

FEBRUARY 2, 2016

CDA RESOLUTION LIST:

CDA

Res. #3 Resolution in Support of Locating a New Electrical Substation

TOWN BOARD RESOLUTION LIST:

- Res. #63 Authorizes the Supervisor to Adopt the 2015 Suffolk County Multi-Jurisdictional Debris Management Plan Prepared in Conjunction with a FY2013 UASI Grant and Approved FEMA on December 14, 2015**
- Res. #64 Ratifies the Appointment of a Homemaker at the Seniors Program (Katrina Hintze)**
- Res. #65 Adopts a Local Law Amending Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Village Center (VC) Zoning Use District)**
- Res. #66 Authorization to Publish Advertisement for Paint for the Town of Riverhead**
- Res. #67 Authorization to Publish Advertisement for Propane Fuel Tank Replacement & Maintenance for the Town of Riverhead**
- Res. #68 Ratifies the Appointment of a Recreation Aide to the Recreation Department (Angelina Graziano)**
- Res. #69 Ratifies the Appointment of a Recreation Aide to the Recreation Department (Kristina Dunn)**
- Res. #70 Authorizes Renewal of License Agreement (ASCAP)**
- Res. #71 Extends Professional Services Agreement with Vehicle Tracking Solutions for Automated Vehicle Location and Monitoring for Town of Riverhead Highway Department**
- Res. #72 Authorizes the Supervisor to Execute an Agreement with the Riverhead Fire District Regarding Unleaded Fuel Services**
- Res. #73 Authorizes the Supervisor to Execute a Municipal Cooperation Agreement between the Town of Riverhead and the Riverhead Fire District for Sand and Salt Services**
- Res. #74 Adopts a Local Law to Amend Chapter 101 Entitled "Vehicles & Traffic" of the Riverhead Town Code (§101-10. Parking prohibited. – Howell Avenue)**
- Res. #75 Authorization to Convey Member Dues in the Amount of \$6,000.00 (Six Thousand Dollars) for Calendar Year 2016 Regarding the Town of Riverhead's Continued Participation in an Intermunicipal Agreement with Neighboring Municipalities Known as the Peconic Estuary Protection Committee**

- Res. #76** Amends Resolution #38 of 2016 (Authorizes Attendance at the 2016 Training School and Annual Meeting Held by the Association of Towns)
- Res. #77** Approves the Chapter 83 Parade and Assembly Application Permit of East End Emerald Society (“St. Patrick’s Day Parade” – March 19th, 2016)
- Res. #78** Approves the Chapter 90 Application of Event Power (“Riverhead Rocks Triathlon” – August 13th & 14th, 2016)
- Res. #79** Classifies the Chapter 90 Application of Nile Rodgers Productions, Inc. as a Type I Action and Refers the Application to Involved Agencies (“The Freak Out!” Music, Art & Wine Festival – August 12, 13 & 14, 2016)
- Res. #80** Offers Support to New York State Legislature to Amend Chapter 399 of the Laws of 2008 in Relation to Giving the Town Board the Discretion to Set Speed Limits on all Local Roads Within the Town’s Jurisdiction (Senate Bill #S.4485/Assembly Bill #A.6353)
- Res. #81** Resolution Supporting the Suffolk County Landbank Corporation’s Application for 2015 New York Main Street Downtown Stabilization Program Funds
- Res. #82** Authorizes the Release of Performance Security of Old Vine Golf A/K/A Reeves’s Golf, LLC
- Res. #83** Appoints Richard A. Ehlers, Esq., as Counsel to the Planning Board of the Town of Riverhead
- Res. #84** Authorizes the Supervisor to Issue a Letter to the Suffolk County Department of Health Services Allowing the Use of Pine Barrens Credits Originated from Property Located in Riverhead (Farmingville Associates)
- Res. #85** Approves Chapter 90 Application of Suffolk Bicycle Riders Association, Inc. (“Bike-Boat-Bike” Bicycle Event – Sunday, June 5th, 2016)
- Res. #86** Riverhead Highway District Equipment Budget Adjustment
- Res. #87** Authorizes Purchase of Used Roll-Off Truck for Use by the Town Highway Department
- Res. #88** Authorizes Riverhead Agricultural Advisory Sub-Committee
- Res. #89** Authorizes Attendance at the Government Finance Officers’ Association Annual Conference

**TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY**

Resolution # 3

RESOLUTION IN SUPPORT OF LOCATING OF NEW ELECTRICAL SUBSTATION

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, both the Town of Riverhead Community Development Agency Board and the Town of Riverhead Board recognize the need for reliable energy supply to support the growth of the Calverton Enterprise Park (EPCAL) site; and

WHEREAS, both the Town of Riverhead Community Development Agency Board and the Town of Riverhead Board recognize the need to support clean reliable energy supply to support the industrial redevelopment and growth of the high technology industry at EPCAL; and

WHEREAS, furthermore the Town of Riverhead Community Development Agency Board and the Town of Riverhead Board desire to promote the development of alternate, renewable and clean energy projects; and

WHEREAS, both the Town of Riverhead Community Development Agency Board and the Town of Riverhead Board seek to locate solar projects and renewable energy projects on the EPCAL.

NOW THEREFORE BE IT RESOLVED, the Town of Riverhead Community Development Agency Board strongly supports and urges Long Island Power Authority (LIPA) to locate an upgraded electrical substation at the EPCAL site; and

AND BE IT FURTHER RESOLVED, a copy of this resolution shall be forwarded to the Town Engineer, the Community Development Agency, and the Town Attorney; and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 63

**AUTHORIZES THE SUPERVISOR TO ADOPT THE 2015 SUFFOLK COUNTY
MULTI-JURISDICTIONAL DEBRIS MANAGEMENT PLAN PREPARED IN
CONJUNCTION WITH A FY2013 UASI GRANT AND APPROVED BY FEMA ON
DECEMBER 14, 2015**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Suffolk County (the County) Department of Fire, Rescue and Emergency Services is authorized under Resolution 1084-2013 (IR 2003-2013) to receive 100% federal pass through grant funding from the Federal Emergency Management Agency (FEMA) Urban Area Security Initiative (UASI) FY2013 Grant Program through the NYS Department of Homeland Security and Emergency Services (NYS DHSES) to provide planning; and

WHEREAS, the County will utilize federal and state grant funds in the development of a Multi-Jurisdictional Debris Management Plan (the Plan) in coordination with the ten (10) Towns within the County; and

WHEREAS, the County has entered into Inter-Municipal Agreements with each of the ten (10) Towns to produce this Debris Management Plan and each planning partner committed to adopt this Debris Management Plan; and

WHEREAS, FEMA approved the 2015 Suffolk County Multi-Jurisdictional Debris Management Plan in a letter dated December 14, 2015.

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to adopt the 2015 Suffolk County Multi-Jurisdictional Debris Management Plan; and

BE IT FURTHER RESOLVED, that the Town of Riverhead agrees to execute the actions in the Plan; and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 64

RATIFIES THE APPOINTMENT OF A HOMEMAKER TO THE SENIORS PROGRAM

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, there is a necessity for a Homemaker in the EISEP Program (Expanded In-home Services for the Elderly Program) which is funded by the New York State Office for the Aging and operated locally by the Riverhead Town Seniors Programs; and

WHEREAS, pursuant to the CSEA contract, this job was duly posted, Job Posting # 1; and

WHEREAS, pursuant to a successfully completed background investigation, a recommendation of a suitable candidate has been made by the Senior Programs Director.

NOW, THEREFORE, BE IT RESOLVED, that effective January 25, 2016 this Town Board hereby ratifies the appointment of Katrina Hintze to the position of Homemaker at the hourly rate of \$13.58.

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 65

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (VILLAGE CENTER (VC) ZONING USE DISTRICT)

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

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

WHEREAS, a public hearing was held on the 4TH day of November, 2015 at 2:15 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, the proposed zoning amendment is a an unlisted action pursuant to 6NYCRR Part 617 without a requirement for coordinated SEQR review with involved agencies;

WHEREAS, the Town Board finds the amendment to Chapter 108, entitled "Zoning" of the Riverhead Town Code, will not have a significant impact on the natural or social environment and that an Environmental Impact Statement need not be prepared.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 108 "Zoning" of the Riverhead Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled "Zoning" of the Riverhead Town Code at its regular meeting held on February 2, 2016.

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

Chapter 108. Zoning
Article LVI. Village Center (VC) Zoning Use District

§108-290. Uses.

B. Special permit uses:

(6) Micro-brewery, Brew-pub, Micro-cidery and Micro-winery subject to the following additional criteria:

(a) The use shall not be located within 200 feet of a house of worship or 500 feet of a school.

(b) The use shall be limited to serving pre-packaged food products unless applicant obtains approval and certificate of occupancy for use as a brewpub or restaurant use within that portion of the premises used for preparation and service of food.

(c) The use shall permit tastings and sale for on-site consumption subject to all required permits and approvals required by state and local laws, rules and regulations.

(d) The use shall permit sale for off-site consumption (i.e. filling of growlers) limited to 1,000 barrels annually and offer to licensed retailers and wholesalers limited to 2,500 barrels of beer, cider or wine annually.

(e) The processing and manufacturing shall not exceed 10,000 barrels (310,000 gallons) annually.

(f) All manufacturing and processing activities, including storage of grains, shall take place within an enclosed building.

(g) A maximum of seventy percent of the total square footage shall be used for manufacture and processing.

(h) A minimum of thirty percent shall be used for sale and marketing of the manufactured product.

- (i) All sales and marketing shall be located in the portion of the building located along road frontage.
- (j) A micro-brewery, brew pub, micro-cidery, micro-winery use shall be required to hook up to the sewer system and enter into a monitoring agreement with the Sewer District to determine flow and calculate use fee (note, a separate hook up and fee shall be assessed for a pub/restaurant use related to brewpub).
- (k) All loading areas shall be located in the rear portion of the building.

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

Dated: Riverhead, New York
February 2, 2016

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 66

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR PAINT
FOR THE TOWN OF RIVERHEAD**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

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

WHEREAS, the Town Clerk is hereby authorized to publish and post the following public notice in the **FEBRUARY 11, 2016** issue of the News Review.

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **PAIN**T for the use in the Town of Riverhead, Riverhead, New York will be received at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until **2:00 PM on FEBRUARY 29, 2016** at which time they will be publicly opened and read aloud.

Specifications may be examined and/or obtained on **FEBRUARY 11, 2016** on the Town of Riverhead website at www.townofriverheadny.gov, click on bid requests.

Each proposal must be submitted on the form provided in sealed envelope clearly marked **PAIN**T. Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation 'EXCEPTIONS TO THE SPECIFICATIONS' and attached to the bid form.

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

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

Diane M. Wilhelm, Town Clerk

TOWN OF RIVERHEAD

Resolution # 67

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR PROPANE FUEL TANK
REPLACEMENT & MAINTENANCE FOR THE TOWN OF RIVERHEAD**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for **PROPANE FUEL, TANK REPLACEMENT & MAINTENANCE** for the Town of Riverhead and;

WHEREAS, the Town Clerk is hereby authorized to publish and post the following public notice in the **FEBRUARY 11, 2016** issue of the News Review.

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **PROPANE FUEL, TANK REPLACEMENT & MAINTENANCE** for the use in the Town of Riverhead, Riverhead, New York will be received at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until **2:05 PM on FEBRUARY 29, 2016** at which time they will be publicly opened and read aloud.

Specifications may be examined and/or obtained on **FEBRUARY 11, 2016** on the Town of Riverhead website at www.townofriverheadny.gov, click on bid requests.

Each proposal must be submitted on the form provided in sealed envelope clearly marked **PROPANE FUEL, TANK REPLACEMENT & MAINTENANCE**. Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation 'EXCEPTIONS TO THE SPECIFICATIONS' and attached to the bid form.

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

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

TOWN OF RIVERHEAD

Resolution # 68

**RATIFIES THE APPOINTMENT OF A RECREATION AIDE
TO THE RECREATION DEPARTMENT**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, a Call-In Recreation Aide I, Level 1 is needed by the Riverhead Town Recreation Department.

NOW THEREFORE BE IT RESOLVED, that effective January 22, 2016 this Town Board hereby appoints Angelina Graziano to the position of Call-In Recreation Aide I, Level 1 to be paid the rate of \$9.00 per hour to the Recreation Department and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 69

**RATIFIES THE APPOINTMENT OF A RECREATION AIDE TO
THE RECREATION DEPARTMENT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, a Call-In Recreation Aide I, Level 1 is needed by the Riverhead Town Recreation Department.

NOW THEREFORE BE IT RESOLVED, that effective January 22, 2016 this Town Board hereby appoints Kristina Dunn to the position of Call-In Recreation Aide I, Level 1 to be paid the rate of \$9.00 per hour to the Recreation Department and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 70

AUTHORIZES RENEWAL OF LICENSE AGREEMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town of Riverhead plays pre-recorded music in the form of compact discs, digital video discs, cassettes, and other media in Town facilities and at Town events (e.g. the senior center, teen activities); and

WHEREAS, many of these works are protected by U.S. Copyright Law; and

WHEREAS, a municipality requires permission from the holders of such copyrights to use the works in a public forum; and

WHEREAS, the American Society of Composers, Authors and Publishers (ASCAP) represents the holders of copyrights for over 8 million such works; and

WHEREAS, ASCAP offers a license granting permission to municipalities to play all of the works of copyright holders ASCAP represents; and

WHEREAS, the Town of Riverhead wishes to renew license agreement with ASCAP for the right to play pre-recorded music represented by ASCAP for the period January 1, 2016 to December 31, 2016 in the amount of \$336.00.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes renewal of license agreement with ASCAP for the right to play pre-recorded music represented by ASCAP for the period January 1, 2016 to December 31, 2016 in the amount of \$344.26; and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 71

EXTENDS PROFESSIONAL SERVICES AGREEMENT WITH VEHICLE TRACKING SOLUTIONS FOR AUTOMATED VEHICLE LOCATION AND MONITORING FOR TOWN OF RIVERHEAD HIGHWAY DEPARTMENT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town Board of the Town of Riverhead, by Resolution #110 adopted on February 7, 2012, authorized the issuance of a Request for Proposals seeking proposals for Automated Vehicle and Monitoring (AVLM) for use by the Town Highway Department; and

WHEREAS, the Town Board, by Resolution #432 adopted on June 5, 2012, awarded the bid for Automated Vehicle and Monitoring (AVLM) to Vehicle Tracking Solutions for a three year contract; and

WHEREAS, by Resolution #112 adopted on February 3, 2015, the Town Board extended the contract with Vehicle Tracking Solutions for six months under the same terms and conditions as set forth in the original Professional Services Agreement to December 31, 2015; and

WHEREAS, the contract provided that the Town of Riverhead have the option of extending the contract term for two additional one year periods; and

WHEREAS, the Town Highway Superintendent seeks to extend the contract with Vehicle Tracking Solutions for one year beginning January 1, 2016 under the same terms and conditions set forth in the original Professional Services Agreement; and

WHEREAS, Vehicle Tracking Solutions has agreed to extend the contract for Automated Vehicle and Monitoring (AVLM) for use by the Town Highway Department for one year beginning January 1, 2016 under the same terms and conditions set forth in the original Professional Services Agreement.

NOW THEREFORE BE IT RESOLVED, that the Professional Services Agreement with Vehicle Tracking Solutions be extended for one year beginning January 1, 2016 under the same terms and conditions set forth in the original Professional Services Agreement; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Vehicle Tracking Solutions, 10 East 5th Street, Deer Park, NY 11729, Town Highway Department, Town Accounting Department and Town Purchasing Department; and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 72

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE RIVERHEAD FIRE DISTRICT REGARDING UNLEADED FUEL SERVICES

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Riverhead Fire District and the Town of Riverhead have had discussions concerning the use of the Town of Riverhead's unleaded fuel facility by Riverhead Fire District vehicles and equipment; and

WHEREAS, it is in the interest of the taxpayers of the Town of Riverhead and the Riverhead Fire District to share resources in this undertaking for the benefit of the Riverhead Town taxpayer; and

WHEREAS, it is legally permissible to make these resources available for mutual use when it is in the public interest; and

WHEREAS, the Riverhead Fire District and the Town of Riverhead wish to enter into a Municipal Cooperation Agreement for the use of unleaded fuel services by Riverhead Fire District specifically delineated in the Agreement.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute a Municipal Cooperation Agreement with the Riverhead Fire District, in substantially the same form as annexed hereto, regarding the use of the Town of Riverhead's unleaded fuel facility by Riverhead Fire District vehicles specifically delineated in the Agreement; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Jonathan Brown, Esq., counsel to Riverhead Fire District, 737 Roanoke Avenue, Riverhead, NY 11901; and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**MUNICIPAL COOPERATION AGREEMENT BETWEEN
RIVERHEAD FIRE DISTRICT and TOWN OF RIVERHEAD**

MUNICIPAL COOPERATION AGREEMENT entered into as of the day ____ of _____, 2015, by and between the RIVERHEAD FIRE DISTRICT, with offices for the transaction of business located at 540 Roanoke Avenue, Riverhead, New York and the TOWN OF RIVERHEAD, with offices for the transaction of business located at 200 Howell Avenue, Riverhead, New York.

WHEREAS, the Riverhead Fire District (hereinafter referred to as “District”) and the Town of Riverhead (hereinafter referred to as “Town”) determined that it was in the interest of the taxpayers of the Town of Riverhead and the Riverhead Fire District to share resources, to wit: use of the unleaded fuel pump at the Town Garage by Riverhead Fire District for the purpose of providing unleaded fuel to operate vehicles and gas-powered and/or diesel powered equipment owned or leased by the District; and

WHEREAS, pursuant to Resolution #899 adopted on December 6, 2011, the Town Board authorized the Supervisor to execute a Municipal Cooperation Agreement between the Riverhead Fire District and the Town of Riverhead; and

WHEREAS, the Town of Riverhead, by the adoption of resolutions, i.e. Resolution #458 adopted on June 7, 2012 authorizing the Town to lease the Town landfill for construction, installation and management of a renewable energy project (solar photovoltaic energy system), Resolution #467 adopted on June 19, 2012 accepting donation of use of a natural gas powered vehicle from Apple Honda by the Town Senior Center, and Resolution #506 adopted on July 17, 2012 authorizing notice to bidders for proposals regarding bio-diesel fuel, has publically proclaimed its intention to explore and utilize energy and fuel sources that are more sensitive to the environment, more “green” and clean, and reduce dependence on foreign fuel sources; and

WHEREAS, the Riverhead Fire District seeks to independently explore alternate energy sources such that the Riverhead Fire District seeks to add a provision to the Municipal Cooperation Agreement which would permit the Riverhead Fire District to cancel the Agreement in the event the Town removes unleaded and/or diesel fuel from the pump stations and limits fuel to bio-diesel.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, the parties agree as follows:

1. The term of this Agreement shall be for the period October 1, 2015 until September 30, 2016. However, District and Town each may unilaterally terminate this Agreement at any time and for any reason upon 30 days written notice. Town may also terminate this Agreement immediately without notice in the event a safety and/or security issue arises.

2. The Town and the District each represent that it is authorized, pursuant to both Article 9 Section 1 of the State Constitution and Article 5-G of the General Municipal Law to enter into intergovernmental agreements.

3. The Town and the District, believing it to be in the best interest of their taxpayers, do hereby authorize intermunicipal cooperation and assistance with and between each other for the use of the unleaded fuel and/or diesel pump at the Town Garage (the “fuel pump”).

4. The Town gives permission to the District for the District to undertake usage of the unleaded fuel and/or diesel pump located at the Town of Riverhead Municipal Garage located on Rte 58, Town of Riverhead, in an amount not to exceed a total of 1400 gallons of unleaded fuel and/or diesel pump per week regarding the vehicles operation of vehicles delineated in Schedule “B”, as attached, as well as gas-powered equipment owned or leased by the District. District and Town agree that the inventory of designated vehicles may be amended from time to time subject to approval by the Town. The Town agrees to issue and the District agrees to lease two (2) keys (an operator key and a gas can key), which shall incur a one-time lease fee of \$20.00 during the term of the Agreement. Said keys shall be immediately returned to the Town in the event this Agreement is terminated. Hours of permitted usage and cost per gallon of gasoline and/or diesel fuel shall be listed in Schedule “A” attached to this Agreement.

5. The District agrees to perform all reasonable duties and tasks as may be required for the use of the fuel pump including, but not limited to, those tasks listed in Schedule “A” attached to this Agreement at its sole cost and expense.

6. The Town and District agree to cooperate with one another in furtherance of the use of the Fuel Pumps, including price adjustments related to and arising from contract awards by the Town and cost increases for equipment and/or supplies identified in Schedule “A”. The District further represents and affirms that the fuel provided for in this Agreement shall only be used for official fire district purposes, a violation of which shall constitute a material breach of this Agreement which may result in the immediate termination of the Agreement.

7. Regardless of whether required by law or ordinance, the Town and the District, their agents, officers and employees agree to conduct their activities in connection with the use of the fuel pump so as not to endanger or harm any person or property. The Town and the District, as their respective roles may require, agree to ensure that all approvals, licenses and certificates which are necessary or appropriate are obtained.

8. Regardless of whether required by law or ordinance, the Town and the District, their agents, officers and employees agree to conduct their activities in connection with the use of the fuel pump so as not to endanger or harm any person or property. The Town and the District, as their respective roles may require, agree to ensure that all approvals, licenses and certificates which are necessary or appropriate are obtained. District further agrees to provide a registration certificate, valid inspection, vehicle identification number, and proof of satisfactory vehicle liability insurance for each of the designated vehicles prior to or at the time of execution of this Agreement. District shall also provide same above-referenced documentation for each vehicle it wishes to add to Schedule “B” prior to Town fuel usage.

9. The District agrees to purchase and maintain a liability insurance policy listing the Town as an additional insured in the amount of Two Million Dollars (\$2,000,000.00) per occurrence and Four Million Dollars (\$4,000,000.00) in the aggregate; district shall provide a copy of the original declaration page of the subject insurance policy as well as a copy of the insurance certificate which states the Town is an additional insured at or before execution of this Agreement for a term that coincides with the term of this Agreement, as well as for any additional terms which may be negotiated between Town and District in the future. This insurance policy shall also provide protection to District and the Town from claims under workers' or workmen's compensation, claims for damages because of bodily injury, occupational sickness or disease, or death or injury to or destruction of tangible property, including the loss of use resulting therefrom and caused in whole or in part by any negligent act or omission of the District, anyone directly or indirectly employed by the District or anyone for whose acts the District shall be liable.

10. Indemnification: To the fullest extent permitted by law, the District shall indemnify and hold harmless the Town from and against all claims, damages and losses including but not limited to bodily injury, sickness, disease or death or injury to or destruction of tangible property including loss therefrom and expenses, including but not limited to attorneys' fees, arising out of or resulting from the acts or omissions of the District which shall survive the term or terms of this Agreement. The Town and the District shall maintain and retain all records created or maintained in connection with this Agreement for a period of six (6) years after the termination of this Agreement. Each party agrees to make those documents available for audit and inspection by any government official or agency with the authority and/or jurisdiction over the terms of the Agreement as set forth herein.

11. The parties shall retain the right to review the terms of this Agreement on an annual basis and renew its term at one-year intervals or less upon mutual written agreement of the parties.

12. Any alteration, change, addition, deletion, or modification of any of the provisions of this Agreement or any right either party has under this Agreement shall be made by mutual assent of the parties in writing and signed by both parties.

13. This Agreement shall be governed by the laws of the State of New York. If any portion of this Agreement is found by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall remain in full force and effect.

14. The terms of this Agreement shall not be assigned without the mutual written authorization from the parties.

15. Nothing contained in this Agreement shall be construed to create an employment or principal-agent relationship, or partnership or joint venture, between the Town of Riverhead and the Riverhead Fire District and any officer, employee, servant, agent or independent contractor of the Riverhead Fire District.

16. This Agreement constitutes the full and complete agreement between the Town of Riverhead and the Riverhead Fire District and supersedes all prior written and oral agreements, commitments or understandings with respect thereto.

17. The undersigned representative of the Town of Riverhead hereby represents and warrants that the undersigned is an officer, director or agent of the Town of Riverhead with full legal rights, power and authority to enter into this Agreement on behalf of the Town of Riverhead and bind the Town of Riverhead with respect to the obligations enforceable against the Town of Riverhead in accordance with the terms contained herein.

18. The undersigned representative of the Riverhead Fire District hereby represents and warrants that the undersigned is an officer, director or agent of the Riverhead Fire District with full legal rights, power and authority to enter into this Agreement on behalf of the Riverhead Fire District and bind the Riverhead Fire District with respect to the obligations enforceable against the Riverhead Fire District in accordance with the terms contained herein.

19. Notwithstanding an provision to the contrary, in the event the Town of Riverhead terminates, rescinds or otherwise makes unavailable unleaded and/or diesel fuel at the Municipal Garage Pumping Station, including any act or actions taken by the Town of Riverhead to and/or in furtherance of termination, rescission or other act demonstrating its intention to make unavailable unleaded and diesel fuel i.e. resolution to terminate contracts and/or bid awards for unleaded and diesel fuel, the Riverhead Fire District may terminate the contract within 10 days written notice. In the event there is a termination/cancellation of the agreement based upon this provision, it is agreed and understood by and between the parties that in no event shall either party be liable for any direct, indirect, special, consequential, incidental or punitive damages however caused which are incurred by the other party and which arise out of any act related to termination or cancellation of this agreement.

20. The terms of this Addendum shall supersede such terms and conditions set forth in the original Municipal Cooperation Agreement for share of unleaded fuel services at the Town's Municipal Garage Pumping Station.

IN WITNESS WHEREOF, the undersigned hereby acknowledge that they have read and fully understand the foregoing Agreement and further, that they agree to each of the terms and conditions contained herein.

RIVERHEAD FIRE DISTRICT

TOWN OF RIVERHEAD

Sean M. Walter, Town Supervisor

Date: _____

Date: _____

SCHEDULE "A"

Hours of operation: Twenty-Four hours per day, Seven days per week

CHARGES:

A. Cost of gasoline: As per New York State contract PC 66695-Gasoline and E-85, Award Number: 22782: Contract Period: December 19, 2014, through December 18, 2015, or any contract in succession. District acknowledges receipt of same which is hereby incorporated herein as if recited in its entirety. District acknowledges that price for unleaded gasoline may change or fluctuate based upon contract award by Town and cost/charge shall be subject to such contract award.

Diesel: Bid Award as per Resolution #539 adopted by the Town Board on July 21, 2015.

**B. Fuel Supplier: Sprague Operating Resources, LLC.
Diesel Supplier: Romeo Enterprises Inc.**

C. Frequency of Charges: Monthly (District to pay invoice within 30 days of receipt). District agrees and affirms that the District's failure to provide payment within 30 days of the invoice may subject the District to immediate termination of the Agreement.

D. Equipment Leasing Charges: The following leasing charges are a one-time leasing charge per vehicle to be paid on or before Agreement execution and whose leasing term shall coincide and run with the term of the Agreement. District agrees, represents and affirms that upon the termination of the Agreement, District shall present all of the designated vehicles to the municipal garage or any other Town department if so directed, for the removal of the following devices, within seven (7) business days of the termination of the Agreement. District also agrees that for any designated vehicle rendered no longer operable nor requiring fuel service, said vehicle shall be returned to the Town for removal of the following devices within seven (7) business days of the event, even if the Agreement has not terminated. District further agrees, affirms and represents that District personnel, officials, officers, employees, representatives, and agents shall not remove, alter, replace or manipulate the following devices from the designated vehicles without the express written consent of the Town, which shall survive the termination of the Agreement. District also agrees, affirms and represents that District shall make the designated vehicles available for inspection, service and/or maintenance upon request of the Town within a reasonable time but no later than one full business day. In addition, the installation of the following devices shall constitute a lien upon each of the designated vehicles until such time that the devices are physically removed from the subject vehicles by Town personnel.

E.

- | | |
|------------------------------|-----------------------------|
| 1. Fuel Point Module: | \$122.00 per vehicle |
| 2. T-Ring: | \$ 26.00 per vehicle |

3. **OBDII Mileage Adapter \$127.00 per vehicle**
4. **Operator Key: \$20.00 (onetime leasing fee, District to return key upon contract termination).**
5. **Gas Can Key: \$20.00(one-time leasing fee, District to return key at contract end)**

F. Town Administrative Charges: \$.37 (thirty-seven cents) per gallon. District agrees to pay an administrative charge to the Town equal to .37 cents per gallon of fuel that is dispensed from the Town's fuel pump. District further agrees to pay the administrative charge in addition to the cost of fuel (on a per gallon basis/rate) set forth in the fuel invoice. District agrees, acknowledges and understands that the administrative charge of .37 cents per gallon is a charge in addition to the fuel gallon rate specified in the Town's contract with Sprague Energy Corporation or such other company subject to contract/agreement with the Town. Town represents that the administrative charge shall be subject to review on an annual basis and as such may be modified and/or increased on an annual basis.

E. Town Installation Charges: The Town's Municipal Garage Department represents that it shall require the following time periods to install the above-referenced devices.

For vehicles with mileage tracking capability, the installation cost for additional vehicles shall be \$130.00 per man hour x 2.5 hours. For vehicles without mileage tracking capability, the installation cost for additional vehicles shall be \$130.00 per man hour x 2 hours. Town and District agree that the District shall determine those vehicles which require mileage tracking equipment and those which shall not require same and Town shall impose the fees set forth above.

Town and District mutually agree to add or delete vehicles during the term of the Agreement upon mutual consent subject to the above delineated charges and conditions. Town and District agree that subsequently designated vehicles shall incur charges delineated above which shall remain unchanged during the term of this Agreement.

F. District agrees to pay any additional and reasonable foreseeable and unforeseeable costs related to fuel service subject to verification and proper documentation.

SCHEDULE B (LIST OF VEHICLES)

1. 6-2-1 2010 SEAGRAVE VIN # 1F9E228T0ACST2059
2. 6-2-2 1997 SEAGRAVE VIN # 1F9EW28T9VCST2023
3. 6-2-3 2002 AMERICAN LAFRANCE VIN # 4Z3AAACG52RJ81874
4. 6-2-4 2010 SEAGRAVE VIN # 1F9E228T7ACST2060
5. 6-2-5 1997 SEAGRAVE VIN # 1F9F828TXVCST2014
6. 6-2-6 1999 LTI VIN # 4S7AX4291XC030120
7. 6-2-7 1997 FREIGHTLINER VIN # 1FVX4LYB2VL70201
8. 6-2-8 1991 INTERNATIONAL VIN # 1HTSLNMOMH367508
9. 6-2-9 2006 SALSBERRY VIN # 4S7AU2F946C053543
10. 6-2-10 2006 DODGE VIN # WDOPD644865946224
11. 6-2-10A 2011 DODGE VIN # 3D7UT2HL6BG544428
12. 6-2-12 1974 INTERNATIONAL VIN # 14672CHA42692 (gas)
13. 6-2-12A 1970 KAISER VIN # C13410341
14. 6-2-12B 1970 KAISER VIN # NL085R
15. 6-2-13 1976 SEAGRAVE VIN # PB24068F73521
16. 6-2-14 1994 SEAGRAVE VIN # 1F9EW28PORCST2062
17. 6-2-15 2003 CHEVY VIN # 1GBJC33193F186600
18. 6-2-30 2011 CHEVY TAHOE VIN # 1GNSK2E01BR345017
19. 6-2-31 2007 CHEVY SUBURBAN VIN # 3GNGK26K57G278743
20. 6-2-32 2005 CHEVY SUBURBAN VIN # 1GNFK16Z45J250785
21. 6-2-33 2008 FORD EXPEDITION VIN # 1FMFU16578LA84850

22. 6-2-90 2002 CHEVY TAHOE VIN # 1GNEK13412T280464
23. 6-2-91 2001 DODGE RAM PICK UP VIN # 1B7HF13731J521985
24. 6-3-93 2003 CHEVY TAHOE VIN # 1GNEK13Z23R176393
25. 6-2-95 2001 DODGE VIN # 3B6MF36641M510108
26. 6-2-96 2005 FORD VIN # 1FTWW33P25EC06949
27. 6-2-97 2004 FORD VIN # 1FBSS31P34HA72998

*The fueling of vehicles at the Town's Municipal Garage shall be solely for and related to official fire district purposes and any abuse or violation of this term shall constitute a material breach of this Agreement which may result in the immediate termination of the Agreement.

TOWN OF RIVERHEAD

Resolution # 73

AUTHORIZES THE SUPERVISOR TO EXECUTE A MUNICIPAL COOPERATION AGREEMENT BETWEEN THE TOWN OF RIVERHEAD AND THE RIVERHEAD FIRE DISTRICT FOR SAND AND SALT SERVICES

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town of Riverhead and the Riverhead Fire District wish to enter into a Municipal Cooperation Agreement whereby the Town of Riverhead Highway Department will provide sand and salt services to the Riverhead Fire District; and

WHEREAS, the Town of Riverhead will provide this service to the following Fire District locations: Roanoke Avenue Headquarters, Hubbard Avenue, Hamilton Avenue and Riley Avenue; and

WHEREAS, the sand and salt service will cost the Riverhead Fire District \$125.00 each time the service is provided (not per weather event); and

WHEREAS, the service only provides salt and sanding of the parking/ramp areas, not walkways or entrances, and does not include plowing.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead authorizes the Supervisor to enter into an agreement with the Riverhead Fire District, in substantially the same form as annexed hereto, for sand and salt services; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Jonathan D. Brown, Esq., 737 Roanoke Avenue, Riverhead, NY 11901; and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

MUNICIPAL COOPERATION AGREEMENT entered into as of the ____ day of _____, 2015, by and between the **RIVERHEAD FIRE DISTRICT**, with offices for the transaction of business located at Roanoke Avenue, Riverhead, New York and the **TOWN OF RIVERHEAD**, with offices for the transaction of business located at 200 Howell Avenue, Riverhead, New York.

WHEREAS, the Town of Riverhead, through its Highway Department, is responsible for snow removal from Town roadways and Town property throughout the Town and, as such, the Town Highway Department has the facilities, personnel and equipment to perform snow removal and related tasks, including salt and sanding; and

WHEREAS, the Riverhead Fire District has adequate equipment and personnel required to perform snow removal, however, the District lacks adequate equipment and/or facilities for the storage of and application of sand and salt required for parking and ramp areas at the following Fire District locations: Roanoke Avenue Headquarters, Hubbard Avenue, Hamilton Avenue, and Riley Avenue; and

WHEREAS, the Riverhead Fire District finds it appropriate and cost effective to contract for salt and sanding services and requests that the Town of Riverhead Highway Department provide assistance to the Fire District limited to the application of salt and sand in the parking and ramp areas identified above; and

WHEREAS, the Riverhead Fire District and Town of Riverhead, through its Highway Department, wish to enter into an inter-municipal agreement for such services; and

WHEREAS, pursuant to Article 5-G of the General Municipal Law, the Town and Fire District are authorized to enter into a municipal cooperation agreement with respect to salt and sanding services; and

WHEREAS, the parties recognize what their respective rights and obligations will be under the agreement; and

NOW, THEREFORE, in consideration of the mutual covenants set forth above and fully set forth in the Agreement below, the parties agree as follows:

THIS AGREEMENT is made _____, 2015 by and between the Town of Riverhead, hereinafter referred as the "TOWN" and the Riverhead Fire District, hereinafter referred as the "DISTRICT", and hereinafter collectively called the "PARTIES".

IT IS HEREBY AGREED by and between the PARTIES, that the TOWN agrees to apply sand and salt, or other material on parking and ramp areas at the following DISTRICT locations: Roanoke Avenue Headquarters, Hubbard Avenue, Hamilton Avenue, and

Riley Avenue during the months of November 1 to April 1 each year that this Agreement is in effect as the Town Highway Superintendent deems it necessary or *at the request of any one of the following DISTRICT representatives: Kevin Brooks, Ed Carey, Mark Conklin, Bill Kelly, Dennis Hamill, Frank Darrow.

The DISTRICT may alter the list of District representatives at any time. The DISTRICT will notify the Town in writing of any such change.

The DISTRICT shall provide the TOWN with notice that conditions exist such that the parking and ramp areas require the application of salt and/or sand and that DISTRICT has completed or shall complete snow plow activities within one hour from notification such that the areas described above are ready for application of sand and salt by TOWN. This notice shall be satisfied by contacting the Town of Riverhead Highway Department at 727-3200, extension 228 during regular business hours (7:00 am to 3:30 pm) or by contacting George Woodson, Highway Superintendent at 631-466-0141 during non-business hours.

The DISTRICT shall be responsible to plow all snow and ice from the parking area prior to application of salt and/or sand by TOWN and shall make every good faith effort not to plow residual snow onto Town roadways and sidewalks.

The DISTRICT shall be responsible to remove snow and ice, salt and sand all pathways, entrances, exits, means of ingress and egress be it for pedestrian or vehicle access to the buildings, offices, garage or other such structures located on or adjacent to the identified parking areas and it is understood that the TOWN shall not be responsible for or provide any such snow removal, salt or sanding services to such areas.

The Town shall perform such salt and sand application to the same extent and in the same timely fashion as the TOWN shall perform such services on its own Town highways and parking areas.

The TOWN further agrees to supply all labor, machinery, tools and equipment in the performance of the work under this Agreement.

The DISTRICT agrees to reimburse the TOWN for its costs in performing such services, according to the following procedures:

- a. The TOWN agrees to keep, during the period of this AGREEMENT, an itemized annual record of daily operations, on a form to be provided by the Town Highway Superintendent and to submit such completed form together with a certified voucher noting the date, time, location for each application of sand and/or salt ; and
- b. The DISTRICT agrees to pay a flat rate of \$125.00 per application to all four identified locations (not per location). It is understood that due to the snow event or conditions related to the snow event (wind, rain etc.), the TOWN may perform

one or more applications at any of the identified locations per day/evening and seek payment for each application.

This AGREEMENT shall be in full force and effect from and after _____ 2015 until _____ 2016, unless terminated sooner by either PARTY upon 60 days' notice in writing to the other PARTY.

The Town of Riverhead is self insured and shall maintain said self insured status during the period of this agreement. The Riverhead Fire District shall procure and maintain, at its sole cost and expense, any and all insurance necessary to protect itself from claims for which it may be legally liable arising from the activities contemplated under this Agreement. All policies shall provide for at least thirty (30) days written notice of cancellation or amendment.

Each party agrees to indemnify and hold harmless the other party, its agents and employees from and against all claims, damages, losses and expenses of a third party arising out of or resulting from the sand and salt application to the parking/ramp areas at the four locations provided that such claim, damage, loss or expense is caused in whole or in part by the negligent act or omission of the identifying party or anyone for whose acts it may be liable.

Any alteration, change, addition, deletion or modification of any of the provisions of this Agreement or any right either party has under this Agreement shall be made by mutual assent of the parties in writing and signed by both parties.

This Agreement may not be assigned by either party without the prior written authorization of the non-assigning party.

Nothing contained in this Agreement shall be construed to create an employment or principal-agent relationship or partnership or joint venture, between the Town of Riverhead and the Riverhead Fire District and any officer, employee, servant, agent or independent contractor of the Riverhead Fire District.

This Agreement shall be governed by the Laws of the State of New York. If any portion of this Agreement is found by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall remain in full force and effect.

This Agreement constitutes the full and complete agreement between the Riverhead Fire District and the Town of Riverhead, and supersedes all prior written and oral agreements, commitments or understandings with respect thereto.

This Agreement had been mutually arrived at and shall not be construed against either party as being the drafter or causing this Agreement to be drafted.

The undersigned representative of the Town of Riverhead hereby represents and warrants that the undersigned is an officer, director or agent of the Town of Riverhead

with full legal rights, power and authority to enter into this Agreement on behalf of the Town of Riverhead and bind the Town of Riverhead with respect to the obligations enforceable against the Town of Riverhead in accordance with the terms contained herein.

IN WITNESS WHEREOF, the undersigned hereby acknowledge that they have read and fully understand the foregoing Agreement and further, that they agree to each of the terms and conditions contained herein.

RIVERHEAD FIRE DISTRICT

By: _____

Printed Name: _____

Date: _____

TOWN OF RIVERHEAD

By: _____
Sean M. Walter, Town Supervisor

Date: _____

TOWN OF RIVERHEAD

Resolution # 74

ADOPTS A LOCAL LAW TO AMEND CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE
(§101-10. Parking prohibited. - Howell Avenue)

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 15th day of December, 2015 at 7:05 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD
NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code at its regular meeting held on February 2, 2016. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

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

§ 101-10. Parking prohibited.

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

Name of Street	Side	Location
Howell Avenue	East	From its intersection with the north curbline of East Main Street (Route 25) to a point 375 <u>30</u> feet north

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

Dated: Riverhead, New York
February 2, 2016

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 75

AUTHORIZATION TO CONVEY MEMBER DUES IN THE AMOUNT OF \$6,000.00 (Six Thousand Dollars) FOR CALENDAR YEAR 2016 REGARDING THE TOWN OF RIVERHEAD'S CONTINUED PARTICIPATION IN AN INTERMUNICIPAL AGREEMENT WITH NEIGHBORING MUNICIPALITIES KNOWN AS THE PECONIC ESTUARY PROTECTION COMMITTEE

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town of Riverhead, the County of Suffolk, the Town of Brookhaven, the Town of East Hampton, the Town of Southampton, the Town of Southold, the Town of Shelter Island, the Village of Greenport, the Village of North Haven and the Village of Sag Harbor (hereinafter collectively referred to as "member-municipalities") recognize the importance of the Peconic Estuary as a vital coastal ecosystem essential to the environmental and economic well-being of the people in the areas surrounding the Peconic Estuary; and

WHEREAS, member-municipalities henceforth deemed the Peconic Estuary Protection Committee (PEPC) have set forth long range goals and plans for the use and improvement of the Peconic Estuary; and

WHEREAS, the PEPC was funded in 2015 by annual contributions paid by the member-municipalities, including the Town of Riverhead, pursuant to an Inter-Municipal Agreement (IMA) to meet Committee goals such as improving the water quality of the Peconic Estuary, restoring and enhancing the surrounding tidal wetlands, controlling and reducing pollution, achieving compliance with federal and state regulations which affect the Peconic Estuary and coordinating local coastal regulations to maximize protection and improvement of the Peconic Estuary; and

WHEREAS, to maximize the efficiency of Town personnel, time and money and to lead to a higher level of coordination to meet NYSDEC Stormwater Management requirements, the Town of Riverhead executed the afore-mentioned IMA with the above-named municipalities on or about January 28, 2015, pursuant to authorizing resolution number 75-2015 (1-21-2015); and

WHEREAS, the IMA requires member dues to be re-established each calendar year and approval of same by each continuing member-municipality; and

WHEREAS, the 2016 member dues have been established to be \$6,000.00 (six thousand dollars); and

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

NOW THEREFORE BE IT RESOLVED, that the Town of Riverhead shall continue as a member-municipality pursuant to the IMA for calendar year 2016.

RESOLVED, that the Town's Financial Administrator is hereby authorized and directed to disburse funding in the amount of six thousand (\$6,000.00) dollars solely limited to fiscal year 2016 as a charge to the Town Engineering Department's consultant's budget appropriation and representing the Town's membership contributions for fiscal year 2016 to the Town of Southampton, as the funding repository regarding the IMA, upon submission of a properly executed payment claim voucher; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 76

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

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

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

WHEREAS, Hon. Lori Hulse, Justice of the Riverhead Justice Court, has expressed a desire to attend said event.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby authorizes the attendance of Lori Hulse, Riverhead Town Justice at the aforementioned event; and be it further

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 77

**APPROVES THE CHAPTER 83 PARADE AND ASSEMBLY APPLICATION PERMIT
OF EAST END EMERALD SOCIETY
("St. Patrick's Day Parade" – March 19th, 2016)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, on January 19, 2016, Sean O'Neill, on behalf of the East End Emerald Society, submitted a Chapter 83 Parade and Assembly Permit Application for the purpose of conducting a "St. Patrick's Day Parade", to commence on Washington Avenue, Jamesport, NY and terminating at the Jamesport Fire Department Fire House located on Manor Lane, Jamesport, New York, on Saturday, March 19, 2016, between the hours of 2:00 p.m. and 4:00 p.m.; and

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

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

NOW THEREFORE BE IT RESOLVED that the Town Board hereby approves the Chapter 83 Parade and Assembly Permit of East End Emerald Society for the purpose of conducting parade, to commence on Washington Avenue, Jamesport, New York and terminating at the Jamesport Fire Department Fire House located on Manor Lane, Jamesport, New York, on Saturday, March 19, 2016, between the hours of 2:00 p.m. and 4:00 p.m.; and be it further

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

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

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

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

resolution to East End Emerald Society, Attn: Sean O'Neill, P.O. Box 64, Jamesport, New York, 11947 and the Jamesport Fire Department, 25 Manor Lane, Jamesport, NY 11947; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 78

APPROVES THE CHAPTER 90 APPLICATION OF EVENT POWER
("Riverhead Rocks Triathlon" – August 13th & 14th, 2016)

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, on December 22, 2015, Victoria Ventura, on behalf of Event Power, submitted a Chapter 90 Application for the purpose of conducting a triathlon event entitled "Riverhead Rocks Triathlon", said triathlon to include swim, bike and run events, which will encompass various roads within the Town of Riverhead, including the Peconic River, Riverhead, New York, on Saturday, August 13, 2016, between the hours of 11:00 a.m. and 5:00 p.m., and on Sunday, August 14, 2016, between the hours of 4:30 a.m. and 12:30 p.m.; and

WHEREAS, Event Power has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

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

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

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

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

RESOLVED, that a certificate of insurance evidencing acceptable limits, naming the Town of Riverhead as an additional insured, has been received; and be it further

RESOLVED, that the Outdoor Safety Plan submitted with applicant's Chapter 90 application is subject to the review and approval of the Riverhead Fire Marshal; and be it further

RESOLVED, that this approval is subject to receipt of a fully executed license agreement, together with the requisite license fee as stated in said license agreement, for purposes of the utilization of Police and Fire Marshal personnel and patrol vehicles **no later than June 20, 2016**; and be it further

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

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

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Event Power, Attn: Victoria Ventura, 162 Long Island Avenue, #179, Holtsville, New York, 11742; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 79

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

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

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

WHEREAS, Nile Rodgers Productions, Inc. has completed and filed a Large Gathering Chapter 90 Application and a Full Environmental Assessment Form (FEAF) in accordance with 6 NYCRR 617; and

WHEREAS, the proposed Chapter 90 application is classified Type I action in accordance with NYCRR 617.4(b) (8) and (9), and as such requires the referral of the application and FEAF to all involved agencies for coordinated review and to determine who will be lead agency; and

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

NOW, THEREFORE BE IT RESOLVED, that Town Board of the Town of Riverhead hereby requests the status of lead agency pursuant to SEQRA determines the action to be a Type I action in accordance with 6 NYCRR 617.4(b) (8) and (9) and hereby authorizes the Town Clerk to forward a copy of the application and FEAF to all involved agencies; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Peter Herman, Nile Rodgers Productions, Inc., 9 E. 45th Street, 3rd Floor, New York, New York, 10017, Attn: Peter Herman; and to Charles Voorhis, Nelson, Pope & Voorhis, 572 Walt Whitman Road, Melville, New York, 11747-2188, Attn: Charles Voorhis; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 80

OFFERS SUPPORT TO NEW YORK STATE LEGISLATURE TO AMEND CHAPTER 399 OF THE LAWS OF 2008 IN RELATION TO GIVING THE TOWN BOARD THE DISCRETION TO SET SPEED LIMITS ON ALL LOCAL ROADS WITHIN THE TOWN'S JURISDICTION
(Senate Bill #S.4485/Assembly Bill #A.6353

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Senate Bill S.4485/A.6353 has been introduced in the New York State Legislature, which is an act to amend Chapter 399 of the Laws of 2008, in relation to giving the Town Board the discretion to set speed limits on all local roads within the Town's jurisdiction; and

WHEREAS, the Town of Riverhead has received numerous complaints concerning dangerous traffic conditions within its town, exacerbated by speed zones that are too high for such conditions. As the town is neither a suburban town nor has a population of over 50,000, it does not presently have the authority to set speed limits. This legislation would add Riverhead to those towns who are empowered to do so; and

WHEREAS, a Home Rule request has been received by the Town of Riverhead in support of the above captioned legislation.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby supports the efforts of the New York State Legislature to amend Chapter 399 of the Laws of 2008, in relation to giving the Town Board the discretion to set speed limits on all local roads within the Town's jurisdiction; and be it further

RESOLVED, that the Town Board authorizes the Supervisor to execute a Home Rule Request supporting this proposed State legislation; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Senator Kenneth P. LaValle, 28 North Country Road, Mount Sinai, NY, 11766 and Assemblyman Fred W. Thiele, Jr., 2302 Main Street, P.O. Box 3062, Bridgehampton, NY, 11932; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 81

RESOLUTION SUPPORTING THE SUFFOLK COUNTY LANDBANK CORPORATION'S APPLICATION FOR 2015 NEW YORK MAIN STREET DOWNTOWN STABILIZATION PROGRAM FUNDS

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, New York State announced up to \$9,700,000 in funding for 2015 New York Main Street and New York Main Street (NYMS) Technical Assistance Grants available via New York State's Consolidated Funding Application; and

WHEREAS, The Suffolk County Landbank Corporation ("SCLBC") is a not-for-profit corporation which was formed pursuant to Local Law 18-2012; and

WHEREAS, The SCLBC has a mission to efficiently facilitate the return of distressed and underutilized properties within Suffolk County to productive uses consistent with the comprehensive plans of the jurisdictions in which they are located; and

WHEREAS, The SCLBC applied for and was awarded funding to identify and mitigate environmental risks associated with future redevelopment of five tax-delinquent environmentally challenged sites, all which are located in economically distressed downtowns engaged in New York State funded Brownfield Opportunity Area activities and leverage funding from the New York State Attorney General's office; and

WHEREAS, The SCLBC applied for and was awarded NYMS Downtown Stabilization Funds to assist in site assessment and the development of a remediation action plan; and

WHEREAS, three (3) of the properties involved in the SCLBC planned project are located in Riverhead:

0600-102.00-03.00-031.000	711 Harrison Ave, Riverhead
0600-106.00-04.00-005.000	994 East Main St, Riverhead
0600-126.00-01.00-023.000	225 Pulaski Street, Riverhead

; and

WHEREAS, The New York Main Street grant program requires a municipal resolution in support of any application; now, therefore be it

RESOLVED, that the Town Board of the Town of Riverhead supports the Suffolk County Landbank Corporation's 2015 application to New York State and the Housing Trust Fund Corporation that was awarded \$20,000 in New York Main Street Technical Assistance funds to assist in site assessment and the development of a remediation action plan; and be it further

RESOLVED, that the Town Clerk is hereby directed to send one (1) certified copy of this resolution to Sarah Lansdale, Director of Planning, Suffolk County Department of Economic Development and Planning, 100 Veterans Memorial Highway, 4th Floor, Hauppauge, NY 11788.

RESOLVED, that a copy of this resolution shall be provided to the Community Development Department, Accounting and the Town Attorney; and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 82

**AUTHORIZES THE RELEASE OF PERFORMANCE SECURITY OF
OLD VINE GOLF A/K/A REEVE'S GOLF, LLC**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, D.F. Stone Contracting, Ltd., on behalf of Old Vine Golf, a/k/a Reeve's Golf, LLC, posted Liberty Mutual Surety Subdivision Bond #015043471 in the sum of Sixteen Thousand Dollars (\$16,000.00) representing performance security in connection with Riverhead Planning Board Resolution #2013-0089, dated November 7, 2013, for drainage improvements to be completed to address storm water ponding upon certain properties located within the subdivision known as Old Vine Golf, located off of Reeves Avenue (Tyler Drive), Riverhead, New York, further described as Suffolk County Tax Map #'s 0600-64-1-6.73, 6.79 and 6.81; and

WHEREAS, Vincent A. Gaudiello, P.E., has determined that the drainage improvements have been completed in accordance with the Town's specifications.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the aforementioned performance security in the sum of \$16,000.00; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to NF Development LLC, Attn: Chris Keegan, 1230 Station Road, Medford, NY, 11763 and D.F. Stone Contracting, Ltd., 1230 Station Road, Medford, NY 11763; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 83

APPOINTS RICHARD A. EHLERS, ESQ., AS COUNSEL TO THE PLANNING BOARD OF THE TOWN OF RIVERHEAD

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Planning Board has requested that outside counsel be retained to represent the Planning Board; and

WHEREAS, the Town Board wishes to appoint as Special Counsel, Richard A. Ehlers to represent the Planning Board.

NOW, THEREFORE BE IT HEREBY RESOLVED, that Richard A. Ehlers, is hereby retained as special counsel to represent the Planning Board. General representation to the Planning Board shall include but not be limited to appearance at Planning Board meetings with said legal services being billable at the rate of \$100.00 per hour, and be it further

RESOLVED, that Richard A. Ehlers, is hereby retained as special counsel initially for four months, effective February 3, 2016 and continuing through and including May 31, 2016 subject to further extension, and be it further

RESOLVED, that the Riverhead Town Board hereby authorizes the Supervisor to execute a Retainer Agreement with Richard A. Ehlers, Esq; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Richard A. Ehlers, Esq. the Office of the Town Attorney and the Office of Accounting.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 84

AUTHORIZES THE SUPERVISOR TO ISSUE A LETTER TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES ALLOWING THE USE OF PINE BARRENS CREDITS ORIGINATED FROM PROPERTY LOCATED IN RIVERHEAD (FARMINGVILLE ASSOCIATES)

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Pine Barrens credits issued by the Central Pine Barrens Joint Planning and Policy Commission from properties within the Towns of Brookhaven, Riverhead and Southampton may be used interchangeably within the Towns provided that both Towns authorize said use; and

WHEREAS, Farmingville Associates wishes to increase the available sanitary density for premises in the Town of Brookhaven by using 13.96 credits under Pine Barrens Certificate #600-116 which certificate is derived from four prior Certificates originating from properties located in the Town of Riverhead (Suffolk County Tax Map #0600-075.00-03.00-010.003); and

WHEREAS, the Town of Brookhaven has authorized said transfer.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to issue a letter in substantially the same form as attached to the Suffolk County Department of Health Services approving the use of said Riverhead Pine Barrens credit(s) on premises located at west side of N. Ocean Avenue, Farmingville, Town of Brookhaven, New York, further described as Suffolk County Tax Map No. 0200-655.00-05.00-015.003, 015.004, 016.000 and 017.000; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to Farrell Fritz, P.C., 100 Motor Parkway, Suite 138, Hauppauge, New York 11778; the Planning Department and the Office of the Town Attorney.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 85

**APPROVES CHAPTER 90 APPLICATION OF
SUFFOLK BICYCLE RIDERS ASSOCIATION, INC.
("Bike-Boat-Bike" Bicycle Event – Sunday, June 5th, 2016)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, on December 10, 2015, Jeff Meyer, on behalf of Suffolk Bicycle Riders Association, Inc., a not-for-profit- organization made up of individuals of all ages, whom enjoy riding together year round in a relaxed and friendly atmosphere, submitted a Chapter 90 Application for the purpose of conducting a bicycle event entitled "Bike-Boat-Bike" tour, where riders will bike between 25 and 100 miles, to include rest stops/areas, to commence and terminate at the Hallockville Museum Farm, located at 6038 Sound Avenue, Riverhead, NY, to be held on Sunday, June 5, 2016, between the hours of 6:00 a.m. and 6:00 p.m.; and

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

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

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

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

NOW THEREFORE BE IT RESOLVED, that Town Board 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 Suffolk Bicycle Riders Association, Inc. for the purpose of conducting a bicycle event entitled "Bike-Boat-Bike" tour, to be held on Sunday, June 5, 2016 between the hours of 6:00 a.m. and 6:00 p.m., is hereby approved; and be it further

RESOLVED, that this approval is subject to receipt of a certificate of insurance acceptable to the Town Attorney **no later than April 15, 2016**; and be it further

RESOLVED, that this approval is subject to an Outdoor Public Safety Plan, to be submitted to the Fire Marshal's office no later than May 2, 2016; and be it further

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

- Receipt of required Suffolk County Department of Health Vendors Temporary Food Service Permit;
- Receipt of required Emergency Medical Services (EMS) information;

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

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Suffolk Bicycle Riders Association, Inc., Attn: Jeff Meyer, P.O. Box 303, Lake Grove, NY 11755; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared TABLED

TOWN OF RIVERHEAD

Resolution # 86

RIVERHEAD HIGHWAY DISTRICT

EQUIPMENT BUDGET ADJUSTMENT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Superintendent of Highway is requesting a budget adjustment to cover costs associated with the purchase of equipment.

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

		<u>FROM</u>	<u>TO</u>
111.000000.499999	Highway District Fund Balance	75,000	
111.051300.524000	Equipment		75,000

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 87

AUTHORIZES PURCHASE OF USED ROLL-OFF TRUCK FOR USE BY THE TOWN HIGHWAY DEPARTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town of Riverhead Highway Department seeks to purchase used roll-off truck with an estimated cost not to exceed \$75,000.00 to replace an old roll-off truck which has been used for hauling large quantities of debris, including leaves during the fall clean up and snow during the winter months, and also used in conjunction with tree removal and tree trimming throughout the year; and

WHEREAS, the Town of Riverhead Highway Department Superintendent met with the Financial Administrator to confirm monies are available for the purchase of used roll-off truck; and

WHEREAS, the Town of Riverhead Financial Administrator, subject to and with Town Board approval, confirmed that a transfer of funds from Highway Fund Balance to the Equipment Purchase line of the Highway Budget would provide necessary monies for such purchase.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes and approves the Highway Superintendent's purchase of a used roll-off truck not to exceed \$75,000.00 and subject to compliance with the Town Procurement Policy and all applicable provisions of General Municipal Law; and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 88

AUTHORIZES RIVERHEAD AGRICULTURAL ADVISORY SUB-COMMITTEE

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Riverhead Agricultural Advisory Committee of the Town of Riverhead, Suffolk County, New York is desirous of creating a Sub-Committee for the purposes of making recommendations to the Town Board regarding the transfer of development rights; and

WHEREAS, members of the Riverhead Agricultural Advisory Committee, Farmland Preservation Committee, representatives of the Long Island Farm Bureau, and others have expressed an interest in participating in the sub-committee; and

WHEREAS, the Town Board deems that a sub-committee comprised of representatives of the agricultural community, financial community, and construction/project development community to review and make recommendations to the Town Board regarding the Town's transfer of development rights program may assist the Town in preservation goals and locating development in appropriate areas of the Town.

NOW THEREFORE BE IT RESOLVED, the Town Board approves the Agricultural Advisory Committee request and approves the creation of the Transfer of Development Rights Sub-Committee, a non-compensated advisory board who shall make a written recommendation to the Town Board on the issues related to the Town's Transfer of Development Rights program; and shall consist of a maximum of eleven (11) members as follows: Two (2) representatives from each of the Agricultural Advisory and Farmland Preservation; One (1) representative from Farm Credit East; One (1) representative from Long Island Farm Bureau; One (1) representative from Peconic Land Trust; Two (2) representatives from the community members at large; One (1) representative from the Builder/Developer community; One (1) representative from the farming community; and finally the Transfer of Development Rights Sub-Committee shall terminate upon completion of its mission (written recommendation to the Town Board) or two years from the date of this resolution; and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 89

AUTHORIZES ATTENDANCE AT THE GOVERNMENT FINANCE OFFICERS' ASSOCIATION ANNUAL CONFERENCE

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the NYS Government Finance Officers Association is conducting its annual conference from Wednesday, April 6, 2016 thru Friday, April 8, 2016 in Albany, NY; and

WHEREAS, there is a discount for registering prior to February 12th, 2016; and

WHEREAS, the Financial Administrator has requested authorization for a CPA in the accounting office to attend said conference.

NOW, THEREFORE BE IT, RESOLVED, that the Financial Administrator is authorized to send a CPA in the accounting office to attend the NYS GFOA Annual Conference in Albany, NY; and be it further

RESOLVED, that all related expenses incurred shall not exceed a total cost of \$1,300.00 (expenses to include fees for registration, meals, lodging and other travel costs such as tolls and gas) shall be reimbursed upon his return and in accordance with the Town's Travel and Conference Policy; and be it further

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

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution #89 was TAKEN OFF THE FLOOR, motion carried by unanimous vote. Immediately thereafter there was a motion to put to vote.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted