building Construction and Improvements and Housing Standards” of the Riverhead Town Code (§217.12. Building permit fees.)**
- Res. #599 Amends Resolution #475 of 2017 (Approves the Chapter 255 Application of Native Events Inc. – “Country Blues Festival Long Island”)**
- Res. #600 Approves the Application for Fireworks Permit of Baiting Hollow Club (Saturday – August 26, 2017)**
- Res. #601 Approves the Chapter 255 Application of Elitefeats, Inc. (5K Road Race – “Long Island Fall Classic” – September 17, 2017)**
- Res. #602 Approves the Chapter 255 Application of George M. Bartunek (19th Annual Antique Care Show – Sunday, September 17, 2017)**
- Res. #603 Approves Chapter 255 Application of Jamesport Fire Department (5K & 10K Race - Sunday, August 27th)**
- Res. #604 Approves Chapter 255 Application of Railroad Museum of Long Island (Museum Open House 2017 – 27th Anniversary – August 26th and 27th, 2017)**
- Res. #605 Approves the Application for Fireworks Permit of Riverhead Raceway (Saturday, August 12, 2017)**
- Res. #606 Approves the Application for Fireworks Permit of Newton Carnivals (Family Festival – August 11, 2017)**

- Res. #607** Authorizes the Reduction of Performance Security of Manzi Homes East, LLC, in Connection with the Residential Subdivision Known as “Old Orchard at Baiting Hollow”
- Res. #608** Authorizes Settlement with Thomas P. Wharton and Seamus Wharton Regarding Claim for Damage to Fire Hydrant on Peconic Bay Boulevard
- Res. #609** Offers Support for Regional Bike Share Initiative of the County of Suffolk
- Res. #610** Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 1776 Middle Road, Calverton, NY
- Res. #611** Authorizes Retention of the Law Firm of Sinnreich, Kosakoff & Messina LLP as Special Counsel to Defend Legal Action Against the Town of Riverhead Commenced by Eugene Lafurno
- Res. #612** Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 301 Entitled “Zoning and Land Development” of the Riverhead Town Code
- Res. #613** Resolution Calling Public Hearing Regarding Lateral Water Main Extension for Riverview Lofts, Georgica Green Ventures, LLC
- Res. #614** Approves Change Order #1 Installation of Alarm Contracts for Riverhead Water District at Plant 15
- Res. #615** Awards Bid – Installation of Emergency Generators at Plant No.’s 1 & 16 Riverhead Water District
- Res. #616** Awards Bid – Installation of Water Mains & Appurtenances Water Distribution System Improvements Riverhead Water District
- Res. #617** Authorizes the Supervisor to Execute an Agreement with SHI International Corp.
- Res. #618** Amends Resolution #369 of 2017 Authorizing the Supervisor to Execute a License Agreement with Crown Recycling for Use of the Town’s Yard Waste Facility to Reflect a Modification to License Agreement
- Res. #619** Pays Bills
- Res. #620** Authorization to Publish Advertisement for Two 90” Heavy Duty Rear Flair Mowers for the Town of Riverhead
- Res. #621** Ratifies Appointment of Legal Representation for the Zoning Board of Appeals (Dawn C. Thomas)

TOWN OF RIVERHEAD

Resolution # 579

AMBULANCE DISTRICT

VEHICLE RESERVE ADJUSTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Ambulance District is requesting a budget adjustment to remount a 2006 ambulance body as previously authorized in Town Board Resolution 16-0782 on October 18, 2016.

NOW THEREFORE BE IT RESOLVED, that the Supervisor be, and is hereby authorized to establish the following budget adjustment and transfer of funds from the Ambulance District Fund Balance:

	<u>FROM</u>	<u>TO</u>
120.000000.499999 Ambulance District Fund Balance	56,000	
120.045400.524200 Vehicle - Reserves		56,000

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 580

GENERAL FUND – JUSTICE COURT

BUDGET ADJUSTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Justice Court is requesting a budget adjustment to provide funds for interpreter expense, and

WHEREAS, the the Justice Court has applied for a reimbursement of \$7,965 from Suffolk County for Interpreter expenses.

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

	<u>FROM</u>	<u>TO</u>
001.032260.422052 NYS Court Interpreter Revenue	4,500	
001.011100.543940 Interpreter Fees & Expenses		4,500

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 581

**ENGINEERING FEES FOR THE INSTALLATION OF EMERGENCY GENERATORS
AT PLANTS 1 & 16
BUDGET ADOPTION**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, a budget adoption is necessary for the installation of emergency generators at Plants 1 & 16.

NOW THEREFORE BE IT RESOLVED, that the Supervisor be, and hereby, authorizes the following budget adoption to be funded from bond proceeds:

	<u>FROM</u>	<u>TO</u>
412.09710.494200.20047 Bond Proceeds	529,000	
412.083200.523003.20047 Construction		485,000
412.083200.543501.20047 Professional Services-Engineer		19,000
412.083200.547900.20047 Contingencies		25,000

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 582

ENGINEERING FEES FOR THE INSTALLATION OF WATER MAINS AND APPURTENANCES BUDGET ADOPTION

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, a budget adoption is necessary for the installation of water mains and appurtenances for the relief of excess pressure on Pulaski Street, Mill Road, Osborn Avenue and Twomey Avenue, Capital Project 30137.

NOW THEREFORE BE IT RESOLVED, that the Supervisor be, and hereby, authorizes the following budget adoption to be funded from the transfer of Developer Fees from Water Capital Project #60076 (Riverhead Bay Motors) and bond proceeds:

		<u>FROM</u>	<u>TO</u>
406.092705.421050.60076	Developer Fees	34,477	
412.092705.421050.30137	Developer Fees		34,477
412.095710.494200.30137	Bond Proceeds	770,523	
412.083200.523003.30137	Construction		705,523
412.083200.543501.30137	Professional Services-Engineer		28,000
412.083200.547900.30137	Contingencies		37,000

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 583

PULASKI STREET LAND CONDEMNATION
BUDGET ADOPTION

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, a budget adoption is necessary as the Town of Riverhead has entered into a settlement with James H. Wilson and Cindy Ann Wilson, as Devises of the Last Will and Testament of Sophie Wilson, in regards to the condemnation of property identified as Suffolk County Tax Map No. 0600-101.00-02.00-012.003 vested in the Town of Riverhead, herein known as the Pulaski Street Condemnation:

WHEREAS, per Town Board Resolution #482, resolved June 20, 2017 that the Town Board of the Town of Riverhead hereby agrees to the terms of the Stipulation and Consent Agreement

WHEREAS, the amount of this settlement is \$890,000.00, of which \$615,000.00 had been previously paid per resolution #1163, resolved December 15, 2009.

WHEREAS, a final payment of \$275,000.00 is required to be paid to the Claimant's attorney MargolinBesunder LLP, 1050 Old Nichols Road, Suite 200, Islandia, New York.

NOW THEREFORE BE IT RESOLVED, that the Supervisor be, and hereby, authorizes the following budget adoption:

	<u>FROM</u>	<u>TO</u>
111.000000.499999.00000 Highway Fund Balance	275,000	
406.019400.521000.42502 Land Acquisition (Condemnation)		275,000

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 584

**CONSTRUCTION OF A CONCRETE GROUND STORAGE TANK AND BOOSTER
STATION AT PLANT 15
BUDGET ADOPTION**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, a budget adoption is necessary for the construction of a new concrete ground storage tank and booster station at Plant 15.

NOW THEREFORE BE IT RESOLVED, that the Supervisor be, and hereby, authorizes the following budget adoption to be funded from bond proceeds:

	<u>FROM</u>	<u>TO</u>
412.095710.494200.20048	Bond Proceeds	3,282,000
412.083200.523003.20048	Construction	2,900,000
412.083200.543501.20048	Professional Services-Engineer	237,000
412.083200.547900.20048	Contingencies	145,000

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 585

**AUTHORIZES THE RELEASE OF FOUNDATION SECURITY FOR
PECONIC BAY MEDICAL CENTER / NORTHWELL HEALTH**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, Peconic Bay Medical Center / Northwell Health posted cash security, MT&T Bank Check #95682, dated March 16, 2017, in the amount of Two Thousand Seven Hundred Sixty Dollars (\$2,760) for the “foundation only” bond for an addition to the existing medical center on the northeasterly corner of the intersection formed by Old Country Road (Route 58) and Roanoke Avenue, Riverhead, also known and designated as SCTM # 600-108-03-022.01; and

WHEREAS, the Building Department accepted and approved the associated building permit applications, resulting in the issuance of a full Building Permit for the construction of the three story addition, ZB170211 dated May 22, 2017.

NOW THEREFORE BE IT RESOLVED that based upon the forgoing the Town Board hereby authorizes the release of the aforementioned cash security in the amount of Two Thousand Seven Hundred Sixty Dollars (\$2,760); and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Andrew Mitchell, 1300 Roanoke Avenue, Riverhead, NY 11901, and Kimberly Judd, Esq, 737 Roanoke Avenue, Riverhead, NY, 11901.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 586

**AUTHORIZES APPLICATION TO SUFFOLK COUNTY FOR HUD HOME FUNDS AND
AUTHORIZES SUPERVISOR TO EXECUTE GRANT AGREEMENT**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, Housing and Urban Development (HUD) Home Investment Partnership Program (HOME) grant funding is available through Suffolk County to provide improvements to an owner occupied low to moderate income resident to undertake necessary repairs; and

WHEREAS, the Community Development Department accepts applications and has developed a list of eligible home owners; and

WHEREAS, the need for assistance among Riverhead's low income residents, particularly senior citizens has increased; and

WHEREAS, the Town of Riverhead is eligible to seek for sufficient funding to conduct repairs on one specific home for up to \$66,000 in repairs.

THEREFORE, BE IT RESOLVED, by the Riverhead Town Board authorizes the Community Development Department to apply for funding and for the Supervisor to execute a contract with Suffolk County.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a copy of this resolution to the Community Development Department.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 587

AUTHORIZES SUBMISSION OF LETTER OF INTENT AND EXECUTION OF CONTRACT BY THE SUPERVISOR FOR OPERATION AND MAINTENANCE GRANT PROGRAM TO NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION (EFC)

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the State of New York Environmental Facilities Corporation (EFC) provides assistance to municipalities that provide boat pumpout facilities for marine waste holding tanks and portable toilets; and

WHEREAS, funding is available for up to 75%, with a maximum annual grant of \$5,000 for pumpout boats and \$2,000 for stationary facilities; and

WHEREAS, it is the policy of the Riverhead Town Board to encourage those practices that minimize hazardous influences on the Peconic Estuary system; and

WHEREAS, the Town of Riverhead is eligible for up to \$14,000 in reimbursement for the 2016 season.

THEREFORE, BE IT RESOLVED, by the Riverhead Town Board authorizes the Supervisor to submit the letter of intent and execute a contract with EFC.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a copy of this resolution to the Community Development Department and Sgt. Ronald Atkinson.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 588

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR COLLECTION AND RECYCLING OF ELECTRONIC WASTE

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

RESOLVED, the Town Clerk be and is hereby authorized to publish and post the attached notice to bidders for proposals for **COLLECTION AND RECYCLING OF ELECTRONIC WASTE**.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to publish and post the following public notice in the August 10, 2017 issue of the official Town newspaper; and be it further;

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for **COLLECTION AND RECYCLING OF ELECTRONIC WASTE** will be received by the Office of the Town Clerk at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on or before **4:00 pm on September 14, 2017** and will be publicly opened and read aloud at **11:00 am on September 15, 2017** in the Office of the Town Clerk.

Specifications and guidelines for submission of bids are available on the Town website at www.townofriverheadny.gov, click on "Bid Requests" beginning **August 10, 2017**.

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.

All bids must be submitted to the Town Clerk's Office, at the address stated above, in a sealed envelope clearly marked "**COLLECTION AND RECYCLING OF ELECTRONIC WASTE**". Proposals must be received by the Office of the Town Clerk by no later than **4:00 pm on September 14, 2017**.

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

Dated: 8/1/2017

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



TOWN OF RIVERHEAD

Sean M. Walter, Supervisor
200 Howell Avenue
Riverhead, New York 11901-2596
631-727-3200

BID # _____

BID FOR: COLLECTION AND RECYCLING OF ELECTRONIC WASTE

BIDDERS NAME

BIDDERS ADDRESS

CITY, STATE, ZIP

_____ (____) _____
DATE PHONE NUMBER

E-MAIL ADDRESS: _____

In compliance with your advertisement for bids to be opened at **11:00am on September 15, 2017** and subject to all conditions thereof, the undersigned hereby proposes to furnish the item(s) and/or service(s) itemized in this proposal in accordance with the Notice to Bidders, General Information Agreement and Specifications contained herein on the Bid Proposal Form attached.

Bidder certifies that the prices quoted herein do not include Federal Excise Tax or any Federal, New York State or City Sales Tax and are not higher than prices charged to any governmental or commercial consumer for like merchandise and/or service; and all prices include shipping and freight charges to any Municipal building or site within the Town of Riverhead.

(THIS PAGE MUST BE COMPLETED, SIGNED, AND RETURNED WITH BID)

Respectfully submitted,

SIGNED BY

TITLE

BIDDERS ARE INVITED TO ATTEND BID OPENING

TOWN OF RIVERHEAD BID SPECIFICATION

COLLECTION AND RECYCLING OF ELECTRONIC WASTE

I. General Description of Project

The Town of Riverhead seeks to expand its efforts to recover and reuse recyclable materials to protect and enhance the Town's physical environment and promote the health and safety of persons and property within the Town. This request for bids seeks to address the growing nationwide problem of e-waste, such as computers, cell phones, pagers and VCRs which not only have a low level of biodegradability, but contain materials such as lead, mercury and cadmium that are highly toxic when released into the environment, and implement a program to ensure that these items will not wind up in a landfill or incinerator.

The Town of Riverhead seeks bids from qualified CONTRACTORS for services to collect and recycle electronic waste generated by residents, businesses and institutions within the Town of Riverhead. A "qualified CONTRACTOR" must possess any and all required license/permit/certification/registration to: collect, transport, store, separate and recycle e-waste within State of New York, County of Suffolk, Town of Riverhead; qualify as an electronic waste collection site or electronic waste recycling facility pursuant to ECL Article 27 Title 26 or hold valid contract with an electronic waste collection site or electronic waste recycling facility which meets all state, county and town requirements related to collection and recycling of e-waste.

II. General Scope of Services

The TOWN is seeking a qualified CONTRACTOR to assist in the collection and recycling of E-WASTE from TOWN residents, small businesses and organizations in a safe and environmental responsible way.

The Town expects the CONTRACTOR to have experience and be qualified to: haul; transport; collect; store (Electronic Waste Collection Site licensed by NYSDEC); sort; recycle; and, dispose of e-waste. In addition, CONTRACTOR shall be licensed to operate as an approved E-WASTE recycler (see Qualified CONTRACTOR). In the event the CONTRACTOR is not authorized/licensed/permitted as may be required by NYSDEC to provide all of the services set forth above, CONTRACTOR may be deemed eligible or qualified provided CONTRACTOR provides proof of a contract with a firm or company authorized/licensed/permitted by the NYSDEC to undertake that portion of the services the CONTRACTOR is not otherwise qualified.

1. Performance Specifications

- a. CONTRACTOR shall provide secure container(s) that are constructed and maintained to minimize breakage of electronic waste and to prevent release of hazardous materials to the environment at all Town designated Electronic Waste Collection Sites.
- b. CONTRACTOR shall provide collection at all Town designated Electronic Waste Collection Sites. The Town seeks to designate three locations in the Town of Riverhead: Town Yard Waste Facility located on Youngs Avenue, Riverhead, NY; Highway Yard located on Osborne Avenue, Riverhead, NY and Senior Center located on Shade Tree Lane, Aquebogue, NY, or, in the alternative, require CONTRACTOR to provide containers and equipment at various locations selected by the Engineering Department approximately 6 times a year. Note, the Town reserves the right to change locations designated above as and for Town E-waste Collection Site.
- c. CONTRACTOR may recommend a schedule for the collection of e-waste, however, the Town shall require a minimum of bi-monthly collection of e-waste at each of the Town designated Electronic Waste Collection Sites, or, in the alternative, require CONTRACTOR to provide containers and equipment at various locations selected by the Engineering Department approximately 6 times a year (mobile collection sites). In addition to the above, the Town Engineer may require additional collection dates consistent with Town's S.T.O.P. program.
- d. CONTRACTOR shall have the ability to recycle large quantities of e-waste and other miscellaneous large electronic items.
- e. CONTRACTOR shall recycle and/or dispose of E-WASTE in a safe and environmentally responsible manner; document recycled commodity amounts and certification of destinations thereof; provide monthly tracking report of all E-WASTE collected and reconciliation of reimbursements to the TOWN; and file an annual report with the TOWN and NYS DEC on or before the 15th day of March pursuant to requirement of Article 27, Title 26 of the NYS Environmental Conservation Law and all such other requirements under federal, state, or local law, and remain in conformance with said rules and regulations throughout the term of this contract.

2. Invoicing and Payment

In addition to the above, it is the Town's objective to evaluate all relevant factors, including but not limited to cost and/or revenue, qualifications, and references. As the bidder may propose a

revenue to the Town or a cost to the Town for the services identified in this specification, this provision regarding invoicing and payment (and the bid sheet) shall identify provisions applicable to each of the types of proposals (revenue/costs) identified above:

- a. Revenue: The CONTRACTOR shall make quarterly payments to the TOWN for all services identified in the specifications based upon percentage of tonnage collected and such payments shall include all costs related to collection, segregation, handling, transportation, including fuel charges, disposal of all electronic waste collected by the CONTRACTOR. CONTRACTOR shall identify the tonnage and price per ton in the payment schedule.
- b. Cost: The selected CONTRACTOR shall be responsible for submitting vouchers and invoices to the TOWN, which clearly and accurately describe the services provided and the costs, to the extent applicable thereof in compliance with TOWN documentation and format requirements. All invoices shall be presented in a format approved by the TOWN. The TOWN will pay CONTRACTOR for submitted invoices only after verification for said invoices. The TOWN will make a good faith effort to insure payment to the selected CONTRACTOR within 60 calendar days from receipt of each submitted invoice. In addition to the above, as the Town of Riverhead created a Recycling Fund wherein a percentage of the revenues realized by the CONTRACTOR in the sale of and recycling of e-waste collected from the Town, the selected CONTRACTOR shall provide quarterly reports of all E-WASTE collected and clearly and accurately document the recycled commodity amounts with payment in the amount of 20% of said sales to the TOWN for reimbursement for recycling commodity.
- c. The TOWN shall not be liable for any cost incurred by the CONTRACTOR for this program prior to full execution of the CONTRACT and the stipulated start date of the work.

III. General Bid Specifications

1. Bid Criteria

To be considered, all bids must be submitted in writing and respond to the items outlined in the bid specifications. The Town reserves the right to reject any non-responsive or non-conforming bids. All properly sealed and marked bids are to be sent to the Town of Riverhead marked **“COLLECTION AND RECYCLING OF ELETRONIC WASTE”** and received no later than **4:00 pm on September 14, 2017** at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, NY. Any bid received after this date and time shall not be considered and shall be returned unopened. The proposing CONTRACTOR bears the risk of delays in delivery. Upon

receipt of CONTRACTOR bids, each CONTRACTOR shall be presumed to be thoroughly familiar with all specifications and requirements of the bid requirements. The failure or omission to examine any form, instrument or document shall in no way relieve CONTRACTOR from any obligation in respect to this contract.

2. Bid Modifications

Any changes, amendments or modifications to a bid must be made in writing, submitted in the same manner as the original response and conspicuously labeled as a change, amendment or modification to a previously submitted bid. Changes, amendments or modifications to bids shall not be accepted or considered after the hour and date specified as the deadline for submission of bids.

3. Bid Costs and Expenses

The Town of Riverhead will not pay any costs incurred by any CONTRACTOR associated with any aspect of responding to the request for bids, including bid preparation, printing or delivery, or negotiation process.

4. Bid Expiration Date

Prices quoted in the bid shall remain fixed and binding on the Bidder for at least one (1) year from the date of the signed contract. The Town of Riverhead reserves the right to ask for an extension of time if needed.

5. Non-Conforming Bids

Non-conforming Bids will not be considered. Non-conforming bids are defined as those that do not meet the requirements of the bid specification. The determination of whether a bid requirement is substantive or a mere formality shall reside solely within the Town of Riverhead.

6. Sub-Contracting

The CONTRACTOR selected shall be solely responsible for contractual performance and CONTRACTOR assumes all responsibility for the quality of work performed under this contract.

7. Discrepancies and Omissions

CONTRACTOR is fully responsible for the completeness and accuracy of their bid, and for examining this bid and all addenda. Failure to do so will be at the sole risk of CONTRACTOR.

Should CONTRACTOR find discrepancies, omissions, unclear or ambiguous intent or meaning, or should any questions arise concerning this request for bid, CONTRACTOR shall notify the Town Clerk of the Town of Riverhead and/or Sanitation Superintendent, in writing, of such findings at least five (5) days before the bid opening. This will allow issuance of any necessary addenda. It will also help prevent the opening of a defective bid and exposure of CONTRACTOR'S bid upon which award could not be made. All unresolved issues should be addressed in the bid. Protests based on any omission or error, or on the content of the solicitation, will be disallowed if these faults have not been brought to the attention of the Designated Contact, in writing, no later than five (5) calendar days prior to the time set for opening of the bids.

8. Town's Right to Reject Bids

The Town reserves the right to accept or reject any or all bids or any part of any bid, to waive defects, technicalities or any specifications (whether they be in the Town's specifications or CONTRACTOR'S response), to sit and act as sole judge of the merit and qualifications of each product offered, or to solicit new bids on the same project or on a modified project which may include portions of the originally proposed project as the Town may deem necessary in the best interest of the Town.

9. Town's Right to Cancel Solicitation

The Town reserves the right to cancel this solicitation at any time during the procurement process, for any reason or for no reason. The Town makes no commitments expressed or implied, that this process will result in a business transaction with any CONTRACTOR.

10. Notification of Withdrawal of Bid

CONTRACTOR may modify or withdraw its bid by written request, provided that both bid and request is received by the Town prior to the bid due date. Bids may be re-submitted in accordance with the Bid Notice due date in order to be considered further. Bids become the property of the Town at the bid submission deadline. All bids received are considered firm offers at that time.

11. Exceptions to the Bid Specifications

Any exceptions to the Bid Specifications or the Town's terms and conditions, must be highlighted and included in writing in the bid. Acceptance of exceptions is within the sole discretion of the evaluation of the Town.

12. Award of Contract

The final award of a contract is subject to approval by the Town. The Town has the sole right to select the successful CONTRACTOR(S) for award, to reject any bid as unsatisfactory or non-responsive, to award a contract to other than the lowest priced bid, to award multiple contracts, or not to award a contract. Notice in writing to a CONTRACTOR of the acceptance of its bid by the Town will constitute a contract, and no CONTRACTOR will acquire any legal or equitable rights or privileges until the occurrence of such event.

13. Contract Terms and Conditions

The term of the contract between the successful bidder and the Town shall be for two (2) years. At the end of the contract period, the contract may be extended (not to exceed one (1) extension for a one (1) year period) upon the same terms and conditions at the sole discretion of the Town of Riverhead and with the consent of the vendor. The Town also reserves the right to cancel this contract at any time without notice.

14. Independent CONTRACTORS

The parties to the contract shall be independent CONTRACTORS to one another, and nothing herein shall be deemed to cause this agreement to create an agency, partnership, joint venture or employment relationship between parties. Each party shall be responsible for compliance with all applicable workers compensation, unemployment, disability insurance, social security withholding and all other similar matters. Neither party shall be liable for any debts, accounts, obligations or other liability whatsoever of the other party or any other obligation of the other party to pay on the behalf of its employees or to withhold from any compensation paid to such employees any social benefits, workers compensation insurance premiums or any income or other similar taxes.

15. Licenses and Permits

In performance of the contract, the CONTRACTOR will be required to comply with all applicable federal, state and local laws, ordinances, codes, and regulations. The cost of permits and other relevant costs required in the performance of the contract shall be borne by the successful CONTRACTOR. The CONTRACTOR shall be properly licensed and authorized to transact business in the State of New York and shall transport and deposit the e-waste to a NYSDEC approved site. In the event the NYSDEC issues a violation for the CONTRACTOR'S e-waste site or terminates permit or license for site, the Town reserves the right to terminate the contract effectively immediately.

16. Notice

Any notice to the Town of Riverhead required under the contract shall be sent to:

**Drew Dillingham, Town Engineer
1295 Pulaski Street
Riverhead, NY 11901**

17. Indemnification

a. General Indemnification:

By submitting a bid, the proposing CONTRACTOR agrees that in the event it is awarded a contract, it will indemnify and otherwise hold harmless the Town of Riverhead, its agents and employees from any and all liability, suits, actions, or claims, together with all costs, expenses for attorney's fees, arising out of the CONTRACTOR'S its agents and employees' performance work or services in connection with the contract, regardless of whether such suits, actions, claims or liabilities are based upon acts or failures to act attributable, ole or part, to the Town, its employees or agents.

b. Insurance

i. CONTRACTOR recognizes that it is operating as an independent CONTRACTOR and that it is liable for any and all losses, penalties, damages, expenses, attorney's fees, judgments, and/or settlements incurred by reason of injury to or death of any and all persons, or injury to any and all property, of any nature, arising out of the CONTRACTOR'S negligent performance under this contract, and particularly without limiting the foregoing, caused by, resulting from, or arising out of any act of omission on the part of the CONTRACTOR in their negligent performance under this contract.

ii. The CONTRACTOR shall maintain such insurance as will protect against claims under Worker's Compensation Act and from any other claims for damages for personal injury, including death, which may arise from operations under this contract. The CONTRACTOR is an independent CONTRACTOR and is not an employee of the Town of Riverhead.

iii. During the term of this contract, the CONTRACTOR shall, at its own expense, carry insurance minimum limits as set forth below.

IV. Required Information for Submission of Bid Proposal

The following information shall be provided in each bid in the order listed below. The bid proposal must be signed by an authorized company representative. Failure to respond to any request for information may result in rejection of the bid at the sole discretion of the Town. A CONTRACTOR'S submission of qualifications must address all the items. The submission must indicate any exception(s) to these requirements.

Date: _____

Signature: _____

Title: _____

V. BID
COLLECTION AND RECYCLING OF ELECTRONIC WASTE
TOWN OF RIVERHEAD
BID SHEET

1. Company information:

a. Name, physical address, mailing address, telephone number, fax number, the name of the primary contact for this bid, and the e-mail address for the primary contact and/or main office.

b. Identify the facility that CONTRACTOR shall transport all e-waste and related debris to, together with NYSDEC permit/licensee # for the facility:_____

c. Identify the principals who will be, or may be, involved in the pick up and removal of e-waste, their roles, and their experience.

d. Identify the equipment available to perform the items identified in the scope of services and identify if the company and personnel have any necessary expertise/training and, to the extent required by law, permits and licenses to operate the equipment required to perform the pick up and removal (transport) services.

Equipment (Identify each piece of equipment, NYS Vehicle Identification #, License Plate # and information regarding volume of vehicles (trucks) to remove and transport the e-waste.):

Personnel: _____

2. Insurance:

Upon award of bid, CONTRACTOR shall provide a copy of all insurance certificates identified below within thirty six hours of notification of successful bid and prior to commencement of any services identified in the contract/bid specification. In the event the CONTRACTOR fails to provide the insurance required information, the Town may cancel the award and award to the next lowest bidder.

- a. Proof of Comprehensive General Liability Insurance, including products completed, contractual, property and personal injury in the amount of \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate; and
- b. Proof of professional liability insurance in the amount of (\$1,000,000.00.); and
- c. Proof of Automotive/Equipment Liability (Bodily Injury and Property Damage) insurance in the amount of \$100,000 (per occurrence)/\$300,000 (total).

(In the event CONTRACTOR shall be determined to be the lowest responsible bidder, CONTRACTOR shall be required to provide proof of insurance and name the Town of Riverhead as an additional insured on General Liability Insurance and Professional Liability Insurance.)

3. Bid Amount:

- a. Payments

Provide information on any payments that your company will make to the Town of Riverhead in connection with providing the requested service.

Price Per Cubic Yard \$ _____

- b. Fees

Provide information on any fees or charges that your company will charge the Town of Riverhead in connection with providing the requested service. Note, as the Town of Riverhead created a Recycling Fund wherein a percentage of the revenues realized by the CONTRACTOR in the sale of and recycling of e-waste collected from the Town, the

selected CONTRACTOR shall provide quarterly reports of all E-WASTE collected and clearly and accurately document the recycled commodity amounts with payment in the amount of 20% of said sales to the TOWN for reimbursement for recycling commodity.

Cost Per Cubic Yard \$ _____

Note, all costs related to containers, collection, transport, separation, use of equipment, fuel, labor are to be included and incorporated into the payment or cost per cubic yard. The Town shall not be responsible for any other costs to perform the tasks identified in the Request for Proposals.

4. Permit/License:

A copy of permit/license for the facility/company must be annexed to bid.

DATE: _____

SIGNED: _____

TITLE: _____

NON-COLLUSIVE CERTIFICATE
(MUST BE COMPLETED, SIGNED, NOTARIZED AND RETURNED WITH BID)

UNDER PENALTIES OF PERJURY:

_____ (bidder), being duly sworn, deposes and says:

- A) This bid or proposal has been independently arrived at without collusion with any other bidder or with any competitor or potential competitor;
- B) This bid or proposal has not knowingly been disclosed, prior to the opening of bids or proposals for this project, to any other bidder, competitor, or potential competitor;
- C) No attempt has been made or will be made to induce any other person, partnership, or corporation to submit or not to submit a bid or proposal;
- D) The person signing this bid or proposal certifies that he has been fully informed regarding the accuracy of the statements contained in this certification, and under penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as the person signing on its behalf; and
- E) That the attached hereto (if a corporate bidder) is a certified copy of a resolution authorizing the execution of this certificate by the signatory of this bid or proposal on behalf of the corporate bidder.

Corporation: _____
(PRINT CORPORATION NAME)

By: _____
(SIGNATURE)
(TITLE)

Address: _____

Sworn to before me this

day of _____, 2017

Notary Public

I/WE FULLY UNDERSTAND THAT THE ACCEPTANCE OF THIS BID IS SUBJECT TO THE PROVISIONS OF SECTION 103A AND 103B OF THE GENERAL MUNICIPAL LAW.

NAME OF AGENT/DEALER : _____

ADDRESS: _____

CONTACT PERSON: _____

DATE: _____

SIGNATURE OF AGENT/DEALER: _____

IRAN DIVESTMENT ACT CERTIFICATION

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act’s effective date, at which time it will be posted on the OGS website.

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Bidder/CONTRACTOR (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/CONTRACTOR is advised that once the list is posted on the OGS website, any CONTRACTOR seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to the solicitation, must certify at the time the Contract is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract, should the TOWN OF RIVERHEAD receive information that a person is in violation of the above-referenced certification, the TOWN OF RIVERHEAD will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the TOWN OF RIVERHEAD shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the CONTRACTOR in default.

The TOWN OF RIVERHEAD reserves the right to reject any bid or request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

Signature: _____

Print Name: _____

Title: _____

Company Name: _____

Date: _____

IRAN DIVESTMENT ACT CERTIFICATION

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During the term of the Contract, should the TOWN OF RIVERHEAD receive information that a person is in violation of the above-referenced certification, the TOWN OF RIVERHEAD will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the TOWN OF RIVERHEAD shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the CONTRACTOR in default.

The TOWN OF RIVERHEAD reserves the right to reject any bid or request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

Signature: _____

Print Name: _____

Title: _____

Company Name: _____

Date: _____

TOWN OF RIVERHEAD

Resolution # 589

**AWARDS BID FOR DISPOSAL OF TOWN GENERATED CONSTRUCTION AND
DEMOLITION MATERIAL**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town Board of the Town of Riverhead, by Resolution #413 adopted on June 6, 2017, authorized the issuance of a Request for Proposals for Disposal of Town Generated Construction and Demolition Material; and

WHEREAS, pursuant to the terms of the Request for Proposals, each proposal must comply with the instructions in the Notice to Bidders and required that all proposals be submitted on or before 4:00 pm on June 29, 2017; and

WHEREAS, One (1) response to the Request for Proposals was received, opened and read aloud on June 30, 2017 at 11:10 am in the office of the Town Clerk, 200 Howell Avenue, Riverhead, New York; and

WHEREAS, the Town Engineering Department did review and evaluate the proposal; and

NOW, THEREFORE, BE IT RESOLVED, that the bid for Disposal of Town Generated Construction and Demolition Material for the Town of Riverhead be and is hereby awarded to Crown Recycling Facility in the amount of \$65.50 per ton; and be it further

RESOLVED, that the Town Board be and does hereby authorize the Supervisor to execute any documents or agreements, to the extent required, with Crown Recycling Facility to effectuate the award of contract for services described above; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized directed to forward a copy of this resolution to Crown Recycling Facility, 865 Youngs Avenue, Calverton, New York, 11933, Engineering Department, Purchasing Department and the Office of Accounting; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted



Office of the Town Clerk
Diane M. Wilhelm

Registrar of Vital Statistics

Records Management Officer

Marriage Officer

**TO: Supervisor Walter, Councilpersons Dunleavy, Wooten, Giglio, Hubbard,
Engineering**

FROM: Julie O'Neill, Deputy Town Clerk

DATE: June 30, 2017

**RE: Open Bid Report for Disposal of Town Generated Construction and Demolition
Material**

1 bids was received and opened on June 30, 2017 at 11:10am:

**Crown Recycling Facility
865 Youngs Avenue
Calverton NY 11933
631 445-0782**

\$65.50/per ton

TOWN OF RIVERHEAD

Resolution # 590

APPOINTS A COMMUNITY DEVELOPMENT PROJECT SUPERVISOR

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, there is a vacancy for a Community Development Project Supervisor to oversee in planning, organizing and directing all functions of the Town of Riverhead's Community Development program and department; and

WHEREAS, the position was duly advertised, interviews were conducted, and as no current list of Certified Eligibles for the title of Community Development Project Supervisor exists, the Suffolk County Department of Civil Service has issued approval to fill this position on a provisional basis until such a time when a Certified List of Eligibles for this title is issued; and

WHEREAS, interim Community Development Administrator, Dawn Thomas, was one of the candidates interviewed for the position of Community Development Project Supervisor, and the Town Board of the Town of Riverhead is desirous of appointing her to same.

NOW, THEREFORE, BE IT RESOLVED, that effective August 7, 2017 this Town Board hereby appoints Dawn Thomas to the position of Community Development Project Supervisor at an annual salary of \$110,000.00, and further authorizes the Town Supervisor to enter into a contract agreement with her; and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 591

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR CHARTER COACH
TRANSPORTATION FOR THE TOWN OF RIVERHEAD**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for **CHARTER COACH TRANSPORTATION** for the Town of Riverhead; and

WHEREAS, the Town Clerk is hereby authorized to publish and post the following public notice in the **August 10, 2017** issue of the News Review.

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **CHARTER COACH TRANSPORTATION 2017** for the use in the Town of Riverhead, Riverhead, New York will be received at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on or before **2:00 pm on September 13, 2017** at which time they will be publicly opened and read aloud.

Specifications and guidelines for submission of bids are available on the Town website at www.townofriverheadny.gov, click on "Bid Requests" beginning **August 10, 2017**.

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

All bids must be submitted to the Town Clerk's Office, at the address stated above, in a sealed envelope clearly marked **CHARTER COACH TRANSPORTATION 2017**. Proposals must be received by the Office of the Town Clerk by no later than **2:00 p.m. on September 13, 2017**.

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

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

TOWN OF RIVERHEAD

Resolution # 592

AUTHORIZES THE DESIGNATION OF A SECONDARY NAME TO 20TH STREET IN HONOR OF SUFFOLK COUNTY EMS CHIEF AND WADING RIVER FIRE DISTRICT COMMISSIONER THOMAS LATEULERE

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, Thomas Lateulere was born in Brooklyn, N.Y., but grew up in Wading River in the Town of Riverhead, attended Riverhead public schools, graduated from Riverhead High School and proudly served his community as a dedicated 35 year volunteer member of the Wading River Fire Department; and

WHEREAS, as an Emergency Medical Services educator, he was responsible for training thousands of EMTs in Suffolk County; and

WHEREAS, as a career paramedic, Thomas Lateulere faithfully performed his duties with the highest levels of compassion and professionalism with Suffolk County Fire and Emergency Medical Service community since 1981, and the University Hospital Stony Brook's Critical Care Transport Team since 1988; and

WHEREAS, it is the desire of the Riverhead Town Board to honor the memory of Thomas Lateulere by designating a secondary name to 20th Street in Wading River as "Thomas Lateulere Street" as a tribute to his dedicated commitment and heroic obligation having served the residents of the Town of Riverhead for 35 years as a volunteer firefighter, Chief and Commissioner of the Wading River Fire District; and

NOW THEREFORE BE IT RESOLVED, the Riverhead Town Board hereby authorizes the designation of a secondary name to 20th Street in Wading River as "Thomas Lateulere Street;" said road to continue to be identified as 20th Street for GPS purposes, but will carry a second sign bearing Lateulere's name; and

BE IT FURTHER RESOLVED that the Town Clerk forward copies of this resolution to Mrs. Joann Lateulere and the Riverhead Highway 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 copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 593

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE FOR
ADVERTISEMENT FOR REQUEST FOR QUALIFICATIONS FOR FORMER CHILD
CARE FACILITY AT STOTZKY PARK**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town of Riverhead, wishes to solicit Requests for Qualifications (RFQ) from qualified respondents to establish a social model adult day care/Alzheimer program at the former children's day care building and grounds at Stotzky Park, Columbus Avenue, Town of Riverhead, New York; and

WHEREAS, the Town Clerk is authorized to publish and post the attached RFQ for that project.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk is hereby authorized to publish and post the following public notice in the August 10, 2017 issue of the News-Review; and be it further; and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**ADULT DAY CARE/ALZEIMER PROVIDERS
REQUEST FOR QUALIFICATIONS**

for Senior/Adult Care Providers and their teams seeking to establish a social model adult day care/Alzheimer program at the former children's day care building and grounds at Stotzky Park, Columbus Avenue, Town of Riverhead, New York

Issued by: The Town of Riverhead
Sean M. Walter, Supervisor
Dated: Thursday, August 10, 2017
RETURNABLE ON Tuesday, September 12, 2017
NO LATER THAN 10:00 a.m.

Diane M. Wilhelm, Town Clerk
Riverhead Town Hall
200 Howell Avenue
Riverhead, NY 11901

For schedule of events please see Selection Process Schedule

CONTACT PERSON:
Judy Doll, Department Head
Town of Riverhead Senior Citizen Programs
200 Howell Avenue
Riverhead, New York 11901

Tel (631)722-4444 x241
Fax (631) 722-8761

Email: doll@townofriverheadny.gov
Website: www.townofriverheadny.gov

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NOTICE

The purpose of this Request for Qualifications (“RFQ”) is to solicit statements of qualifications from adult day care/Alzheimer providers and/or teams for the establishment of a social model adult day care program at the former children’s day care building & grounds located at Stotzky Park, Columbus Avenue, Riverhead, New York. NOTE: IT IS THE INTENTION OF THE TOWN TO HAVE SHARED USE OF THE BUILDING. THE BUILDING WILL CONTINUE TO BE AN INTERGENERATIONAL BUILDING.

This RFQ is not a legally binding document, but an invitation to submit Statements of Qualifications on the terms and conditions described herein. The Town of Riverhead (hereinafter referred to as “the Town” or “Riverhead”), shall not be under any obligation to a respondent unless and until the Town and the selected respondent enter into a legally binding agreement. In no event shall the Town be responsible for any costs, expenses or fees incurred by or on behalf of any respondent in connection with this RFQ. Respondents shall be solely responsible for all such costs, expenses and fees. The Town is not by virtue of this RFQ responsible for acquiring or assembling property, providing information on property values, or assisting with the acquisition of property. However, upon approval of a Respondent under this RFQ, the Town may undertake renovations to the subject building and exterior space.

If a respondent’s submission contains any misrepresentations of information, either willful or inadvertent, it may be cause for immediate elimination of the respondent from further consideration. Any such misrepresentation made at any time throughout the process by the respondent will also be cause for termination of any or all contracts subsequently executed between the Town and the respondent.

The Town will not pay any fees or commissions to parties acting as agents, brokers, consultants, or contractors as part of this transaction. Payments to any agents or brokers will be the responsibility of the respondent.

The Town reserves the right at any time, prior to the full execution of a contract, to modify the scope of this RFQ, request additional or clarifying information from all or any respondent, terminate this RFQ process, and reject or not consider all or any part of any response to this

RFQ for any reason or no reason. The Town, in its sole discretion, reserves the following rights and options:

1. To abandon the RFQ process, including the right to decline to accept submission of any respondent related to this RFQ, for any reason or no reason.
2. To accept the Statement that, in the sole judgment of the Town, best serves the interests of the Town.
3. To reject any or all Statements.
4. To change or alter the terms of this RFQ.
5. To undertake all actions necessary to clarify or verify information provided by any respondent.
6. To interview any, all or none of the respondents.

I. Introduction

The Town of Riverhead wishes to solicit qualifications for the purpose of selecting a from adult day care/Alzheimer providers and/or teams of such providers, for the establishment of a social model adult day care program at the former children's day care building & exterior grounds located at Stotzky Park, Columbus Avenue, Riverhead, New York. Through this RFQ, the Town seeks qualifications from experienced adult day care and/or Alzheimer social program providers for the re-use of approximately 3,000 square foot building formerly used a child day care facility. The building together with fenced outdoor space are located at Stotzky Park on Columbus Avenue, Riverhead, New York. The building and fenced area are located next to the ballfields used by Riverhead Little League at Stotzky Park. Adjacent parking is located in close proximity to the 3,000 foot building. The Town is of the opinion that the proposed re-use will complement and enhance the current Senior Citizen Program and Intergenerational Program.

NOTE: IT IS THE INTENTION OF THE TOWN TO HAVE SHARED USE OF THE BUILDING. THE BUILDING WILL CONTINUE TO BE AN INTERGENERATIONAL BUILDING.

The proposed redevelopment activities shall be referred to collectively as the “Project”. The adult day care/Alzheimer providers and teams responding to this request is/are referred to as the “Respondent.”

Prospective respondents must submit development qualifications in response to this Request for Qualifications (RFQ), in the manner prescribed herein.

A Statement of Qualifications that includes, but is not limited to; similar completed projects, proposed social model adult day care/dementia/educational strategies, and comparable social model adult day care/Alzheimer/dementia programs and facilities.

A preliminary plan for site re-use is to be included in the qualifications package.

II. Development Objectives

The overall goal of this project is to seek qualifications from respondents for the re-use of the building measuring approximately 3,000 square feet and the outdoor space as social model adult day care program. The building was formerly used as a children’s day care building & grounds located at Stotzky Park, Columbus Avenue, Riverhead, New York. The building is adjacent to Town owned parking lot and ballfields used by Riverhead Little League.

This project is intended to support the current intergenerational program under the Town Senior Citizen and Recreation Programs. The project site would serve families with older adult family members or those with Alzheimers and/or dementia. Respondents are sought to establish a program that would help families maintain their older members or those with Alzheimers/dementia for as long as possible at home. The project should include education and supportive services to caregivers and daily exercises to stimulate cognitive capacities that are proposed to serve those within the service area on Eastern Long Island. Redevelopment of the project site will bolster the current programming and services of the Town of Riverhead Senior Citizen and Recreation programs.

Objectives of the redevelopment of this area include:

- Create a social model adult day care program in a vibrant and shared-use setting that will meet the needs of the intergenerational residents of Riverhead and those within the intended service area;
- Secure a feasible and sustainable program;

- Provide assistance to families with older members and/or those suffering with Alzheimers/dementia.

III. Development Site

The proposed development site is the Town owned building of about 3,000 square feet and fenced in outdoor area located at Stotzky Park and formerly used as child care facility. The building and grounds are located at Columbus Avenue and are adjacent to the ballfields used by Riverhead Little League at Stotzky Park, Riverhead.

The building information is included as Attachments A.

IV. Site Use and Characteristics

The 3,000 square foot building and fenced outdoor area site are currently used by the Town for intergenerational programs. The building has been improved with nine rooms, including a kitchen, and a reception area. A sketch of the building is attached as Attachment A.

Respondents should be mindful of other opportunities that may be presented by proximity to Stotzky Park.

The Site Area has an adequate supply of parking in close proximity to the 3,000 square foot building. The building and adjacent parking are on grade.

V. Neighborhood and Background Information

Town of Riverhead

THE TOWN OF RIVERHEAD is a rural municipality located in on the east end of Suffolk County, Long Island, New York with a population of approximately 34,000. Riverhead is within a commutable distance of all of Suffolk and Nassau County. Located 70 miles from New York City, Riverhead is bounded by the Peconic River and the Great Peconic Bay on the south, and the Long Island Sound on the north. A vibrant historic downtown with walkable neighborhoods connected to the Peconic River is located within 10 minutes by car from Calverton Enterprise Industrial Park. Calverton is one of the hamlets within Riverhead: other hamlets within the Town include Manorville, Laurel, Baiting Hollow, Aquebogue, Jamesport, Northville and Wading River.

Nearly twenty percent (20%) of the persons residing in Riverhead are 65 year of age or older.¹ This trend supports the need within Riverhead for the project. In addition to Town of

¹ Source being the 2010 US Census

Riverhead Board Members and staff, we expect the availability and participation upon the Town's request of many of the non-profits, other governmental entities and funders within that maintain on-going relationships with the Town. The Town enjoys strong support of local, county, state and federal elected officials.

VI. Design/Development Concept

It is the responsibility of the adult day care/Alzheimer providers to this RFQ and their team to review existing conditions and provide a design and development plan for the re-use of the building measuring approximately 3,000 square feet and the outdoor space as social model adult day care program.

VII. Environmental Conditions

It is the responsibility of the adult day care/Alzheimer providers and their team to review environmental conditions of the Project Site.

VIII. Submission Requirements

Ten (10) copies of the respondent's Statement must be submitted in hard copy (with a CD containing a PDF file of the same) to the **Attention of:**

**Diane M. Wilhelm, Town Clerk
Riverhead Town Hall
200 Howell Avenue
Riverhead, NY 11901**

by Tuesday, September 12, 2017 NO LATER THAN 10:00 a.m.

The Qualification package may be hand delivered or mailed to the above address. Respondent Statements will not be accepted after 10:00 am on the date of submission. **NO EXCEPTIONS SHALL BE GRANTED.** For additional information please call 631-722-4444 x 241.

The total length of the Statement should not exceed 25 pages inclusive of all components, but exclusive of the following: the annual financial statement(s) of the developers/development teams, the Affidavit of Truthfulness, and all documentation about the respondents' team.

Subsequent to the receipt of Statements, the Town may choose to conduct interviews of some, none or all Respondents in order to assist in the making of its final determination. Should such

interview be required, the affected Respondents shall be notified in writing of the date and time of the interview and as to the nature of issues to be discussed during the interview.

Items to be included

To be considered, the **REQUEST FOR INFORMATION QUESTIONNAIRE** must be completed and signed (Pages 16-24). Other information is welcome, within the limitations of length outlined elsewhere in this RFQ.

IX. Response Presentation

It is preferred that a statement of qualifications be submitted on 8 1/2" x 11" paper, neatly typed, double-sided with no less than 1/2" top, bottom, left and right margins and single-spaced with a 12 point typeface. Each page, including exhibits and attachments, should be clearly and consecutively numbered at the bottom center of each page.

1. Re-use Concept & Statement of Vision

A narrative statement reflective of your thoughts and concepts as to how the site may best be reused to realize the Town and community's goals. Describe the proposed social adult day care/Alzheimer uses, including daily programming, hours of operation, character, and size. The narrative statement should describe the terms of a proposed lease or license; including but not limited to, length of time of the lease or license, amount of compensation, tenant/licensee's obligations. Describe the benefits the re-use will provide to the Town and local community and the project's compatibility with the existing and proposed sharing with the Town Intergenerational Department. The statement should provide a sense of uses, themes and strategies that the respondent plans to employ in this re-use. It should speak to the goals expressed in this RFQ and provide some sense of how the respondent's organization is uniquely qualified to fulfill these goals. Detailed renderings or plans are not required at this stage of the process.

2. Respondent Statement of Qualification

Describe Respondent's and or/ Respondent Team's qualifications and capabilities to redevelop the project site and prior experience on projects of similar size and scope. Include the organizational structure of Respondent/ Respondent teams, principals, and contact information. At a minimum, the Statement should provide a list of at least two projects of similar scope done since January 1, 2000, of which at least two should primarily involve

redevelopment in an urban/suburban setting. Statement should also include up to three (3) references from Municipal Officials from a community in which the developer has completed a project within the last five (5) years. Respondents should have a minimum of five (5) years experience doing projects of similar size and scope. Please identify when such experience involves municipalities in New York.

3. Development Schedule

An anticipated development schedule is required to identify the point in time at which the following items will occur:

- Design Completion for re-use of the Project Site
- Negotiation of Terms and Conditions of Leasing/Licensing of the Project Site
- Scheduled Dates of Public Approvals
- Commencement of social adult day care/Alzheimer uses of the Project Site

4. Project Team & Skills

Provide names of individuals/firms including the respondent, co-respondent (if applicable), management company, and other professionals.

The qualifications package should address the organizational structure of the Project Team including the specific role and responsibilities of each member and their relationship to the project. The background, experience, and qualifications of the Project Manager and the individuals with day to day responsibilities for execution of the project should be included and clearly identified within the Qualifications package. Please include specific examples, if any, where team members have collaborated on previous projects.

Please provide a brief resume of the individuals in your firm(s) who would be responsible for the implementation of the Project from a supervisory or management perspective, indicating the senior officer (Team Manager). Provide a brief resume for each person that would be assigned to the Project in a supervisory or management capacity and describe his/her experience in rendering services of the nature required by the Project. Indicate the role of each such individual in implementing the Project and include an organization chart depicting the relationship between all personnel on the project team. Information on the staffing of your proposed team of consultants and professionals (e.g. architects, planners, and engineers) is welcome and encouraged.

Please provide an indication of those skills or expertise that set your firm(s) or team members, apart from others in this field (e.g. historic architecture preservation, brownfield redevelopment certification).

5. Experience with re-use, social adult day care/Alzheimer uses – Describe your firm's/firms' experience in the development of adult day care/Alzheimer programs/facilities that are comparable and relevant to Riverhead.

6. References - Provide the names, addresses and phone numbers of three professionals within the social adult day care/Alzheimer community, other than clients or former principal employees, who are qualified to comment on the quality of your firm's/firms' operation. Indicate the basis of each reference's knowledge of your firm(s).

7. Financial capacity

All respondents must provide evidence of its ability to finance, or obtain sources of financing for the proposed re-use of the 3,000 square foot. Please provide information regarding the financial condition of your firm along with bank and credit references.

Documents under this section may be submitted under a separate cover to ensure confidentiality. If you choose to submit this information separately, please note it clearly in the appropriate section in the RFQ submission.

The financial submission should include:

- Certified financial statements of the parent company of the principal developer for the last three years. Financial statements should be complete and include a balance sheet, profit and loss statement, statement of cash flow and notes to the statements.
- Dun and Bradstreet report or ID number of parent company of principal developer, if applicable.
- Narrative describing a current or outstanding litigation pending against the respondent or any members of its team.
- List of prior debt involving monetary defaults, bankruptcies, or foreclosures.

Please provide a written description of the firm's/firms' financial condition and a financial statement for the firm(s) (either reviewed or audited) for the most recently completed fiscal year, and the most recent audited statement of the firm(s).

- Bank reference – Please provide the name, address and contact person for the principal bank utilized by the firm(s).

- Current Projects - Provide a list of all current projects. Please provide a simplified financial structure profile (sources and uses) for the three most comparable developments to Riverhead.
- Affirmative Action/Equal Employment Opportunity (AA/EEO) - It is the policy of Riverhead that Minority Business Enterprise ("MBE") and Women Business Enterprise ("WBE") shall have the maximum practicable opportunity to participate in providing services to Riverhead and Riverhead strongly encourages MBE and WBE participation. Provide a summary of your firm's/firms' accomplishments in the area of AA/EEO and indicate how your firm(s) intends to maximize MBE/WBE participation in this contract.
- Defaults – Please provide a complete list of any and all projects for which the firm(s), for any reason, failed to complete that had been awarded to the firm(s) through a request for qualifications or proposal. Provide explanations in each case as to reasons why the project was not completed.
- Conflicts - Describe any existing or potential legal or other policy conflicts of interest or appearance of conflict of interest your firm(s) may have, or which reasonably might arise, because of your involvement in this engagement. In preparing your response, please be aware that Riverhead frequently engages in transactions involving other entities, including other local governments, school districts and not for profit corporations. Please identify any family and/or business relationship that a principal has with any town employee and/or town public official.
- Authorization for Release of Information – Please provide written authorization to all persons, firm(s) or corporations to furnish such information as may be necessary to verify the representations made in response to this RFQ.
- Other Information - Please discuss any other factors not mentioned above which you believe are relevant to selection of your firm(s) by the Town.
- Affidavit of Truthfulness - The Respondent must include with the response an affidavit attesting to the truth and accuracy of all information submitted in the form as provided in REQUEST FOR INFORMATION QUESTIONNAIRE as is appropriate to the type of company.
- Disclosure Statement – The Respondent must include a completed Disclosure Statement as described in the REQUEST FOR INFORMATION QUESTIONNAIRE.

X. Selection Process and Qualifications - Evaluation Criteria

Each respondent will be evaluated based on the information submitted, on interviews (if any), and on information gathered upon investigation by the Town into the respondent's integrity, reputation and past performance.

All packages deemed acceptable by the Town will be rated by an evaluation committee. The following are criteria that will be used to evaluate qualifications:

Evaluation Criteria	Scoring Weight
Relevant experience and personnel	50
Financial capacity to pursue a project of this size and complexity	20
Quality of the written narrative and its consistency with the Goal	15
Completeness and quality of the Statement	5
Strength of references	5

The evaluation committee may request supplemental information when applicable, including business and personal financial statements from any, all, or none of the respondents. Financial statements and other business confidential information will not be subject to disclosure under Freedom of Information Act (FOIA). **If information protected from disclosure under the FOIA is to be kept confidential, respondents should specify such information, place such information in a separate envelope appropriately marked, and submit such information with the proposal.**

A respondent may be disqualified if any principal or officer of the respondent, or any member of its team, has been charged or convicted of a crime chargeable as a felony within the last five (5) years.

Presentations. The Town, in its sole discretion, may invite one or more respondents to make presentations to clarify proposals. Presentations will be held Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York.

MBE / WBE Participation. It is the Town's policy that women and minority owned business enterprises should have maximum opportunity to participate in any and all components of these revitalization opportunities. All responses must provide information regarding the anticipated use of local firms and MBEs/WBEs. A good faith effort to engage MBEs/WBEs is expected.

Rights Reserved By The Town. The Town reserves the right to contract for all or any part of the services herein and to bid separately any project it feels will be in the best interest of the Town to bid separately, or to make no award, based on the responses to this RFQ. Incomplete proposals will not be considered.

XI. Administrative Information; Additional Submission Requirements

1. **Issue Date.** The issue date of this RFQ is **Thursday, August 10, 2017.** For a schedule of events for this RFQ please see below.
2. **Questions and Inquiries.** Questions and inquiries will be accepted by the Town, but must be in writing and submitted to **Judy Doll** at doll@townofriverheadny.gov. A summary of all substantive questions and answers will be distributed to all parties receiving the RFQ. The closing date for submitting written questions is **Thursday, August 24, 2017.** Responses to all written questions received will be distributed to all recipients of the RFQ on or **before Thursday, August 31, 2017.**
3. **Closing Date For Proposals.** To be eligible for consideration, all respondents must submit the following materials.

ONE (1) ORIGINAL WITH NINE (9) COPIES OF THE PROPOSAL MUST BE IN A SEALED PACKAGE AND RECEIVED BY THE TOWN NO LATER THAN 10:00 AM, TUESDAY, SEPTEMBER 12, 2017.

Respondents who submit their proposals by mail or delivery service should allow sufficient mailing and delivery time to ensure receipt on or before the time and date stated above.

NOTE: THE TOWN WILL NOT REIMBURSE ANY FIRMS FOR ANY COSTS ASSOCIATED WITH THE PREPARATION OF THIS PROPOSAL.

4. **Where To Submit Proposals.** All proposals, whether mailed or hand delivered, must be delivered to:

Riverhead Town Hall
200 Howell Avenue
Riverhead, NY 11901
Attention: Diane Wilhelm, Town Clerk

5. **Public Openings of Proposals.** Proposals will be opened publicly on Tuesday, September 12, 2017 at 10:00 AM at Town Clerk or Town Board Meeting Room. Proposals received after 10:00 AM on September 12, 2017 will **NOT** be considered under any circumstance.
6. **Interviews.** Certain respondents may be invited to present their proposal at a follow-up interview.
7. **Expenses Incurred By Respondent.** The Town shall NOT be responsible for any cost or losses incurred by any respondent at any time in preparing and submitting a proposal or requested supplemental information in response to this RFQ.
8. **Duration of Proposal.** Proposals are to be valid for a period of one hundred and twenty (120) days following final date for submission of proposals as set forth herein. The period may be extended by written mutual agreement between the Town and respondent recommended for award.
9. **Public Information Act Notice.** Respondents should give specific attention to identifying those portions of their proposals that they deem to be confidential, proprietary information or trade secrets and provide any justification of why such material, upon request, should not be disclosed by the Town under the Freedom of Information Law of the State of New York.
10. **Compliance With The Law.** By submitting a proposal in response to this RFQ, the respondent selected for an award agrees that it will comply with all Federal, State, County and local laws, rules, regulations and ordinances applicable to its activities and obligations under this RFQ and any applicable contractual agreements.

XII. Conditions, Terms and Limitations

This RFQ is subject to the specific conditions, terms and limitations stated below.

1. If applicable, valid permits and approvals, as required by applicable Federal, State and local departments and agencies, shall be obtained by the selected respondent prior to commencing work.

2. The continuation of negotiations with a respondent will depend upon satisfaction of the review requirements described in this RFQ, and will be subject to review by the Town.
3. No transaction will be consummated if any principal of the respondent with whom the Town has commenced negotiations is in arrears, or in default upon any debt, lease, contract or obligation to the Town, including, without limitation, real estate taxes and any other municipal liens or charges. The Town reserves the right not to review any proposal by any such respondent.
4. This RFQ does not represent any obligation or agreement whatsoever on the part of the Town, which may only be incurred or entered into by written agreement, and subject to any applicable Federal or State approval.
5. Selection of a respondent's proposal will not create any rights on the respondent's part, including, without limitation, rights of enforcement, equity or reimbursement until an agreement has been signed by the Town and work performed pursuant to it. The terms of said agreement shall govern.
6. The Town reserves the right, in its sole and absolute discretion and at any time, to reject any or all proposals, to withdraw this RFQ, to negotiate with one or more respondent, and/or to negotiate on terms other than those set forth herein (including, without limitation, to parties other than those responding to this RFQ). The Town likewise reserves the right, at any time, to waive compliance with, or to change any of the terms and conditions of, this RFQ, or to entertain modifications or additions to selected proposals.
7. All determinations as to the completeness or compliance of any proposals, or as to the eligibility or qualifications of any respondent, will be within the sole and absolute discretion of the Town.
8. The Town advises all respondents that there is no legal obligation on the part of the Town to use the proposals submitted pursuant to this RFQ as a basis for negotiation with such respondent.

This RFQ and any agreement resulting therefrom are subject to all applicable laws, rules and regulations promulgated by any Federal, State or local authority having jurisdiction over the subject matter thereof, as the same may be amended from time-to-time.

XIII. Selection Process Schedule

The following schedule represents the anticipated timeline for the selection of development proposals, which may be altered by the Town as the need arises:

RFQ formally announced and distributed	Thursday, August 10, 2017
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Questions Due	Thursday, August 24, 2017
Response to Questions from Town	Thursday, August 31, 2017
Request for Qualifications due date	Tuesday, September 12, 2017
Town review of submissions	Month of September, 2017
Notification of results of selection process	October/November, 2017

XIV. Attachments

The following documents are available for download at www.townofriverheadny.gov:

- A. Building Plans
- B. Aerial Photo of Project Area
- C. Tax Map of Project Area

REQUEST FOR INFORMATION QUESTIONNAIRE

Please answer all questions. For any question left not answered, please note the exclusion with an N/A or an explanation. In the event, additional pages are needed add as an addendum.

1) Legal Name: _____

2) Address of Place of Business: _____

3) Mailing Address (if different): _____

Federal I.D. No. or Social Security No.: _____

Phone: _____ Fax: _____

Email address: _____

4) The Respondent is a (check one): ___Sole Proprietorship; ___Partnership; ___Corporation

Other (*please describe*): _____

5) If the Respondent is a Joint Venture, or Partnership, please list all partner firms and/or parties to the Joint Venture below. All partners and/or parties listed are also required to individually complete a separate Respondent Responsibility Form.

(i) Partner/Party name: _____

TIN, EIN, or SSN: _____

Percentage of Ownership: _____

(ii) Partner/Party Name: _____

TIN, EIN, or SSN: _____

Percentage of Ownership: _____

6) State or country under whose laws Respondent is organized and year organized:

7) Provide a list of the senior members of the Respondent's management team and the structure of their employment contracts with the Firm. Please include professional biographies for the management team and all other Private Equity investment professionals in the Biography Appendix.

8) Name, title, address and phone number of person to have overall responsibility for this project.

9) List all subcontractors and consultants and provide their qualifications and expected area of jurisdiction within this project.

10) Within the past ten (10) years, has Respondent been declared not responsible?

Yes_____ No_____ If YES, please provide
details:_____

11) Has Respondent been debarred, suspended, or otherwise disqualified from bidding, proposing, or contracting?

Yes_____ No_____ If YES, please provide
details:_____

12) Is there a proceeding pending relating to Respondent's responsibility, debarment, suspension, or qualification to receive a public contract?

Yes_____ No_____ If YES, please provide
details:_____

13) Within the past ten (10) years, has Respondent defaulted on a contract or been terminated for cause?

Yes _____ No _____ If YES, please provide

details: _____

14) Has the Respondent or any principal, during the past seven (7) years filed for bankruptcy, or been declared bankrupt as an individual, and/or officer of any other corporation, partnership, or LLC?

Yes _____ No _____ If YES, state date, court jurisdiction, amount of liabilities and amount of assets: _____

15) Details regarding any pending lawsuits, any previous contracts for which the firm or individual has been found to be in default, any indictments, judgments, defaults, convictions, or any principals or employees both present and past debarment from federal contracts.

16) List and describe any liquidated damages assessed, and/or liens or claims filed against your firm and remaining undischarged or satisfied for more than 90 days on any contracts within the past ten years. _____

17) Within the past ten years has your firm, any affiliate, any predecessor company or entity, owner of a 5% or more of the firm's shares, director, officer, partner or proprietor been the subject of:

A. a judgment of conviction or pleaded nolo contendere to (1) any felony or (2) a misdemeanor related to truthfulness in connection with business conduct under state or federal law?

Yes_____ No_____ If YES, please provide details:_____

B. an indictment or has pending before any state or federal grand jury or court an indictment or information of the commission of a crime which has not been favorably terminated.

Yes_____ No_____ If YES, please provide details:_____

C. a pending investigation by any grand jury, commission, committee or other entity or agency or authority of any local, state, or the federal government in connection with the commission or alleged commission of a crime.

Yes_____ No_____ If YES, please provide details:_____

D. a bid disqualification or is currently disqualified from selling or submitting bids/proposals to or receiving awards from or entering into any contract with any federal, state or local government agency, any public authority or any other public entity.

Yes_____ No_____ If YES, please provide details:_____

E. a federal suspension or debarment, New York rejection of any bid or disapproval of any proposed subcontract for lack of responsibility, denial or revocation of pre-qualification in any state, or a voluntary exclusion agreement?

Yes_____ No_____ If YES, please provide details:_____

F. any federal determination of a violation of any labor law or regulation? OSHA serious violation?

Yes _____ No _____ If YES, please provide details:

G. any New York State Department of Labor or other State agency determination of a violation of any labor law or regulation?

_____ Yes _____ No Public Violation? _____ Yes _____ No Was violation deemed willful?
_____ Yes _____ No If yes, please provide details.

H. a revocation of DBE, MBE, or WBE certification?

_____ Yes _____ No If yes, please provide details.

I. a rejection of a low bid on a State contract for failure to meet statutory affirmative action or W/MBE requirement?

_____ Yes _____ No If yes, please provide details.

J. any pending litigation against your firm?

_____ Yes _____ No If yes, please provide details.

18) Within the past ten (10) years, has refused to testify or to answer any question concerning a bid or contract with any federal, state, or local government agency, any public authority or any other public entity when called before a grand jury or other committee, agency or forum which is empowered to compel the attendance of witnesses and examine them under oath, upon being advised that neither the person's statement nor any information or evidence derived from such statement will be used against that person in any subsequent criminal proceeding.

_____ Yes _____ No If yes, please provide details.

19) Is currently disqualified from selling or submitting a bid to, or receiving an award from, or entering into any contract with any public entity or public authority within the State of New York because, within the past ten (10) years, such entity or person refused to testify or to answer any relevant question concerning a transaction or contract with the State of New York, any political subdivision of the State of New York, or a public authority or a public department, agency or official of the State of New York or of a political subdivision of the State of New York, when called before a grand jury or other state or local department, commission or agency which is empowered to compel the attendance of witnesses and examine them under oath, upon being advised that neither that person's statement nor any information or evidence derived from such statement will be used against that person in any subsequent criminal proceeding.

_____ Yes _____ No If yes, please provide details.

20) Has within a ten (10) year period preceding this Bid/Proposal been convicted of or had a civil judgment rendered against it for or in relation to: (i) commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; (ii) collusion with another person or entity in connection with the submission of bid/proposals; (iii) violation of federal or state antitrust statutes or False Claims Acts; or (iv) commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statement(s) or receiving stolen property.

_____ Yes _____ No If yes, please provide details.

21) Provide any legal or regulatory complaints, litigations, arbitrations, reparations, or other proceedings (pending or resolved) against or by your firm, any affiliate, any predecessor company or entity, owner of a 5% or more of the firm's shares, director, officer, partner or proprietor in the past ten years.

22) In the past ten (10) years, have there been any judgments, injunctions, or liens of \$100,000 or more, including but not limited to, judgments based on taxes owed, fines and penalties assessed by a government agency against Respondent at any time?

____ Yes ____ No If yes, please provide details.

23) Are there any judgments, injunctions, or liens for \$100,000 or more each against Respondent that remain open, unsatisfied or in effect today?

____ Yes ____ No If yes, please provide details.

24) During the past ten (10) years, has the Respondent failed to file any applicable federal, state or local tax return?

____ Yes ____ No If yes, please provide details.

25) Does the Respondent own or rent office space? Please provide details.

____ Yes ____ No ____ If yes, please provide details.

26) Does any principal owner or officer of the Respondent, or any member of his/her immediate family, have an ownership interest in any entity that holds the title or lease to any real property used by the Respondent?

_____ Yes _____ No ___ If yes, please provide details.

The undersigned hereby certifies and affirms that the foregoing statements and all information provided herein are true and accurate.

DATE

Signature

Name (Print or Type)

Title

State of New York)

) ss:

County of Suffolk)

_____ being duly sworn, says; I am the person described in and who executed the foregoing proposal and the several matters therein stated are in all respects true.

Subscribed and sworn to, before me, this _____ day of _____, 20____

TOWN OF RIVERHEAD
DISCLOSURE STATEMENT

In connection with the submission of this RFQ for:

(Name of Respondent)

I, _____ the (applicant herein, an officer or agent of the corporate applicant) namely its _____ (swears) or (affirms) under the penalties of perjury that:

1. The following persons have a direct or indirect interest

<i>Name</i>	<i>Address</i>	<i>Date of Birth</i>
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(In case of corporations, all officers of the corporation, and stockholders owning more than 5% of the corporate stock must be listed. Attach an additional sheet, if necessary.)

2. The following persons listed in (1) above are related by blood, or marriage, to an officer or employee of the Town.

<i>Name</i>	<i>Relationship</i>	<i>Name/Position of Employee/Officer</i>
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3. The following persons listed in (1) above are state or local officers or employees, or members of a board of commissioners or local public authorities, or other public corporation within Suffolk (exclusive of a volunteer fireman or civil defense volunteer):

<i>Name</i>	<i>Employee</i>	<i>Position</i>
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False statements herein are punishable as a Class A misdemeanor pursuant to 210.45 of Penal Law.

DATE

(Legal Name of Person/Firm/Corporation)

BY:

Signature

Name (Print or Type)

Title

TOWN OF RIVERHEAD

IMMUNITY CLAUSE

In accordance with Sections 103-a and 103-b of the General Municipal Law, upon the refusal of a person to sign a waiver of immunity against subsequent criminal prosecution or to answer any relevant questions when called before a grand jury, head of a state department, temporary state commission, organized crime task force in the department of law or other state agency, which is empowered to compel attendance of witnesses and examine them under oath to testify concerning this contract, such person and any firm, partnership or corporation of which he is a member, partner, director or officer, shall be disqualified from thereafter selling to or submitting bids to, or receiving awards from, or entering into any contracts with the Town of Riverhead, its departments, agencies or officials thereof, for goods work or services, for a period of five years after such refusal. The Town of Riverhead may terminate any and all contracts made by the Town, its departments, agencies or officials, with such person and with any firm, partnership, or corporation, of which he is a member, partner, director or officer, without incurring any penalty or damages. However, any monies owed for goods delivered or work done prior to cancellation shall be paid. This condition shall be further subject to any other provisions or subsequent amendments to Sections 103-a and 103-b of the General Municipal Law.

TOWN OF RIVERHEAD

Resolution # 594

AWARDS BID FOR RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL SERVICES FOR THE RIVERHEAD REFUSE AND GARBAGE DISTRICT

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town Board of the Town of Riverhead, by Resolution #434 adopted on June 6, 2017, authorized the issuance of a Notice to Bidders for the Residential Solid Waste Collection and Disposal Services for the Riverhead Refuse and Garbage District (Contract Bid Areas A-F); and

WHEREAS, pursuant to the terms of the bid request, each proposal must comply with the instructions in the Notice to Bidders and required that all proposals be submitted on or before 4:00 pm on July 27, 2017 and

WHEREAS, six (6) responses to the bid request were received, opened and read aloud on July 28, 2017 at 11:00 am in the office of the Town Clerk, 200 Howell Avenue, Riverhead, New York; and

WHEREAS, the Town Engineering Department and Office of the Town Attorney did review and evaluate the bid proposals; and

WHEREAS, after serious consideration and evaluation, the Town Engineering Department and Office of the Town Attorney recommend that the Town Board deem European-American Waste Disposal Corporation to be the lowest responsible bidder for all six contract bid areas (Contract Bid Areas A through F) based upon the base bids (Contractor responsible to deliver solid waste to a permitted recyclables processing facility for processing and marketing as recovered materials); and award the bid for said contract areas to European-American Waste Disposal Corporation subject to terms and conditions set forth in bid specifications/contract.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead, acting as the governing body of the Town of Riverhead Refuse and Garbage District, deems European-American Waste Disposal Corporation to be the lowest responsible bidder for contract bid areas A through F based upon the base bids and hereby awards the bids for all contract areas to European-American Waste Disposal Corporation based upon the base bid and subject to terms and conditions set forth in bid specifications/contract, including but not limited to, compliance with prevailing wage rates set annually by the New York State Commissioner of Labor, performance security, insurance, as set forth in the bid specifications/contract; and be it further

RESOLVED, that the Town Board be and does hereby authorize the Town Clerk to return any and all bid bonds received in connection with the above; and be it further

RESOVLED, that the Town Board be and does hereby authorize the Supervisor to execute any documents or agreements, to the extent required, with European-

American Waste Disposal Corporation to effectuate the terms of the bid specifications; and be it further

RESOLVED, the Town Clerk be and is hereby authorized to forward a copy of this resolution to European-American Waste Disposal Corporation, Town Engineering Department; Town Accounting Department; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

DISTRICT A

AMP

<u>Company Name</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
<u>Colucci</u>	<u>502,838.¹⁶</u>	<u>502,838.¹⁶</u>	<u>502,838.¹⁶</u>	<u>502,838.¹⁶</u>	<u>502,838.¹⁶</u>
<u>Maggio</u>	<u>456,954.⁹⁶</u>	<u>466,131.⁰⁰</u>	<u>475,516.⁰⁰</u>	<u>485,116.⁵⁶</u>	<u>494,812.⁸⁸</u>
<u>European A</u>	<u>432,344.⁸⁸</u>	<u>432,344.⁸⁸</u>	<u>432,344.⁸⁸</u>	<u>432,344.⁸⁸</u>	<u>432,344.⁸⁸</u>
<u>Winter Bros</u>	<u>592,310.⁴⁰</u>	<u>610,038.⁰⁰</u>	<u>628,182.⁷²</u>	<u>647,370.²⁴</u>	<u>666,557.⁷⁶</u>
<u>National</u>	<u>564,850.⁰⁰</u>	<u>577,016.⁰⁰</u>	<u>587,444.⁰⁰</u>	<u>599,610.⁰⁰</u>	<u>611,766.⁰⁰</u>
<u>Quickway</u>	<u>447,783.³²</u>	<u>447,783.³²</u>	<u>447,783.³²</u>	<u>447,783.³²</u>	<u>447,783.³²</u>

DISTRICT B

dmp

<u>Company Name</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Colucci	563,016. ⁷²	563,016. ⁷²	563,016. ⁷²	563,016. ⁷²	563,016. ⁷²
Maggio	511,642. ³²	521,917. ²⁰	532,425. ⁶⁰	543,167. ⁵² 543,425	554,142. ⁹⁶
European	484,086. ⁹⁶	484,086. ⁹⁶	484,086. ⁹⁶	484,086. ⁹⁶	484,086. ⁹⁶
Winter Bro	663,196. ⁸⁰	683,046. ⁰⁰	703,362. ²⁴	724,846. ⁰⁸	746,329. ⁹²
National	601,314. ⁰⁰	612,990. ⁰⁰	624,666. ⁰⁰	636,342. ⁰⁰	649,964. ⁰⁰
Quickway	No bid	No bid	No bid	No bid	No bid

DISTRICT C

AMP

<u>Company Name</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
<u>Colucci</u>	<u>384,940.²⁶</u>	<u>384,940³⁶</u>	<u>384,940³⁶</u>	<u>384,940³⁶</u>	<u>384,940.³⁶</u>
<u>Maggio</u>	<u>349,815.⁰⁶</u>	<u>356,540¹⁰</u>	<u>364,024⁰⁰</u>	<u>371,369.¹⁶</u>	<u>378,873.¹⁸</u>
<u>European</u>	<u>330,975¹⁵</u>	<u>330,975¹⁸</u>	<u>330,975¹⁸</u>	<u>330,975¹⁸</u>	<u>330,975¹⁸</u>
<u>Winter Bio</u>	<u>453,431⁴⁰</u>	<u>467,005⁵⁰</u>	<u>480,895¹²</u>	<u>495,584⁶⁴</u>	<u>510,273³⁶</u>
<u>NATIONAL</u>	<u>504,449⁰⁰</u>	<u>513,766⁰⁰</u>	<u>523,083⁰⁰</u>	<u>532,400⁰⁰</u>	<u>543,048⁰⁰</u>
<u>Quickway</u>	<u>No bid</u>	<u>No bid</u>	<u>No bid</u>	<u>No bid</u>	<u>No bid</u>

DISTRICT D

dmp

Company Name

2018

2019

2020

2021

2022

Colucci 417,633⁴² 417,633⁴² 417,633⁴² 417,633⁴² 417,633⁴²

Maggio 379,525⁰² 387,146⁷⁰ 394,941⁶⁰ 402,909⁷² 411,051⁰⁶

European 359,085⁰⁶ 359,085⁰⁶ 359,085⁰⁶ 359,085⁰⁶ 359,085⁰⁶

Winterbro 491,944⁸⁰ 506,668⁵⁰ 521,738⁶⁴ 537,674⁸⁸ 553,611¹²

National 519,840⁰⁰ 529,948⁰⁰ 540,056⁰⁰ 550,164⁰⁰ 560,272⁰⁰

Quirkway No Bid No Bid No Bid No Bid No Bid

DISTRICT E

AMP

Company Name

2018

2019

2020

2021

2022

Colucci 678,744⁷² 678,744⁷² 678,744⁷² 678,744⁷² 678,744⁷²

Maggio 616,810³² 629,197²⁰ 641,865⁶⁰ 654,815⁵² 668,046⁹⁶

European A 583,590⁹⁶ 583,590⁹⁶ 583,590⁹⁶ 583,590⁹⁶ 583,590⁹⁶

Winter Bno 799,516⁸⁰ 823,446⁶⁰ 847,938²⁴ 873,838⁰⁸ 899,737⁹²

National 666,264⁰⁰ 680,340⁶⁰ 692,070⁰⁰ 706,146⁰⁰ 722,568⁰⁰

Quickway No bid No bid No bid No bid No bid

248.763⁰⁰
Germelover AMP

DISTRICT F

AMP

Company Name

2018

2019

2020

2021

2022

Colucci 491,220²⁶ 491,220²⁶ 491,220²⁶ 491,220²⁶ 491,220²⁶

Maggio 445,780⁸⁶ 454,733¹⁰ 463,888⁸⁰ 473,247⁹⁶ 482,810⁵⁸

European 421,772⁵⁸ 421,772⁵⁸ 421,772⁵⁸ 421,772⁵⁸ 421,772⁵⁸

Winter Bros 577,826⁴⁰ 595,120⁵⁰ 612,821⁵² 631,539⁸⁴ 650,258¹⁶

National 554,592⁰⁰ 564,768⁰⁰ 576,640⁰⁰ 586,816⁰⁰ 598,688⁰⁰

Quickway No bid No bid No bid No bid No bid

248.76 per unit

Confirmed lower AMP

TOWN OF RIVERHEAD

Resolution # 595

**OFFERS SUPPORT FOR COUNTY OF SUFFOLK'S APPLICATION REGARDING
2017-18 LOCAL GOVERNMENT EFFICIENCY GRANT PROGRAM**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Governor Cuomo's new initiative to reduce property taxes requires counties to assemble local governments to find efficiencies for real, recurring taxpayer savings; and

WHEREAS, the County-Wide Shared Services Initiative, included in the enacted State's Fiscal Year 2018 Budget, requires County officials to develop localized plans that find property tax savings by coordinating and eliminating duplicative services and propose coordinated services to enhance purchasing power; and

WHEREAS, the property tax is the largest tax burden to the New York taxpayer, with the typical taxpayer paying 2.5 times more in property taxes than in income taxes; and

WHEREAS, the goal of this new initiative is to save taxpayers money by identifying collaborative opportunities for shared services between as many local governments as possible; and

WHEREAS, in furtherance of the shared services initiative, the County of Suffolk is desirous of pursuing the programmatic objectives of the Local Government Efficiency Grant Program; and

WHEREAS, while the County anticipates that more than a dozen eligible local government entities will commit to the 10% local match requirement associated with this grant program, at the present time, due in large part to the different schedules of the legislative bodies for the various entities, the exact match amount required from participating eligible local governments is not known; and

WHEREAS, the Town of Riverhead seeks to support the County's efforts to participate in the Local Government Efficiency Grant Program and agrees to commit to a local match not to exceed \$5000.00, said sum reflecting a minimum of ten eligible entities' commitment to participate in the Local Government Efficiency Grant Program.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board is hereby authorized to submit a letter in support of the County's application and reflects the intent of the Town of Riverhead to partner with the County in pursuing the programmatic objectives identified by the County in its grant application and to provide its portion of the local match

as appropriate subject to and not to exceed \$5000.00 in the event of an award to County of Suffolk under the Local Government Efficiency Grant Program; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Town Board and Town Chief of Staff; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 596

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

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

RESOLVED, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider a proposed local law for the amendment of Chapter 289 entitled, "Vehicles, Traffic and Parking Regulations" of the Riverhead Town Code, once in the August 10, 2017 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of September, 2017 at 2:05 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 289 of the Riverhead Town Code entitled, "Vehicles, Traffic and Parking Regulations" as follows:

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

§ 289-10. Parking prohibited.

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

Name of Street	Side	Location
Meetinghouse Creek Road	West	From its intersection with Peconic Bay Boulevard to a point 300 <u>80</u> feet north

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

Dated: Riverhead, New York
August 1, 2017

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 597

ADOPTS A LOCAL LAW TO AMEND CHAPTER 289 ENTITLED "VEHICLES, TRAFFIC & PARKING REGULATIONS" OF THE RIVERHEAD TOWN CODE (\$289-3. Stop and yield intersections; railroad crossings; parking fields. (Intersection of Peconic Bay Boulevard and Meetinghouse Creek Road)

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 289 entitled, "Vehicles, Traffic and Parking Regulations" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 4th day of October, 2016 at 2:05 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law amending Chapter 289, Article II §289-2, entitled, " Vehicles, Traffic and Parking Regulations" of the Riverhead Town Code, is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 289 entitled "Vehicles, Traffic and Parking Regulations", at its regular meeting held on August 1, 2017.

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

Chapter 289
Vehicles, Traffic and Parking Regulations
Part 1
ARTICLE II
Traffic Regulations

§ 289-2. Stop and yield intersections; railroad crossings; parking fields.

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

Intersection	Stop Sign on	Entrance From
<u>Peconic Bay Boulevard</u>	<u>Meetinghouse Creek Road</u>	<u>North</u>

- Underline represents addition(s)

Dated: Riverhead, New York
August 1, 2017

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 598

**ADOPTS A LOCAL LAW AMENDING CHAPTER 217 ENTITLED
"BUILDINGS, BUILDING CONSTRUCTION AND IMPROVEMENTS AND HOUSING
STANDARDS" OF THE RIVERHEAD TOWN CODE
(§217-12. – Building permit fees.)**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 217 entitled "Buildings, Building Construction and Improvements and Housing Standards" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 18th day of July, 2017 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; and

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

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

NOW THEREFORE BE IT RESOLVED, that the Town Board be and hereby, declares itself to be the lead agency for purposes of the amendment of Chapter 217 entitled, " Buildings, Building Construction and Improvements and Housing Standards" of the Town Code and hereby classifies same to be a Type II action for purposes of SEQR compliance; and be it further

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 217 entitled "Buildings, Building Construction and Improvements and Housing Standards" of the Riverhead Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 217 entitled "Buildings, Building Construction and Improvements and Housing Standards" of the Riverhead Town Code at its regular meeting held on August 1, 2017. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**Chapter 217
Buildings, Building Construction and Improvements and Housing Standards
Part 1
ARTICLE I
Administration and Enforcement**

§ 217-12. Building permit fees.

D. For each building permit where the construction cost shall exceed \$1,000, there shall be an additional fee of \$12 per \$1,000, or fraction thereof, in addition to the minimum fee of \$100. The basis for computing construction costs shall be the square feet of the floor area of the proposed building in relation to the proposed use of said building, and/or the cost thereof may be based on current Marshall Swift Valuation cost estimates using local regional multipliers and/or as follows:

- (1) Dwellings, one- and two-family: main story, \$75 per square foot; additional stories, \$40 per square foot.
- (2) Multiple-family dwellings, apartments, condominiums, hotels, motels, boardinghouses, labor camps and nursing and convalescent homes: main story, \$90 per square foot; additional stories, \$55 per square foot.
- (3) Private garages, attached or detached: \$40 per square foot.
- (4) Accessory and utility buildings: main story, \$50 per square foot; additional stories, \$25 per square foot.
- (5) Building permit fees shall be waived for all home modifications related to improving access for persons with mobility impairments, including, but not limited to, ramps and kitchen and bathroom renovations.
- (6) The building fee permit shall be reduced by \$300, or waived, whichever is lesser, for a new construction of single-family dwellings in which the applicant opts to incorporate the following universal design "basic access" features:
 - (a) At least one stepless entrance to the dwelling, which may be located at any entrance (front, rear, side or garage);
 - (b) First-floor doors with at least thirty-two-inch clear passage;
 - (c) First-floor bathroom (half bath or more) that allows for full entry of wheelchair with the ability to close the door, with reinforcements between wall studs (commonly called "blocking") to allow for future installation of grab bars.
- (7) Mercantile, business and office buildings, garages and service stations, places of public assembly, assembly halls and clubhouses: main story, \$80 per square foot; additional stories, \$70 per square foot.
- (8) Factory buildings and warehouses (finished types): main story, \$80 per square foot; additional stories, \$75 per square foot.

- (9) Factory buildings and warehouses (unfinished types): main story, \$80 per square foot; additional stories, \$75 per square foot.
- (10) The building permit fee shall be waived for all modifications to commercial buildings or places of public accommodation related to removing architectural barriers to access and improving access for persons with mobility impairments, including, but not limited to, ramps and bathroom renovations.
- (11) All of the building, plumbing, electrical and other permit fees shall be waived for all residential properties that participate in the upgrade and replacement of existing septic/cesspools with those approved under the County of Suffolk Septic Improvement Program.
- ~~(11)~~ (12) Foundation only: \$60 per linear foot.
- ~~(12)~~ (13) The fee for a permit to demolish a building shall be \$60 for a small building up to 1,000 square feet and \$95 for a large building of more than 1,000 square feet.
- ~~(13)~~ (14) The fee for a duplicate certificate of occupancy shall be \$150, and letters of preexisting use and inspection above the maximum shall be \$150 each.
- ~~(14)~~ (15) The fee for a renewal of a permit issued under this Part 1 shall be 25% of the original fee paid or \$100, whichever is greater. The fee must be paid within 30 days of the expiration date.
- ~~(15)~~ (16) The fee to move a building to a new location: 50% of the fee computed in accordance with Subsection D above.
- ~~(16)~~ (17) All fees paid pursuant to this section are nonrefundable.

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

Dated: Riverhead, New York
August 1, 2017

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 599

AMENDS RESOLUTION #475 OF 2017
(APPROVES THE CHAPTER 255 APPLICATION OF
NATIVE EVENTS INC. - "Country Blues Festival Long Island")

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Resolution #475, adopted by the Town Board on June 20, 2017, approved the Chapter 255 Application of Native Events Inc. for the purpose of conducting a family friendly festival entitled "Country Blues Festival Long Island", to be held on Saturday and Sunday, July 29th and 30th, 2017 and Saturday and Sunday, August 5th and 6th, 2017 at Co-operative Extension of Nassau County located at 3186 Sound Avenue, Riverhead, New York; and

WHEREAS, by letter dated July 17, 2017, William Quinones, on behalf of Native Events, Inc., advised that this event will not take place on the dates of August 5, 2017 and August 6, 2017.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby amends Resolution #475 dated June 20, 2017, to reflect the approval of this event to take place solely on the dates of July 29, 2017 and July 30, 2017; and be it further

RESOLVED, that all other terms and conditions of Resolution #475 shall remain in full force and effect; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Native Events Inc., Attn: William Quinones, P.O. Box 116, Ridge, New York, 11961; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 600

APPROVES THE APPLICATION FOR FIREWORKS PERMIT OF
BAITING HOLLOW CLUB
(Saturday – August 26, 2017)

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, on July 11, 2017, Christopher Vene, on behalf of the Baiting Hollow Club electronically submitted a Fireworks Permit Application for the purpose of conducting a fireworks display on Saturday, August 26, 2017 at 9:00 p.m., to be held upon property of the Baiting Hollow Club, located at 100 Golf Club Drive, Baiting Hollow, New York; and

WHEREAS, the Town Attorney is in receipt of a completed Fireworks Application executed by the Chief of the Riverhead Fire Department and the Riverhead Fire Marshal and a certificate of insurance from the fireworks company (Pyro Engineering, Inc. d/b/a Bay Fireworks and International Pyrotechnic Importers), naming the Town of Riverhead as an additional insured and has determined that same is satisfactory as to their form; and

WHEREAS, the \$500.00 administrative fee has been paid to the Office of the Fire Marshal; and

WHEREAS, the \$200.00 Fireworks Permit Application fee has been paid.

NOW THEREFORE BE IT RESOLVED, that the Fireworks Permit Application of Baiting Hollow Club, for the purpose of conducting a fireworks display to be held at 100 Golf Club Drive, Baiting Hollow, New York on Saturday, August 26, 2017 at 9:00 p.m., is hereby approved with the following conditions:

- § The required fire suppression equipment and personnel shall be provided by the Riverhead Fire Department who must be at the site prior to commencement of fireworks display.
- § Fireworks Permit Application signed by both the Fire Marshal and the Riverhead Fire Chief must be received prior to the commencement of this event.
- § Scheduling a pre-event inspection between 3:00 p.m. and 5:00 p.m. on the day of the event having the Fireworks technician(s), the Riverhead Marshal and the Riverhead Fire Chief in attendance.
- § Fireworks and technicians must arrive at the subject location no later than 5:00 p.m. on the day of the event.
- § Fireworks technician must have photo identification and present same to Fire Marshal upon request.

- § Fire Marshal to be present 60 minutes prior to commencement of display for purpose of final inspection and safety review.
- § Fireworks display shall be limited to the size described on the application.
- § Fire Marshal shall have final authorization to allow the fireworks display or cancel the display if there are unsafe conditions, lightning and/or winds in excess of 30 miles per hour.
- § That Baiting Hollow Club shall notify all property owners located within a one-mile radius of this fireworks display **no later than August 10, 2017 and forward proof of said notification to the Office of the Town Attorney no later than August 15, 2017**; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Baiting Hollow Club, Attn: Christopher Vene, 100 Club Drive, Baiting Hollow, New York 11933 and Pyro Engineering, Inc. d/b/a Bay Fireworks, Attn: Jo-Anne Triolo, Fireworks Representative, 999 South Oyster Bay Road, Suite 111, Bethpage, NY 11714; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 601

APPROVES THE CHAPTER 255 APPLICATION OF
ELITEFEATS, INC.
(5K Road Race – “Long Island Fall Classic” – September 17, 2017)

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, on July 11, 2017, Jennifer Dagan, on behalf of Elitefeats, Inc., submitted a Chapter 255 Application for the purpose of conducting a 5K road race event entitled “Long Island Fall Classic”, which will benefit the Riverhead Running Club, a 501C-3 organization established to promote running in the Riverhead community as well as the Suffolk County Homefront, a 501C-3 organization extending support to the military units located within our country and resident veterans, which will commence at the Long Ireland Brewing Co. located at 817 Pulaski Street, Riverhead, New York and will continue onto Parkway Street, Claus Avenue, Pulaski Street, Kratoville Avenue, Columbus Avenue, into Stotsky Park and then loop back and terminate at the Long Ireland Brewing Co., on Sunday, September 17, 2017 between the hours of 12:00 noon and 6:00 p.m.; and

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

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

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

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

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

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

RESOLVED, that the Chapter 255 Application of Elitefeats, Inc. for the purpose of conducting a 5K road race event entitled “Long Island Fall Classic” 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 fully executed license agreement, together with the requisite license fee as stated in said license agreement, for purposes of the utilization of Police personnel and patrol vehicles, **no later than August 15, 2017**; and be it further

RESOLVED, that parking for this event shall be in accordance with a plan submitted and approved by the Riverhead Chief of Police that satisfactorily demonstrates that this event will not interfere with parking for the St. Isidore's Roman Catholic Church parishioners; 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 receipt of an Outdoor Public Safety Plan, to be submitted to the Fire Marshal's office **no later than August 15, 2017**; and be it further

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

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 602

APPROVES THE CHAPTER 255 APPLICATION OF GEORGE M. BARTUNEK
(19th Annual Antique Car Show – Sunday, September 17, 2017)

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, on June 26, 2017, George M. Bartunek, on behalf of Antique Automobile Club of America, Inc. - Peconic Bay Region, submitted a Chapter 255 Application for the purpose of conducting an Antique Car Show to be held at the Hallockville Farm Museum, located at 6038 Sound Avenue, Riverhead, New York, on Sunday, September 17, 2017, having a rain date of Sunday, September 24, 2017, between the hours of 9:00 a.m. and 3:00 p.m.; and

WHEREAS, George M. Bartunek has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

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

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

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

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

RESOLVED, that the Chapter 255 Application of Antique Automobile Club of America, Inc. - Peconic Bay Region, for the purpose of conducting an Antique Car Show to be held at the Hallockville Farm Museum, located at 6038 Sound Avenue, Riverhead, New York, on Sunday, September 17, 2017, having a rain date of Sunday, September 24, 2017, between the hours of 9:00 a.m. and 3:00 p.m., is hereby approved; and be it further

RESOLVED, that approval for this event shall be subject to the following:

- Receipt of required Suffolk County Department of Health Vendors Temporary Food Service Permit;
- Receipt of required Emergency Medical Services (EMS) information;
- Receipt of an Outdoor Safety Plan to be submitted to the Riverhead Fire Marshal;

and be it further

RESOLVED, that all of the above is to be received no later than August 15, 2017; and be it further

RESOLVED, that this approval is subject to Riverhead Town Code Chapter 301 Article XLVIII entitled, "Signs" and any other section of the Riverhead Town Code that may apply to this event; and be it further

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

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to George M. Bartunek, 21 Silver Beech Lane, Calverton, New York, 11933; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 603

**APPROVES CHAPTER 255 APPLICATION OF JAMESPORT FIRE DEPARTMENT
(5K & 10K Race – Sunday, August 27, 2017)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, on June 5, 2017, Nate Edington, on behalf of the Jamesport Fire Department submitted a Chapter 255 Application for the purpose of conducting a 10K race to commence at Iron Pier Beach terminating at Jamesport Town Beach and a 5K race to commence from Jamesport Town Beach through various public roadways and will terminate at Jamesport Town Beach, to be held on Sunday, August 27, 2017, between the hours of 6:00 a.m. and 12:00 p.m.; and

WHEREAS, the Jamesport Fire Department 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 Jamesport Fire Department has requested the Chapter 255 Application fee for this event be waived due to their not-for-profit status; and

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

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

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

RESOLVED, that the application of the Jamesport Fire Department for the purpose of conducting a 10K race to commence at Iron Pier Beach and terminate at Jamesport Town Beach and a 5K race to commence at Jamesport Town Beach through various public roadways and terminate at Jamesport Town Beach, to be held on Sunday, August 27, 2017, between the hours of 6:00 a.m. and 12:00 p.m. is hereby approved; and be it further

RESOLVED, should any tent(s) be utilized, the necessary tent permit(s) must be obtained, and the tent installation and all electric shall comply with the applicable

requirements of the NFPA Life Safety Code (NFPA 101), the NFPA Temporary Membrane Structures/Tents (NFPA 102) and the Fire Code of New York State and the Building Code of New York State; and be it further

RESOLVED, that this approval is subject to receipt of an Outdoor Public Safety Plan, to be submitted to the Fire Marshal's office **no later than August 10, 2017**; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Jamesport Fireman's Association, Nate Edington, P.O. Box 2604, Aquebogue, New York, 11931; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 604

**APPROVES CHAPTER 255 APPLICATION OF RAILROAD MUSEUM
OF LONG ISLAND
(Museum Open House 2017 - 27th Anniversary - August 26th and 27th, 2017)**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, on July 6, 2017, Donald G. Fisher, on behalf of the Railroad Museum of Long Island, submitted a Chapter 255 application for the purpose of conducting an event entitled, "Museum Open House 2017 – 27th Anniversary", which includes a toy train set raffle, toy train layouts and railroad related vendors and displays. This event is to be located upon their property at 416 Griffing Avenue, Riverhead, New York, on Saturday, August 26th, 2017 and Sunday, August 27th, 2017 between the hours of 10:00 a.m. and 5:00 p.m.; and

WHEREAS, the Railroad Museum of Long Island has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

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

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

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

RESOLVED, that the Chapter 255 Application of Railroad Museum of Long Island for the purpose of conducting an event entitled, "Museum Open House 2017 – 26th Anniversary" to be located upon their property at 416 Griffing Avenue, Riverhead, New York on the aforementioned dates and times is hereby approved; and be it further

RESOLVED, that due to the Railroad Museum of Long Island's not-for-profit status, the Town Board of the Town of Riverhead hereby waives the Chapter 255 application fee for this event; and be it further

RESOLVED, that any necessary tents permits must be obtained and all tent

installations and electric shall comply with the applicable provisions of the Building and Fire Code of New York State and the National Electrical Code and National Fire Protection Agency 102 (Tents & Membrane Structures); and be it further

RESOLVED, that this approval is subject to the provisions of Riverhead Town Code Chapter 251, Article I entitled "Noise Control", Chapter 301 Article XLVIII entitled, "Signs" and any other section of the Riverhead Town Code that may pertain to this event; and be further

RESOLVED, that approval for this event shall be subject to the following:

- Receipt of any permits as may be required by the New York State Department of Labor;
- Receipt of an Outdoor Public Safety Plan to be submitted to the Fire Marshal's Office;
- Receipt of required Emergency Medical Services (EMS) information;

and be it further

RESOLVED, that all of the above permits and insurance are to be received **no later than August 10, 2017**; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Railroad Museum of Long Island, Attn: Donald G. Fisher, P.O. Box 726, Greenport, New York, 11944-0726; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 605

**APPROVES THE APPLICATION FOR FIREWORKS PERMIT OF
RIVERHEAD RACEWAY
(Saturday, August 12, 2017)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, on July 14, 2017, Tom Gatz, on behalf of the Riverhead Raceway, submitted a Fireworks Permit Application for the purpose of conducting a fireworks display to be held at the center of the racetrack at 1797-1785 Old Country Road, Riverhead, New York on Saturday, August 12, 2017, at approximately 9:00 p.m., having a rain date of Saturday, August 19, 2017; and

WHEREAS, the Town Attorney is in receipt of a completed Fireworks Application executed by the Chief of the Riverhead Fire Department and the Riverhead Fire Marshal and a certificate of insurance from both the fireworks company (Pyro Engineering Inc. d/b/a Bay Fireworks) and Riverhead Raceway, naming the Town of Riverhead as an additional insured and has determined that same is satisfactory as to their form; and

WHEREAS, the \$500.00 administrative fee has been paid to the Office of the Fire Marshal; and

WHEREAS, the \$200.00 Fireworks Permit Application fee has been paid.

NOW THEREFORE BE IT RESOLVED, that the Fireworks Permit Application of Riverhead Raceway, for the purpose of conducting a fireworks display to be held at the center of the racetrack at 1797-1785 Old Country Road, Riverhead, New York on Saturday, August 12, 2017, at approximately 9:00 p.m., having a rain date of Saturday, August 19, 2017; is hereby approved with the following conditions:

- § The required fire suppression equipment and personnel shall be provided by Riverhead Raceway. Riverhead Fire Department may provide additional fire apparatus at the discretion of the Chief of the Riverhead Fire Department.
- § Scheduling a pre-event inspection between 4:00 p.m. and 6:00 p.m. on the day of the event having the Fireworks technician(s), the Riverhead Fire Marshal and the Riverhead Fire Chief in attendance.
- § Fireworks and technicians must arrive at Riverhead Raceway no later than 4:00 p.m. on the day of the event.
- § Fire Marshal to be present 30 minutes prior to commencement of show for

purpose of final inspection and safety review.

- § Firework shell size shall be limited to the size described on the application.
- § The Fire Marshal shall have the final authorization to allow the show to proceed or cancel the show if there are unsafe conditions, lighting and/or wind in excess of 30 miles per hour; and be it further

RESOLVED, that the Riverhead Fire Marshal is hereby authorized to receive overtime expenditures for the necessary public safety and security purposes in connection with this event; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Riverhead Raceway, Attn: Tom Gatz, 1797 Old Country Road, Riverhead, New York, 11901 and Pyro Engineering, Inc., 999 South Oyster Bay Road, Suite 111, Bethpage, New York, 11714; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 606

**APPROVES THE APPLICATION FOR FIREWORKS PERMIT OF
NEWTON CARNIVALS
(Family Festival – August 11, 2017)**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, on July 17, 2017, Newton Carnivals submitted a Fireworks Permit Application for the purpose of conducting a fireworks display on Friday, August 11, 2017, between the hours of 9:00 p.m. and 9:30 p.m. having a rain date of August 12, 2017, to be held on property owned by John Zoumas of JNS Contracting located at 6164 Route 25A, Wading River, New York, in connection with a Chapter 255 event hosted by the Peconic Bay Medical Center entitled a “Family Festival”, to be held on August 9, 2017 through August 12, 2017; and

WHEREAS, the Town Attorney is in receipt of a completed Fireworks Application executed by the Chief of the Wading River Fire Department and the Riverhead Fire Marshal and a certificate of insurance from the fireworks company (Pyro Engineering, Inc., d/b/a Bay Fireworks), naming the Town of Riverhead as an additional insured and has determined that same is satisfactory as to their form; and

WHEREAS, the \$200.00 Fireworks Permit Application fee has been paid.

NOW THEREFORE BE IT RESOLVED, that the Fireworks Permit Application of Newton Carnivals, for the purpose of conducting a fireworks display to be held at 6164 Route 25A, Wading River, New York on Friday, August 11, 2017, between the hours of 9:00 p.m. and 9:30 p.m., having a rain date of August 12, 2017, is hereby approved with the following conditions:

- § The required fire suppression equipment and personnel shall be provided by the Wading River Fire Department who must be at the site prior to commencement of fireworks display.
- § Fireworks Permit Application signed by both the Fire Marshal and the Wading River Fire Chief must be received prior to the commencement of this event.
- § Scheduling a pre-event inspection between 3:00 p.m. and 5:00 p.m. on the day of the event having the Fireworks technician(s), the Riverhead Marshal and the Wading River Fire Chief in attendance.
- § Fireworks and technicians must arrive at the subject location no later than 5:00 p.m. on the day of the event.
- § Fireworks technician must have photo identification and present same to Fire Marshal upon request.

- § Fire Marshal to be present 60 minutes prior to commencement of display for purpose of final inspection and safety review.
- § Fireworks display shall be limited to the size described on the application.
- § Fire Marshal shall have final authorization to allow the fireworks display or cancel the display if there are unsafe conditions, lightning and/or winds in excess of 30 miles per hour.
- § The associated \$500.00 administrative fee must be submitted to the Office of the Fire Marshal **no later than August 4, 2017**; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Newton Carnivals, 4075 Jericho Turnpike, East Northport, New York, 11731, Pyro Engineering, Inc. d/b/a Bay Fireworks, 999 South Oyster Bay Road, Suite 111, Bethpage, NY 11714, John Zoumas, 256 Route 25A, Wading River, NY 11792 and Peconic Bay Medical Center, Attn: Joan Fehling, 1300 Roanoke Avenue, Riverhead, NY 11901; and be it further

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

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 607

**AUTHORIZES THE REDUCTION OF PERFORMANCE SECURITY
OF MANZI HOMES EAST, LLC, IN CONNECTION WITH THE RESIDENTIAL
SUBDIVISION KNOWN AS "OLD ORCHARD AT BAITING HOLLOW"**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, in accordance with Town Board Resolution #726 dated September 20, 2016, the Riverhead Town Board accepted Bridgehampton National Bank Irrevocable Letter of Credit #170000540 in the amount of \$1,382,000.00 representing improvements to be made within the subdivision entitled "Old Orchard at Baiting Hollow" located on the south side of Youngs Avenue, between Mastro Road and Osborne Avenue, Baiting Hollow, further described as Suffolk County Tax Map No. 0600-80-2-2.1; and

WHEREAS, by letter from Manzi Homes East, LLC, dated January 24, 2017, it has been requested that the performance security be reduced due to the completion of improvements within the subdivision; and

WHEREAS, pursuant to Subdivision Inspection Memorandum dated February 1, 2017, it is recommendation of Vincent A. Gaudiello, P.E., that the security posted be reduced to the amount of \$820,000.00; and

WHEREAS, pursuant to Riverhead Planning Board Resolution #2017-0011, dated February 16, 2017, it is recommended that the security posted in connection with the improvements to be completed within this subdivision be reduced to the amount of \$820,000.00.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby approves the reduction of the security posted for improvements to be made within the subdivision known as "Old Orchard at Baiting Hollow" to an amount of \$820,000.00, to be submitted in the form of an irrevocable letter of credit; and be it further

RESOLVED, that the Town Clerk is hereby directed to release the Bridgehampton National Bank Irrevocable Letter of Credit #170000540 in the amount of \$1,382,000.00 upon receipt of the performance security in the reduced amount \$820,000.00; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Charles R. Cuddy, Esq., as Attorney for Manzi Homes East, LLC, P.O. Box

1547, Riverhead, NY 11901 and Bridgehampton National Bank, Attn: Kimberly Cioch, V.P., 40 Peconic Avenue, Suite 30, Riverhead, NY 11901; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 608

AUTHORIZES SETTLEMENT WITH THOMAS P. WHARTON AND SEAMUS WHARTON REGARDING CLAIM FOR DAMAGE TO FIRE HYDRANT ON PECONIC BAY BOULEVARD

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, a claim was made by the Town of Riverhead to recover funds from USAA Casualty Insurance Company (USAA) for property damage caused on or about May 21, 2017 to a fire hydrant located on Peconic Bay Boulevard in Jamesport; and

WHEREAS, an offer of settlement has been made by USAA regarding the claim by the Town of Riverhead for property damage caused on or about May 21, 2017; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and hereby approves the settlement proposal made by USAA and on behalf of Thomas P. Wharton and Seamus Wharton and further authorizes the Supervisor executing the release, such other documents as deemed necessary to carry out the settlement, accepting and taking in the settlement funds and; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 609

**OFFERS SUPPORT FOR REGIONAL BIKE SHARE INITIATIVE
OF THE COUNTY OF SUFFOLK**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, bike sharing programs are a growing phenomenon in the United States, as they promote economic development by drawing in business to downtowns, bolster public health initiatives of stress reduction and weight loss, and reinforce community connectivity and most importantly, a well-targeted and visible bike share program has the potential to reduce vehicle miles travelled (VMT) by encouraging an alternative mode of transportation and providing a first mile/last mile connection between transit hubs; and

WHEREAS, in addition, the Suffolk County Regional Bike Share Program aligns with numerous other sustainability initiatives such as the Suffolk Climate Action Plan, the Cleaner Greener Long Island Regional Sustainability Plan, and the Connect Long Island Vision. Each of these plans promotes a stronger bicycle network in Suffolk County in order to encourage a more active lifestyle and advance a more sustainable community; and

WHEREAS, the County of Suffolk will be making application for its regional bike share initiative for the 2017 Long Island Regional Economic Development Council's Consolidated Funding Application.

THEREFORE BE IT RESOLVED, that the Riverhead Town Board, be and hereby, supports the application of the County of Suffolk for its regional bike share initiative for the 2017 Long Island Regional Economic Development Council's Consolidated Funding Application; and be it further

RESOLVED, that the Riverhead Town Board, in the matter of the above referenced application, authorizes the submission of a letter of support in substantially the same format as attached; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Kevin Law and Stuart Rabinowitz, Co-Chairs, Long Island Regional Economic Development Council, 150 Motor Parkway, 3rd Floor, Hauppauge, NY 11788; and to the Community Development Department of the Town of Riverhead; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 610

**AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS
AND MORTGAGEE OF THE PROPERTY LOCATED AT 1792 MIDDLE ROAD,
CALVERTON, NEW YORK**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town Board has determined that the property situated at 1792 Middle Road, Calverton, New York is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code;

NOW, THEREFORE, BE IT HEREBY RESOLVED, that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the structure situated at 1792 Middle Road, Calverton, New York in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property and the structure situated upon such; and be it further

RESOLVED, that it is left to the discretion of Robert F. Kozakiewicz, Town Attorney for the Town of Riverhead as whether said cause of action should seek monetary and/or punitive damages against the owners, tenants, occupants and/or mortgagee of said property for their illegal use, occupancy and maintenance of said property.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 611

**AUTHORIZES RETENTION OF THE LAW FIRM OF SINNREICH, KOSAKOFF & MESSINA
LLP AS SPECIAL COUNSEL TO DEFEND LEGAL ACTION AGAINST THE TOWN OF
RIVERHEAD COMMENCED BY EUGENE LAFURNO**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten,

WHEREAS, a law suit has been commenced by Eugene LaFurno naming the Town of Riverhead, among others as defendants in the District Court, Eastern District of New York under Civil Action No. 17-1742; and

WHEREAS, the Town Board has determined that the Law Firm of Sinnreich, Kosakoff and Messina, LLP is qualified and be retained to defend or appear on behalf of all the named defendants in the above referenced action.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the retention of the Law Firm of Sinnreich, Kosakoff and Messina, LLP as legal counsel in connection with the aforementioned matter, and authorizes the Supervisor to execute a Retainer Agreement acceptable to the Town Attorney; and be it further;

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Law Firm of Sinnreich, Kosakoff And Messina, LLP, 267 Carleton Avenue, Suite 301, Central Islip, New York 11722, Town Attorney, and the Accounting Department; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 612

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER
A LOCAL LAW TO AMEND CHAPTER 301 ENTITLED "ZONING AND LAND
DEVELOPMENT" OF THE RIVERHEAD TOWN CODE**

Councilman Wooten 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 301 entitled, "Zoning and Land Development " of the Riverhead Town Code once in the August 10, 2017 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

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD
NOTICE OF 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 6th day of September, 2017 at 2:15 o'clock p.m. to amend Chapter 301, entitled " Zoning and Land Development" of the Riverhead Town Code.

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

CHAPTER 301

Zoning and Land Development

Article XXIX: Downtown Center 1: Main Street (DC-1) Zoning Use District

§ 301-143 Supplementary guidelines.

C. Storefronts and Façade Standards.

The storefronts and façades of building(s)/structure(s) shall be maintained in a way that does not provide Evidence of Vacancy. The interiors, when visible to passerby through storefront windows, shall be maintained in a way that does not exhibit Evidence of Vacancy. Any storage within the building(s)/structures(s) shall be concealed by means of storefront and/or window décor, displays, etc. Spray painting or frosting windows is not any acceptable means by which an owner of property may conceal that which is within.

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

Dated: Riverhead, New York
August 1, 2017

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 613

**RESOLUTION CALLING PUBLIC HEARING
REGARDING LATERAL WATER MAIN EXTENSION FOR
RIVERVIEW LOFTS, GEORGICA GREEN VENTURES, LLC**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, a petition has been filed by Georgica Green Ventures LLC, the developer of the proposed Riverview Lofts, requesting that the proposed mixed-use development located at 221 East Main Street, Riverhead, New York, (SCTM Nos. 0600-129-1-21 & 22) be served by the Riverhead Water District; and

WHEREAS, the proposed development is located within the existing boundaries of the Riverhead Water District; and

WHEREAS, a map and plan dated May 2017 have been prepared by H2M, consulting engineers to the Riverhead Water District, detailing the necessary measures and costs associated with extending the lateral water mains to the proposed development; and

WHEREAS, the project will include the construction of a five-story mixed-use building with commercial space on the ground floor and 118 apartment units on floors 2 through 5; and

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

WHEREAS, said map and plan call for the installation of approximately 1,250 feet total length of eight-inch diameter water mains at a total projected cost of approximately \$375,000; and

WHEREAS, all costs associated with this lateral shall be borne by the petitioner and the petitioner will be required to pay key money fees for water usage in the amount of \$361,297 (40,273 gallons – 570 gallons = 39,703 gallons x \$9.10/gallon); and

WHEREAS, the Town Board desires to call a public hearing on the adoption of a final order concerning the petition.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a Notice of Public Hearing to be held on the 6th day of September, 2017 at 2:10 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the adoption of a final order concerning the petition to construct a lateral water main extension comprised

of approximately 1,250 linear feet of eight-inch diameter water main, two fire hydrant assemblies, and appurtenances to provide water service to the proposed mixed-use development of Riverview Lofts, to be located at 221 East Main Street, Riverhead, New York, at the sole cost of the developer and at no cost to the District and the payment of key money pursuant to Chapter 105 of the Riverhead Town Code; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the August 24, 2017 edition of The News Review; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

ENGINEERING REPORT FOR LATERAL WATER MAIN EXTENSION

**RIVERVIEW LOFTS
GEORGICA GREEN VENTURES LLC
221 EAST MAIN STREET
RIVERHEAD, NEW YORK**

Riverhead Water District
Town of Riverhead
Suffolk County, New York

H2M Project No.
RDWD 17-52

MAY 2017

Prepared for:

Riverhead Water District
1035 Pulaski Street
Riverhead, New York 11901

Prepared by:

H2M Water
538 Broad Hollow Road, 4th Floor East
Melville, New York 11747

737 Roanoke Avenue
Riverhead, New York 11901



water

**RIVERHEAD WATER DISTRICT
ENGINEERING REPORT FOR LATERAL WATER MAIN EXTENSION
RIVERVIEW LOFTS, 221 EAST MAIN STREET, RIVERHEAD, NY**

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LIST OF EXHIBITS

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**RIVERHEAD WATER DISTRICT
 REPORT FOR LATERAL WATER MAIN EXTENSION
 RIVERVIEW LOFTS, 221 EAST MAIN STREET, RIVERHEAD, NEW YORK**

MAY 2017

1.0 – INTRODUCTION

This report shall evaluate the proposal of extending water facilities of the Riverhead Water District to allow public water to be provided to the proposed Riverview Lofts mixed use development located at 221 East Main Street in Riverhead, New York. The developer of this property (Georgica Green Ventures, LLC) has petitioned the Town Board to allow the proposed development to be served by the Riverhead Water District. The property is entirely located within the boundaries of the Riverhead Water District and is situated in the Districts low pressure zone.

2.0 – DESCRIPTION OF PROPERTY

The 0.85 acre site is located at the southwesterly corner of the intersection of East Main Street (NYS Route 25) and McDermott Street and designated as District 0600, Section 135, Block 17, Lots 21 and 22 on the Suffolk County Tax Map. The property is proposed to be developed into a five story mixed use building with commercial space on the ground floor and apartments on floors 2 through 5. The site is currently occupied by a vacant single story brick building and two story frame building which is now occupied by retail space and an apartment. The brick building has been in the past the site of various commercial businesses. A water facilities map of the subject property and proposed water main extension is shown on Exhibit "A".

3.0 – ANTICIPATED WATER USAGE

Based on information provided by the owner, the proposed water usage of the facility is 40,273 gallons per day, broken down as follows:

Use	Area (sf)	Occupants/ Seats	Consumption Rate	Water Use (gpd)
Retail Space	1,429	----	0.03 gpd/sf	43
Restaurant	----	235 seats	30 gpd/seat	7,050
Restaurant 2	----	296 seats	30 gpd/seat	8,880
Apartments A	< 600	30 units	150 gpd/unit	4,500
Apartments B	< 1200	88 units	225 gpd/unit	19,800
Total				40,273 ⁽¹⁾

(1) – excludes irrigation demand. Irrigation demand expected to be negligible.

The water consumption rates presented above are based on Suffolk County Department of Health Services (SCDH) standards for minimum design sewage flow rates. Using an average maximum day to average day ratio of 2.77 the peak domestic demand of the proposed development is 111,556 GPD. The development also requires an available fire sprinkler demand of 1,000 gallons per minute (GPM) with a 20 psi system residual.

In addition to domestic and fire sprinkler demands, a determination of the needed fire flow for the building is made to ascertain if there is sufficient water available to fight a fire. Needed fire flow is an estimate of the amount of water needed to fight a fire in an individual, non-sprinklered building and is based on type of construction, occupancy type, area, exposure to adjoin buildings and presence of automatic sprinkler systems. ISO describes this calculation in the following formula:

$$NFF = (C_i)(O_i)[(1.0+(X+P))^i]$$

where,

- NFFi = the needed fire flow in gallons per minute (GPM)
- Ci = factor related to the type of construction
- Oi = factor related to the type of occupancy
- X = factor related to the exposure buildings
- P = factor related to the communication between buildings

For the development in question, the calculated needed fire flow is 3,500 gpm, based on a construction class of C-4 (masonry non-combustible) and an occupancy class of C-2. However, since the building will be protected by automatic fire sprinklers, the needed fire flow can be reduced to the base demand of 1,000 gpm plus hose stream demand. For the purpose of any analysis performed within this report, a needed fire flow of 3,500 gpm was used.

4.0 – EXISTING DISTRICT FACILITIES & DEMAND

Over the past ten years, the District has experienced an average daily demand of 7.18 million gallons per day (MGD) with a high average day demand of 8.32 MGD occurring in 2015. Over the same ten years the number of water service connections maintained by the District increased from 11,400 to 12,320. Over this ten year period the average daily water use per service connection has ranged from 525 to 690 GPD.

Water supply for the District is currently obtained from seventeen active groundwater wells located at ten plant sites scattered throughout the service area. The seventeen active wells have a combined approved pumping capacity of 26.02 million gallons per day (MGD). However, due to limitations on certain wells, the seventeen wells have an actual pumping capacity of 20.06 MGD. To

compensate for the limitations of the supply wells, the District has the ability to supplement its supply with 1.15 MGD available from neighboring suppliers, however these connections are located in the Districts high pressure zone. In addition, the District maintains an additional 4.24 million gallons of storage across the District with 2.4 million gallons being available in the high zone. The District maintains the ability to pump from low to high thus allowing excess capacity in low zone to supply high. In addition, the District maintains interzone valves at various points in the District to allow the high zone to feed low.

Over the past ten years, the District experienced a historical maximum day demand of 22.55 MGD in 2010. Combining this historical peak day with the projected peak demand of the property (0.11 MGD), shows the District has a current supply deficit of 2.6 million gallons (actual capacity of 20.06 MGD minus historical peak demand of District minus development demand). The additional capacity available from neighboring suppliers combined with the available storage, allows the District to meet the current peak day demand including the proposed demand of this development. However, development within the Town continues to grow. Based on information provided to the District from the Town Planning Board, the District has the potential to see an increase in peak day demand of 250,000 gallons per day (GPD) across the District including 140,000 GPD in the low pressure zone and 94,000 GPD from proposed developments in the Downtown Riverhead area alone. These figures are average day projections; therefore the District could see an increase to peak day demand of 700,000 GPD upon development of these future projects.

Considering a historical peak day demand of 22.55 MGD coupled with the projected future peak demand of 0.70 MGD, the District has the potential of a 3.19 MGD deficit (actual capacity of 20.06 MGD minus projected demand of 23.25 MGD). Factoring in the available storage from low pressure zone storage tanks the projected deficit is reduced to 1.27 MGD (actual capacity of 20.06 MGD plus low zone storage capacity of 1.92 MG minus projected demand of 23.25 MGD). Note, only 80% of the available storage capacity is considered as available.

To account for this projected deficit, the District is in the process of planning and constructing a new low pressure zone storage tank. Although this new storage tank will help close the projected deficit, this leaves the District without redundancy and any mechanical failures or water quality concerns will render the District unable to meet projected peak day demands. Prudent planning suggests that the District needs to develop additional supply facilities to meet the growing demands of this project as well as other development proposed across the Town while providing a level of redundancy in supply.

The property is located within the limits of the Districts low pressure zone. Based on the building finished floor elevation, the pressure gradient of the low pressure zone and the proximity of the site to District facilities, we estimate the water pressure at the ground floor of the building to vary between 55 psi and 75 psi.

The Water District maintains a 10-inch water main on the north side of East Main Street and a 2-inch water main along McDermott Avenue. The nearest fire hydrants located at the intersection of East Main Street and East Avenue and at the McDermott Avenue intersection. The 2-inch water main on McDermott Avenue is a service main which does not provide fire protection. There is a hydrant located in the parking area of Riverfront Park to the rear of the buildings fronting East Main Street approximately 600 feet from McDermott Avenue.

5.0 - ANALYSIS

To ascertain the affect the proposed development will have upon the District’s existing distribution system, an analysis utilizing a computerized hydraulic model of the District was utilized. The hydraulic model was created with the intent to form an accurate representation of the District’s water supply and distribution system. The model was used to simulate the affect proposed demands (domestic and fire) associated with the development will have upon the system and to predict pressures and operating conditions, and the corresponding impacts of the various modifications.

The evaluation consisted of analyzing the existing District in the vicinity of the subject development, under peak demand conditions (22 MGD), without consideration for new demands. This provides a baseline to compare the affects the Riverview Lofts will have upon the current distribution system. Under peak day demands, five points surrounding the development were reviewed as follows:

Point	Address	Baseline Pressure at peak demand period(psi)
1	Peconic Avenue & Main St.	64
2	Riverfront Park (Dead-End WM)	66
3	McDermott Ave. & East Main St.	60
4	Riverside Drive & East Main St.	62
5	Union Ave & Northville Tpke	61

To them gauge the effect of the proposed development on the distribution system, a node was created representing Riverview Lofts and assigned a demand 108 gpm which represents the anticipated peak domestic demand of the development. The model was then re-run and the pressure at the same points within distribution were reviewed with results as follows:

Point	Address	Pressure at peak demand period(psi)
1	Peconic Avenue & Main St.	63
2	Riverfront Park (Dead-End WM)	64
3	McDermott Ave. & East Main St.	58
4	Riverside Drive & East Main St.	61
5	Union Ave & Northville Tpke	60

As shown, the proposed domestic demand of the subject development alone will have a negligible effect on the existing distribution system with only slight reduction in pressure seen in the vicinity of the development.

A fire demand analysis was then performed to ascertain if the existing distribution system could handle a 3,500 gpm three hour fire flow demand. The 3,500 gpm demand was spread equally over three locations in the vicinity of the proposed building 1) at hydrant within Riverfront Park; 2) on East Main St. west of site and 3) on East Main St. east of site. Spreading the demands across three points as opposed to a single point more accurately reflects how a fire would be fought. The model was then re-run and the pressure at the same five points within distribution were reviewed with results as follows:

Point	Address	Pressure at peak demand period(psi)
1	Peconic Avenue & Main St.	37
2	Riverfront Park (Dead-End WM)	26
3	McDermott Ave. & East Main St.	30
4	Riverside Drive & East Main St.	40
5	Union Ave & Northville Tpke	44

Although the model shows the existing distribution system can support a 3,500 gpm fire flow, the flow predicted from the dead-end hydrant in the parking area by Riverfront Park is limited based on the recorded residual pressures shown in the model. Furthermore, the developer proposes a new hydrant on McDermott Avenue south of the new building. Similar limitations would be expected from this proposed hydrant. It should be noted that the pressure shown in the model under the flow conditions is assumed at the point in distribution of the hydrant and does not consider further hose losses.

In order to increase the dependability of the existing and proposed hydrant assemblies, the District will require a new eight-inch water main be extended from an existing ten inch water main on East Main Street and along McDermott St connecting to an existing eight inch water main located within the parking area adjacent to Riverfront Park. The total length of water main required is approximately 1,200 feet including new valves and hydrants. The proposed services to the Riverview Lofts shall also originate from this main. A proposed layout of the proposed water mains and appurtenances is shown on Exhibit 'A'. Note, final hydrant layout shall be approved by the Riverhead Town Fire Marshalls office.

The proposed distribution system improvements associated with this development will enable the District to meet peak hour and fire flow demand of the development while maintaining a system pressure above the 35 psi required by the New York State Department of Health.

6.0 – WATER CONSERVATION

It should be noted that the District, as well as the regulatory agencies responsible for regulation of the District, have made water conservation a priority. As such, the District has made a concerted effort to reduce water usage across the District, both internally and externally. As a stipulation to providing service to this development, the District requires that the developer of the properties quantify to the District how they propose to reduce the impact of this development on the existing District facilities and reduce the overall projected water demand for irrigation and domestic uses. At a minimum, the developer shall provide:

1. Water efficient/saving fixtures including but not limited to showerheads, faucets, toilets, dishwashers and washing machines on the residential end.
2. Water efficient/saving fixtures including but not limited to faucets, toilets, kitchen equipment and laundry machines on the commercial end.
3. Consider utilizing WaterSense® sponsored products to meet the requirements of Items 1 & 2.
4. Although the anticipated irrigation demand is minimal, provide drip irrigation and landscaping indigenous to the area and/or the use of species that are drought tolerant.
5. Post appropriate signage in restaurant and laundry facilities to educate employees on Water Conservation and water waste.

7.0 – PROJECT COSTS

As stated, the total length of water main to required is approximately 1,250 feet including two new fire hydrant assemblies. The cost to extend these proposed facilities shall be solely the responsibility of the developer of Riverview Lofts. The estimated project cost to implement the extension of water main to serve the Riverview Loft development is \$375,000, including the extension of 1,250 linear feet of water main, two hydrant assembly, water services from the new main to within five feet of the proposed building and restoration. These costs also include engineering, permitting, construction observation, legal, administration and contingencies as shown on Table 1.

Note, the installation of all water mains will be performed by the District and/or a District employed contractor with all costs will be the responsibility of the owner/developer. Since the District is to have ownership of the proposed water facilities, the project must be publically bid in accordance with New York State bidding laws with any potential contractor meeting the requirements of the Town/District and New York State. It should be noted that in accordance with Town procedure, the entire cost of this extension shall be borne by the owner/developer.

In addition to the costs of the water main installation as described, the property will also be subject to Key Money Fees. The Key Money Fee is a Town policy established in 1986 (Section 199 of the Town Code) whereas all developments are assessed based on their projected water and sewerage usage. The purpose is to cover the cost of increasing the system capacity. System capacity included transmission, new wells, treatment and storage. The fee is applied to all new development and where a change in use is proposed.

The subject property was previously occupied by retail space of approximately 9,000 square feet (sf) (221 East Main Street) and a commercial/residential structure (31 McDermott Ave.) The developer shall be awarded a credit for the existing buildings to be demolished of 0.03 gpd/sf for the retail space and 300 gpd for the residential structure. These credits are based on Suffolk County Department of Health Services (SCDH) standards for minimum design sewage flow rates. The total increased water use for the proposed development can be calculated as follows:

Use	Area (sf)	Occupants/ Seats	Consumption	Water Use (gpd)
Retail Space	1,429	----	0.03 gpd/sf	43
Restaurant	----	235 seats	30 gpd/seat	7,050
Restaurant 2	----	296 seats	30 gpd/seat	8,880
Apartments A	< 600	30 units	150 gpd/unit	4,500
Apartments B	< 1200	88 units	225 gpd/unit	19,800
Retail Space Credit	9,000	----	0.03 gpd/sf	(270)
Residence	----	----	300 gpd	(300)
Total Increased Usage				39,703

Using the Riverhead Water District Key Money Assessment Method, this development shall be assessed a Key Money Fee of \$9.10 per gallon. Therefore, the total Key Money Fees for the proposed development is \$361,297 (40,273 gallons – 570 gallons = 39,703 gallons x \$9.10 / gallon).

In addition, the property is to be taxed the standard Water District tax rate.

8.0 – COMPLIANCE WITH 6 NYCRR PART 617 “STATE ENVIRONMENTAL QUALITY REVIEW ACT”

Pursuant to Section 617.5, Type II Actions Part (c) - this project is considered a Type II Actions, and are not subject to further review under this part for the following reasons:

1. Extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list – water main installation and cut-ins for these projects, in conjunction with the new treatment facilities, will be to existing water mains.

Therefore, this project is a Type II Actions not subject to further review. Although this is a Type II projects, an EAF Short Form for is included for reference as Exhibit B.

9.0 – CONCLUSIONS

After reviewing the facts presented above, the following conclusions can be drawn:

- The proposed property is located within the boundaries of current Water District.
- The development requires an estimated 40,273 gallons per day for average day domestic water usage, 111,556 gpd for peak day water usage and 1,000 gpm for fire sprinkler demand.
- The needed fire flow as calculated utilizing ISO formula is 3,500 gpm, however does not consider the entire building will be sprinkled.
- With an authorized supply capacity of 20.06 MGD and a historical peak day demand of 22.55 MGD, the District is currently operating with a supply deficit.
- Commercial and residential growth in the Town continues to grow with an anticipated future average day demand of up to 250,000 GPD predicted. Approximately 40% of this future demand is proposed in Downtown Riverhead.
- This supply deficit can be reduced if storage tank capacity and supply from neighboring suppliers is considered, however the District still foresees operating in a deficit during peak demand periods.
- Additional future supply and storage facilities are needed to enable the District to continue to meet peak day demands and operate with redundancy.
- The Town / Water District must strive to foster water conservation efforts across the District with the goal of reducing peak day demands in the immediate future.
- The District has adequate fire flow capacity near the development, however existing and proposed hydrants are limited in available supply since they are located on dead-end water mains.
- In order to improve fire flow from these existing/proposed hydrants, approximately 1,250 feet of new 8-inch water main including hydrants is required to be installed along McDermott Street and within the Riverfront Park parking areas.
- The proposed extension of water main will not have an adverse impact on the environment and is considered a Type II action requiring no further action.
- The total costs to implement this extension is \$375,000.
- The development shall be subject to Key Money Fees of \$361,297.

10.0 – RECOMMENDATIONS

After reviewing the facts presented above, the following is recommended

- The Town/District needs to identify, fund and construct additional source and storage needs to meet the continually growing demand of the District.
- The Town Board should work with the Water District and Planning Board to ensure water conservation efforts are being made in new construction.
- The development shall be required to demonstrate how they propose to reduce their anticipated water usage.
- This report shall be submitted to the Town Board for consideration.
- If approved by the Town Board, the developer shall deposit 20% of the balance of the total project cost or (\$75,000) with the Town, in order that the design, regulatory submissions and public bidding of the water main can proceed.
- Upon receipt of all regulatory approvals from the Suffolk County Dept. of Health Services and New York State Dept. of Environmental Conservation, the new water mains can be publicly bid. After receipt of bids, the developer will be informed of the balance of funds necessary to proceed with the installation of water mains.

TABLE 1
COST OPINION

TABLE 1
SUMMARY OF COST OPINION
RIVERHEAD WATER DISTRICT
PROPOSED LATERAL WATER MAIN EXTENSION
RIVERVIEW LOFTS - 221 EAST MAIN STREET
S.C.T.M. Designation: 0600-135-17-021 & 022

May-17

ITEM No.	DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	TOTAL PRICE
1A	6" CLDI Water Main	50 LF	\$60.00	\$3,000.00
1B	8" CLDI Water Main	1,200 LF	\$64.00	\$76,800.00
2	Special Castings	2,000 LBS	\$2.50	\$5,000.00
3A	6" Gate Valves & Boxes	3 UNITS	\$1,250.00	\$3,750.00
3B	8" Gate Valves & Boxes	6 UNITS	\$1,600.00	\$9,600.00
3C	10" Gate Valves & Boxes	2 UNITS	\$2,000.00	\$4,000.00
4A	Hydrant Assembly	2 UNITS	\$3,500.00	\$7,000.00
5	Pressure & Bacteriological Testing	1,250 LF	\$2.00	\$2,500.00
8C	Connection to Existing 10" Main	1 UNIT	\$15,100.00	\$14,850.00
10	Town Asphalt Restoration (McDermott Ave & Parking Area)	750 SY	\$80.00	\$60,000.00
11	New York State Composite Pavement Restoration	100 SY	\$600.00	\$60,000.00
29	Temporary Asphalt Pavement	1,250 LF	\$8.00	\$10,000.00
30R	Reconnection of Existing Water Services	6 UNITS	\$750.00	\$4,500.00
XX	Nighttime Work, Lighting & MPT (East Main Street)	4 NIGHTS	\$10,000.00	\$40,000.00
SUBTOTAL:				\$298,000.00
Engineering Report, Exhibit & Public Hearing:				\$3,000.00
Topographical Survey, Boundary Deliniation:				\$2,500.00
Field Utility Investigation, Design Documents and Public Bidding:				\$15,000.00
Permit Applications (NYS Dept. of Environmental Conservation & Suffolk County DHS):				\$5,000.00
Construction Administration & Completed Works Submissions:				\$5,600.00
Construction Observation Services:				\$9,000.00
Record Drawings and District Map Updates:				\$1,500.00
Town/District Administrative & Legal Fees (approx. 7% of construction cost):				\$20,900.00
Contingencies (approx. 5% of construction cost):				\$14,500.00
TOTAL PROJECT COST (Paid by Developer):				\$375,000.00
LESS DEPOSITS MADE TO DATE:				\$3,000.00
BALANCE DUE (Paid by Developer):				\$372,000.00
KEY MONEY ASSESSMENT FEES (39,703 x \$9.10/gallon):				\$361,297.00

EXHIBIT A

**PROPOSED & EXISTING WATER
FACILITIES**

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Riverhead Water District			
Name of Action or Project: Riverview Lofts (Georgica Green LLC) Lateral Water Main Extension			
Project Location (describe, and attach a location map): 221 East Main Street, Riverhead, NY			
Brief Description of Proposed Action: Extension of existing water main to service the proposed mixed use building			
Name of Applicant or Sponsor: Riverhead Water District		Telephone: 631-727-3205	
		E-Mail: conklin@townofriverheadny.gov	
Address: 1035 Pulaski Street			
City/PO: Riverhead		State: NY	Zip Code: 11901
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Suffolk County Dept. of Health Services - Approval of Plans for Public Water Supply Improvement NYSDEC Article 25 Tidal Wetlands			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 0.85 acres	
b. Total acreage to be physically disturbed?		_____ 0.85 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 0.85 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Riverhead Water District</u> Date: _____		
Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Riverhead Water District	
_____	_____
Name of Lead Agency	Date
Mark Conklin	Superintendent
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

EXHIBIT B

**NYSDEC
SHORT ENVIRONMENTAL
ASSESSMENT FORM**

TOWN OF RIVERHEAD

Resolution # 614

APPROVES CHANGE ORDER #1
INSTALLATION OF ALARM CONTACTS FOR
RIVERHEAD WATER DISTRICT AT PLANT 15

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, H2M Architects + Engineers, consulting engineers to the Riverhead Water District, has recommended that approval of the attached Change Order No. 1 of Commander Electric, Inc., for the installation of two (2) alarm contacts at the main plant which would show the generator run status and any trouble status for Riverhead Water District Plant No. 15 be approved.

NOW THEREFORE BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute the attached Change Order No. 1 of the Riverhead Water District for the installation of two (2) alarm contacts at its main plant to monitor the generator run status and any trouble status at Riverhead Water District Plant 15 at an additional cost of \$3,650.00 for a total contract price of \$170,316.00, to be paid from available project funds; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

RIVERHEAD WATER DISTRICT
INSTALLATION OF EMERGENCY GENERATOR AT PLANT NO. 15

Contractor: Commander Electric, Inc.
H2M Project No.: RDWD 1601
July 26, 2017



CHANGE ORDER NO. 1

Description of Change

- 1. Installation of two alarm contacts at main plant showing generator run status and trouble status.
- 2. Installation of lockable cover on automatic transfer switch.

Reason for Change

- 1. To provide status of generator at main plant.
- 2. To provide added security at Plant No. 15.

COST OF CHANGE	
Total	\$3,650.00

Contract Duration Change

Contract completion date extended to August 15, 2017.

Contract Value

Contract Value	\$166,666.00
Cost of Item No. 1	\$3,650.00
NEW CONTRACT VALUE:	\$170,316.00

RECOMMENDED BY: _____ DATE: _____
H2M architects + engineers

ACCEPTED BY: _____ DATE: _____
Commander Electric, Inc.

APPROVED BY: _____ DATE: _____
Riverhead Water District

TOWN OF RIVERHEAD

Resolution # 615

**AWARDS BID – INSTALLATION OF EMERGENCY GENERATORS AT
PLANT NOS. 1 & 16
RIVERHEAD WATER DISTRICT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, this Town Board did authorize the advertisement for bids for installation of emergency generators at Plant Nos. 1 and 16 of the Riverhead Water District, and

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

WHEREAS, H2M Group, consulting engineers to the Riverhead Water District, by attached letter dated July 6, 2017 did recommend that the bid be awarded to Roland's Electric, Inc. of Deer Park, New York for the total base bid amount of \$484,700.00.

NOW, THEREFORE, BE IT RESOLVED, that the bid for installation of emergency generators at Plant Nos. 1 and 16 of the Riverhead Water District, be and is hereby awarded to:

Roland's Electric, Inc.
Deer Park, New York
In the total base bid amount of \$484,700.00

and be it further

RESOLVED, that Roland's Electric, Inc. shall post a bond in the amount of the total bid of \$484,700.00, and be it further

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

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

RESOLVED, that pursuant to this bid award, the Town Supervisor be and is hereby authorized to execute a contract with Roland's Electric, Inc. and be it further

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

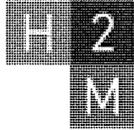
BE IT FURTHER RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted



water

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

July 6, 2017

Town Board
Town of Riverhead
200 Howell Avenue
Riverhead, New York 11901

**Re: Riverhead Water District
Installation of Emergency Generators at Plant Nos. 1 & 16
H2M Project No.: RDWD 16-08**

Dear Board Members:

On Thursday June 29, 2017, bids were received by the Town of Riverhead for the above referenced project. A total of seven (7) bids were submitted with the low bid being submitted by Roland's Electric, Inc. of Deer Park, New York with a total bid amount of \$484,700.00, including all contingency items. A copy of the bid tabulation sheet is enclosed for your records.

We have investigated the qualifications submitted by the low bidder and have found him to be a qualified and responsible contractor. Roland's Electric, Inc. has successfully completed similar projects for various water utilities across Long Island over the past few years. It is our opinion that Roland's Electric, Inc. is qualified and his bid prices are fair and reasonable. Therefore, we recommend that the contract be awarded to Roland's Electric, Inc. for the total base bid amount of \$484,700.00.

Should you have any questions regarding this recommendation, please contact our office.

Very truly yours,

H2M architects + engineers

John R. Collins, P.E.
Senior Project Engineer

Enclosure: Bid Tabulation Sheet

cc: Supervisor Sean Walter
Carissa Willis, Town Board Coordinator
Supt. Mark Conklin
Richard Ehlers, Esq.

\\FS1\Projects\RDWD (Riverhead Water District) - 10810\RDWD1608 - Generators at Plant Nos. 1 & 16\04_BID\17.07.06_TB - Award Recommendation.doc

TOWN OF RIVERHEAD

Resolution # 616

AWARDS BID – INSTALLATION OF WATER MAINS & APPURTENANCES
WATER DISTRIBUTION SYSTEM IMPROVEMENTS
RIVERHEAD WATER DISTRICT

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, this Town Board did authorize the advertisement for bids for installation of water mains and appurtenances, water distribution system improvements for the Riverhead Water District, and

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

WHEREAS, H2M Group, consulting engineers to the Riverhead Water District, by attached letter dated July 10, 2017 did recommend that the bid be awarded to G&M Earth Moving, Inc. of Holbrook, New York for Items 1A through 29 for a total cost of \$640,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the bid for installation of water mains and appurtenances, water distribution system improvements for the Riverhead Water District for Items 1A through 29, be and is hereby awarded to:

G&M Earth Moving, Inc..
Holbrook, New York
In the bid amount of \$640,000.00

and be it further

RESOLVED, that G&M Earth Moving, Inc. shall post a bond in the amount of the total bid of \$640,000.00, and be it further

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

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

RESOLVED, that pursuant to this bid award, the Town Supervisor be and is hereby authorized to execute a contract with G&M Earth Moving, Inc. and be it further

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

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

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted



water

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

July 10, 2017

Town Board
Town of Riverhead
200 Howell Avenue
Riverhead, New York 11901

**Re: Riverhead Water District
Installation of Water Mains & Appurtenances
Water Distribution System Improvements
H2M Project No.: RDWD 16-53**

Dear Board Members:

On Thursday, June 29, 2017, bids were received by the Town of Riverhead for the above referenced project. A total of five (5) bids were submitted with the low bid being submitted by G&M Earth Moving, Inc. of Holbrook, NY with a total base bid amount of \$810,000.00. The bid consisted of proposal items for proposed water main related work on Pulaski Street, Mill Road, and Osborn Avenue. In addition, separate lump sum items for proposed water main work on Pier Avenue and Peconic Bay Boulevard were included in the bid. Upon review of the bid prices submitted by G&M Earth Moving, Inc., we have determined that the itemized bid prices for Pulaski Street, Mill Road, and Osborn Avenue work, including Items 1A through 29, for a total cost of \$640,000.00 are fair and reasonable. At this time, we do not recommend awarding bid items LS-A and LS-B for Pier Avenue and Peconic Bay Boulevard under this contract due to budgetary considerations. Please note, G&M Earth Moving, Inc. remains the low bidder when bid items LS-A and LS-B are removed from the total cost with a low bid price of \$640,000.00. A Copy of the bid tabulation sheet is enclosed for your review and records.

The qualifications submitted by G&M Earth Moving, Inc. as part of their bid proposal include several sites involving the installation of water main and appurtenances within residential subdivisions or within established private and municipal facilities. Of the project references submitted, only one involves the installation of water main within the public right-of-way. In 2015, G&M Earth Moving, Inc. completed the installation of water main and appurtenances at the Stoneleigh Woods Subdivision, Phase IV for the Riverhead Water District and performed satisfactorily. Based on the performance on this past Water District project, we recommend the award of the bid items identified above to G&M Earth Moving, Inc. for the total contract amount of \$640,000.00

Should you have any questions regarding this recommendation, please contact our office.

Very truly yours,

H2M architects + engineers


John R. Collins, P.E.
Senior Project Engineer

Enclosure
JRC:djr

cc: Supervisor Sean Walter
Carissa Willis, Town Board Coordinator
Supt. Mark Conklin
Richard Ehlers, Esq.

X:\RDWD (Riverhead Water District) - 10810\RDWD1653 - Water Distribution Improvements\correspondence\17.07.07_TB - Award Recommendation.doc

CLIENT NAME: Riverhead Water District

PROJECT TITLE: Water Distribution System Improvements

PROJECT NO.: RDWD 16-53

BID DATE: June 29, 2017 - 2:00 p.m.

5% BB or CC

BIDDER		BIDDER		BIDDER		BIDDER		BIDDER	
G&M Earth Moving		Merrick Utility Associates, Inc.		Bancker Construction Corp.		Alessio Pipe & Construction		Roy Wanser Inc.	
Holbrook, NY		Farmingdale, NY		Islandia, NY		Huntington Station, NY		Bohemia, NY	
5% BB		5% BB		5% BB		5% BB		5% BB	

ITEM NO.	DESCRIPTION	QTY.	UNITS	UNIT PRICE	TOTAL PRICE								
1A	Furnish & Install 6" Cement-Lined Ductile Iron Water Main.	100	LF	\$16.00	1,600.00	\$75.00	7,500.00	\$75.00	7,500.00	\$65.00	6,500.00	\$55.00	5,500.00
1B	Furnish & Install 8" Cement-Lined Ductile Iron Water Main.	1,100	LF	80.00	88,000.00	98.50	108,350.00	79.00	86,900.00	95.00	104,500.00	100.00	110,000.00
1C	Furnish & Install 10" Cement-Lined Ductile Iron Water Main.	2,100	LF	65.00	136,500.00	106.00	222,600.00	88.00	184,800.00	105.00	220,500.00	125.00	262,500.00
1D	Furnish & Install 12" Cement-Lined Ductile Iron Water Main.	900	LF	93.00	83,700.00	113.00	101,700.00	95.00	85,500.00	130.00	117,000.00	135.00	121,500.00
2	Furnish & Install Mechanical Joint C.L.D.I. Castings.	8,000	LBS	2.50	20,000.00	1.00	8,000.00	1.00	8,000.00	1.00	8,000.00	1.00	8,000.00
3A	Furnish & Install 6" Mechanical Joint Gate Valve & Box & Retainer Glands.	4	UNITS	900.00	3,600.00	1,450.00	5,800.00	3,000.00	12,000.00	4,000.00	16,000.00	2,000.00	8,000.00
3B	Furnish & Install 8" Mechanical Joint Gate Valve & Box & Retainer Glands.	1	UNITS	1,300.00	1,300.00	2,100.00	2,100.00	3,500.00	3,500.00	5,000.00	5,000.00	2,500.00	2,500.00
3C	Furnish & Install 10" Mechanical Joint Gate Valve & Box & Retainer Glands.	4	UNITS	3,000.00	12,000.00	2,600.00	10,400.00	4,000.00	16,000.00	5,500.00	22,000.00	3,500.00	14,000.00
3D	Furnish & Install 12" Mechanical Joint Gate Valve & Box & Retainer Glands.	6	UNITS	3,075.00	18,450.00	3,000.00	18,000.00	6,000.00	36,000.00	6,500.00	39,000.00	4,000.00	24,000.00
4A	Furnish & Install Hydrant (Mechanical Joint Inlet) with Rods & Retainer Glands	4	UNITS	7,725.00	30,900.00	6,700.00	26,800.00	15,000.00	60,000.00	6,000.00	24,000.00	10,500.00	42,000.00
5	Chlorination, Flushing & Testing of Water Mains.	4,200	LF	1.00	4,200.00	1.00	4,200.00	2.00	8,400.00	1.00	4,200.00	3.00	12,600.00
6U	Remove unsuitable material	100	CY	50.00	5,000.00	1.00	100.00	25.00	2,500.00	1.00	100.00	15.00	1,500.00
8D	Cut-In to Existing 12" Water Main.	3	UNITS	11,200.00	33,600.00	17,100.00	51,300.00	25,000.00	75,000.00	20,000.00	60,000.00	18,650.00	55,950.00
9	Trench Compaction.	4,200	LF	1.00	4,200.00	1.00	4,200.00	3.00	12,600.00	1.00	4,200.00	2.00	8,400.00
9CF	Furnish & Install Clean Fill	100	CY	25.00	2,500.00	1.00	100.00	20.00	2,000.00	1.00	100.00	15.00	1,500.00
10A	Repaving Town of Riverhead Roadways	1,500	SY	103.00	154,500.00	84.00	126,000.00	85.00	127,500.00	50.00	75,000.00	50.00	75,000.00
12	Repaving Suffolk County Roadways	100	SY	153.00	15,300.00	20.00	2,000.00	20.00	2,000.00	50.00	5,000.00	50.00	5,000.00
14	Furnish & Place 2" Clean Topsoil & Restore Disturbed Areas with Hydro-Seed.	1,800	LF	4.00	7,200.00	4.40	7,920.00	1.00	1,800.00	5.00	9,000.00	15.00	27,000.00
15C	Remove & Replace Concrete Curb	100	LF	72.00	7,200.00	30.00	3,000.00	1.00	100.00	1.00	100.00	25.00	2,500.00
26A	Moving Fee (Re-Mobilization).	1	LS	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
29	Furnish & Install 2" Hot-Mix Asphalt including maintenance & removal.	2,500	LF	3.50	8,750.00	1.00	2,500.00	1.00	2,500.00	4.00	10,000.00	3.00	7,500.00
TOTAL ITEMIZED BID (SUM OF ITEMS 1A TO 29)					\$640,000.00		\$714,070.00		\$736,100.00		\$731,700.00		\$796,450.00
LS-A	Lump Sum A - Pier Avenue	1	LS	105,000.00	105,000.00	74,500.00	74,500.00	72,725.00	72,725.00	82,400.00	82,400.00	90,900.00	90,900.00
LS-B	Lump Sum B - Peconic Bay Boulevard	1	LS	65,000.00	65,000.00	35,000.00	35,000.00	26,800.00	26,800.00	34,900.00	34,900.00	40,400.00	40,400.00
TOTAL BID (SUM OF ALL ITEMS)					\$810,000.00		\$823,570.00		\$835,625.00		\$849,000.00		\$927,750.00

TOWN OF RIVERHEAD

Resolution # 617

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH
SHI INTERNATIONAL CORP.**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town Financial Administrator, on behalf of the Town Accounting Department, has requested software, hardware, and information and technology services required to install and maintain financial accounting software including requisitions, work orders, inventory, accounts receivable, fixed assets and financial systems/packages which includes budget, general ledger, payment processing, financial reporting; and

WHEREAS, the Financial Administrator researched and did locate an opportunity to purchase the goods and services through a qualifying contracts let by the Office of General Services consistent with the Town's Procurement Policy Guideline #6; and

WHEREAS, at the request of the Financial Administrator, the Office of the Town Attorney contacted the Office of General Services and requested consideration to be deemed an "authorized user" for purposes of the Umbrella Distributor Contract for the information and technology equipment and services above such that the Town may contract with SHI International Corp.-an OGS authorized distributor; and

WHEREAS, after compliance with the OGS's requirements, to wit: solicitation from all contractors in the applicable lot/OGS authorized distributors for the information and technology equipment and services above, OGS did correspond and deem the Town an "authorized user" such that the Town may contract with SHI International Corp. (Note, the OGS Umbrella Contract prohibits sale of Cloud products); and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with SHI International Corp. for the list of items, software, hardware and information and technology services in the quotation provided by SHI International Corp in an amount not to exceed \$76, 591.89 and in a form to be approved by the Office of the Town Attorney; and

RESOLVED, the Town Clerk be and is hereby authorized to forward a copy of this resolution to SHI International Corp., Attn Brianna Jack, 290 Davidson Avenue, Somerset, NJ 08873, Town Accounting Department, Office of the Town Attorney; and be it further

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

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 618

AMENDS RESOLUTION #369 OF 2017 AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH CROWN RECYCLING FOR USE OF THE TOWN'S YARD WASTE FACILITY TO REFLECT A MODIFICATION TO LICENSE AGREEMENT

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

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

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

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

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

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

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

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

WHEREAS, by Resolution #369 adopted on May 17, 2017, the Town Board did approve Bidder's Alternate Proposal and authorized the Supervisor to execute a License Agreement necessary to effectuate the terms of the alternate proposal; and

WHEREAS, prior to execution of the license agreement, Crown expressed concern for employee safety and requested that the Town modify the license agreement to identify and permit use of an area for Crown employee parking within the Town's Yard Waste Facility, said area is immediately adjacent to Crown's Recycling Facility, for employee parking in place and instead of the originally proposed improved parking area at the former Town Landfill; and

WHEREAS, the Town Engineer reviewed the proposed modification/area within the Town's Yard Waste Facility for parking (approximately 20'x200' immediately adjacent to the westerly boundary of the Yard Waste Facility and depicted on Schedule "A") and recommends that the Town Board approve the modification subject to the following conditions: Crown shall be responsible to remove any and all yard waste debris and make such improvements, to wit: leveling (filling in pot holes) the 20'x200' area which is currently dirt, RCA, and yard waste in the 20'x200' area, to make area safe for use as employee parking, and the requisite insurance.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a License Agreement reflecting a modification regarding the location of the parking area substantially in the same form as the attached hereto; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Crown Sanitation, Inc., 865 Youngs Avenue, Calverton, New York 11933, the Engineering Department, the Office of the Town Attorney and the Office of Accounting; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

LICENSE AGREEMENT

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

WITNESSETH:

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

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

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

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

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

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

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

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

WHEREAS, by Resolution #369 adopted on May 17, 2017, the Town Board did approve Bidder's Alternate Proposal and authorized the Supervisor to execute a License Agreement necessary to effectuate the terms of the alternate proposal; and

WHEREAS, prior to execution of the license agreement, Crown expressed concern for employee safety and requested that the Town modify the license agreement to identify and permit use of an area for Crown employee parking within the Town's Yard Waste Facility, said area is immediately adjacent to Crown's Recycling Facility, for employee parking in place and instead of the originally proposed improved parking area at the former Town Landfill; and

WHEREAS, the Town Engineer reviewed the proposed modification/area within the Town's Yard Waste Facility for parking (approximately 20'x200' immediately adjacent to the westerly boundary of the Yard Waste Facility and depicted on Schedule "A") and recommends that the Town Board approve the modification subject to the following conditions: Crown shall be responsible to remove any and all yard waste debris and make such improvements, to wit: leveling (filling in pot holes) the 20' x200' area which is currently dirt, RCA, and yard waste in the 20' x200' area, to make area safe for use as employee parking, and the requisite insurance.

WHEREAS, by Resolution # adopted on August 1, 2017, the Town Board did approve the modification to the License Agreement to reflect license of an area approximately 20'x200' within the Town's Yard Waste Facility located immediately adjacent to the westerly boundary of the Yard Waste Facility; and

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

Article I

1. General Description of Agreement: The License Agreement is an agreement between the Town of Riverhead (hereinafter "Owner/Licensee" or "Town") for a grant of a revocable, non-assignable and non-exclusive license to Crown Sanitation, Inc. dba Crown Recycling Facility (hereinafter "Crown") to utilize an area approximately 20'x200' within the Town's Yard Waste Facility located immediately adjacent to the westerly boundary of the Yard Waste Facility for the limited purpose of overflow parking for Crown employee vehicles in exchange for grinding, loading and removal services for yard waste at the Town's Yard Waste Disposal Facility located at Youngs Avenue, Riverhead, New York (north side). This Licensee Agreement is made upon the express terms, conditions, and restrictions, each of which the party bound by such terms, conditions, and restrictions agrees to perform, irrespective of whether the particular provision is in the form of an agreement, a condition, restriction, a direction or otherwise, and each party agrees to provide the other party with documents or further assurances as may be required to carry out the expressed intention of the parties. (The licensed property for use as parking area is described and as depicted on Exhibit "A"

annexed hereto and the property for grinding, loading and removal of yard waste is described and as depicted on Exhibit "B".)

2. Term: The term shall be for one year deemed to commence from the 1st day of August 1, 2017, and to end on the 31st day of July, 2018. The term of the license shall renew automatically for one successive term, unless either party gives written notice of nonrenewal to the other party at least 60 days prior to the renewal date. Notwithstanding the above, Licensee acknowledges and agrees that this License Agreement is subject to and subordinate to any existing or future agreement, rule or regulation of any kind between the Town or imposed upon the Town and any other agency of the federal, state, any county, now or hereafter created, whether specifically mentioned herein or not, pertaining to the maintenance of the 20'x200' within the Town's Yard Waste Facility and/or operation and maintenance of the Town's Yard Waste Disposal Facility. In addition to the above, Licensee acknowledges and agrees that in the event that the Licensor shall determine, by duly adopted resolution of its Board, that the licensed space is required for legitimate municipal purpose, the Licensee may terminate this license agreement with 60 days written notice or designate alternate location such that Licensee may, at its sole cost and expense, relocate the parking of employee vehicles at the alternate location and the terms of the license (to wit: requirement that Licensee provide services related to grinding, loading and relocation of yard waste) shall remain in full force and effect. Finally, either party may terminate the agreement upon 90 days written notice to the other party.

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

4. Security Deposit: None.

ARTICLE II

Terms, Conditions, Restrictions for Use of Licensed Premises

1. Description of Licensed Premises: The Town of Riverhead is the owner and licensor of the licensed premises described as the portion of the Town's Yard Waste Facility an area approximately 20'x200' located immediately adjacent to the westerly boundary of the Yard Waste Facility. (The licensed premises for use as parking area is described and as depicted on Exhibit "A" annexed hereto.)

2. Use of Licensed Premises (Town Landfill Parking Area): The Licensor licenses to Licensee revocable, non-assignable and non-exclusive use of the parking area described in Exhibit "A" limited to Licensee employee vehicles during the hours of 7:00 am and 5:00 pm. Licensee shall not be permitted to and shall not allow others to use the

premises for any other purpose. In addition, Licensee may not permit overnight parking of employee vehicles (see time restrictions set forth in sentence above) nor may Licensee utilize the premises for parking of equipment, storage of material or any other purpose other than described above.

3. Maintenance and Repair: The Licensee has inspected the licensed space and accepts same "as is". The Licensee shall be responsible to remove yard waste debris that may be presently located in the 20'x 200' and level (fill in pot holes) to make safe for its employee parking. The Licensee shall at all times keep the licensed premises clean and free of debris. Licensee agrees to dispose of all refuse and garbage in accordance with Chapter 273 of the Code of the Town of Riverhead and shall not permit the accumulation of waste or refuse matter at the site. The Licensee shall be responsible for snow and ice removal from the licensed premises, including entrance, curb area/entrance. The Licensee, at its own expense, shall keep the premises in good repair and agrees to surrender the premises to the Town at the end of each and every term of this license in the same condition as at the beginning of the term, ordinary wear and use being excepted, and shall pay for all damages occasioned by its use.

4. Utilities: To the extent that there exists outdoor light fixtures in and part of the parking area or in the event Licensee seeks to install light fixtures in the parking/licensed area *subject to approval of the Licensor, Licensee shall bear sole cost and expense, for fixtures, hook-up all electrical wiring and electrical fixtures in connection with Licensee's installation or use of outdoor lights in the parking lot area. In addition, Licensee shall be responsible for all of Licensee's electrical usage charges associated with outdoor lighting in the parking lot for the term hereof. Notwithstanding the above, Licensee shall not be required to install any outdoor light fixtures in the areas of or for the purpose of illuminating ingress and egress to and from the parking area and instead Licensee shall be responsible to determine, set and/or adjust Licensee employee's use of the parking area within the time restrictions set forth above ensure that safe access to and from the premises by Licensee and its employees.

5. Insurance: The Licensee shall maintain during the License term general liability policies insuring Licensee and naming Licensor additional insured. The liability policy shall be one which shall afford bodily injury coverage in an amount of not less than \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate for more than one person involved in any one accident and not less than \$500,000.00 for damage to property. The insurance coverage shall be primary insurance and/or primary source of recovery as respects to the Town of Riverhead with respect to all claims, losses or liability arising directly or indirectly from Crown's improvements and use of the licensed premises (20'x200' parking area). Any insurance or self-insurance maintained by the Town shall be excess of the Contractor's insurance and shall not contribute with it. Crown shall secure and deliver to the Town of Riverhead a general liability special endorsement reflecting the above, together with a certificate of liability insurance mirroring said endorsement prior to any activity, improvement or use of that portion of the Town's Yard Waste Facility to be used for parking.

Upon failure at any time on the part of the Licensee to pay the premiums for the insurance required by this provision, the Licensor upon 24 hours, verbal or written notice, shall have the right to suspend Licensee's use of the premises until said policies are in place and all parties are properly insured under this section. A failure to assert any claim against Licensee by reason of its failure to make such payments shall not be deemed to waive or relicense the default in payment thereof by Licensor. Such policy shall contain a provision or endorsement to the effect that the same shall not be cancellable except on thirty (30) days written notice to Licensee and Licensor by the insurance earner. Proof of all renewal of policies shall be deposited with Licensor at least thirty (30) days prior to expiration of the policy it is to replace or renew.

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

7. Property Taxes: The licensed space has been used by the Licensor as a yard waste facility and some, albeit limited parking at times for equipment or vehicles associated with yard waste operations, therefore, the licensed space has and shall continue to be exempt from property taxes. If during the term of this license and occupancy by the Licensee, the licensed space shall at any time become subject to property taxes, the Licensee shall be responsible for paying the property taxes.

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

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

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

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

ARTICLE III

Terms, Conditions, Restrictions for Yard Waste Services

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

2. Authorized Hours of Operation:

- a. Hours of Operation: All work shall be conducted during weekdays (Monday through Friday) between the hours of 7:00 am and 3:30 pm. In the event that work at the site is not completed by the close of business (3:30 p.m.), the Town

Engineer or his designee shall be authorized to extend the time but in no event shall Licensee conduct operations to grind, load or movement of material after 5:00 pm.

- b. The Licensee shall provide all equipment necessary to complete the tasks bid upon by Licensee. To the extent that the Licensee submitted a proposal to grind and remove, Licensee shall utilize a wood grinding machine capable of processing a minimum of 800 cubic yards of material per eight hour day (100 cubic yards per hour) and a rubber tire loader of sufficient size to move the yard waste to the wood grinder and relocate the chipped material to an area of the site designated by the Town Engineer or his designee. Licensee shall provide a rubber tire loader of sufficient size to load the yard waste minimum of 20 yard dump truck.
- c. Grinding and Screening Technique: The licensee shall grind or *preferably double grind (material shall be processed/passed through the grinder twice) the yard waste and screened such that the material/mulch to be made available to residents is ground into acceptable size chips as designated by the Town Engineer or his designee. The Town recommends that the screens on the grinder shall be one and one half (1 ½) inches and no greater than two (2) inches. The Town prefers double ground material due to the size, ability to better integrate into soil, and ability for reuse. The Town Engineer may request a sample of all materials and in his sole discretion determine if a single ground sample or double ground sample meets the performance specifications that are in the best interests of the Town.
- d. Grinding and Loading Equipment: The Licensee shall utilize a wood grinding machine capable of processing a minimum of 800 cubic yards of material per eight hour day (100 cubic yards per hour). In addition, the Licensee shall utilize a rubber tire loader of sufficient size to move the yard waste to the wood grinder and relocate the chipped material to an area of the site designated by the Town Engineer or his designee.
- e. Debris: Licensee has represented that Licensee inspected the material on site and all debris is suitable for grinding. To the extent there exists any debris not suitable for grinding on site, Licensee agrees to remove from the site. The Town of Riverhead will not be responsible for any damage to the LICENSEE'S equipment due to inadequate removal of debris prior to grinding.
- f. Monitor/Record of Operation: A daily log of machine operating times shall be maintained by the Licensee and/or Licensee's employee/equipment operator and submitted to the Town Engineer or his designee for approval and signature, together with the Authorization to Grind Form indicating volume of material and same shall serve as the basis for payment by the Town.

- g. **Site Security:** The Town's North Side Yard Waste Disposal Facility is fenced with a locking gate. The Licensee's equipment may be left overnight at the Facility, however, the Town assumes no responsibility for Licensee's equipment.
 - h. **Scheduling of Grinding Event:** The Town Engineer or his designee will determine when a grinding event is required at the site. A grinding event shall be defined as the grinding of all yard waste present at the site prior to beginning grinding. As the Licensors goal is to remove all yard waste from the Town's Yard Waste Disposal Facility (see description in bid specifications), with the exception of 100 yards of mulch for resident pickup, it is anticipated that the initial grinding event shall continue for a period of 10 days-grinding all the material day to day until completion. Thereafter and at all times during the duration of the Licensee Agreement, the Town Engineer or his designee will determine when a grinding event is required at the site and the duration of the grinding event.
 - i. **Notification of Grinding Services:** The Town Engineer or his designee will notify the licensee when a grinding event is required or in the alternative, if the Town determines that it is in the best interests of the Town to retain the licensee for one continuous grinding event (grinding all the material day to day until completion), the Town Engineer or his designee will notify licensee of start date. The LICENSEE will begin work no less than 5 days and no more than 10 days from the date of notification.
 - j. **Schedule to Load and Haul:** The Town Engineer or his designee will notify the licensee of the requirement to load and remove material during or after a grinding event. The Town Engineer or his designee will notify licensee of start date and amount of material that must be removed from the property. The Town of Riverhead will not be responsible for any damage to the LICENSEE'S equipment or vehicles related to services required for pickup and removal (transport).
 - k. **License/Permits:** All yard waste shall be transported from the Town's Yard Waste Facility to a registered/licensed NYSDEC approved site for the deposit and/or storage of yard waste and related debris, including but not limited to grass clippings, stumps, leaves, branches and garden waste. LICENSEE must provide the Town of Riverhead with the name of the dump site and NYSDEC license number. Note, while it is anticipated that Licensee will transport the material to its facility located adjacent to the Town's Yard Waste Facility, if the LICENSEE does not intend to transport or store the material at such site,, LICENSEE must provide the Town of Riverhead with evidence of permit/approval/contract to use alternate NYSDEC licensed dump site; The Town of Riverhead will not be responsible for any damage to the LICENSEE'S equipment or vehicles related to services required for pickup and removal (transport).
3. Condition of the Town's Yard Waste Facility: Licensee is familiar with the Town's Yard Waste Facility, has examined same, and, without reliance upon any

representations or warranties of or made by Licensor or anyone else, accepts the property "as is" and agrees to provide the services outlined above.

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

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

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

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

b. General Liability:

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

Limits: \$1,000,000 per occurrence/\$2,000,000 general aggregate. \$1,000,000 for Products/Completed Operations. \$1,000,000 for Personal Injury Liability. The insurance coverage shall be primary insurance and/or primary source of recovery as respects to the Town of Riverhead with respect to all claims, losses or liability arising directly or indirectly from Crown's operations/service (grinding/removal of yard waste-see description of services above) provided to the Town. Any insurance or self-insurance maintained by the Town shall be excess of the Contractor's insurance and shall not contribute with it. Crown shall secure and deliver to the Town of Riverhead a general liability special endorsement reflecting the above, together with a certificate of liability insurance mirroring said endorsement prior to any activity or operation at the Town's Yard Waste Facility.

c. Workers' Compensation:

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

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

Insurance coverage shall be provided by an Insurance Company licensed as an "admitted carrier" by the New York State Insurance Department and rated by "Bests" at "A-" or better, or as otherwise deemed acceptable to the Town of Riverhead and shall be evidenced by a Certificate of Insurance submitted in a form acceptable to the Town. Note, thirty (30) days' notice of cancellation, non-renewal or reduction of coverage is

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

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

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

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

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

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

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

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

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

Office of the Town Attorney, 200 Howell Avenue, Riverhead, NY 11901.
Crown Sanitation. Inc., 865 Youngs Avenue, Calverton, NY 11933

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

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

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

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

This instrument may not be changed orally.

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

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

TOWN OF RIVERHEAD

Sean M. Walter, Supervisor

CROWN SANITATION, INC.

Peter Rossano, President



OSBORN AVE

YOLLINGS AVE

Yard Waste Facility

Proposed Parking Area
Approx 2000 sq ft

EXHIBIT A



DESIGNED BY: [Firm Name]
PROJECT NO.: [Project Number]
DATE: [Date]



Property Line Easement:
Suffolk County Real Property Tax Service
COPYRIGHT TO THE COUNTY OF SUFFOLK, N.Y.

TOWN OF RIVERHEAD

200 Third Ave.
Riverhead, New York 11901
www.townofriverhead.net

TOWN OF RIVERHEAD

Resolution # 619

PAYS BILLS

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

ABSTRACT #17-25 JULY 20, 2017 (TBM 8/01/17)			
			Grand
Fund Name	Fund	Ckrun	Totals
GENERAL FUND	1	172,112.00	172,112.00
RECREATION PROGRAM FUND	6	10,552.00	10,552.00
HIGHWAY FUND	111	36,823.53	36,823.53
WATER DISTRICT	112	26,303.96	26,303.96
RIVERHEAD SEWER DISTRICT	114	671,736.17	671,736.17
REFUSE & GARBAGE COLLECTION DI	115	109.61	109.61
STREET LIGHTING DISTRICT	116	1,052.72	1,052.72
PUBLIC PARKING DISTRICT	117	500.00	500.00
AMBULANCE DISTRICT	120	3,482.55	3,482.55
RIVERHEAD SCAVENGER WASTE DIST	128	2,779.18	2,779.18
WORKERS' COMPENSATION FUND	173	7,286.56	7,286.56
CDBG CONSORTIUM ACCOUNT	181	20,116.19	20,116.19
GENERAL FUND DEBT SERVICE	384	1,102,740.00	1,102,740.00
TOWN HALL CAPITAL PROJECTS	406	14,725.00	14,725.00
WATER DISTRICT CAPITAL PROJECT	412	164,650.00	164,650.00
TRUST & AGENCY	735	14,449.96	14,449.96
TOTAL ALL FUNDS		2,249,419.43	2,249,419.43

ABSTRACT #17-26 AUGUST 01, 2017 (TBM 8/01/17)			
			Grand
Fund Name	Fund	Ckrun	Totals
GENERAL FUND	1	159,505.26	159,505.26
POLICE ATHLETIC LEAGUE	4	5,478.40	5,478.40
RECREATION PROGRAM FUND	6	13,546.92	13,546.92
HIGHWAY FUND	111	583.81	583.81
WATER DISTRICT	112	48,973.37	48,973.37
RIVERHEAD SEWER DISTRICT	114	51,533.27	51,533.27

STREET LIGHTING DISTRICT	116	13.28	13.28
CALVERTON SEWER DISTRICT	124	527.33	527.33
RIVERHEAD SCAVENGER WASTE DIST	128	11,463.80	11,463.80
WORKERS' COMPENSATION FUND	173	17,517.08	17,517.08
WATER DISTRICT CAPITAL PROJECT	412	20,584.21	20,584.21
TRUST & AGENCY	735	17,145.52	14,145.52
CALVERTON PARK - C.D.A.	914	88.35	88.35
TOTAL ALL FUNDS		346,960.60	343,960.60

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 620

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR TWO 90" HEAVY DUTY REAR FLAIL MOWERS FOR THE TOWN OF RIVERHEAD

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for **TWO 90" HEAVY DUTY REAR FLAIL MOWERS** for the Town of Riverhead; and

WHEREAS, the Town Clerk is hereby authorized to publish and post the following public notice in the **August 10, 2017** issue of the News Review.

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

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution #620 was **TAKEN OFF THE FLOOR**, motion carried by unanimous vote. Immediately thereafter there was a motion to put to vote, motion carried by unanimous vote.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for **TWO 90" HEAVY DUTY REAR FLAIL MOWERS** will be received by the Office of the Town Clerk at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on or before **2:00 pm on AUGUST 31, 2017** at which time they will be publicly opened and read aloud.

Specifications and guidelines for submission of bids are available on the Town website at www.townofriverheadny.gov, click on "Bid Requests" beginning **AUGUST 10, 2017**.

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.

All bids must be submitted to the Town Clerk's Office, at the address stated above, in a sealed envelope clearly marked **TWO 90" HEAVY DUTY REAR FLAIL MOWERS**". Proposals must be received by the Office of the Town Clerk by no later than **2:00 pm on AUGUST 31, 2017**. Although the bid is for two movers, it is understood that the Town guarantees no minimum or maximum purchases as a result of this bid.

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

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

RIVERHEAD, NEW YORK

TOWN OF RIVERHEAD

Resolution # 621

RATIFIES APPOINTMENT OF LEGAL REPRESENTATION FOR THE ZONING BOARD OF APPEALS

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town Board wishes to reappoint as Special Counsel, Dawn C. Thomas to represent the Zoning Board of Appeals

NOW THEREFORE BE IT RESOLVED, that Dawn C. Thomas is hereby reappointed as Special Counsel to the Zoning Board of Appeals effective May 15, 2017. General representation to the Board including but not limited to appearance at Zoning Board of Appeals meetings, and drafting determinations shall be at an annual rate of \$6,500.00; and

BE IT FURTHER RESOLVED, the Town Clerk be and is hereby directed to forward a copy of this resolution to Dawn C. Thomas, the Office of Accounting, the Zoning Board of Appeals.

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution #621 was **TAKEN OFF THE FLOOR**, motion carried by unanimous vote. Immediately thereafter there was a motion to put to vote, motion carried by unanimous vote.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted