

**May 22, 2013**

**CDA Resolution List:**

**CDA**

**Res. #6 Authorizes Professional Services Agreement for Air Traffic Control Subject Matter Expert**

**CDA**

**Res. #7 Ratifies Execution of Amended and Restated Temporary Use Agreement by the Chairman of the Town of Riverhead Community Development Agency for the Use of the Runway at the Enterprise Park at Calverton for the Temporary Storage of Cars Damaged by Hurricane Sandy**

**Town Board Resolution List:**

**Res. #400 Brixmor Property Group Water Service Capital Project Budget Adoption**

**Res. #401 2012 General Town Capital Projects Closure**

**Res. #402 Open Space and Ethic Committees Budget Adjustment**

**Res. #403 Resolution of Support and Authorization for Application by the Riverhead Sewer District to the Suffolk County Infrastructure Grant Program**

**Res. #404 Approves Support of Eyes on Main Street Arts Program**

**Res. #405 Awards Bid for GE Evolve LED Series Avery Post Top Street Lights**

**Res. #406 Authorizes Town Clerk to Publish and Post the Attached Notice to Bidders for the Light Poles for Main Street**

**Res. #407 Accepts the Resignation of a Groundskeeper I (Ezra Fife)**

**Res. #408 Authorizes the Supervisor to Execute an Amended Settlement Agreement with Crown Sanitation**

**Res. #409 Approves Chapter 90 Application of Jamesport Fire Department to Conduct a Firemen's Carnival**

- Res. #410** Appoints Maintenance Mechanic II's to the Building and Grounds Division of the Town Engineer's Department (Kevin Rambo, John Stoddard)
- Res. #411** Approves the Chapter 90 Application of the Long Island Moose Classic Car Club (Car Show –June 15, 2013)
- Res. #412** Appoints a Wastewater Treatment Plant Operator II (Sean McCabe)
- Res. #413** Ratifies the Appointment of a Temporary Student Intern III to the Engineering Department (Thomas Houghton)
- Res. #414** Appoints a Temporary Substitute Automotive Equipment Operator to the Highway Department (Eric Turpin)
- Res. #415** Appoints Seasonal Beach Attendants to the Recreation Department
- Res. #416** Appoints Seasonal Call-In Lifeguards to the Recreation Department
- Res. #417** Appoints Seasonal Recreation Aides to the Recreation Department
- Res. #418** Appoints Seasonal Recreation Leaders to the Recreation Department
- Res. #419** Sets Salaries for 2013 Summer Personnel for the Recreation Department
- Res. #420** Appoints a Seasonal Clerk to the Recreation Department (Jessica Rachubka)
- Res. #421** Appoints a Scorekeeper Level I to the Recreation Department (Ryan Heins)
- Res. #422** Approves the Chapter 90 Application of Peconic Community Friends of Riverhead Crew (“Learn to Row” – Saturday, June 1, 2013)
- Res. #423** Determines that the House Located at 79 Philip Street, Riverhead, New York, also known as Suffolk County Tax Map No. 600-106-1-21 is an Unsafe and Abandoned Structure and orders the Town Engineering Department to Facilitate the Remediation of Said Structure and to Assess Removal Costs Against the Subject Property
- Res. #424** Authorizes the Supervisor to Execute a Memorandum of Understanding Regarding County of Suffolk/Town of Riverhead Empire Zone

- Res. #425 Awards Bids for Snack Vendors**
- Res. #426 Approves Chapter 90 Application of Starfish junction Productions LLC (North Fork Craft Beer, BBQ & Wine Festival – August 10, 2013)**
- Res. #427 Adopts a Local Law to Amend Chapter 108 of the Town Code of the Town of Riverhead Entitled, “Zoning” (Article XXXIV – Multifamily Residential Professional Office Zone - §108-171. Landscaping, Screening and Buffering)**
- Res. #428 Pays Bills**

05.22.13  
13006

ADOPTED

**TOWN OF RIVERHEAD  
Community Development Agency  
Resolution # 6**

**AUTHORIZES PROFESSIONAL SERVICES AGREEMENT FOR  
AIR TRAFFIC CONTROL SUBJECT MATTER EXPERT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Federal Aviation Administration (FAA) has made public a Request For Information (RFI) for potential locations to site a state-of-the-art 250,000-square-foot facility sometimes referred to as the Liberty Integrated Control Facility (Liberty ICF) that will replace existing terminal radar approach control facilities, known as TRACONs, within the New York Enroute Air Traffic Control Center's airspace, as well as the New York Enroute Center's under-30,000 feet operations; and

**WHEREAS**, the EPCAL site meets the FAA criteria and would help the FAA merge operations into a state of the art facility – the first such facility built by the FAA under its plan to consolidate existing air traffic control facilities in the northeast corridor and shift to the Next Generation air transportation system (3 key components being: performance-based navigation, more precise surveillance of aircraft positions and digital communications over the current voice-based radar communication system); and

**WHEREAS**, the Town of Riverhead Community Development Agency (CDA) Board desires to foster continued sustainable economic development at the Calverton Enterprise Park (EPCAL) site; and

**WHEREAS**, the CDA Board desires to encourage the FAA to locate the Liberty ICF at EPCAL with the goal to capture the 800 existing jobs with salaries of \$80,000 and higher (with potential to increase to 1200 jobs) as well as the numerous primary and secondary economic benefits associated with the planning, design, construction, population, operation and maintenance of this important world class federal facility to manage national airspace (the initial cost of building the Liberty ICF is estimated to be \$2.3 billion); and

**WHEREAS**, Richard Marakovitz is a Subject Matter Expert (SME) with significant experience and knowledge in matters of air commerce and air traffic control having served as among other things, Air Traffic Manager at the FAA New York Center; and

**WHEREAS**, Richard Marakovitz has proposed to provide detailed expertise and counsel as to FAA initiatives of interest to the Town of Riverhead and provide expert counsel to prepare responses to inquiries related to such initiatives to non-Town entities to include the FAA; and

**NOW, THEREFORE, BE IT RESOLVED**, Richard Marakovitz is hereby authorized to proceed with SME consultant services at the rate of \$200/hour not to exceed \$5,000; and

**BE IT FURTHER RESOLVED**, that the CDA Board does hereby authorize the Accounting Department to issue a Town of Riverhead Purchase Order not to exceed the amount listed above; and

**BE IT FURTHER RESOLVED**, that the CDA Board does hereby authorize the Chairman to enter into a Town of Riverhead Consultant/Professional Services Agreement with Richard Marakovitz subject to review and approval by the Town Attorney; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution shall be sent to Richard Marakovitz, with electronic copies sent to the CDA, the Accounting Department and the Town Attorney; and

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

05.22.13  
13007

ADOPTED

**TOWN OF RIVERHEAD  
COMMUNITY DEVELOPMENT AGENCY**

**Resolution # 7**

**RATIFIES EXECUTION OF AMENDED AND RESTATED TEMPORARY USE  
AGREEMENT BY THE CHAIRMAN OF THE TOWN OF RIVERHEAD COMMUNITY  
DEVELOPMENT AGENCY FOR THE USE OF THE RUNWAY AT THE ENTERPRISE  
PARK AT CALVERTON FOR THE TEMPORARY STORAGE OF CARS DAMAGED  
BY HURRICANE SANDY**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen,

**WHEREAS**, on November 15, 2012 the Town of Riverhead Community Development Agency (“CDA”) authorized the Chairman of the CDA to enter into an agreement (“the Agreement”) with Insurance Auto Auctions Auto Corp. (“IAA”) for the temporary storage of vehicles damaged by Hurricane Sandy on the 7,000 foot runway and associated taxiway and other paved areas at the Enterprise Park and Calverton (“EPCAL”); and

**WHEREAS**, IAA has acted in compliance with all state and local laws and regulations since the commencement of the aforementioned agreement; and

**WHEREAS**, representatives from the New York State Department of Environmental Conservation (“NYSDEC”) have inspected the IAA operation at EPCAL and found the operation to be in compliance with any and all NYSDEC operations; and

**WHEREAS**, the Agreement allowed IAA the use of the 52.5 acres for 6 months with the option extend the Agreement for another three months; and

**WHEREAS**, IAA has notified the Town that they have processed a majority of the cars damaged by Hurricane Sandy and no longer require the use of the full runway associated areas and are therefore do not wish to extend the Agreement; and

**WHEREAS**, IAA has expressed an interest in entering to a Amended and Restated Temporary use Agreement for the use of 15 acres of the 7,000 foot runway at EPCAL on a month to month basis for three thousand two hundred dollars (\$3,200.00) a

month per acre, with the right to reduce the amount property used to 10 acres as their operation winds down upon written notice to the Town; and

**NOW, THEREFORE, BE ITRESOLVED,** that in the matter of the Amended and Restated Temporary Use Agreement for the use of a portion of the runway at EPCAL the Town of Riverhead Community Development Agency hereby declares itself to be the Lead Agency and further determines the Action to be an Type I action pursuant to 6NYCRR Part 617 with no significant adverse impacts to either the natural or social environment and that a Draft Environmental Impact Statement need not be prepared; and

**BE IT FURTHERRESOLVED,** that the CDA be and hereby ratifies the execution of anAmended and Restated Temporary Use Agreementby the Chairman allowing IAA to use a portion of the runway at EPCAL for the temporary storage of cars damaged by Hurricane Sandy on the aforementioned runway; and be it further

**BE IT FURTHER RESOLVED,** that the Town Clerk is hereby directed to forward a certified copy of this resolution to Insurance Auto Auctions, Inc., Two Westbrook Corporate Center, Suite 500, Westchester, Illinois 60154, Attention Richard Hoopis, Esq.

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

05.22.13  
130400

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 400**

**BRIXMOR PROPERTY GROUP**  
**WATER SERVICE CAPITAL PROJECT**

**BUDGET ADOPTION**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, \$105,129.47 has been received from Centro NP Residual Holding, for the installation of a water service installation located at "The Shops at Riverhead"; and

**WHEREAS**, Resolution #120 adopted 2/5/13 renewed a bid award with Bancker Construction allowing the Water District Superintendent to secure purchase orders for the installation of service.

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
412.092705.421050.30109	Developer Fees	105,129.47	
412.083200.523002.30109	Water Main/Service		105,129.47

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

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

**THE VOTE**

Giglio <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Gabrielsen <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 # 401**

**2012 GENERAL TOWN  
CAPITAL PROJECTS CLOSURE**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the following Capital Projects are considered complete:

- Capital Project#40207 – 2012 Installation of Waste Oil Tank
- Capital Project#44017 – 2009 East End Art Council Site Improvement Project
- Capital Project#44019 – Riverhead Downtown Revitalization project
- Capital Project#44023 – 2011 Riverfront Dock & Rowing Project
- Capital Project#44024 – Community Garden Playground Improvement
- Capital Project#44025 – 2012 BYRNE Memorial Grant (JAG) Tahoe
- Capital Project#44027 – 2012 NYS EFC Pumpout Project
- Capital Project#45117 – 2012 CHIPs Resurfacing Project

**NOW THEREFORE BE ITRESOLVED**, that the Town Board hereby authorizes the Accounting Department to close the projects, modify the budgets and complete the necessarytransfer of residual funds back to its origination of the General Fund.

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting and Engineering 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**

Giglio	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Gabrielsen	<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

05.22.13  
130402

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 402**

**OPEN SPACE AND ETHIC COMMITTEES BUDGET ADJUSTMENT**

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

**WHEREAS**, a budget adjustment is necessary to fund secretarial services of the Farmland Open Space and the Ethics Committees; and

**WHEREAS**, the additional funds necessary are available from the two Town Council people who declined their pay increase for 2013.

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

		<u>FROM</u>	<u>TO</u>
001.010100.511500	Town Board Personal Services	2,700.00	
001.014200.512500	Overtime, non-uniform		2,700.00

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Town Attorney 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**

Giglio <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Gabrielsen <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

05.22.13  
130403

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 403**

**RESOLUTION OF SUPPORT AND AUTHORIZATION FOR APPLICATION  
BY THE RIVERHEAD SEWER DISTRICT TO THE SUFFOLK COUNTY  
INFRASTRUCTURE GRANT PROGRAM**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Riverhead Town Board is the Governing Body of the Riverhead Sewer District which provides sewer collection and treatment for the Suffolk County Center Correction Facility Complex, Downtown Riverhead and the commercial area of Route 58, and

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

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

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

**WHEREAS**, H2M has prepared detailed plans of design and specification suitable for public bidding and award to construct the upgraded treatment plant in conformance with the TMDL requirements, which plans and specifications were funded by a mandated no net nitrogen increase fund at the expense of \$1,085,800 which has been paid by the Sewer District, and

**WHEREAS**, the most recent project cost update prepared by H2M and attached hereto detail a total project cost opinion of \$23,000,000 and,

**WHEREAS**, the Suffolk County Infrastructure Program is accepting Grant Applications for wastewater treatment improvements of the exact nature required by the TMDL Study.

**NOW, THEREFORE, BE IT RESOLVED** that the Riverhead Town Board hereby supports and requests that the County of Suffolk authorize grant funding in the amount of \$12,877,750 through the Sewer Infrastructure Grant Program for construction of the Advanced Wastewater Treatment Facility for Compliance with the Peconic Estuary TMDL as set forth in the Facility Design Engineering Report dated December 2010 and that the Town Supervisor of the Town of Riverhead be, and hereby is authorized to execute and deliver any and all documents, applications, drawings, deigns and reports necessary to secure funding through the Suffolk County Infrastructure Program, and

**BE IT FURTHER RESOLVED**, that the Riverhead Town Clerk shall send certified copies of this resolution to The Honorable Albert Krupski, Suffolk County Legislator; Peter Scully, Regional Director, NYS DEC; Sewer Superintendent Michael Reichel; Frank Russo, P.E., H2M Group; and Frank Isler, Esq.

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted



architects + engineers

175 Pinelawn Road, Ste 308 tel 631.756.8000  
Melville, NY 11747 fax 631.393.6322

May 15, 2013

Supervisor and Town Board  
Town of Riverhead  
200 Howell Avenue  
Riverhead, NY 11901-2596

**Re: Riverhead Sewer District  
Riverhead Advanced Wastewater Treatment Facility TMDL Upgrade  
Suffolk County Sewer Infrastructure Funding Application  
Project Cost Update**

Dear Supervisor Walter and Town Board:

In order to prepare the Suffolk County Sewer Infrastructure Application, we are required to update the total project cost for the referenced project.

Table 1 shows the derivation of the new project cost for your consideration.

**Table 1 - Upgrade - Updated Project Cost for TMDL**

REF.	Cost Component	Amount
1	December 2010 Construction Cost (4 Construction Contracts – included Wind Turbine):	\$20,000,000
2	(Less Wind Turbine):	(\$2,010,000)
3	<i>Construction Cost for TMDL Upgrade in 2010 Money . . .</i>	\$17,990,000
4	Inflation Adjustment (using ENR cost indices to January 2015 – Midpoint of Construction):	\$3,800,000
5	<i>Total Projected Construction Cost (assumes Town award by January 2014) . . .</i>	\$21,790,000
6	ASCE Total Adjusted Basic Compensation for Construction Administration Only *:	\$435,000
7	Resident Engineering (Inspection) (24 months x 23 days per month x 8 hrs. per day x \$140 per hr.) (approx.):	\$620,000
8	Operation & Maintenance Manual:	\$85,000
9	Non-ASCE Misc. Services (printing, bond council, sewer district council) from 2009 Map & Plan:	\$70,000
10	<i>Total Project Cost Opinion as of May 10, 2013 . . .</i>	\$23,000,000

\* Design cost remains unchanged from 2009 Map & Plan and is not included in this table because a Town purchase order has been issued (\$949,000)



Supervisor Sean Walter and Town Board  
Suffolk County Sewer Infrastructure Funding Application  
May 15, 2013  
Page 2 of 3

The project cost has increased since the adoption of the March 2009 Map & Plan. The total project cost, which included the design and other design related soft costs, cited in the Map & Plan was \$17,872,000.

Table 2 provides the derivation of the total net project cost considering on-hand grants, sewer district fund balance (“No Net Nitrogen”) and tax revenue for years 2014 and 2015.

**Table 2 - Net Total Project Cost**

1	Updated Project Cost (Line 10 of Table 1):	\$23,000,000.
2	(Less Clean Water / Clean Air Bond Act Grant):	(\$2,095,000.)
3	(Less “No Net Nitrogen” Fund Balance)	(\$4,000,000.)
4	(Less Additional “No Net Nitrogen” Charges for New Connections 2013, 2014, 2015	(\$200,000.)
5	(Less Revenue Generated By Sewer Tax Increase for 2014 and 2015 – 2% State Cap)	(\$356,000.)
6	<i>Net Estimated Project Cost . . .</i>	\$1,634,900.
7	NYSEFC Estimated Finance Charge	\$200,000.
8	<i>Total Net Project Cost . . .</i>	<b>\$16,549,000.</b>

If the Town were to seek NYSEFC financing and bond the total net project cost for 30 years at 2%, the annual debt service would be approximately \$754,000. Assuming a 2% rate increase in the sewer levy for years 2014 and 2015, the 2016 sewer levy to retire the project’s debt would be \$3.253 per \$1,000 AV (assuming no change in AV for years 2013, 2014, 2015 and 2016). This projected rate would be approximately a 600 percent increase from 2012-2013 rates.

The Suffolk County Sewer Infrastructure Program requires the applicant to name the amount of the grant (or loan) for which the applicant seeks through the “excess tax rate stabilization fund”. Assuming that the overall sewer levy rate increase be capped at 25% from the current tax levy rate through 2016, the resulting tax increase is \$0.569 per \$1,000 AV. This would generate approximately \$3,471,000 over the life of the loan (30 years @ 2%).

Considering the Town’s funding sources and project cost, we suggest a grant amount of \$12,877,500 be requested through the Suffolk County Sewer Infrastructure program. We have attached a pdf of the spreadsheet we developed to calculate the amount of the grant.

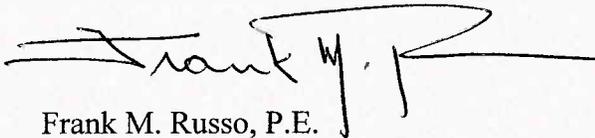
We will be happy to review the derivation of the grant amount at your convenience.

Supervisor Sean Walter and Town Board  
Suffolk County Sewer Infrastructure Funding Application  
May 15, 2013  
Page 3 of 3

Please feel free to contact me at (631) 393-4961 should you have any questions.

Very truly yours,

**HOLZMACHER, McLENDON & MURRELL, P.C.**



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

Enclosure

cc: John Dunleavy, Councilman (w/encl.)  
George Gabrielsen, Councilman (w/encl.)  
Jodi Giglio, Councilwoman (w/encl.)  
James Wooten, Councilman (w/encl.)  
Diane M. Wilhelm, Town Clerk (w/encl.)  
Superintendent Michael P. Reichel (w/encl.)  
Jill Lewis, Deputy Supervisor (w/encl.)  
William J Rothaar, CPA, Financial Administrator (w/encl.)  
Richard A. Ehlers, Esq. (w/encl.)  
C. Weiss, N. Bono, S. Cluff (w/encl.)



05.22.13  
130404

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 404**

**APPROVES SUPPORT OF EYES ON MAIN STREET ARTS PROGRAM**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Community Development Department applied for and was awarded \$250,000 in funding through the New York State Division of Housing and Community Renewal's New York State Main Street Grant Program; and

**WHEREAS**, the Riverhead Main Street Area is a priority of the Town Board of the Town of Riverhead and has been the focus of numerous plans and studies, capital improvement projects and substantial investment by Town of Riverhead; and

**WHEREAS**, the Community Development Department has successfully administered three prior Main Street grants on behalf of the Business Improvement District resulting in a total of \$900,000 in state funds in and approximately \$10,000,000 in private funds being used to improve the central district;

**WHEREAS**, the town will be able to continue to provide participating property owners with matching renovation grants of up to \$50,000/building, plus an additional \$10,000 for each residential unit assisted, not to exceed 75% of the Total Project Cost or \$100,000 whichever is less; and

**WHEREAS**, the 2010 grant allows for 7.5% (\$18,750) to offset the administrative responsibilities of overseeing the Main Street Program; and

**WHEREAS**, the marketing of the Main Street business district is an acceptable administrative expense per the grant guidelines; and

**WHEREAS**, "Eyes On Main Street" is a community-based public art project for Downtown Riverhead sponsored by the East End Arts Council; and

**WHEREAS**, "Eyes On Main Street" will promote an awareness of the rich and varied spaces and stories of Riverhead's citizens, drawing upon an oral histories and can be an integral part of Main Street's cultural revitalization, directly involving local citizens in creating a temporal installation and online archive of evocative video portraits presenting the diversity and unique history of our community.

**THEREFORE, BE IT RESOLVED**, that the Town Board hereby approves \$500 from the administrative portion of the 2012 Main Street grant to support, "Eyes On Main Street."

**THEREFORE, BE IT FURTHER RESOLVED**, that the Riverhead Town Board authorizes the Supervisor to execute a contract with New York State Division of Housing and Community Renewal.

**THEREFORE, BE IT FURTHER RESOLVED**, that upon approval by the Grantor, the Town Board authorizes the Supervisor to execute the required agreement between DHCR and the Town of Riverhead and to undertake the program as approved including entering into sub-recipient agreements subject to review and approval by the Town Attorney; and

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

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter - ABSTAIN

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 405**

**AWARDS BID FOR GE EVOLVE LED SERIES  
AVERY POST TOP STREET LIGHTS**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Town Clerk was authorized to publish and post a Notice to Bidders for GE Evolve LED series Avery Post Top street lights for Main Street, Riverhead, NY; and

**WHEREAS**, three (3) bids were received, opened and read aloud on April 26, 2013 at 11:00 am in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York.

**NOW, THEREFORE, BE IT RESOLVED**, that the bid for the GE Evolve LED Series Avery Post Top (EPAS-0-D5-A-41-B-2-F-BLCK-FT) street lights with the ten (10) year warranty be and is hereby awarded to Kelly and Hayes for 70 fixtures at \$1,288 each for a total of Ninety Thousand One Hundred Sixty & 00/100 (\$90,160.00); and

**BE IT FURTHER RESOLVED**, that the Town Board be and does hereby authorize the Engineering Department to secure a Town of Riverhead Purchase Order from the Purchasing Department in the amount of \$90,160.00; and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to return any and all bid bonds received in connection with this bid; and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Engineering Department, Community Development, Purchasing Department, IT Department and the Office of Accounting and Kelly Hayes Electrical Supply of LI, Inc., 66 Southern Blvd, Nesconset, NY 11767.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

05.22.13  
130406

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 406**

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST THE ATTACHED NOTICE TO BIDDERS FOR THE LIGHT POLES FOR MAIN STREET**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders for the Light Poles for Main Street, Riverhead, NY; and

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

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

**THE VOTE**

Giglio Yes No      Gabrielsen 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 proposals for Light Pole for Main Street will be received by the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 4:00 pm on June 27, 2013 and will be publicly opened and read aloud at 11:00 am on June 28, 2013 in the Office of the Town Clerk.

Plans and specifications may be examined and/or obtained on or about May 31, 2013 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website:

[www.townofriverheadny.gov](http://www.townofriverheadny.gov) and click on Bid Requests.

Each proposal must be submitted on the form provided and must be in a sealed envelope clearly marked, "Light Pole Main Street" and must be accompanied by a bid surety as stated in the Instruction to Bidders.

Please take further notice, that the Town Board reserves the right to reject in whole or in part any or all bids, waive any informality in the bids and accept the bid which is deemed most favorable in the interest of the Town of Riverhead. The Town Board will use its discretion to make judgmental determination as to its best estimate of the lowest bidder. Note: Bid responses must be delivered to 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, NY 11901

Dated: May 22, 2013

05.22.13  
130407

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 407**

**ACCEPTS THE RESIGNATION OF A GROUNDSKEEPER I**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Town has received written notification from Ezra Fife, a Groundskeeper I in the Buildings and Grounds division of the Town Engineer's department, indicating his intent to resign effective close of business May 11, 2013.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby accepts the resignation of Ezra Fife.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

05.22.13  
130408

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 408**

**AUTHORIZES THE SUPERVISOR TO EXECUTE  
AN AMENDED SETTLEMENT AGREEMENT WITH CROWN SANITATION**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, by Resolution # 661, adopted on September 1, 2011, the Town Board of the Town Board authorized the Supervisor to execute an Stipulation of Settlement with Crown Sanitation, in substantially the same form annexed thereto; and

**WHEREAS**, by Resolution # 843, adopted on November 15, 2011, the Town Board of the Town Board authorized the Supervisor to execute an amended Stipulation of Settlement with Crown Sanitation, in substantially the same form annexed thereto; and

**WHEREAS**, a Stipulation of Settlement was entered between the parties; and

**WHEREAS**, the parties wish to execute an Amended Stipulation of Settlement to provide for two additional months to complete grinding of yard waste.

**NOW BE IT RESOLVED**, that the Town Board be and hereby authorizes the Supervisor to execute an Amended Stipulation of Settlement with Crown Sanitation, in substantially the same form annexed hereto; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

-----X

TOWN OF RIVERHEAD,

Plaintiff,

-against-

Index No. 09-29518

CROWN SANITATION ROLL OFF SERVICE INC.,  
CROWN SANITATION FRONT END SERVICES, INC., AMENDED  
RELIANCE LEASING CORP., FRANK ROSSANO, and STIPULATION OF  
ROSSANO FAMILY LIMITED PARTNERSHIP, JOHN SETTLEMENT  
ROES AND MARY ROES "1" to "10", said names being  
Fictitious and presently unknown but who are believed to be  
tenants, operators, contractors, invitees, and/or licensees of  
865 Youngs Avenue, Calverton, New York.

Defendants.

-----X

WHEREAS, the parties to this litigation entered into a Stipulation of Settlement on or about November 15, 2011; and

WHEREAS, the parties wish to amend the Stipulation of Settlement to modify paragraph 2 thereof.

NOW, THEREFORE, the undersigned parties hereby stipulate and agree as follows:

1. That paragraph 2 of the Stipulation, shall be amended as follows:
2. At no cost to Plaintiff and for a period of twenty (20) months from the date of the Stipulation of Settlement dated November 15, 2011, the Defendant will provide all necessary and adequately sized equipment, personnel and fuel to efficiently and safely double grind and screen loose (not bagged) grass, leaves, brush, logs and branches (the "yard waste") into mulch at the Town of Riverhead Yard Waste Facility (the "Facility") at Youngs Avenue, Riverhead, New York, and subject to the performance specifications set forth below:

2. This amended Stipulation of Settlement shall not be deemed to modify any other provision of the Stipulation and the parties agree that all prior provisions, except that modified in paragraph 2 as set forth above remain in full force and effect.

3. It is further agreed by all the parties to this Amended Stipulation of Settlement that such remedy for breach of this Stipulation of Settlement does not in any way prevent either party from pursuing any and all rights it may have under the Laws of the State of New York.

4. This Amended Stipulation of Settlement may be filed with the Court at the Office of the Clerk of Suffolk County without further notice to either party.

Dated: Riverhead, New York  
May 13, 2013

\_\_\_\_\_  
TOWN OF RIVERHEAD

By: Sean M. Walter, Town Supervisor,  
pursuant to Resolution \_\_\_\_\_ of the Town  
Board of the Town of Riverhead  
duly adopted on \_\_\_\_\_

\_\_\_\_\_  
FRANK ROSSANO

CROWN SANITATION ROLL OFF SERVICE, INC.

By \_\_\_\_\_

CROWN SANITATION FRONT END SERVICES, INC.

By \_\_\_\_\_

RELIANCE LEASING CORP.

By \_\_\_\_\_

ROSSANO FAMILY LIMITED PARTNERSHIP

By \_\_\_\_\_

05.22.13  
130409

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 409**

**APPROVES CHAPTER 90 APPLICATION OF JAMESPORT FIRE DEPARTMENT TO  
CONDUCT A FIREMEN'S CARNIVAL  
(July 9<sup>th</sup> through July 13<sup>th</sup>, 2013)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, on March 8, 2013, the Jamesport Firemen's Association submitted a Chapter 90 Application for the purpose of conducting a Firemans' Carnival to be held at the George Young Community Center, S. Jamesport Avenue, Jamesport, New York, on Tuesday, July 9, 2013 through Saturday, July 13, 2013, between the hours of 5:00 p.m. and 12:00 midnight; and

**WHEREAS**, the Jamesport Firemen's Association 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 Firemen's Association has requested the Chapter 90 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 Town of Riverhead hereby determines the action to be an "Unlisted" action in accordance with 6 NYCRR 617.7(a) and hereby issues a Negative Declaration pursuant to 6 NYCRR 617.7(a)(2); and be it further

**RESOLVED**, that the application of the Jamesport Firemen's Association for the purpose of conducting a Firemen's Carnival to be held at the George Young Community Center, S. Jamesport Avenue, Jamesport, New York, on Tuesday, July 9, 2013 through Saturday, July 13, 2013 between the hours of 5:00 p.m. and 12:00 midnight 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 Public Gathering/Emergency Medical Services (EMS) permit(s);

**RESOLVED**, that Chapter 46 entitled “Alcoholic Beverages” is deemed to be waived for the service of alcoholic beer during the event at or in locations and by licensed alcohol service providers to be determined prior to the commencement of the event; 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 employees of the Riverhead Buildings and Grounds Department, the Riverhead Police Department, the Riverhead Highway Department, the Sanitation Department and the Riverhead Fire Marshal Office are hereby authorized to utilize overtime expenditures to ensure the necessary public safety and security in connection with this event; and be it further

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

**RESOLVED**, that the Town Board of the Town of Riverhead hereby waives the Chapter 90 Application fee for this event due to their 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 Firemen’s Association, Attn: Sean McCabe, P.O. Box 78, Jamesport, New York, 11947; and be it further

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

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No  
The Resolution Was  Thereupon Duly Declared Adopted

05.22.13  
130410

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 410**

**APPOINTS MAINTENANCE MECHANIC II'S TO THE BUILDING AND GROUNDS  
DIVISION OF THE TOWN ENGINEER'S DEPARTMENT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, vacancies for the position of Maintenance Mechanic II exist in the Building and Grounds Division of the Town Engineer's Department; and

**WHEREAS**, the positions were duly posted for, Job Postings #4 and #5, duly advertised for, interviews were conducted; and

**WHEREAS**, pursuant to a completed background investigation and personal interview, it is the recommendation of the Town Personnel Committee to appoint Kevin Rambo and John Stoddard to these vacant positions.

**NOW, THEREFORE, BE IT RESOLVED**, that effective May 23, 2013 this Town Board hereby appoints Kevin Rambo and John Stoddard to the positions of Maintenance Mechanic II as found in Group 7, Step P of the Operational and Technical Salary Schedule in the CSEA contract; and,

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

**THE VOTE**

Giglio Yes No  
Wooten - ABSTAIN

Gabrielsen Yes No  
Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

05.22.13  
130411

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 411**

**APPROVES THE CHAPTER 90 APPLICATION OF  
THE LONG ISLAND MOOSE CLASSIC CAR CLUB  
(Car Show – June 15, 2013)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, on May 8, 2013, the Long Island Moose Classic Car Club submitted a Chapter 90 Application for the purpose of conducting a car show, said event to include live entertainment, to be held on Saturday, June 15, 2013, having a rain date of Saturday, June 22, 2013, at the Tanger Shopping Mall (Office Max parking lot), located at 1947 Old Country Road, Riverhead, New York, between the hours of 8:00 a.m. and 4:00 p.m.; and

**WHEREAS**, the Long Island Moose Classic Car Club has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

**WHEREAS**, the Long Island Moose Classic Car Club has requested the applicable Chapter 90 Application fee be waived due to its not-for-profit status; and

**WHEREAS**, the Long Island Moose Classic Car Club has requested the applicable temporary event sign 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 Town of Riverhead hereby determines the action to be an “Unlisted” action in accordance with 6 NYCRR 617.7(a) and hereby issues a Negative Declaration pursuant to 6 NYCRR 617.7(a)(2); and be it further

**RESOLVED**, that the Chapter 90 Application of the Long Island Moose Classic

Car Club for the purpose of conducting a car show, said event to include live entertainment, to be held on Saturday, June 15, 2013, having a rain date of Saturday, June 22, 2013, at the Tanger Shopping Mall (Office Max parking lot), located at 1947 Old Country Road, Riverhead, New York, between the hours of 8:00 a.m. and 4:00 p.m., is hereby approved; and be it further

**RESOLVED**, that the Town Board hereby waives the Chapter 90 Application fee due to the applicant's not-for-profit status; and be it further

**RESOLVED**, that the Town Board hereby waives the applicable temporary special event sign fee due to the applicant's not-for-profit status; and be it further

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

**RESOLVED**, that approval for this event shall be subject to the receipt of required Suffolk County Department of Health permit(s), including the Temporary Food Service Permit; and be it further

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

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Long Island Moose Classic Car Club, c/o Charles Cali, 45 Laurin Road, Calverton, New York, 11933; and be it further

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

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 412**

**APPOINTS A WASTEWATER TREATMENT PLANT OPERATOR II**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, Sean McCabe has been serving as a provisional appointment in the position of Wastewater Treatment Plant Operator II since December 19, 2012; and

**WHEREAS**, the Suffolk County Department of Civil Service has established a certified List of Eligibles, list # 13-7462-062, on April 12, 2013 for the position of Wastewater Treatment Plant Operator II, and Sean McCabe is immediately reachable on the County-wide list; and

**WHEREAS**, Civil Service regulations require that a permanent appointment of a provisional employee be made within sixty days of the date a Certified List of Eligibles is first established.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to Civil Service regulations, this Town Board hereby removes the provisional status of Sean McCabe and appoints him to the title of Wastewater Treatment Plant Operator II effective May 23, 2013 at no change to his current salary or other level of benefits.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

05.22.13  
130413

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 413**

**RATIFIES THE APPOINTMENT OF A TEMPORARY STUDENT INTERN III TO THE  
ENGINEERING DEPARTMENT**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the need for a temporary Student Intern exists in the Department of the Town Engineer; and

**WHEREAS**, a recommendation has been made by the Town Engineer to appoint Thomas Houghton to the position.

**NOW THEREFORE BE IT RESOLVED**, that effective for the period of May 20, 2013 through August 31, 2013 this Town Board hereby ratifies the appointment of Thomas Houghton to the position of temporary Student Intern III at the hourly rate of \$15.00.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

05.22.13  
130414

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 414**

**APPOINTS A TEMPORARY SUBSTITUTE AUTOMOTIVE EQUIPMENT OPERATOR  
TO THE HIGHWAY DEPARTMENT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, a temporary Automotive Equipment Operator is needed in the Highway Department to substitute for an existing staff member who is on a leave of absence; and

**WHEREAS**, pursuant to a completed background investigation, a recommendation of a suitable candidate has been made by the Highway Superintendent.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby appoints Eric Turpin to the position of temporary Automotive Equipment Operator effective May 22, 2013 at the hourly rate of \$19.00.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

05.22.13  
130415

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 415**

**APPOINTS SEASONAL BEACH ATTENDANTS TO THE RECREATION DEPARTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

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

**NOW THEREFORE BE IT RESOLVED**, that effective May 25, 2013 through and including September 15, 2013, this Town Board hereby appoints the attached list of Call-In Beach Attendants to the Recreation Department

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**RECREATION DEPARTMENT APPOINTMENTS  
5/22/13 TOWN BOARD MEETING**

<b><u>Last</u></b>	<b><u>First</u></b>	<b><u>Title</u></b>	<b><u>Level</u></b>	<b><u>Start</u></b>	<b><u>End</u></b>	<b><u>Salary</u></b>
Andrejack	Mark	Call-In Beach Attendant	I	5/25/13	9/15/13	\$8.70
Burgio	Franco	Call-In Beach Attendant	I	5/25/13	9/15/13	\$8.70
Corwin	Alar	Call-In Beach Attendant	I	5/25/13	9/15/13	\$8.70
Czelatka	Daniel	Call-In Beach Attendant	I	5/25/13	9/15/13	\$8.70
Keller	Anni	Call-In Beach Attendant	I	5/25/13	9/15/13	\$8.70
Keller	Grace	Call-In Beach Attendant	I	5/25/13	9/15/13	\$8.70
Kujawa	Emily	Call-In Beach Attendant	I	5/25/13	9/15/13	\$8.70
Lynn	Ryan	Call-In Beach Attendant	I	5/25/13	9/15/13	\$8.70
Mottern	Sara	Call-In Beach Attendant	I	5/25/13	9/15/13	\$8.70
Peters	Caitlyn	Call-In Beach Attendant	I	5/25/13	9/15/13	\$8.70
Sacchitello	Christina	Call-In Beach Attendant	I	5/25/13	9/15/13	\$8.70
Tedesco	Alyssa	Call-In Beach Attendant	I	5/25/13	9/15/13	\$8.70
Zarembo	Jill	Call-In Beach Attendant	I	5/25/13	9/15/13	\$8.70

05.22.13  
130416

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 416**

**APPOINTS SEASONAL CALL- IN LIFEGUARDS TO THE RECREATION DEPARTMENT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

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

**NOW THEREFORE BE IT RESOLVED**, that effective May 25, 2013 through and including September 2, 2013, this Town Board hereby appoints the attached list of Call-In Lifeguards to the Recreation Department

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**RECREATION DEPARTMENT APPOINTMENTS  
5/22/13 TOWN BOARD MEETING**

<b><u>Last</u></b>	<b><u>First</u></b>	<b><u>Title</u></b>	<b><u>Level</u></b>	<b><u>Start Date</u></b>	<b><u>End Date</u></b>	<b><u>Salary</u></b>
Badalian	Kaden	Call-In Lifeguard	I	5/25/13	9/2/13	\$11.00
Hunter	Terence	Call-In Lifeguard	I	5/25/13	9/2/13	\$11.00
Mehalakes	Christopher	Call-In Lifeguard	I	5/25/13	9/2/13	\$11.00
Norton	Michael	Call-In Lifeguard	I	5/25/13	9/2/13	\$11.00

05.22.13  
130417

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 417**

**APPOINTS SEASONAL RECREATION AIDES TO THE RECREATION DEPARTMENT**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

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

**NOW THEREFORE BE IT RESOLVED**, that effective June 1, 2013 through and including August 23, 2013, this Town Board hereby appoints the attached list of Summer Recreation Aides to the Recreation Department

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**RECREATION DEPARTMENT APPOINTMENTS  
5/22/13 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Level</u>	<u>Start Date</u>	<u>End Date</u>	<u>Salary</u>
Barnes	Matthew	Summer Rec. Aide	II	6/1/13	8/23/13	\$9.90
Bates	Santina	Summer Rec. Aide II*	IV	6/1/13	8/23/13	\$13.40
Behr	Michelle	Summer Rec. Aide*	II	6/1/13	8/23/13	\$10.15
Boden	Katie	Summer Rec. Aide	II	6/1/13	8/23/13	\$9.90
DiResta	Samantha	Summer Rec. Aide	V	6/1/13	8/23/13	\$10.90
Harden	Jordan	Summer Rec. Aide*	VI	6/1/13	8/23/13	\$11.50
Heins	Stephanie	Summer Rec. Aide II*	I	6/1/13	8/23/13	\$11.50
Hill	Kathryn	Summer Rec. Aide	III	6/1/13	8/23/13	\$10.20
Hubbard	Paige	Summer Rec. Aide	I	6/1/13	8/23/13	\$9.00
Hutchinson	Scott	Summer Rec. Aide II	II	6/1/13	8/23/13	\$12.40
Inzalaco	Joseph	Summer Rec. Aide	II	6/1/13	8/23/13	\$9.90
McWhirter	Liliana	Summer Rec. Aide	II	6/1/13	8/23/13	\$9.90
Miloski	Kelly	Summer Rec. Aide	VI	6/1/13	8/23/13	\$11.25
Myers	Kayla	Summer Rec. Aide	II	6/1/13	8/23/13	\$9.90
Padilla	Migdalia	Summer Rec. Aide	I	6/1/13	8/23/13	\$9.00
Patrick	Elissa	Summer Rec. Aide	III	6/1/13	8/23/13	\$10.20
Piro	Michael	Summer Rec. Aide*	II	6/1/13	8/23/13	\$10.15
Sendlewski	Jason	Summer Rec. Aide*	V	6/1/13	8/23/13	\$11.15
Smith	Amanda	Summer Rec. Aide	I	6/1/13	8/23/13	\$9.00
Strange	Dajuon	Summer Rec. Aide*	IV	6/1/13	8/23/13	\$10.80
Tetrault	Victoria	Summer Rec. Aide	III	6/1/13	8/23/13	\$10.20
VanDeurs	Samantha	Summer Rec. Aide	III	6/1/13	8/23/13	\$10.20
Young	Krystal	Summer Rec. Aide	VIII	6/1/13	8/23/13	\$12.00

\*CPR certified

05.22.13  
130418

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 418**

**APPOINTS SEASONAL RECREATION LEADERS TO THE RECREATION DEPARTMENT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

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

**NOW THEREFORE BE IT RESOLVED**, that effective June 1, 2013 through and including August 23, 2013, this Town Board hereby appoints the attached list of Summer Recreation Leaders to the Recreation Department

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**RECREATION DEPARTMENT APPOINTMENTS  
5/22/13 TOWN BOARD MEETING**

<b><u>Last</u></b>	<b><u>First</u></b>	<b><u>Title</u></b>	<b><u>Level</u></b>	<b><u>Start Date</u></b>	<b><u>End Date</u></b>	<b><u>Salary</u></b>
Amato	Kristina	Fill-in Summer Program Leader	II	6/1/13	8/23/13	\$9.90
Berry	Lauren	Summer Program Leader	III	6/1/13	8/23/13	\$15.30
Cook	Jennifer	Fill-in Summer Program Leader	II	6/1/13	8/23/13	\$14.85
Horton	Rosaleigh	Summer Program Leader	I	6/1/13	8/23/13	\$13.50
Inzalaco	Robert	Summer Program Leader	IV	6/1/13	8/23/13	\$15.75
Lindsay	Lisa	Fill-in Summer Program Leader	X	6/1/13	8/23/13	\$18.80
Stephenson	Kyle	Summer Program Leader	IV	6/1/13	8/23/13	\$15.75
VanDeurs	Christian	Summer Program Leader	I	6/1/13	8/23/13	\$13.50

05.22.13  
130419

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 419**

**SETS SALARIES FOR 2013 SUMMER PERSONNEL FOR  
THE RECREATION DEPARTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Town of Riverhead Recreation Department needs to set salaries for 2013 summer recreation personnel

**NOW THEREFORE BE IT RESOLVED**, that effective May 22, 2013, this Town Board sets salaries for 2013 summer personnel for the Recreation Department

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

**THE VOTE**

Giglio Yes No

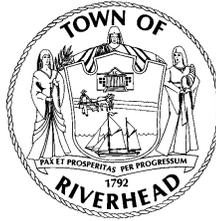
Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted



**Recreation Department  
200 Howell Avenue  
Riverhead, NY 11901  
(631) 727-5744**

***SUMMER PERSONNEL SALARIES- 2013***

	<u>Lifeguard</u>	<u>WSI</u>	<u>Sum Rec Aide*</u>	<u>Sum Rec Aide II**</u>	<u>Concession/ Bch Attnd</u>	<u>Rec Aide/ ScoreKeeper</u>	<u>Sum Rec Program Aide</u>
Level I	\$11.00	\$11.25	\$9.00	\$11.25	\$8.70	\$8.25	\$7.50
Level II	\$12.10	\$12.40	\$9.90	\$12.40	\$9.60	\$9.10	\$8.25
Level III	\$12.45	\$12.75	\$10.20	\$12.75	\$9.90	\$9.35	\$8.50
Level IV	\$12.85	\$13.15	\$10.55	\$13.15	\$10.15	\$9.65	\$8.75
Level V	\$13.25	\$13.50	\$10.90	\$13.50	\$10.50	\$9.90	\$9.00
Level VI	\$13.65	\$13.90	\$11.25	\$13.90	\$10.75	\$10.20	\$9.30
Level VII	\$14.00	\$14.35	\$11.60	\$14.35	\$11.10	\$10.50	\$9.55
Level VIII	\$14.45	\$14.80	\$12.00	\$14.80			
Level IX	\$14.90	\$15.25	\$12.40	\$15.25			

	<u>Summer Rec. Program Leader</u>	<u>Asst Beach Manager</u>	<u>Beach Manager</u>	<u>Head Lifeguard</u>
Level I	\$13.50	\$10.50	\$14.30	\$13.50
Level II	\$14.85	\$11.55	\$15.73	\$14.85
Level III	\$15.30	\$11.90	\$16.20	\$15.30
Level IV	\$15.75	\$12.25	\$16.69	\$15.75
Level V	\$16.25	\$12.65	\$17.10	\$16.25
Level VI	\$16.70	\$13.00	\$17.70	\$16.70
Level VII	\$17.20	\$13.40	\$18.24	\$17.20

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

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

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

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

05.22.13  
130420

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 420**

**APPOINTS A SEASONAL CLERK TO THE RECREATION DEPARTMENT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, a Seasonal Clerk is needed by the Riverhead Town Recreation Department,

**NOW THEREFORE BE IT RESOLVED**, that effective May 22, 2013, through and including September 15, 2012, this Town Board hereby appoints Jessica Rachubka to the position of Seasonal Clerk, to be paid the rate of \$16.75 per hour and

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

05.22.13  
130421

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 421**

**APPOINTS A SCOREKEEPER LEVEL I TO THE RECREATION DEPARTMENT**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, a Call-In Scorekeeper Level I is needed by the Riverhead Town Recreation Department for the Town of Riverhead Adult Softball league.

**NOW THEREFORE BE IT RESOLVED**, that effective May 22, 2013, this Town Board hereby appoints Ryan Heins to the position of Call-In Scorekeeper Level I, to be paid the rate of \$8.25 per hour to the Recreation Department and

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

05.22.13  
130422

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 422**

**APPROVES THE CHAPTER 90 APPLICATION OF  
PECONIC COMMUNITY FRIENDS OF RIVERHEAD CREW  
("Learn to Row" - Saturday, June 1, 2013)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, on May 8, 2013, Peconic Community Friends of Riverhead Crew submitted a Chapter 90 Application for the purpose of conducting a "Learn to Row" event to take place at the Peconic Riverfront near McDermott Avenue, Riverhead, New York, on Saturday, June 1, 2013, between the hours of 8:00 a.m. and 5:00 p.m., having a rain date of Sunday, June 2, 2013; and

**WHEREAS**, Peconic Community Friends of Riverhead Crew 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**, due to its not-for-profit status, the applicant has requested the Chapter 90 application fee be waived; 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 including the certificate of insurance regarding said application.

**NOW THEREFORE BE IT RESOLVED**, that Town of Riverhead hereby determines the action to be an "Unlisted" action in accordance with 6 NYCRR 617.7(a) and hereby issues a Negative Declaration pursuant to 6 NYCRR 617.7(a)(2); and be it further

**RESOLVED**, that the Chapter 90 Application of Peconic Community Friends of Riverhead Crew for the purpose of "Learn to Row" event to take place at the Peconic Riverfront near McDermott Avenue, Riverhead, New York, on Saturday, June 1, 2013, between the hours of 8:00 a.m. and 5:00 p.m., having a rain date of Sunday, June 2, 2013, is hereby approved; and be it further

**RESOLVED**, that the Town Board of the Town of Riverhead hereby waives the Chapter 90 Application fee; and be it further

**RESOLVED**, that any necessary tent permits be obtained and any tent installations and all electrical work shall comply with the applicable provisions of the NFPA Life Safety Code (NFPA 101), the NFPA Temporary Membrane Structures/Tents (NFPA 102), the Fire Code of New York State and the Building Code of New York State; and be it further

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

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

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Peconic Community Friends of Riverhead Crew, P.O. Box 136, Calverton, NY, 11933; and be it further

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

### **THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

05.22.13  
130423

ADOPTED

TOWN OF RIVERHEAD

Resolution # 423

**DETERMINES THAT THE HOUSE LOCATED AT 79 PHILIP STREET, RIVERHEAD, NEW YORK, ALSO KNOWN AS SUFFOLK COUNTY TAX MAP NO. 600-106-1-21 IS AN UNSAFE AND ABANDONED STRUCTURE AND ORDERS THE TOWN ENGINEERING DEPARTMENT TO FACILITATE THE REMEDIATION OF SAID STRUCTURE AND TO ASSESS REMOVAL COSTS AGAINST THE SUBJECT PROPERTY**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Riverhead Town Clerk was directed to publish and post a public notice for a public hearing regarding an alleged unsafe structure as delineated above on April 2, 2013; and

**WHEREAS**, a hearing was conducted on May 7, 2013, at about 2:00 p.m., at Riverhead Town Hall, for the purpose of determining whether the house located at 79 Philip Street, Riverhead, also known as SCTM No. 600-106-1-21, was an unsafe and abandoned structure, pursuant to Chapter 54 of the Riverhead Town Code, and whether the subject property owner was timely notified of such hearing pursuant to statutory notice requirements; and

**WHEREAS**, the Town Board received testamentary evidence as well as other evidence in the form of exhibits during the hearing on May 7, 2013.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board, upon due deliberation and consideration of all of the evidence adduced at the hearing, has determined that the delineated structure is an unsafe and abandoned structure as follows and constitutes a hazard to safety and health; that the subject property owner was timely notified of the unsafe and abandoned condition of the structure and the date and time of the subject hearing pursuant to statutory requirements, and that the property owner failed to remediate the unsafe condition of the structure in a timely manner with notice of the consequences of same; and

**BE IT FURTHER RESOLVED**, that the Town Engineering Department is ordered to facilitate the remediation of the delineated structure by securing the rear exterior wall portion of the structure so as to prevent interior access by persons unknown by whatever means it deems appropriate and assess all costs and expenses incurred by the Town in connection with the proceedings to the property owner, including the cost of actually remediation of said structure pursuant to Riverhead Town Code Chapter 54.

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be forwarded to the subject property owner as determined and known to the Chief Fire Marshal, via

personal service; the Town Engineering Department and the Chief Fire Marshal. In addition, all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

05.22.13  
130424

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 424**

**AUTHORIZES THE SUPERVISOR TO EXECUTE A MEMORANDUM OF  
UNDERSTANDING REGARDING COUNTY OF SUFFOLK/  
TOWN OF RIVERHEAD EMPIRE ZONE**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, on September 16, 1997, pursuant to General Municipal Law §958(c), et seq., and the regulations promulgated to implement same, the Suffolk County Legislature adopted Resolution 803-1997 setting forth Empire Zone boundaries (previously known as Economic Development Zone) and authorizing the Suffolk County Executive to submit an application for Economic Development Zone designation with the County of Suffolk as the primary applicant; and

**WHEREAS**, by Local Law 12-1997 adopted on September 29, 1997 the Town Board of the Town of Riverhead authorized joint application concurring with the boundaries delineated by the County of Suffolk; and

**WHEREAS**, by Resolution No. 1131 of 2003, the Town Board adopted an amendment of the Local Law which revised the boundaries of the Empire Zone to include land with the Towns of Southampton and Babylon; and

**WHEREAS**, by Resolution No. 1150 of 2009, the Town Board adopted an amendment of the Local Law which revised the boundaries of the Empire Zone to include land within the Town of Huntington; and

**WHEREAS**, on June 30, 2010 the New York State adopted legislation which created a sunset to the Empire Zone program; yet required local zone administration boards to continue reporting on member businesses; and

**WHEREAS**, in light of changes made to the Empire Zone program on June 30, 2010, it is the intent of the parties to enter into Memorandum of Understanding defining management of the Town of Riverhead/County of Empire Zone.

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor is hereby authorized to execute the attached Agreement; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to the County of Suffolk Office of Economic Development, Town of Babylon, Town of Southampton, Town of Huntington, Empire State Development and Empire Zone Coordinator; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

EMPIRE ZONE  
MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU"), made the \_\_\_ day of \_\_\_\_\_, 2013 is between the municipal corporations of the County of Suffolk, having its principal offices at the H. Lee Dennison Building, 100 Veterans Memorial Highway, Hauppauge, New York 11788; Town of Babylon, having its principal offices at 200 East Sunrise Highway, Lindenhurst, NY 11757; Town of Riverhead having its offices at 200 Howell Avenue, Riverhead, NY 11901; Town of Southampton, having its offices at 16 Hampton Road, Southampton, NY 11968; and Town of Huntington having its offices at 100 Main Street, Huntington, NY 11743 with regards to the Suffolk County/Town of Riverhead Empire Zone.

INTENT

In light of the June 30, 2010 changes to the Empire Zone program, it is the intent of the parties to this MOU to outline and provide for the management of the Suffolk County/Town of Riverhead Empire Zone. Further, the parties wish to clarify their respective obligations with respect to the management of the zone.

HISTORY

WHEREAS, on September 16, 1997, pursuant to General Municipal Law §958(c), et seq., and the regulations promulgated to implement same, the Suffolk County Legislature adopted Resolution 803-1997 setting forth Empire Zone boundaries (previously known as Economic Development Zone) and authorizing the Suffolk County Executive to submit an application for Economic Development Zone designation with the County of Suffolk as the primary applicant. The Town of Riverhead, as joint applicant, adopted Local Law 12-1997 on September 29, 1997 concurring with the boundaries set forth by the County as primary applicant; and

WHEREAS, the Riverhead Town Attorney was designated the Zone Certifying Officer and the generic composition of the Empire Zone Administrative Board ("ZAB") was established pursuant to the application, aforementioned local laws and Town of Riverhead Resolution Nos. 747-98, 1098-98, and 519-99; and

WHEREAS, pursuant to the aforementioned local laws, Suffolk County and the Town of Riverhead adopted subsequent local laws that established the Chairperson of the ZAB as the County Executive's designee and amended the membership to include representatives from the Towns of Southampton, Huntington and Babylon with the balance of the ZAB to be designated by the Town of Riverhead; and

WHEREAS, the County and Town of Riverhead established the Empire Zone with the cooperation and consultation of the New York State Department of Economic Development; and

WHEREAS, the 1,280 acres of the Empire Zone has been designated in this manner: 1,117 acres at the Enterprise Park at Calverton ("EPCAL") in the Town of Riverhead; 48 acres at Suffolk County's Francis S. Gabreski Airport; 25 acres in Wyandanch within the

Town of Babylon; 68 acres in downtown Riverhead; 9 acres in Riverside (7 grandfathered and 2 applied to real property) within the Town of Southampton; and 20 acres in Melville within the Town of Huntington; and

WHEREAS, on June 30, 2010 the New York State Legislature allowed the legislation establishing the Empire Zone program to sunset, but required local zone administration boards to continue reporting on member businesses; and

WHEREAS, the Comptroller of the Town of Riverhead reported that there exists a fund balance of \$89,000 in the Town of Riverhead's Empire Zone Accounts; and

WHEREAS, the parties wish to clarify their respective obligations with respect to Empire Zones management and finances;

NOW, THEREFORE, IT IS HEREBY AGREED

1. Term of Agreement

This agreement shall take effect retroactively from July 1, 2010 and shall remain in full force and effect until there are no longer any currently certified businesses within the Zone Program.

2. Purpose of Agreement

A. Effect on January 15, 2010 Empire Zone Memorandum of Understanding

This agreement shall supersede the January 15, 2010 MOU entered into by the Town of Riverhead and the County of Suffolk and ratified by the Town of Southampton and the Town of Babylon relating to the operations of the Suffolk County/Town of Riverhead Empire Zone. The January 15, 2010 MOU shall no longer have full force and effect and shall be deemed to have been terminated upon the execution of this agreement.

3. Administration of the Empire Zone.

A. Day-to-day operation of the Empire Zone

The Town of Riverhead will continue to be responsible for the administration of the Empire Zone on behalf of the parties to this agreement until there are no longer any certified businesses in the program. The Town of Riverhead will administer any obligations under the Empire Zone Program either directly through a town employee or through other mechanisms approved by the Empire Zone Administrative Board. The Town will allocate and utilize the fund balance of \$89,000 as compensation for the Zone administration.

B. Empire Zone Certifying Officer

The Town Attorney for the Town of Riverhead shall continue to act as the Zone Certifying Officer during the term of this agreement.

C. Empire Zone Board Composition

Consistent with the Suffolk County/Town of Riverhead Empire Zone local legislation, the County of Suffolk will retain the Chairmanship of the ZAB and the Suffolk County Legislature will appoint one representative each from the Towns of Babylon, Huntington and Southampton, which shall be recommended by the Towns of Babylon, Huntington and Southampton. The Riverhead Town Supervisor, or his designee, will continue to hold the position of Vice Chair of the ZAB. The Town of Riverhead shall appoint all remaining ZAB members in accordance with the local laws. The parties further agree that they shall not take any action to amend any local laws relating to the composition of the Empire Zone Board without first amending this agreement.

4. Contribution obligations for administration of the Empire Zone Program:

A. The budget for the term of the agreement shall be \$89,000. This reflects the fund balance in the Empire Zone account administered by the Town of Riverhead as of September 22, 2011. The Town shall be solely responsible for the administration of the Empire Zone program, as per its request, and it shall not solicit further funding from Suffolk County or any other municipality in which a certified business is located.

B. The fund balance reflects the final financial contributions of the parties to the Empire Zone Program.

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Dennis M. Cohen  
Chief Deputy County Executive  
County of Suffolk  
Date:

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Sean Walter, Supervisor  
Town of Riverhead  
Date:

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Richard Schaffer, Supervisor  
Town of Babylon  
Date:

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Anna Throne-Holst, Supervisor  
Town of Southampton  
Date:

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Frank Petrone, Supervisor  
Town of Huntington  
Date:

05.22.13  
130425

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 425**

**AWARDS BIDS FOR SNACK VENDORS**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Town Board of the Town of Riverhead, by Resolution # 275 adopted on April 2, 2013, authorized the Town Clerk publish and post a notice to bidders for proposals for Snack Vendor Services (operation of concession stand(s) and mobile food units (trucks, carts, trailers)) from which to sell snacks to the public at several Town owned parks and beaches, including East Creek Marina Concession Stand; Iron Pier Concession Stand; Stotzky Park (skate Park inclusive); Wading River Beach; Police Officer's Memorial Park; Reeves Beach; Horton Avenue Pocket Park; 2 Bears Pocket Park; Unity Pocket Park; Grangebél Park; Millbrook Pocket Park; Miamogue Beach; and EPCAL Ballfields; and

**WHEREAS**, pursuant to the notice to bidders all individuals or entities were required to comply with the bid specifications, including submission of a proposal(s) on or before 11:00 am on April 23, 2013; and

**WHEREAS**, on April 23, 2013, the Office of the Town Clerk received, opened and read aloud bid proposals from a total of four vendors each bidding on one or more locations recited above, to wit: two vendors bid for Stotzky Park, two vendors bid for Iron Pier Concession Stand; one vendor bid for Wading River Beach; one vendor bid for Wading River Police Park; one vendor bid for East Creek Marina Concession Stand; and one vendor bid for EPCAL Ballfields; and

**WHEREAS**, pursuant to the notice to bidders and set forth in the bid specifications, the Town reserved the right to reject any and all proposals received as a result of the notice to bidders; and

**WHEREAS**, the Recreation Superintendent reviewed all bids and recommended that the Town declare Little Angels Coffee Corp, to be the most qualified bidder based upon the evaluation criteria set forth in the bid specifications for Stotzky Park; Joe's Garage and Grill to be the most qualified bidder based upon the evaluation criteria set forth in the bid specifications for Iron Pier Beach Concession Stand; Matt & Karl Freudenberg to be the most qualified bidder based upon the evaluation criteria set forth in the bid specifications for Wading River Beach and Wading River Police Park and Joe's Garage and Grill to be the most qualified bidder based upon the evaluation criteria set forth in the bid specifications for East Creek Marina Concession Stand; and

**WHEREAS**, the Town rejects the sole bid for snack vendor services at EPCAL ball fields; and based upon the anticipated number of events, the number of participants and attendees projected for some of the scheduled events, price, and Town's ability to provide the snack vendor services for this location, the Recreation Superintendent recommends that the Town reject the bid; and

**NOW THEREFORE BE IT RESOLVED**, that the Town awards the following bids for snack vendor services: Little Angels Coffee Corp is awarded the contract for snack vendor services at Stotzky Park; Joe's Garage and Grill is awarded the contract for snack vendor services at Iron Pier Beach Concession Stand; Matt & Karl Freudenberg is awarded the snack vendor services for both Wading River Beach and Wading River Police Park and finally, Joe's Garage and Grill is awarded the contract for snack vendor services for East Creek Marina Concession Stand all subject to the terms and conditions set forth in the bid specifications and adherence to the items and prices set forth on the bid proposal sheet for all residents and non residents seeking purchase of vendor item(s) at the designated location; and

**BE IT FURTHER RESOVLED**, the Town Board rejects the sole bid for snack vendor services at EPCAL ball fields; and

**RESOLVED**, that the Town Clerk be and is hereby authorized directed to forward a copy of this resolution to Hines Catering LLC, 1130 Middle Road, Riverhead, NY 11901; Matt & Karl Fruedenberg, 22 Further Lane, Riverhead, NY 11901; Little Angels Coffee Corp., 148 Phillips Avenue, Riverhead, NY; and Joe's Garage and Grill, 40 Peconic Ave, Suite 38, Riverhead, NY 11901; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

05.22.13  
130426

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 426**

**APPROVES CHAPTER 90 APPLICATION OF  
STARFISH JUNCTION PRODUCTIONS LLC  
(NORTH FORK CRAFT BEER, BBQ & WINE FESTIVAL – August 10, 2013)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, on April 29, 2013, Starfish Junction Productions LLC submitted a Chapter 90 (Large Event) Application for the purpose of conducting a “North Fork Craft Beer, BBQ & Wine Festival”, having an expected total daily attendance of 3,000 attendees, to include food and craft sales, and musical entertainment, to be held at Martha Clara Vineyards at 6025 Sound Avenue, Riverhead, New York on Saturday, August 10, 2013, between the hours of 1:00 p.m. and 6:00 p.m.; and

**WHEREAS**, Starfish Junction Productions LLC has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617.6(b); and

**WHEREAS**, the Town Board of the Town of Riverhead has declared itself “Lead Agency” in accordance with 6 NYCRR 617; and

**WHEREAS**, the applicable Chapter 90 (Large Gathering) Application fee has been paid for this event; 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 including the certificate of insurance regarding said application.

**NOW THEREFORE BE IT RESOLVED**, that Town of Riverhead hereby determines the action to be an “Unlisted” action in accordance with 6 NYCRR 617.7(a) and hereby issues a Negative Declaration pursuant to 6 NYCRR 617.7(a)(2), and be it further

**RESOLVED** that the Chapter 90 Application of Starfish Junction Productions LLC for the purpose of conducting “North Fork Craft Beer, BBQ & Wine Festival”, having an expected total daily attendance of 3,000 attendees, to include food and craft sales, and musical entertainment, to be held at Martha Clara Vineyards, 6025 Sound Avenue, Riverhead, New York on Saturday, August 10, 2013, between the hours of

1:00 p.m. and 6:00 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 Public Gathering/Emergency Medical Services (EMS) permit(s);

**RESOLVED**, that the necessary tent permits must be obtained and any tent installations and all electric shall comply with the applicable provisions 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 be it further

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

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Starfish Junction Productions LLC, 226 North Fehr Way, Bay Shore, New York, 11706 and Martha Clara Vineyards, 6025 Sound Avenue, Riverhead, New York, 11901; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

05.22.13  
130427

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 427**

**ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE TOWN CODE OF THE TOWN OF RIVERHEAD ENTITLED, "ZONING"**  
**(ARTICLE XXXIV – Multifamily Residential Professional Office Zone – §108-171. Landscaping, screening and buffering.)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

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

**WHEREAS**, a public hearing was held on the 7<sup>th</sup> day of May, 2013 at 2:20 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that a local law to amend Chapter 108 of the Town Code of the Town of Riverhead entitled, "Zoning" 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**

Giglio Yes No      Gabrielsen 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 to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on May 22, 2013. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**CHAPTER 108  
ZONING  
ARTICLE XXXIV  
Multifamily Residential Professional Office Zone**

**§ 108-171. Landscaping, screening and buffering.**

~~A. Screening and buffering shall meet the minimum requirements of § 108-64.1 of this chapter.~~

- A. A front yard landscape buffer plan shall be reviewed and approved by the Planning Board for property zoned Multifamily Residential Professional Office (MFPO) Zone for residential uses. Said plan shall include a minimum 35-foot front yard landscaped buffer along the entire property line with the exception of the required site and emergency access locations and/or bus shelter, as required by the Planning Board. Proposed landscaping shall not impede sight distances from any street intersections and/or driveways.
- B. Proposed landscaping shall be staggered, and of sufficient height to fully diffuse and screen the mass and scale of the development from the street view year-round. The term "sufficient height" shall mean deciduous trees no less than 3 ½ -inch caliper and a variety of evergreen trees a minimum of six (6) feet in height. Said buffer yard may be designed to include the installation and planting of an earthen berm and/or fence not to exceed six (6) feet in height. Said fence shall be placed behind any required berm or buffer vegetation.
- ~~B. C.~~ Yard Landscaping. Within all the required yards the existing vegetation shall be retained. Any proposals for disturbance shall be subject to site plan approval and Architectural Review Board recommendation.
- ~~C. D.~~ Preservation of existing vegetation. Site plans for the development of property located in a Multifamily Residential Professional Office Zone district shall include an indication of existing mature trees and other instances of unique, indigenous and/or significant vegetation or other natural features so as to ensure their preservation and thereby retain an open space environment which enhances the character of the Town.

~~D.~~ E. Parking Areas.

- (1) The visual impact of parking areas shall be softened by interrupting continuous rows of parking spaces with planting and by creating plated canopies over parking areas.
- (2) Any open parking areas of 15 spaces or more shall be provided with internal landscaping covering not less than 10% of the total area of the parking area.
- (3) Landscaping shall be reasonably dispersed throughout the parking area. Primary landscape materials shall be shade trees. Secondary materials shall compliment the tree planting and the surrounding natural environment.

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

Dated: Riverhead, New York  
May 22, 2013

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

**DIANE M. WILHELM**, Town Clerk

**TOWN OF RIVERHEAD**

**Resolution # 428**

**PAYS BILLS**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

ABSTRACT #13-18 May 9, 2013 (TBM 5/22/13)			
FUND NAME		Ckrun Total	GRAND TOTALS
GENERAL FUND	1	120,262.41	120,262.41
HIGHWAY FUND	111	17,273.04	17,273.04
WATER DISTRICT	112	421,981.26	421,981.26
RIVERHEAD SEWER DISTRICT	114	12,457.29	12,457.29
STREET LIGHTING DISTRICT	116	41,086.22	41,086.22
PUBLIC PARKING DISTRICT	117	3,176.36	3,176.36
AMBULANCE DISTRICT	120	348,859.75	348,859.75
RIVERHEAD SCAVENGER WASTE DIST	128	2,993.86	2,993.86
GENERAL FUND DEBT SERVICE	384	416,784.50	416,784.50
TOWN HALL CAPITAL PROJECTS	406	18,280.04	18,280.04
TRUST & AGENCY	735	1,149,955.58	1,149,955.58
		<b>2,553,110.31</b>	<b>2,553,110.31</b>

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 428**

**PAYS BILLS**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

ABSTRACT #13-19 May 16, 2013 (TBM 5/22/13)			
FUND NAME		Ckrun Total	GRAND TOTALS
<b>GENERAL FUND</b>			
RECREATION PROGRAM FUND	1	907,800.32	907,800.32
CHILD CARE CENTER BUILDING	6	13,584.05	13,584.05
HIGHWAY FUND	9	53.09	53.09
WATER DISTRICT	111	78,308.44	78,308.44
RIVERHEAD SEWER DISTRICT	112	65,531.73	65,531.73
REFUSE & GARBAGE COLLECTION	114	80,251.81	80,251.81
STREET LIGHTING DISTRICT	115	6,488.74	6,488.74
PUBLIC PARKING DISTRICT	116	66,979.81	66,979.81
AMBULANCE DISTRICT	117	481.25	481.25
EAST CREEK DOCKING FACILITY	120	553.17	553.17
CALVERTON SEWER DISTRICT	122	1,723.08	1,723.08
RIVERHEAD SCAVENGER WASTE DIST	124	9,450.48	9,450.48
RISK RETENTION FUND	128	38,461.58	38,461.58
CDBG CONSORTIUM ACCOUNT	175	29,794.14	29,794.14
TOWN HALL CAPITAL PROJECTS	181	814	814
TRUST & AGENCY	406	25,452.25	25,452.25
CALVERTON PARK - C.D.A.	735	4,079,714.48	4,079,714.48
	914	26.22	26.22
<b>TOTALS</b>		<b>5,405,468.64</b>	<b>5,405,468.64</b>

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted