

## **RESOLUTION LIST**

**NOVEMBER 8, 2017**

- Res. #809 Plant 10 Frequency Drive Installation #20046 Capital Project Closure**
- Res. #810 Plant 16 Treatment System Improvement Capital Project #30121 Closure**
- Res. #811 Sweezy's Development #40090 Capital Project Closure**
- Res. #812 Grangebél Park Bulk Heading Phase II (40186) Budget Adoption**
- Res. #813 Calverton Industrial Park Water Main Extension Capital Project #30125 Closure**
- Res. #814 Public Parking Fund Budget Adjustment**
- Res. #815 Riverhead Charter School Water Extension 77 Capital Project #30124 Closure**
- Res. #816 Riverhead CSD Water Main/Service Installation Capital Project #60091 Closure**
- Res. #817 Stoneleigh Retirement Community Phase IV Capital Project #30123 Closure**
- Res. #818 Water Fund Budget Adjustment**
- Res. #819 Authorizing Removal of Fixed Asset Records from System**
- Res. #820 Approves Execution and Submission of Grant Application to Suffolk County for Fiscal Year 2018 Community Development Block Grant Funds**
- Res. #821 Authorizes Town of Riverhead to Provide Funding Assistance to Butterfly Effect Project**
- Res. #822 Extends Nunc Pro Tunc Contract for Annual Fire and Security Alarm Contract**
- Res. #823 Appoints Bee Ready Fishbein Hatter & Donovan, LLP as Special Counsel in the Matter of Riverhead Highway Department New York State Highway Law Section 189**
- Res. #824 Appoints a Justice to Drug Court**
- Res. #825 Ratifies the Appointment of Part-Time Police Officers and Places them on a Leave of Absence**
- Res. #826 Setting Terms and Conditions of Employment for Town Board Coordinator Karen Levasseur**

- Res. #827** Appoints a Water Treatment Plant Operator IIB (Daniel Keller)
- Res. #828** Appoints a Water Treatment Plant Operator IIB (Ariel Reichel)
- Res. #829** Authorizes the Town Clerk to Publish and Post Notice for a Public Hearing for a Special Permit for North Fork Brewery to Establish a Microbrewery within the DC-1 Zoning District
- Res. #830** Declares Lead Agency, Issues Negative Declaration Pursuant to SEQRA and Approves Special Use Permit of Schwing Electric
- Res. #831** Grants Special Permit of sPower/Green Meadows, LLC. To Establish a 20 Megawatt Commercial Solar Energy Production Facility at 4153 Middle Country Road, Calverton, NY SCTM No.'s 600-116-1-7.2 & 600-98-1-21.1
- Res. #832** Classifies Action and Requests Lead Agency Status for Amendments to Local Law Chapter 301 Zoning and Land Development – Article LII of the Town Code Commercial Solar Energy Production Systems
- Res. #833** Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 301 Entitled “Zoning and Land Development – Article LII Commercial Solar Energy Production Systems” of the Riverhead Town Code
- Res. #834** Awards Bid for Heating Fuel 2017-2018
- Res. #835** Authorization to Publish Advertisement for Purchase of One (1) 2017 or 2108 New or Used (Low Hours and Warranty) Tractor with Cab and Loader for the Town Highway Department
- Res. #836** Order Calling Public Hearing Pursuant to Section 202-b of Town Law Regarding Improvements to Facilities of Riverhead Sewer District for Proposed Fuel Facility – Sewer Main Relocation at 841 Old Country Road
- Res. #837** Authorizes the Removal of all Litter, Garbage/Refuse, Rubbish, Yard Waste, Weeds, Noxious Plants, Grass and/or Rank Vegetation in Excess of Ten (10) Inches in Height Upon the Premises Known as 7 Roan Lane, Riverhead, New York a/k/a SCTM #84.-1-2.32 Pursuant to Riverhead Town Code Chapter 251
- Res. #838** Authorizes Town to Provide Funding Assistance in 2018 and 2019 for Riverhead Community Awareness Program, Inc.
- Res. #839** Extends Contract Nunc Pro Tunc for Automotive Parts 2016
- Res. #840** Extends Contract Nunc Pro Tunc for Ford Automotive Replacement Parts
- Res. #841** Extends Bid Contract Nunc Pro Tunc for Printing of Recreation Brochure

- Res. #842** Extends Contract Nunc Pro Tunc for Truck Parts
- Res. #843** Extends Contract Nunc Pro Tunc for Auto and Truck Repairs
- Res. #844** Rejects Rebid for Automotive Parts 2017 for the Town of Riverhead
- Res. #845** Authorizes Town Clerk to Publish and Post a Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 289 Entitled, “Vehicles, Traffic and Parking Regulations” of the Riverhead Town Code (§289.17 Parking time limited. – East Main St.)
- Res. #846** Authorizes Shot Gun Hunting for Deer on Town Property at Enterprise Park at Calverton (SCTM No. 600-135-1.7.33, et al.) and 1751 Sound Avenue, Calverton (SCTM No. 600-60-1-2) from January 1, 2018, to January 31, 2018, week days only, sunrise to sunset
- Res. #847** Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 217 Entitled “Buildings, Building Construction and Improvements and Housing Standards”, Part 5 Thereof Entitled “Housing Standards” of the Town Code
- Res. #848** Authorizes Settlement of Legal Action by the Town of Riverhead Against 801 F Realty Corp., Et Al
- Res. #849** Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local law for an Addition to Chapter 279 Entitled, “Taxation” of the Riverhead Town Code (§279-37. Exemption for Cold War Veterans)
- Res. #850** Approves the Chapter 255 Application of Body Rite Training (“Biking for Bacon Fundraiser” – November 19, 2017)
- Res. #851** Ratifies the Approval of the Chapter 255 Application of Abate of NY Long Island Chapter (St. Mary’s Food & Toy Run – Sunday, November 5, 2017)
- Res. #852** Ratifies and approves the Chapter 255 Application of Long Island Antique Power Association (Truck and Tractor Pulling – October 21, 2017 and November 11, 2017)
- Res. #853** Ratifies the Authorization of the Fire Safety Inspector to Attend a Fire Arson Investigation Seminar
- Res. #854** Appoints Member to Senior Citizen Advisory Council (Ray Coyne)
- Res. #855** Authorizes Notice to Bidders Construction of Pre-Stressed Ground Storage Tank-Plant No. 15 Contract T-Tank Construction Riverhead Water District Project No.: RDWD 17-02

- Res. #856** Authorizes Notice to Bidders Process Control System Maintenance and Emergency Services Riverhead Water District Project No. RDWD 17-01 (PCS)
- Res. #857** Authorizes Notice to Bidders Hydraulic Control Valve Maintenance and Emergency Services Riverhead Water District Project No. RDWD 17-01 (HCV)
- Res. #858** Authorizes Notice to Bidders Electrical System Maintenance and Emergency Services Riverhead Water District Project No. RDWD 17-01 (E)
- Res. #859** Authorizes Notice to Bidders Water Distribution System Maintenance and Emergency Service Riverhead Water District Project No. RDWD 17-01 (WD)
- Res. #860** Authorizes Town Clerk to Publish and Post Notice to Bidders for Water Service Materials
- Res. #861** Extends Bid Contract for Calcium Hypochlorite Tablets for Riverhead Water District
- Res. #862** Authorizes the Town Supervisor to File State Form TE-9-A
- Res. #863** Pays Bills

**TOWN OF RIVERHEAD**

**Resolution # 809**

**PLANT 10 FREQUENCY DRIVE INSTALLATION #20046**

**CAPITAL PROJECT CLOSURE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Plant 10 Frequency Drive Installation project #20046 is considered complete and under budget by \$30.00.

**RESOLVED**, that the Town Board hereby authorizes the Accounting Department to close project #20046, modify the budget, and transfer the residual funds of \$30.00 back to the originating source – Repair and Maintenance Fund.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting and Sewer Departments.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 810**

**PLANT 16 TREATMENT SYSTEM IMPROVEMENT**

**CAPITAL PROJECT #30121 CLOSURE**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, capital project #30121, for the Plant 16 Treatment System Improvement, is considered complete and under budget by \$6,085.25.

**RESOLVED**, that the Town Board hereby authorizes the Accounting Department to close project #30121, modify the budget, and transfer the residual funds of \$6,085.25 back to the originating source – Repair and Maintenance Fund.

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 811**

**SWEEZY's DEVELOPMENT #40090**

**CAPITAL PROJECT CLOSURE**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, the Sweezy's Development Capital Project #40090 is considered complete.

**RESOLVED**, that the Town Board hereby authorizes the Accounting Department to close project #40090, modify the budget, and transfer the residual funds of \$9,905.59 back to Developer Fees.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting and Recreation Departments.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 812

GRANGEBEL PARK BULK HEADING PHASE II (40186)

BUDGET ADOPTION

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Grangebel Park bulk heading Phase II capital project #40186 is considered complete and is underfunded by \$29,645.39.

**RESOLVED**, that the Riverhead Town Board authorizes the Accounting Department to transfer \$29,645.39 from the Expendable Special Trust Fund (Park and Recreation Fees) to the Grangebel Bulk heading Phase II capital project fund #40186 and to close the project.

	<u>FROM</u>	<u>TO</u>
736.092705.421050    Transfer from Park and Rec Fees	29,645.39	
406.095031.481900.40186    Special Trust Transfers		29,645.39

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Recreation and the Accounting Departments.

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

THE VOTE

Hubbard <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 # 813

**CALVERTON INDUSTRIAL PARK WATER MAIN EXTENSION**  
**CAPITAL PROJECT #30125 CLOSURE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, Capital Project #30125, for the Calverton Industrial Park Water Main Extension, is considered complete;

**WHEREAS**, Project #30125 has an unspent balance of \$3,943.55 in Developer Fees that can be returned to General Energy Solutions USA;

**RESOLVED**, that the Town Board hereby authorizes the Accounting Department to close and modify the budgets for Capital Project #30125, and return the unspent funds to General Energy Solutions USA.

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 814**

**PUBLIC PARKING FUND**

**BUDGET ADJUSTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, budget adjustments are necessary in the Public Parking Fund.

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
117.019100.548300	Unallocated Insurance	200	
117.019500.547100	Taxes on Town Property	1,700	
117.056500.546200	Utilities – Electric	13,000	
117.056500.540000	Contractual Services		11,000
117.056500.545110	Parking Lot Rent Expense		3,900

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

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

**THE VOTE**

Hubbard 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 # 815

**RIVERHEAD CHARTER SCHOOL WATER EXTENSION 77**  
**CAPITAL PROJECT #30124 CLOSURE**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, Capital Project #30124, for the Riverhead Charter School Water Extension 77, is considered complete;

**WHEREAS**, Project #30124 has an unspent balance of \$251.90 in Developer Fees that can be returned to Riverhead Charter School;

**RESOLVED**, that the Town Board hereby authorizes the Accounting Department to close and modify the budgets for Capital Project #30124, and return the unspent funds to Riverhead Charter School.

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 816

**RIVERHEAD CSD WATER MAIN/SERVICE INSTALLATION  
CAPITAL PROJECT #60091 CLOSURE**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, Capital Project #60091, for the Riverhead CSD Water Main/Installation, is considered complete;

**WHEREAS**, Project #60091 had an unspent balance of \$6,432.94 in Developer Fees that was returned to the Riverhead Central School District;

**RESOLVED**, that the Town Board hereby authorizes the Accounting Department to close and modify the budgets for Capital Project #60091.

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 817

**STONELEIGH RETIREMENT COMMUNITY PHASE IV**  
**CAPITAL PROJECT #30123 CLOSURE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, Capital Project #30123, for the Stoneleigh Retirement Community Phase IV, is considered complete;

**WHEREAS**, Project #30123 has an unspent balance of \$5,733.06 in Developer Fees that can be returned to Stoneleigh Woods at Riverhead;

**RESOLVED**, that the Town Board hereby authorizes the Accounting Department to close and modify the budgets for Capital Project #30123, and return the unspent funds to Stoneleigh Woods at Riverhead.

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 818**

**WATER FUND**

**BUDGET ADJUSTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, budget adjustments are necessary in the Water Fund.

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
112.083200.542503	Chemicals	20,000	
112.083200.543000	Professional Services		20,000

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 819**

**AUTHORIZING REMOVAL OF FIXED ASSET RECORDS FROM SYSTEM**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, the following items listed below by department have been deemed broken or unusable and need to be removed from the Town of Riverheads system. The Accounting Department hereby requests that the Town Board authorize the removal of these records from the Fixed Asset system.

**NOW THEREFORE BE IT RESOLVED**, that the Accounting Department is hereby authorized to discard the following items:

<b><u>Tag #</u></b>	<b><u>Description</u></b>	<b><u>Department</u></b>
27055	Bosch Rotary Hammer Drill	Engineering
22466	Wilton Bench Belt Sander	Engineering
8591	Monroe 4140 Calculator	Engineering
32046	Black Chair (Dispatch)	Police

**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 # 820

**APPROVES EXECUTION AND SUBMISSION OF GRANT APPLICATION TO SUFFOLK COUNTY FOR FISCAL YEAR 2018 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Town of Riverhead participates in the Suffolk County Consortium to receive Community Development Block Grant funds from the United States Department of Housing and Urban Development for benefit to low and moderate income persons and for the prevention of slum and blight; and

**WHEREAS**, the Town of Riverhead has complied with the citizen participation requirements of the CDBG program; and

**WHEREAS**, the Town of Riverhead possesses the legal authority to make a grant application through Suffolk County and to execute a community development and housing program.

**NOW THEREFORE BE IT RESOLVED**, that the Riverhead Town Board hereby ratifies the execution and submission of a grant application to the Suffolk County Department of Community Development as grantee of Community Development Block Grant funds for FY 2018 from the United States Department of Housing and Urban Development as follows:

<b>2018 CDBG Application</b>	
Bread and More Soup Kitchen	\$ 6,000
Open Arms Soup Kitchen	\$ 6,000
Riverhead Community Awareness Program	\$ 6,000
Dominican Sisters	\$ 6,000
Maureen's Haven	\$ 6,000
Butterfly Effect	\$ 6,000
Home Improvement Program	\$110,000
Adult Daycare	\$ 25,000
<u>Administration</u>	<u>\$ 9,000</u>
TOTAL	\$180,000

**BE IT FURTHER RESOLVED**, that upon approval by the Grantor, the Town Board authorizes the Supervisor to execute the required agreement between Suffolk County 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

**BE IT FURTHER RESOLVED**, that the Riverhead Town Board hereby authorizes the Accounting Department to set up budgets for the contract and issue purchase orders; and

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Suffolk County Community Development Director, Amy Keyes, Suffolk County Community Development, PO Box 6100, Hauppauge NY 11788-0099 and an electronic copy of the adopted resolution to the Community Development Department and the Accounting Department.

**THEREFORE, 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 # 821**

**AUTHORIZES TOWN OF RIVERHEAD TO PROVIDE FUNDING ASSISTANCE TO BUTTERFLY EFFECT PROJECT**

Councilman Dunleavy offered the following resolution, which was

seconded by Councilman Wooten

**WHEREAS**, the Butterfly Effect Project is a nonprofit, community-oriented organization, founded in 2014 by Riverhead-native Tijuana Fulford, that seeks to empower young girls, by giving them the tools to assist in achieving emotionally stable and self-confident futures, in hopes of bringing forth a generation of women who are strong, independent and knowledgeable; and

**WHEREAS**, the Butterfly Effect Project was recently named the Human Rights Community-Based Organization of the Year by Suffolk County, that now provides services to 108 girls; and

**WHEREAS**, the Butterfly Effect Project seeks to expand its Rags to Riches program that picks up unwanted clothes and sports equipment throughout our and neighboring communities in order to clean and recycle clothing, thereby preventing it from entering our waste stream; and

**WHEREAS**, at present the program removes 500 lbs. of clothing from waste stream and the program seeks to grow over the next 12 months to remove 2,000 lbs.; and

**WHEREAS**, the Butterfly Effect Project is requesting funding from the Town of Riverhead to assist the Rags to Riches Program for administration expenses and the cost of necessary equipment; and

**WHEREAS**, the Town of Riverhead has created a recycling fund with recycling monies required and received under the Residential Solid Waste contract (see Contract for Town of Riverhead Residential Solid Waste Collection and Disposal Services § 2.5) and Chapter 103 (penalties collected for failure to adhere to the requirements of Chapter 103) with the express intention that the monies be utilized for programs designed to provide education regarding waste reduction, proper disposal and recycling; and

**WHEREAS**, the Town of Riverhead determines that an expenditure of municipal funds to support the , the Butterfly Effect Project serves a valid public purpose and education related to safe and proper disposal of medication and serves to further the health, safety, and welfare of the community.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby determines that it is in the best interest of the Town to support the

efforts of the Butterfly Effect Project and agrees to provide monetary support in an amount not to exceed \$10,000 from the Town's recycling fund; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to the Butterfly Effect Project, Tijuana Fulford , PO BOX 328 Shirley, NY 11967; 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 # 822**

**EXTENDS NUNC PRO TUNC CONTRACT FOR ANNUAL FIRE AND SECURITY  
ALARM CONTRACT**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, on July 6, 2016, the Town Board adopted resolution No. 522 entitled, "Awards 2016 Annual Fire and Security Alarm Contract"; and

**WHEREAS**, pursuant to the adopted resolution, the Town of Riverhead and Intelli-tec Security Systems, LLC. thereafter entered into a contract for the Annual Fire and Security Alarm Contract with a one year term beginning on July 1, 2016 through and including May 30, 2017; 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 Engineer has requested the contract with Intelli-tec Security Systems, LLC. be extended nunc pro tunc for one year beginning July 1, 2017; and

**WHEREAS**, Intelli-tec Security Systems, LLC. has agreed to extend the contract nunc pro tunc for the Annual Fire and Security Alarm Contract for one year subject to the same terms and conditions set forth in the original contract.

**NOW, THEREFORE, BE IT RESOLVED**, that the Annual Fire and Security Alarm Contract be and is hereby extended nunc pro tunc for one additional year with Intelli-Tec Security Systems, LLC; and be it further

**RESOLVED**, that the Engineering Department be and is hereby authorized to secure a Town of Riverhead purchase order from the Purchasing Department for the Annual Fire and Security Alarm Contract; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Intelli-Tec Security Systems, LLC, 150 Eileen Way, Unit 2, Syosset, NY 11791, the Engineering Department, Purchasing Department and the Office of Accounting; and be it further

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

**THE VOTE**

Hubbard Yes No

Giglio Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 823

**APPOINTS BEE READY FISHBEIN HATTER & DONOVAN, LLP AS SPECIAL COUNSEL IN THE MATTER OF RIVERHEAD HIGHWAY DEPARTMENT NEW YORK STATE HIGHWAY LAW SECTION 189**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, George Woodson has requested that the law firm of Bee Ready Fishbein Hatter & Donovan, LLP be retained to appear to defend or appear on behalf of George Woodson in the matter of the Town of Riverhead State 189 Roads; and

**WHEREAS**, the Town Board has adopted resolution 708 on 9/6/17 incorporating the roads of Oak Hills Associations, the Superintendent of Highways has treated these roads as Local Highway 189 and is not in agreement with the Town Board.

**RESOLVED**, that the law firm of Bee Ready Fishbein Hatter & Donovan, LLP, be and hereby is authorized to be retained as special counsel by the Superintendent of Highways in connection his position in Oak Hills Association, Inc., v. Town of Riverhead, et al., and any related litigation, over NYS Highway Law 189 and/or Riverhead Town Code Ch. 92 Art. 6 and that Bee Ready Fishbein Hatter & Donovan, LLP be compensated at the rate of \$225.00 per hour, and it be further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Bee Ready Fishbein Hatter & Donovan, LLP, 170 Old Country Road, Mineola, New York 11501; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to the Town Board, Highway Superintendent, Town Attorney, and Accounting Department; and be it further

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

**THE VOTE**

Hubbard Yes No      Giglio Yes No

Wooten Yes No      Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted



**TOWN OF RIVERHEAD**

**Resolution # 824**

**APPOINTS A JUSTICE TO DRUG COURT**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, pursuant to Section 170.15 of the Criminal Procedure Law, then acting Deputy Chief Administrative Judge Joseph J. Traficanti, Jr. on February 19, 2004, created a Drug Court Hub consisting of the Town and Village Courts for the Towns of East Hampton, Shelter Island, Southold, Southampton and Riverhead; and

**WHEREAS**, said Drug Court Hub has been designated as the East End Regional Intervention Court; and

**WHEREAS**, THE District Administrative Judge, has assigned Town Justices Deborah Kooperstein, Helen Rosenblum and Allen M. Smith to serve the East End Regional Intervention Court; and

**WHEREAS**, C. Randall Hinrichs, Administrative Judge, will execute an order assigning Brian Hughes to serve on the East End Regional Intervention Court; and

**WHEREAS**, pursuant to Section 106 of the Uniform Justice Court Act, the Towns of Southampton and Riverhead should designate the Town Justices to serve in those jurisdictions.

**NOW THEREFORE BE IT HEREBY RESOLVED**, That the Town of Riverhead hereby consent to Town Justices Deborah Kooperstein, Helen Rosenblum and Brian Hughes serving in the Riverhead Justice Court when sitting as the East End Regional Intervention Court at no additional compensation; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Hon. Deborah E. Kooperstein, Southampton Town Court, 32 Jackson Avenue, Hampton Bays, New York 11946; Hon. Helen Rosnblum, 1287 East Main Street, Riverhead, New York 11901; Hon. Allen M. Smith, 210 Howell Avenue, Riverhead, New York 11901; and Hon. Brian Hughes, P.O. Box 1179, Southold, New York 11971; 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 # 825

**RATIFIES THE APPOINTMENT OF PART-TIME POLICE OFFICERS AND PLACES THEM ON A LEAVE OF ABSENCE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, on February 16, 2017, the Town of Riverhead posted an advertisement seeking candidates to attend the Suffolk County Police Academy for the purpose of serving as part-time police officers with the Riverhead Police Department; and

**WHEREAS**, extensive background investigations and personal interviews were conducted by the Suffolk County and Riverhead Town Police Departments to establish 2 (two) individuals eligible to attend the Police Academy; and

**WHEREAS**, the Town of Riverhead agrees to sponsor their attendance at the Police Academy and provide them with the proper uniforms and equipment as required by the Suffolk County Police Academy staff.

**NOW, THEREFORE, BE IT RESOLVED**, effective November 6, 2017, the Town Board hereby ratifies the appointment of Joseph R. Crosser and Matthew T. Suprina to the position of Part-time Police Officer; and

**BE IT FURTHER RESOLVED**, that this appointment is contingent upon the candidates successfully passing required drug and alcohol testing administered by the Town of Riverhead; and

**BE IT FURTHER RESOLVED**, that the above-named individuals are hereby placed on a leave of absence; 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 # 826

**SETTING TERMS AND CONDITIONS OF EMPLOYMENT  
FOR TOWN BOARD COORDINATOR KAREN LEVASSEUR**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**BE IT RESOLVED**, that the terms and conditions of employment of Karen Levasseur, Town Board Coordinator for the Town of Riverhead, hereinafter referred to as "Levasseur", shall, effective November 6, 2017, be as follows:

**ARTICLE I**

**DURATION**

1. This Agreement shall be effective as of November 6, 2017 and shall continue in full force and effect until terminated by the Town or Levasseur on an at-will basis.

**ARTICLE II**

**RECOGNITION**

1. Levasseur affirms that he/she does not assert the right to strike against the Town, or to assist or participate in any such strike, picket, job action or any work slowdown.
2. The Town recognizes Levasseur's right to bargain for the terms and conditions of his/her employment with the Town. Both parties acknowledge that this Resolution is personal to Levasseur and shall not inure to his/her successor. Such recognition is for the period of this Resolution or extensions hereof.
3. The Town recognizes Levasseur's right to designate a representative to appear on his/her behalf to discuss salaries, working conditions, grievances and disputes relative to the terms and conditions of this Resolution and to confer with the employee during working hours. The representative's activities shall not disrupt the orderly and smooth operation of Town government.

**ARTICLE III**

**HOURS OF WORK**

1. Levasseur minimum basic work week shall be 35 hours per week. There shall be no maximum number of hours of work per week. Levasseur shall not receive additional

compensation for holiday pay. Levasseur is not entitled to earn, accrue, or be paid for overtime or compensatory time.

2. Levasseur shall be entitled to the same paid holidays as are set forth in the 2015-2018 CSEA collective bargaining agreement.

3. (a) Five (5) days personal leave will be granted. This shall be prorated in 2017 (Year of appointment) beginning the first full month of employment.

(b) Personal leave may not be accumulated and must be used within the calendar year earned, except that unused personal days at the end of each year shall be converted to sick time and may be used as sick time, subject to all the rules and pertaining to sick time.

(c) Personal leave must be approved by the Town Supervisor or Designee. Levasseur must request such leave at least forty eight (48) hours in advance unless the personal leave is deemed to be an emergency of which he/she had no prior knowledge, in which case Levasseur must notify the Supervisor or designee of such absence. Failure to notify the Supervisor or designee of his/her absence will result in loss of pay for the day's absence.

4. Funeral Leave. Levasseur shall be entitled to four (4) consecutive working days leave of absence computed either from the day of death or the day following death, at Levasseur's option, for the death of Levasseur spouse, child (including adopted children), father, mother, brother, sister, parents, parents-in-law, grandparents, grandparents-in-law, grandchildren, daughter-in-law, brother-in-law, sister-in-law, son-in-law, or stepchild.

5. Jury Service. Levasseur will be paid his/her regular salary while performing jury service upon documentary proof being filed with the Supervisor. Levasseur shall endorse the jury salary checks to the Town. Travel allowance or mileage compensation checks for jury service are to be retained by Levasseur.

6. Court Appearance. Levasseur's absence by reason of appearance as a defendant or witness on behalf of the Town in any court action involving the Town will be approved by the Town Supervisor for the number of days necessary. Levasseur shall not lose any salary there from.

7. Parentage Leave. Levasseur, with one year's employment, may be granted a leave of absence without pay not to exceed 12 months, without extension, during a 21 month window, from nine months before the expected birth or adoption to twelve months after the birth or adoption. This leave shall apply equally to both mother and father of the child, but may not apply to a provisional employee (Civil Service Requirements). The employee shall be reinstated in the same or comparable position.

#### **ARTICLE IV**

#### **VACATIONS**

1. Levasseur shall be entitled to 10 working days' vacation (January 1 to December 31). This shall be prorated in 2017 (Year of hire) beginning the first full month of employment.
2. Levasseur, upon request, shall be paid his/her vacation pay prior to the vacation, providing he/she shall have given three (3) weeks' written notice to the Supervisor.
3. Upon retirement or termination of service, except for cause, Levasseur shall be compensated, in cash, for any accumulated vacation not to exceed 60 days.
4. Levasseur may carry over any unused vacation days from one (1) year into the following year, but in no event shall Levasseur carry over more than sixty (60) vacation days from one year to the next.
5. Levasseur, at his/her option, shall be entitled to make an election to work the current year's allotted vacation time. Levasseur must provide written notification to the Supervisor of the exercising of this option not fewer than thirty (30) days prior to the date of which payment is requested. The Supervisor is to acknowledge receipt of this notification to the payroll personnel prior to payment. Payment is to be processed during the next overtime run. Payment will be the same method as outlined in the 2012-2015 Superior Officers' Contract, Article IX, Section B, except that the buyback shall be in blocks of three days per month. In addition Levasseur must advise the Town in writing, by no later than September 1 prior to the year in which the election is being made, on a form to be prepared by the Town, of the total minimum and the maximum dollar amounts of eligible vacation time and/or sick leave, as appropriate, that the employee will buyout and for which he/she will be paid in the next fiscal year. If the employee does not comply with this requirement, then the employee will not be eligible for any accrued time buyout in the next fiscal year."
6. If the employee falls ill while on vacation, upon presentation of a medical certificate certifying that he/she was confined to bed for more than five (5) working days during his vacation, may charge this illness to sick leave upon proper notification to the Supervisor and may take the same number of sick days as vacation days.

## **ARTICLE V**

### **SICK LEAVE**

1. Sick leave is absence necessitated by Levasseur's illness or other physical disability. Sick leave will be accumulated at the rate of one and one-quarter (1 1/4) days per month or (fifteen (15) days per year) beginning the first full month of employment. The maximum amount of sick time allowed to accrue are three hundred (300) days. After three hundred (300) days, additional paid sick leave may be granted at the sole discretion of the Town Board. In order to receive sick leave, Levasseur shall, when absent because of sickness for more than three (3) days, furnish the Supervisor, when requested by him/her, with a medical certificate. Failure to furnish a medical certificate will result in loss of pay for absent days. The Town Board, at its discretion, may request a physical examination of Levasseur before his/her return to work.

2. Levasseur, or his/her legal representative, upon retirement or severance, is entitled to cash payment for accumulated sick leave. Said payment shall be paid in a lump sum the value of his/her accumulated and unused sick leave to the extent of one hundred (100%) percent of the first two hundred and eighty (280) days thereof.

3. The parties mutually agree that excessive absenteeism due to abuse of sick leave should be discouraged. Therefore, the Town may request a doctor's certificate from chronic abusers of sick leave (e.g., numerous illness absences even though the employee has accumulated sick leave), regardless of the length of the illness. An employee submitting a claim based on a false statement, or covering a period during which the employee was not actually disabled, will be considered as abusing the sick leave provision. Employees who abuse the sick leave provision shall be subject to disciplinary action.

4. Levasseur may elect to reduce the sick time accrued under paragraph "1" one by filing a written election with the Supervisor one (1) month prior to payment. Buy-out shall be in lots of ten (10) sick days. No buy-out shall be permitted unless at the time of election Levasseur has accumulated at least fifty (50) sick days. The rate of pay shall be calculated at the time of payment based on a two hundred sixty (260) day work year. If Levasseur "buys-out" sick leave, he/she shall be permitted to re-accumulate sick days to a maximum of three hundred (300) days for use in the event of illness, but those days may not be re-accumulated for payment purposes. "In addition, Levasseur must advise the Town in writing, by no later than September 1 prior to the year in which the election is being made, on a form to be prepared by the Town, of the total minimum and the maximum dollar amounts of eligible vacation time and/or sick leave, as appropriate, that the employee will buyout and for which he/she will be paid in the next fiscal year. If the employee does not comply with this requirement, then the employee will not be eligible for any accrued time buyout in the next fiscal year."

## **ARTICLE VI**

### **GRIEVANCE PROCEDURE**

#### **1. Consideration of Grievance.**

A grievance by Levasseur shall be made, in writing, to the Town Board. Upon receipt of the grievance, the Town Board may request Levasseur to submit any agreed statement of facts or his/her version of the facts, or any other documents that the Town Board may deem pertinent to the determination of the appeal.

The Town Board shall conduct a hearing within twenty (20) business days of receipt of an appeal. Within twenty (20) business days after the hearing, the Town Board shall make a decision based on its findings and advise Levasseur. The decision of the Town Board shall be final and all parties bound thereby.

#### **2. Time of Hearings.**

All discussions and hearings shall, so far as practicable, be conducted during working hours.

3. Representation.

Levasseur shall have the right at all times to representation of his/her choosing.

4. Limitations.

If a grievance occurs and cannot be resolved immediately, Levasseur shall obey all directives and shall present the grievance as soon thereafter as practicable. Grievances which are not presented within ten (10) days of the occurrence shall be deemed to have been abandoned.

5. Withdrawn Grievances.

Levasseur may withdraw a grievance at any point in the grievance procedure.

## **ARTICLE VII**

### **PENSION**

Levasseur represents that he/she is a member of the New York State Employees Retirement System. As a Tier 4 employee, he/she is a participant in the Article 14 or Article 15 Coordinated Retirement Plan.

## **ARTICLE VIII**

### **HEALTH INSURANCE**

1. Commencing on the first full month of employment, the Town shall pay, on Levasseur's behalf, seventy-five (75%) percent of the cost of either the individual or family coverage for hospitalization under the Town Health Insurance Program. The Town shall pay for one hundred (100%) percent coverage for Levasseur if he/she retires from the Town and the Town shall also pay to the extent of fifty (50%) percent coverage on the premiums for his/her family.

If Levasseur and his/her spouse, if employed through the Town, are currently receiving (or are eligible to receive) family health benefits through the Town, only one will be permitted to continue to receive family level coverage. In this event, the person whose coverage changes from family to individual or no coverage will be entitled to the health insurance buy-out, provided that he/she: (1) has submitted to the Town documentation showing that he/she has other health insurance coverage and (b) remains in changed status for a period of 12 consecutive months. The 12-month period will coincide with the annual option transfer period. Payment will be made annually during December first following the end of the 12-month period, provided that Levasseur or his/her spouse remains in the changed status. The employee may reinstate coverage within the 12-month period if he/she experiences a qualifying event and has submitted to the Town adequate documentation of that event, consistent with the rules and regulations of the Town's health insurance plan and applicable laws and regulations.

At retirement, the former employee (retiree) who is otherwise eligible for family retiree health insurance coverage through the Town but for the operation of the provision set forth above, the former employee shall continue to be ineligible for family retiree health insurance coverage through the Town. However, in the event the former employee experiences a qualifying event (i.e. death, divorce, spouse's loss of employment or being otherwise rendered ineligible for health insurance coverage) during retirement, the former employee may reinstate his/her own family health insurance coverage, consistent with the rules and regulations of the Town's health insurance plan and applicable laws and regulations.

In the event that Levasseur's employment with the Town should terminate, he/she shall have the option, at his/her own expense, to participate in the Town Health Insurance Program, consistent with applicable laws, rules and regulations.

The service requirement for receipt of health insurance in retirement shall be ten consecutive years of service with the Town. However, if Levasseur leaves Town service he/she must continue with NYSHIP in vested status by paying the entire cost of coverage, or by being enrolled as an employee at a subsequent participating agency or by being enrolled as a dependent on a NYSHIP policy in order to retain eligibility for retiree health benefits through the Town. If Levasseur leaves to work for another NYSHIP employer, he/she is not eligible for retiree health insurance if he/she vests with the second employer

2. Commencing on the first full month of employment, the Town shall pay, on Levasseur's behalf, seventy-five (75%) percent of the cost of either the individual or family plan for dental coverage under the Riverhead Town Dental Plan. If Levasseur and his/her spouse, if employed through the Town, are currently receiving (or are eligible to receive) family dental insurance benefits through the Town, only one will be permitted to continue to receive family level coverage. In this event, the person whose coverage changes from family to individual coverage or no coverage will be entitled to the dental insurance buy-out. Should that person choose to decline to receive individual coverage, then that person will be eligible for the buy-out of the individual coverage.

3. Commencing on the first full month of employment, the Town shall pay, on Levasseur's behalf, seventy-five (75%) percent of the cost of either the individual or family plan for optical coverage under the Riverhead Town Optical Plan. If Levasseur and his/her spouse, if employed through the Town, are currently receiving (or are eligible to receive) family optical insurance benefits through the Town, only one will be permitted to continue to receive family level coverage. In this event, the person whose coverage changes from family to individual coverage or no coverage will be entitled to the optical insurance buy-out. Should that person choose to decline to receive individual coverage, then that person will be eligible for the buy-out of the individual coverage.

4. The Town will insure Levasseur's life in accordance with the maximum death benefit provided by the Employees Retirement System for Tier 4 members.

5. Levasseur, at his/her option, may elect not to accept the Town's hospitalization coverage for a period of not less than one calendar year and receive the following

payment in December of each year the election is made: \$1,650 if Levasseur changes from family to no coverage; \$900 if Levasseur changes from family to individual coverage; \$750 if Levasseur changes from individual to no coverage. Also, at his/her option, Levasseur may elect not to accept the dental coverage for a period of not less than one calendar year and receive the following payment in December of each year the election is made: \$230 if Levasseur changes from family to no coverage; \$150 if Levasseur changes from family to individual coverage; \$80 if Levasseur changes from individual to no coverage. Also, at his/her option, Levasseur may elect not to accept the optical coverage for a period of not less than one calendar year and receive a payment of twenty five dollars (\$25.00) in December of each year the election is made. Employees appointed during the year may receive a prorated payment during their first year of employment. Levasseur must sign an application form each year and said application shall include an acknowledgment that he/she is covered under another plan.

## **ARTICLE IX**

### **GENERAL PROVISIONS**

1. The Town agrees to provide legal counsel to defend Levasseur in any action arising out of an assault on Levasseur on Town business, and the Town hereby agrees to defend, indemnify, and hold Levasseur harmless for any and all acts performed for the Town, its agents and employees, including but not limited to preparation, certification and sealing of plans prepared exclusively for the Town, its agents and employees, provided Levasseur was acting within the scope of his/her employment. In the event that Levasseur is appointed, authorized or directed by the Town or one of its agencies to represent it as a member of the board of directors of an organization or agency, then he shall be covered by the provisions of Public Officers Law Section 18 and Town Code Sections 15-1 and 15-2 pertaining to the defense and indemnification of officers and employees of public entities, provided Levasseur is otherwise eligible for coverage pursuant to the terms of those provisions.
  
2. If Levasseur is injured or assaulted in the course of employment, he/she shall receive 100% of his/her salary for the first six months during which he/she is absent from work, and 85% of his/her salary for any time beyond that period, until such time as his/her application for reinstatement to full duty status, or, in the event of permanent disability, his/her application for a disability pension be finally determined or by a physician's examination determining no further disability, whichever comes first. If Levasseur is injured on the job and reports the same to the Supervisor, and has to be absent from work, no days shall be deducted from his/her sick leave for such injury. If Levasseur receives a compensation check for lost time due to a compensable injury, he/she shall endorse his/her check over to the Town. The above shall apply if Levasseur was acting within the scope of his/her employment. Nothing contained herein shall in any way be deemed to restrict the Town's right to separate Levasseur pursuant to the provisions of Civil Service Law Sections 71-73.
  
3. A leave of absence, without pay, may be granted to Levasseur in the discretion of the Town Board for a maximum of six (6) months, upon written application therefore and good cause shown.

4. If Levasseur is absent without leave or without due notification to the Supervisor, he/she shall suffer loss of pay for the days of such absence.
5. Levasseur will be paid every two (2) weeks on the second Thursday following the end of the pay period.
6. Upon Levasseur's request to examine his/her official employment personnel file, he/she may be permitted to do so at the discretion of the Town Board. Any material classified as confidential shall not be subject to duplication by Levasseur, but he/she shall have an opportunity to read said material and make a written reply, which shall be inserted in his/her personnel folder.
7. To the extent permitted by the U.S. Internal Revenue Code and the New York State Income Tax Laws, the Town shall permit Levasseur to establish a deferred compensation plan for said employee.
8. The Town will provide a college and post-graduate incentive program for courses approved by the Town Board. The Town will reimburse Levasseur the tuition cost on a grade related basis. A grade of "A" will receive seventy five (75%) percent of the tuition cost. A grade of "B" will receive fifty (50%) percent of the tuition cost. A grade of "C" will receive twenty five (25%) percent of the tuition cost. Payment will only be made upon submission of voucher and proof of grade.

## **ARTICLE X**

### **WAGES**

Levasseur shall receive the following annual salary:

January 1, 2017 through December 31, 2017 \$39,000.00 (pro-rated in 2017).  
Levasseur's base salary for each remaining year of this Resolution shall not be less than that of the preceding year.

**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 <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 # 827

**APPOINTS A WATER TREATMENT PLANT OPERATOR IIB**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, a Water Treatment Plant Operator Trainee in the Riverhead Water District has been successfully licensed by the New York State Department of Health as a Water Treatment Plant Operator IIB and has completed the required traineeship as per the Suffolk County Department of Civil Service; and

**WHEREAS**, Civil Service regulations require that a Water Treatment Plant Operator Trainee who completes his/her traineeship and receives the appropriate license may be appointed to the position of Water Treatment Plant Operator IIB without further examination.

**RESOLVED**, that effective November 13, 2017 this Town Board hereby appoints Daniel Keller to the position of Water Treatment Plant Operator IIB at a rate of pay as found on Group 15, Step 3A of the CSEA Operational and Technical Salary Schedule.

**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 # 828

**APPOINTS A WATER TREATMENT PLANT OPERATOR IIB**

Councilman Hubbard offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, a Water Treatment Plant Operator Trainee in the Riverhead Water District has been successfully licensed by the New York State Department of Health as a Water Treatment Plant Operator IIB and has completed the required traineeship as per the Suffolk County Department of Civil Service; and

**WHEREAS**, Civil Service regulations require that a Water Treatment Plant Operator Trainee who completes his/her traineeship and receives the appropriate license may be appointed to the position of Water Treatment Plant Operator IIB without further examination.

**RESOLVED**, that effective November 13, 2017 this Town Board hereby appoints Ariel Reichel to the position of Water Treatment Plant Operator IIB at a rate of pay as found on Group 15, Step 3A of the CSEA Operational and Technical Salary Schedule.

**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 # 829

**AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST NOTICE FOR A PUBLIC HEARING FOR A SPECIAL PERMIT FOR NORTH FORK BREWERY TO ESTABLISH A MICROBREWERY WITHIN THE DC-1 ZONING DISTRICT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town Board is in receipt of a special permit application from North Fork Brewery to establish a special permit use upon real property located at 24 East 2<sup>nd</sup> Street, Riverhead, New York, also identified as SCTM 600-128-5-25.3 within the Downtown Center 1 (DC-1) zoning use district; and

**WHEREAS**, a public hearing is required for all special permit applications in accordance with section 274-b of General Municipal Law; and

**WHEREAS**, the Planning Department has reviewed the application and finds the proposed special permit application to be a Type II action pursuant to 6NYCRR Part 617.5(c)(7), with no further environmental review required. Now,

**THEREFORE BE IT RESOLVED**, that the Town Clerk is hereby authorized to publish the attached public notice of public hearing once in the November 16, 2017 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause the applicant to be post on the subject property the sign board of the Town; and be it further

**RESOLVED**, the Town Clerk shall provide a certified copy of this resolution to the Peter Barraud, 37 Harper Road, Calverton, NY 11933; and Ian Van Bourgondien, 100 Grange Road Ext., Southold, NY 11971; so that a copy may be included with the required mailings of all properties within 500 feet of the subject parcel; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 21<sup>st</sup> day of November, 2017 at 7:05 p.m. to consider a special permit application from North Fork Brewery to establish a special permit use upon real property located at 24 East 2<sup>nd</sup> Street, Riverhead, New York, also identified as SCTM 600-128-5-25.3 within the Downtown Center 1 (DC-1) zoning use district

Dated: November 8, 2017  
Riverhead, New York

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

TOWN OF RIVERHEAD

Resolution # 830

**DECLARES LEAD AGENCY, ISSUES NEGATIVE DECLARATION PURSUANT TO  
SEQRA AND APPROVES SPECIAL USE PERMIT OF SCHWING ELECTRIC**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Riverhead Town Board is in receipt of a special permit petition from Schwing Electric pursuant to Section 301-222A. of the Riverhead Town Code to construct a new 8,970 square foot pre-engineered building which is an expansion of a pre-existing, non-conforming use on a 101,836.43 sq. ft. parcel at 1328 East Main Street, Riverhead and is zoned Business Center-1 (BC); such property more particularly described as SCTM 0600-105-1-18.1; and

**WHEREAS**, a Full Environmental Assessment Form and supporting documentation was submitted as part of the petition; and

**WHEREAS**, as per Town code section 301-311 variances must be granted prior to approval of a Special Permit; and

**WHEREAS**, the Zoning Board of Appeals by written determination dated October 13, 2016 under Appeal 16-48 granted area variances to the provisions of Chapter 301, Section 222 Subsection E to construct an addition with represents an increase in the degree of nonconformity of a preexisting nonconforming building and represents an increase in gross floor area within the required front yard and Chapter 301 Section 93 Subsection A where the proposed addition is 27.2 ft. from the front property line where the minimum required unoccupied landscaped area is 35 ft.; and

**WHEREAS**, the memo of the Chief Building Inspector dated August 28, 2017 indicates the following:

The Lot Coverage and FAR are proposed at 16.47%, which exceeds the maximum value of 15% without sewers. The provisions of Article XLII: Transfer of Development Rights allow for increases above the tabular limits. As per code section 301-208F, the applicant would need to procure 1.6 TDRs (1,742 SF needed/1,500 SF per TDR) to construct the proposed addition; and

**WHEREAS**, the Planning Department analyzed the full EAF and other project documentation provided by the applicant and has prepared a SEQRA report outlining the action's potential for environmental impact for the Special Permit application and the requested variances from the ZBA; and

**WHEREAS**, on August 15, 2017, the Town Board adopted Resolution #625 classifying the application as an Unlisted action with coordinated review; and

**WHEREAS**, the Planning Board reviewed the application as part of the coordinated review at the September 21, 2017 Planning Board meeting and the following were the Planning Board's foremost concerns as per a memo dated September 29, 2017:

There is existing non-compliant site lighting. Any existing lighting to remain and proposed lighting needs to comply Article XLIX of the Town Code.

The adjacent residences are only buffered from the commercial use by deciduous woods that don't form a sufficient buffer. A buffer with evergreen trees as required by 301-236A(2) needs to be provided as well as an opaque fence in addition to the woods shown as to remain.

**WHEREAS**, no other involved agencies requested lead agency status; and

**WHEREAS**, the requisite public hearing for consideration of a Special Permit of Schwing Electric to build a new pre-engineered building was held on September 19, 2017; and

**WHEREAS**, the Town Board has carefully reviewed and considered the record including the Special Permit application, public hearing, and Planning Board comments.

**NOW THEREFORE, BE IT RESOLVED**, that the Riverhead Town Board assumes Lead Agency; and

**BE IT FURTHER RESOLVED**, that the Town Board finds the proposed development will not result in any significant adverse environmental and social impacts and hereby issues a negative declaration pursuant to SEQRA; and

**BE IT FURTHER RESOLVED**, that in the matter of the special permit petition of Schwing Electric, the Riverhead Town Board hereby makes the following findings:

- i. That the site is particularly suitable for the location of such use in the community;
- ii. That the lot area is appropriate for the proposed use with inclusion of the conditions below;
- iii. That adequate off-street parking stalls will be provided according to code;
- iv. That adequate provisions will be made for the disposal of waste water and storm water runoff;
- v. That the intensity of the proposed use is justified in the light of similar uses within applicable zoning use district;
- vi. That the characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area or other place of public assembly, and

**BE IT FURTHER RESOLVED**, that the Riverhead Town Board approves the Special Use Permit of Schwing Electric with the following conditions:

- i. That any existing lighting to remain and proposed lighting shall comply with Article XLIX of the Town Code.

- ii. That a buffer with evergreen trees as required by 301-236A(2) shall be provided as well as an opaque fence in addition to the woods shown as to remain, to provide a sufficient buffer to adjacent residences.
- iii. Any other matters shall be addressed by the Planning Board as part of the site plan review process.
- iv. The applicant shall transfer the requisite number of agricultural preservation credits per code section 301-208 as determined by site plan review prior to signature of the mylar site plan by the Planning Board Chairman; and

**BE IT FURTHER RESOLVED**, the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Planning Department and to the applicant's council Peter S. Danowski, Jr., Esq., 616 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

TOWN OF RIVERHEAD

Resolution # 831

**GRANTS SPECIAL PERMIT OF sPOWER/GREEN MEADOWS, LLC. TO  
ESTABLISH A 20 MEGAWATT COMMERCIAL SOLAR ENERGY PRODUCTION  
FACILITY AT 4153 MIDDLE COUNTRY ROAD, CALVERTON, NY  
SCTM Nos. 600-116-1-7.2 & 600-98-1-21.1**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, the Town Board has received a special permit application for construction of a 20 megawatt commercial solar energy production facility on parcels located at 4153 Middle Country Road, Calverton, New York, with said parcels being more particularly identified as SCTM Nos. 600-116-1-7.2 and 600-98-1-21.1, within the Industrial C (IC) zoning use district; and

**WHEREAS**; commercial solar energy production facilities are a specially permitted use within the IC zoning use district pursuant to §301-281B of the Code of the Town of Riverhead; and

**WHEREAS**, by Planning Board Resolution No. 2016-115, dated November 3, 2016, the Riverhead Planning Board declared the proposed site plan application, subdivision application, and special permit application to be a Type I action pursuant to 6NYCRR Part 617.4(b)(6)(i) (SEQRA) with mandatory coordinated review, and further circulated a request for the Planning Board to assume Lead Agency status for purposes of coordinated SEQRA review; and

**WHEREAS**, a public hearing was held by the Town Board of the Town of Riverhead on November 15, 2016 in accordance with Riverhead Town Code §301-311 C of the Code of the Town of Riverhead in order to receive public input and comments on the proposed special permit application; and

**WHEREAS**, the public hearing was left open for written comment until 4:30pm on November 23, 2016; and

**WHEREAS**, by Planning Board Resolution No. 2017-10, dated February 2, 2017, the Riverhead Planning Board, acting as Lead Agency, found that the proposed site plan, subdivision, and special permit application posed a significant environmental impact and issued a Positive Declaration pursuant to SEQRA; and

**WHEREAS**, the applicant, sPower, prepared a Draft Environmental Impact Statement (DEIS) which was reviewed by Planning Staff and used by the applicant to prepare a Final Environmental Impact Statement (FEIS); and

**WHEREAS**, by Planning Board Resolution No. 2017-96, dated September 21, 2017, the Riverhead Planning Board accepted the FEIS (dated June 6, 2017) as

adequate for distribution to involved agencies and circulated request for comments on the FEIS; and

**WHEREAS**, by Planning Board Resolution No. 2017-107, dated October 19, 2017, the Riverhead Planning Board, as Lead Agency pursuant to SEQRA, adopted the Positive Findings Statement and determined the action, as proposed avoids, or to the extent practicable by mitigating measures, will have minimal adverse environmental impact; and

**WHEREAS**, adoption of Planning Board Resolution No. 2017-107 concluded the SEQRA process; and

**WHEREAS**, the Town Board has considered the site, proposed use, intensity of the proposed use, and other determining factors enumerated within §301-312; and

**WHEREAS**, the Town Board has reviewed the special permit application, the SEQRA record to date, input from public hearings, and other relevant planning, zoning, and other environmental information. Now, therefore be it

**RESOLVED**, that the Riverhead Town Board has determined that its SEQRA findings are consistent with that of the Riverhead Planning Board; and be it further

**RESOLVED**, the Town Board finds in the matter of the petition by sPower the following:

- i. The site plan will provide adequate buffers and screening to adequately screen the view of the proposed solar farm from the public right of way and recreational trail at EPCAL;
- ii. The proposed special permit use is such that it will not create additional burden on services provided by the Town of Riverhead, such as water, sanitary, emergency services, Town roads, or school districts;
- iii. The intensity of the proposed specially permitted use is justified in light of similar uses within Industrially zoned districts; and be it further

**RESOLVED**, that the Town Board hereby determines that the use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood, that the hazards or disadvantages to the neighborhood do not infringe upon the health, safety, comfort, convenience of the Town, and further finds that the proposed use will be in harmony with and promotes the general purposes of zoning within the Town of Riverhead; and be it further

**RESOLVED**, the Town Board hereby grants the special permit for construction of a 20 megawatt commercial solar energy production facility on parcels located at 4153 Middle Country Road, Calverton, New York, with said parcels being more particularly identified as SCTM Nos. 600-116-1-7.2 and 600-98-1-21.1, within the Industrial C (IC) zoning use district; and be it further

**RESOLVED**, that such special permit is granted with the following conditions:

- i. The applicant shall remove the existing chain link fence along the shared property boundary with the recreational trail at EPCAL, and shall replace it

with an 8 ft. tall black chain link fence with appropriate vegetative buffers in order to screen the view of the proposed solar farm from view of the recreational trail;

- ii. The applicant shall receive subdivision and site plan approval from the Town of Riverhead Planning Board, and shall agree to any covenants or restrictions that the Riverhead Planning board deems to be reasonable or prudent for purposes of site plan review;
- iii. Prior to site plan approval, the Town of Riverhead and the applicant, sPower, shall enter into a Payment in Lieu of Taxes (PILOT) agreement to the satisfaction of the Town of Riverhead;
- iv. A permit from the Building Department and subsequent certificate of occupancy must be obtained within three years of this resolution date
- v. This special permit approval is granted for a period of 20 years from the date of issuance of a Certificate of Occupancy, and may be extended for additional 5 year terms by application to the Town Board; and be it further

**RESOLVED**, the Town Clerk shall provide a copy of this resolution to the applicant, Sustainable Property Holdings LLC, 2180 South 1300 East, Suite 600, Salt Lake City, UT 84106; Courtney Riley, c/o VHB Engineering, 100 Motor Parkway, Suite 135, Hauppauge, NY 11778; Chris Kent, Esq., c/o Farrell Fritz, PC, 100 Motor Parkway, Suite 138, Hauppauge NY 11778; the Planning Department; the Building Department; the Assessor's Office; the Fire Marshal's Office; 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 # 832

**CLASSIFIES ACTION and REQUESTS LEAD AGENCY STATUS FOR  
AMENDMENTS TO LOCAL LAW CHAPTER 301 ZONING AND LAND  
DEVELOPMENT – ARTICLE LII OF THE TOWN CODE  
COMMERCIAL SOLAR ENERGY PRODUCTION SYSTEMS**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Riverhead Town Board has proposed an amendment to the Town Code, Chapter 301 Zoning and Land Development, Article LII Commercial Solar Energy Production Systems Zoning Use District; and

**WHEREAS**, the matter is a Local Law for amending Section 301-281 Purpose; permitted uses and Section 301-282 Use regulations pursuant to Chapter 301 Article LII of the Town Code; and

**WHEREAS**, the affected area is in excess of 25 acres; and,

**WHEREAS**, pursuant to 6NYCRR Part 617.4(b)(2) the State Environmental Quality Review Act (SEQRA), the proposed action is designated a Type I action for the adoption of changes in the allowable uses within any zoning district affecting 25 or more acres of the district; and

**WHEREAS**, the Type I action mandates coordinated SEQRA review with involved agencies; and

**WHEREAS**, the Planning Department has prepared the full EAF and other project documentation; and

**WHEREAS**, the Town Board is requesting Lead Agency status for the purpose of SEQRA coordinated review with involved agencies. Now, therefore, be it

**RESOLVED**, that the Riverhead Town Board declares the Local Law amendment to Chapter 301-281 and Chapter 301-282 to be classified as a Type I action pursuant to 6NYCRR Part 617.4(b) (2) and further directs the Planning Department to circulate a request for the Town Board to be the Lead Agency for the proposed action; and

**BE IT FURTHER RESOLVED**, that the Town Board directs the Planning Department to coordinate the Lead Agency request inclusive of relevant information to all involved agencies with a request for comments; and

**BE IT FURTHER RESOLVED**, that the Planning Department be directed to file the requisite notice requesting Lead Agency status and all relevant information with the Town Clerk; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Planning Department and to the applicant or his agent; 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 # 833

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO  
CONSIDER A LOCAL LAW TO AMEND CHAPTER 301 ENTITLED "ZONING AND  
LAND DEVELOPMENT – ARTICLE LII COMMERCIAL SOLAR ENERGY  
PRODUCTION SYSTEMS" OF THE RIVERHEAD TOWN CODE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**RESOLVED**, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 301 entitled, "Zoning and Land Development " of the Riverhead Town Code once in the November 16, 2017 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**  
**NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held before the Town Board of the Town at Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 5th day of December 2017 at 2:05 o'clock p.m. to amend Chapter 301, entitled " Zoning and Land Development" of the Riverhead Town Code.

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

CHAPTER 301  
Zoning and Land Development

Article LII. Commercial Solar Energy Production Systems

§ 301-281. Purpose; permitted districts; definitions.

- A. It is the intention of the Town Board of the Town of Riverhead, as part of its goal to limit dependence on imported fossil energy and decrease greenhouse gas emissions, to permit commercial solar energy production systems in the industrial zoning use districts to minimize impacts to residents and scenic viewsheds important to the community.
- B. Commercial solar energy production systems shall be allowed with special permit approval by the Town Board ~~as a permitted use~~ in the Light Industrial (LI) Zoning Use District, Industrial A (IA) Zoning Use District, Industrial B District (General Industry) and the Planned Industrial Park (PIP) District.
- C. Commercial solar energy production systems shall be allowed with special permit approval by the Town Board in the Industrial C (IC) Zoning Use District that is located within the zip code boundary of Calverton.

D. Definitions

Lot Coverage – The lot coverage shall include the total square footage of the perimeter of all of the solar panels, inclusive of all interior spaces between the panels, in addition to driveways and service roads (paved or stone), and all accessory equipment, buildings and structures.

§ 301-282. Use regulations.

Commercial solar energy production systems shall be permitted as a permitted use or as allowed with special permit approval as provided in § **301-281**. In addition to the requirements set forth in this chapter, all such permitted and special permit uses shall be subject to the following criteria and subject to site plan approval by the Planning Board:

- A. The commercial solar energy system shall be on a parcel of not less than ~~five~~ six acres.
- B. All ground-mounted panels shall not exceed the height of eight feet.

- C. All mechanical equipment of commercial solar energy systems, including any structure for batteries or storage cells, are completely enclosed by a minimum eight-foot-high fence with a self-locking gate.
- D. Notwithstanding any requirement in §§ **301-115, 301-118, 301-123, and 301-127** of this chapter, the total surface area of all ground-mounted and freestanding solar collectors, including solar photovoltaic cells, panels, and arrays, shall not exceed 80 75% of the total parcel area.
- E. The installation of a minimum 25 foot vegetated perimeter buffer to provide year-round screening of the system from adjacent properties and a minimum 50 foot vegetative buffer along roads.
- F. All solar energy production systems are designed and located in order to prevent reflective glare toward any habitable buildings as well as streets and rights-of-way.
- G. All on-site utility and transmission lines are, to the extent feasible, placed underground.
- H. The installation of a clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
- I. The system is designed and situated to be compatible with the existing uses on adjacent and nearby properties.
- J. ~~In approving a special exception, the Planning Board may waive or modify any of the above criteria if it finds that there is no detriment to public health, safety and welfare.~~  
The minimum setback for equipment and panels adjacent to a commercial or industrial property shall be 25 feet.
- K. ~~Any special permit approval granted under this article shall have a term of 20 years, commencing from the grant of the special permit, which may be extended for additional five-year terms upon application to the Town Board.~~  
The maximum lot coverage shall be 75%.
- L. Decommissioning/Removal.
  - (1) ~~Any commercial solar energy production system that is not operated for a continuous period of 24 months shall be deemed abandoned. At that time, the owner of the commercial solar energy production system or the owner of the property where the commercial solar energy production system is located shall remove all components thereof within 90 days of such deemed abandonment or will be in violation of this section. In the case of a commercial solar energy production system on preexisting structures, this provision shall apply to the commercial solar energy production system only. If the commercial solar energy production system is not removed within said 90 days, the Building Inspectors may give the owner notice that unless the removal is accomplished within 30 days, the Town will cause the removal at the owner's expense. All costs and expenses incurred by the Town in connection with any proceeding or any work done for the removal of a commercial solar energy production system shall be assessed against the land on which such commercial solar energy production system is located, and a statement of such expenses shall be presented to the owner of the~~

~~property, or if the owner cannot be ascertained or located, then such statement shall be posted in a conspicuous place on the premises. Such assessment shall be and constitute a lien upon such land. If the owner of the system and the owner of the property upon which the system is located shall fail to pay such expenses within 10 days after the statement is presented or posted, a legal action may be brought to collect such assessment or to foreclose such lien. As an alternative to the maintenance of any such action, the Building Inspector may file a certificate of the actual expenses incurred as aforesaid together with a statement identifying the property in connection with which the expenses were incurred and the owner of the system and the owner of the property upon which the system is located, with the Assessors, who shall, in the preparation of the next assessment roll, assess such amount upon such property. Such amount shall be included in the levy against such property, shall constitute a lien and shall be collected and enforced in the same manner, by the same proceedings, at the same time and under the same penalties as are provided by law for the collection and enforcement of real property taxes in the Town of Riverhead.~~

~~(2) This section is enacted pursuant to § 10 of the Municipal Home Rule Law to promote the public health, safety and general welfare of Town citizens through removal provisions to ensure the proper decommissioning of commercial solar energy production systems within the entire Town. The removal reduction provision of this chapter shall supersede any inconsistent portions of Town Law § 64 (5-a) and govern the subject of removal of commercial solar energy production systems in this chapter.~~

M. The minimum natural open space shall be 25%.

N. The minimum setback of panels from a residential building or zoning district shall be 100 feet.

O. The minimum buffer adjacent to a commercial or industrial property shall be 25 feet.

P. The maximum height of the panels shall not exceed eight (8) feet.

Q. Any special permit approval granted under this article shall have a term of 20 years, commencing from the grant of the special permit issuance of a certificate of occupancy or certificate of compliance, which may be extended for additional five-year terms upon application to the Town Board.

R. A building permit may be required for replacing solar panels and accessory equipment as determined by the Chief Building Inspector.

S. Decommissioning/Removal.

(1) Any commercial solar energy production system that is not operated for a continuous period of 24 months shall be deemed abandoned. At that time, the owner of the commercial solar energy production system or the owner of the property where the commercial solar energy production system is located shall remove all components thereof within 90 days of such deemed abandonment or will be in violation of this section. In the case of a commercial solar energy production system on preexisting structures, this provision shall apply to the commercial solar energy production system only. If the commercial solar energy production system is not removed within said 90 days, the Building Inspectors may give the owner notice that unless the removal is accomplished within 30 days,

the Town will cause the removal at the owner's expense. All costs and expenses incurred by the Town in connection with any proceeding or any work done for the removal of a commercial solar energy production system shall be assessed against the land on which such commercial solar energy production system is located, and a statement of such expenses shall be presented to the owner of the property, or if the owner cannot be ascertained or located, then such statement shall be posted in a conspicuous place on the premises. Such assessment shall be and constitute a lien upon such land. If the owner of the system and the owner of the property upon which the system is located shall fail to pay such expenses within 10 days after the statement is presented or posted, a legal action may be brought to collect such assessment or to foreclose such lien. As an alternative to the maintenance of any such action, the Building Inspector may file a certificate of the actual expenses incurred as aforesaid together with a statement identifying the property in connection with which the expenses were incurred and the owner of the system and the owner of the property upon which the system is located, with the Assessors, who shall, in the preparation of the next assessment roll, assess such amount upon such property. Such amount shall be included in the levy against such property, shall constitute a lien and shall be collected and enforced in the same manner, by the same proceedings, at the same time and under the same penalties as are provided by law for the collection and enforcement of real property taxes in the Town of Riverhead.

(2) This section is enacted pursuant to § 10 of the Municipal Home Rule Law to promote the public health, safety and general welfare of Town citizens through removal provisions to ensure the proper decommissioning of commercial solar energy production systems within the entire Town. The removal reduction provision of this chapter shall supersede any inconsistent portions of Town Law § 64 (5-a) and govern the subject of removal of commercial solar energy production systems in this chapter.

#### T. Exclusions/Grandfathered Applications.

(1) Where a public hearing has been held on a special permit or site plan application, that application shall be excluded from complying with the requirements of these amendments.

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

Dated: Riverhead, New York  
November 8, 2017

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

**DIANE M. WILHELM, Town Clerk**

TOWN OF RIVERHEAD

Resolution # 834

**AWARDS BID FOR HEATING FUEL 2017-2018**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town Board of the Town of Riverhead, by Resolution #741 adopted on September 19, 2017, authorized the Town Clerk to publish and post a notice to bidders for sealed bids for Heating Fuel 2017-2018; and

**WHEREAS**, three (3) bids were received, opened and read aloud on the 19<sup>th</sup> day of October, 2017 at 2:05 p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders; and

**WHEREAS**, the Town Purchasing Department did review the bids and has determined that Quogue Sinclair Fuel Inc. is the lowest responsible bidder and recommends that the bid for Heating Fuel 2017-2018 be awarded to Quogue Sinclair Fuel Inc.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby awards the bid for Heating Fuel 2017-2018 to Quogue Sinclair Fuel Inc.; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Quogue Sinclair Fuel Inc., 161 West Montauk Highway, Hampton Bays, NY 11946; 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 # 835

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR PURCHASE OF ONE (1) 2017 OR 2018 NEW OR USED (Low Hours and Warranty) TRACTOR WITH CAB AND LOADER FOR THE TOWN HIGHWAY DEPARTMENT**

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 the purchase of **ONE (1) 2017 OR 2018 NEW OR USED TRACTOR WITH CAB AND LOADER** for the Town Highway Department; and

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk is hereby authorized to publish and post the following public notice in the November 16, 2017 issue of the News-Review; and be it further

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

**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 TO BIDDERS**

Sealed bids for **“ONE (1) 2017 OR 2018 NEW OR USED TRACTOR WITH CAB AND LOADER”** for the Town Highway Department will be received by the Office of the Town Clerk at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on or before **2:00 pm on December 6, 2017**, at which time they will be publicly opened and read aloud.

Specifications and guidelines for submission of bids are available on the Town website at [www.townofriverheadny.gov](http://www.townofriverheadny.gov) beginning **November 16, 2017**. Click on “Bid Requests” and follow the instructions to register

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

All bids must be submitted to the Town Clerk’s Office, at the address stated above, in a sealed envelope clearly marked **“ONE (1) 2017 OR 2018 NEW OR USED TRACTOR WITH CAB AND LOADER”** for the Town Highway Department. Bid proposals must be received by the Office of the Town Clerk by no later than **2:00 pm on December 6, 2017**.

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

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

**Diane M. Wilhelm, Town Clerk**

TOWN OF RIVERHEAD

Resolution # 836

**ORDER CALLING PUBLIC HEARING PURSUANT TO SECTION 202-b  
OF TOWN LAW REGARDING IMPROVEMENTS TO FACILITIES OF  
RIVERHEAD SEWER DISTRICT FOR PROPOSED FUEL FACILITY-  
SEWER MAIN RELOCATION AT 841 OLD COUNTRY ROAD**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, a map and plan dated October 19, 2017 detailing the necessary measures and costs associated with service by the Riverhead Sewer District of a new fuel facility located at 841 Old Country Road, Riverhead New York has been prepared by H2M, consulting engineers to the Riverhead Sewer District, at the request of the applicant; and

**WHEREAS**, the proposed fuel facility is located within the existing boundaries of the Riverhead Sewer District and requires relocation of existing sewer district line in a new easement to be established as set forth in the map and plan; and

**WHEREAS**, said map and plan calls for the abandonment of approximately 80 feet of the existing gravity sewer pipe, the installation of three gravity sewer manholes, and 96 feet of new 8-inch diameter SDR-35 gravity sewer; and

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

**WHEREAS**, all costs associated with this project shall be borne by the applicant with an estimated total project cost of \$74,100; and

**WHEREAS**, the existing gas station use is served by the District and the new gas station use will not increase the flow to the District from the property and therefore no denitrification fee is required to be paid.

**NOW, THEREFORE, IT IS HEREBY**

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

1. A public hearing pursuant to Section 202-b of Town Law will be held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 5th day of December, 2017 at 2:10 p.m. on the question of the improvement of the facilities of the Riverhead Sewer District in the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons in the subject thereof, concerning the same, and to take such action as is required or authorized by law.

2. The Town Clerk is hereby authorized and directed to cause a copy of this resolution to be published in the November 16, 2017 edition of The News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy thereof to be posted on the sign board of the town, such publication and posting to be made not less than ten nor more than twenty days before the date designated for the public hearing.

3. The project described in the preambles hereto is hereby determined to be an "unlisted action" under the State Environmental Quality Review Act, the implementation of which, as proposed, will not result in any significant environmental effects.

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

DIANE M. WILHELM, Town Clerk

Dated: November 8, 2017  
Riverhead, New York

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

October 19, 2017

Superintendent Michael Reichel  
Town of Riverhead  
200 Howell Avenue  
Riverhead, New York 11901

**Re: Town of Riverhead /Town of Riverhead Sewer District  
841 Old Country Road  
Proposed Fuel Facility – Sewer Main Relocation Map & Plan  
H2M File No.: RSD 17-09**

Dear Superintendent Reichel:

H2M architects + engineers (H2M) has been retained by the Riverhead Sewer District to prepare this Map & Plan regarding the relocation of the existing sewer main and the 25-foot wide sanitary easement through tax lot 0600-104-02-03 (Riverhead Church of Christ).

This document discusses the following:

- Relocation of existing sewer main.
- The location of the Town of Riverhead Sewer District new 25-foot wide easement.
- Sequence of construction to maintain flow while the relocation is taking place.

**Background**

A new fuel facility has been proposed to be constructed at 841 Old Country Road in Riverhead, New York. The facility will be located within tax lot 0600-104-02-01 and a portion within acquired tax lot 0600-104-02-03 (Riverhead Church of Christ). The utility plan layout (Drawing C-4) of the proposed development as prepared by VHB Engineering, Surveying, and Landscaping Architecture, P.C. is shown in Appendix A.

The Sewer District currently has a 25-foot wide sanitary easement for a sewer main that is currently located within tax lot 0600-104-02-03. A subdivision of this lot is proposed to accommodate the new fuel facility. As part of the work for the new facility, the Applicant has requested the existing 8-inch diameter sewer main be relocated to an adjoining new easement within tax lot 0600-104-02-03. The existing sewer lateral will be removed. A new 25-foot wide easement will be provided for the revised route of the proposed 8-inch diameter SDR-35 sewer main through the property as shown in Appendix A.

**Sanitary Sewer and Easement Relocation**

The existing sanitary sewer main is located 130 feet south of Old Country Road, running approximately 280 feet west through two properties (tax lot 0600-104-02-02 and 0600-104-03) to a sanitary sewer manhole on Ostrander Avenue referred to as MH#2. The system continues south to discharge at the Ostrander Avenue Pump Station.

The proposed fuel facility requires the abandonment of approximately 80 feet of the existing gravity sewer pipe. The preliminary plan of the proposed sewer relocation (Appendix A) indicates the installation of three gravity sewer manholes (SMH #1.1, SMH#1.2 and SMH #1.3), and 96 feet of new 8-inch diameter SDR-35 gravity sewer. The facility will be serviced via 6-inch diameter SDR -35 building connection. (The sewer connection pipe shown on the plan needs to be revised from 4-inch diameter to 6-inch diameter).



The relocation of the gravity sewer and 25-foot wide easement as proposed is feasible. The necessary easements and/or agreements must be filed in a form acceptable to the Town of Riverhead prior to approval of the final design.

**Sequence of Construction**

Flow from the existing gravity sewer shall remain undisturbed throughout the construction of the new facility and the new gravity sewer. The flow is minor since there are only a few upstream connections. The duration of work shall be completed within a 24-hour period. The sequence of construction includes, but is not limited to, the following:

1. During low flow conditions, cut and plug existing sanitary pipe at the two locations indicated on the site plan where SMH#1.1 and 1.3 will be installed.
2. Install sewer manhole SMH#1.1 and SMH#1.3.
3. Use a temporary pump to divert flow from SMH#1.1 to SMH#1.3.
4. Install the 8-inch diameter SDR-35 gravity sewer with the wye connection and SMH#1.2.
5. Remove existing 8-inch diameter sewer pipe.

**Project Cost Opinion**

Table 1 presents the estimated costs for the construction and installation of the proposed new gravity sewer line, the abandonment of the existing gravity sewer within the original 25-foot wide easement, the wye connection and the building lateral. Removal of the existing structures and pavement is completed by the applicant prior to the proposed sewer construction. Paving and site improvements after the trench is brought back to grade are also considered to be completed by the applicant. The relocation of the sewer will be at the expense of the applicant via publicly bid project let by the Town of Riverhead in accordance with the requirements and standards of the Riverhead Sewer District and Suffolk County Department of Health Services.

**Table 1. Project Cost Opinion**

No.	Cost Element	Estimated
1	Sewer Construction (Includes 10% Contingency)	\$50,200
2	Engineering Design, Bidding, Construction Admin.	\$12,400
3	Construction Observation (Est. Budget)	\$6,500
4	Printing	\$1,000
5	Project Contingency	\$4,000
<b>Total Est. Project Cost. . .</b>		<b>\$74,100</b>

The total project cost is estimated to be approximately \$74,100, based on a construction start date in 2018. The project costs reflect the difficulty and expenses associated with constructing the new gravity sewer.

Superintendent, Michael Reichel  
October 19, 2017  
Page 3 of 3



Please call me at (631) 756-8000 Ext. 1510 should you have any questions.

Very truly yours,

**H2M architects + engineers**

A handwritten signature in blue ink that reads "Steven C. Hearl".

Steven C. Hearl, P.E., LEED AP  
Vice President

Encl.

cc: Richard A. Ehlers, Esq.  
Frank Russo, P.E.

X:\RDSD (RIVERHEAD SEWER DISTRICT) - 10805\RDSD1709 841 OLD COUNTRY RD MAP & PLAN\01-REPORT-PRELIMS\2017  
1019\_MAP&PLAN\_SEWEREVALREPORT-FINAL.DOC

## APPENDIX A



TOWN OF RIVERHEAD

Resolution # 837

**AUTHORIZES THE REMOVAL OF ALL LITTER, GARBAGE/REFUSE, RUBBISH, YARD WASTE, WEEDS, NOXIOUS PLANTS, GRASS AND/OR RANK VEGETATION IN EXCESS OF TEN (10) INCHES IN HEIGHT UPON THE PREMISES KNOWN AS 7 ROAN LANE, RIVERHEAD, NEW YORK a/k/a SCTM # 84.-1-2.32 PURSUANT TO RIVERHEAD TOWN CODE CHAPTER 251**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, Chapter 251 of the Code of the Town of Riverhead (Riverhead Town Code) entitled, "Rubbish, Refuse, Weeds and Other Rank Vegetation" authorizes the Riverhead Town Board to direct removal of all litter, garbage/refuse, rubbish, yard waste, weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height upon the land by the owner, renter or occupier of the premises; and

**WHEREAS**, on August 16, 2017 Riverhead Town Code Enforcement Official (CEO) Jorge Garcia observed on the accumulation of weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height at premises known as 7 Roan Lane, Riverhead, New York a/k/a SCTM # 84.-1-2.32, owned by Diego Urbano; and

**WHEREAS**, said owner has failed and neglected or refused to eliminate the aforementioned violations of Chapter 251; and

**WHEREAS**, the accumulation of weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height poses a fire hazard and a nuisance as defined in Chapter 251-21 of the Riverhead Town Code; and

**WHEREAS**, pursuant to Riverhead Town Code section 251-25, the Riverhead Town Board is empowered to adopt a resolution authorizing the removal of all weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height which creates a nuisance and furthermore authorizes entry onto such premises where such violation exists for the purposes of remedying such violation and to charge the cost or expense of such remediation against the owner of said premise; and

**WHEREAS**, pursuant to of the Riverhead Town Code section 251-25 (C) the Riverhead Town Board is authorized to reimburse general town funds for the cost of any work performed or the services rendered by the Town of Riverhead, for said remediation to such violation, at its direction by assessment or levy (lien) upon lots or parcels of land where such work was performed and/or such violation exists for services rendered.

**NOW THEREFORE BE IT RESOLVED**, that the Town of Riverheads Town Board be and hereby find that the real property at 7 Roan Lane, Riverhead, New York, also known as SCTM# 84.-1-2.32, owned by Diego Urbano is in violation of Chapter 251 of the Riverhead Town Code, poses a fire hazard and a nuisance as defined in Chapter 251-21 of the Riverhead Town Code in that the real property contains weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height and

**BE IT FURTHER RESOLVED**, that the Riverhead Town Board directs that the Investigation Unit of the Office of the Town Attorney, in conjunction with the Town Engineering Department facilitate the removal of all weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height at the premise designated at 7 Roan Lane, Riverhead, New York, also known as SCTM# 84.-1-2.32, owned by Diego Urbano; and

**BE IT FURTHER RESOLVED**, that the Office of the Financial Administrator is directed to establish and provide the necessary budget appropriation of general funds as reasonably requested by the Investigations Unit of the Office of the Town Attorney, in conjunction with the Town Engineering Department; and

**BE IT FURTHER RESOLVED**, and pursuant to Code of the Town of Riverhead section 251-25 (C) , all costs for the removal of the aforesaid violation and/or nuisance shall be reported to the Town Board by the Town Engineering Department as the amount to be levied and assessed against the premises, and the expense(s) so reported shall constitute a lien and charge on the premises on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Town charges; and

**RESOLVED**, 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

Resolution # 838

**AUTHORIZES TOWN TO PROVIDE FUNDING ASSISTANCE IN 2018 AND 2019 FOR RIVERHEAD COMMUNITY AWARENESS PROGRAM, INC.**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Riverhead Community Awareness Program, Inc. (CAP) is a non-profit community-based organization founded in 1979 by volunteers to address growing problems caused by alcohol and other drugs within the Riverhead schools and community. In 1982 CAP embarked on an ambitious agenda of providing a monthly prevention education to all students in Pulaski Street Elementary School; this program continues today and is taught by community volunteers who are assisted by Peer Leaders from the 8<sup>th</sup> grade and high school; and

**WHEREAS**, the Riverhead Community Awareness Program, Inc. relies upon different funding sources, including federal grant monies, fund raising and financial assistance from the Town of Riverhead, to administer its program of providing drug and alcohol prevention and counseling services to Riverhead youth and their families; and

**WHEREAS**, the Town of Riverhead determines that an expenditure of municipal funds to support the Riverhead Community Awareness Program, Inc. serves a valid public purpose and serves to further the health, safety, and welfare of the community.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby determines that it is in the best interests of the Town to support the efforts of the Riverhead Community Awareness Program, Inc. and agrees to provide monetary support which may be used for New York State Insurance/Workers Compensation Insurance, website services, audit services and phone service in an amount not to exceed \$7500.00 for 2018 and \$7500.00 for 2019; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Riverhead Community Awareness Program, Inc., Felicia Scocozza, Executive Director, 518 East Main Street, Suite 106, 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

TOWN OF RIVERHEAD

Resolution # 839

**EXTENDS CONTRACT NUNC PRO TUNC FOR AUTOMOTIVE PARTS 2016**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, by Town Board Resolution #603 adopted on August 16, 2016, the Town Board awarded the bid for Automotive Parts 2016 to Apple Automotive Discount Center, Auto Pro Auto Parts of Riverhead Inc. and My Guy Auto Supply NAPA for one (1) year contracts with the option to extend; and

**WHEREAS**, the Town Purchasing Department has requested that the contracts with Apple Automotive Discount Center, Auto Pro Auto Parts of Riverhead Inc. and My Guy Auto Supply NAPA be extended nunc pro tunc until March 31, 2018; and

**WHEREAS**, Apple Automotive Discount Center, Auto Pro Auto Parts of Riverhead Inc. and My Guy Auto Supply NAPA have agreed to extend the contract for Automotive Parts 2016 nunc pro tunc until March 31, 2018 for the same pricing, terms and conditions set forth in the original contracts.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board does hereby extend bid contracts for Automotive Parts 2016 nunc pro tunc until March 31, 2018 with Apple Automotive Discount Center, Auto Pro Auto Parts of Riverhead Inc. and My Guy Auto Supply NAPA; and be it further

**RESOLVED**, that the Town Clerk be directed to forward a certified copy of this resolution to Apple Automotive Discount Center, 785 Raynor Avenue, Riverhead, NY 11901; Auto Pro Auto Parts of Riverhead Inc., 400 Hallet Avenue, Riverhead, NY 11901; and My Guy Auto Supply NAPA, 1556 West Main Street, Riverhead, NY 11901; 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 # 840

**EXTENDS CONTRACT NUNC PRO TUNC FOR FORD AUTOMOTIVE  
REPLACEMENT PARTS**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, by Town Board Resolution #569 adopted on August 2, 2016, the Town Board awarded the bid for Ford Automotive Replacement Parts to Otis Ford Inc. for a one (1) year contract with the option to extend; and

**WHEREAS**, the Town Purchasing Department has requested that the contract with Otis Ford Inc. be extended nunc pro tunc until March 31, 2018; and

**WHEREAS**, Otis Ford Inc. has agreed to extend the contract nunc pro tunc for Ford Automotive Replacement Parts until March 31, 2018 for the same pricing, terms and conditions set forth in the original contract.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board does hereby extend bid contract for Ford Automotive Replacement Parts nunc pro tunc until March 31, 2018 with Otis Ford Inc.; and be it further

**RESOLVED**, that the Town Clerk be directed to forward a certified copy of this resolution to Otis Ford Inc., 32 Montauk Highway, Quogue, NY 11959; 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 # 841

**EXTENDS BID CONTRACT NUNC PRO TUNC FOR PRINTING OF RECREATION BROCHURE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town Board of the Town of Riverhead, by Resolution #648 adopted on August 16, 2016, awarded the bid for Printing of Recreation Brochure for the Town of Riverhead to All Island Media; and

**WHEREAS**, the term of the contract with All Island Media was for one (1) year from date of award and permitted that the contract be extended for two (2) additional one (1) year periods; and

**WHEREAS**, the Town Recreation Superintendent requested that the bid contract with All Island Media be extended nunc pro tunc for one (1) year from August 16, 2017 to August 16, 2018; and

**WHEREAS**, All Island Media has agreed to extend the contract nunc pro tunc from August 16, 2017 to August 16, 2018 for the same pricing, terms and conditions set forth in the original contract.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby approves a one (1) year extension of the contract nunc pro tunc with All Island Media under the identical terms and conditions as the original contract beginning August 16, 2017; and be it further

**RESOLVED**, that the Town Clerk shall mail a copy of this resolution to All Island Media, 1 Rodeo Drive, Edgewood, NY 11717; 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 # 842

**EXTENDS CONTRACT NUNC PRO TUNC FOR TRUCK PARTS**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, by Town Board Resolution #754 adopted on October 4, 2016, the Town Board awarded the bid for Truck Parts to Long Island Truck Parts for a one (1) year contract with the option to extend; and

**WHEREAS**, the Town Purchasing Department has requested that the contract with Long Island Truck Parts be extended nunc pro tunc until March 31, 2018; and

**WHEREAS**, Long Island Truck Parts has agreed to extend the contract nunc pro tunc for Truck Parts until March 31, 2018 for the same pricing, terms and conditions set forth in the original contract.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board does hereby extend bid contract for Truck Parts nunc pro tunc until March 31, 2018 with Long Island Truck Parts; and be it further

**RESOLVED**, that the Town Clerk be directed to forward a certified copy of this resolution to Long Island Truck Parts, 121 Main Road, Riverhead, NY 11901; 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 # 843

**EXTENDS CONTRACT NUNC PRO TUNC FOR AUTO AND TRUCK REPAIRS**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, by Town Board Resolution #845 adopted on December 16, 2014, the Town Board awarded the bid for Auto and Truck Repairs to Riverhead Motors and Suffolk County Brake for one (1) year contracts with the option to extend; and

**WHEREAS**, by Town Board by Resolution #695 adopted on October 6, 2015, the Town Board extended the bid contracts for one (1) year expiring December 16, 2016; and

**WHEREAS**, the Town Board by Resolution #838 adopted on November 15, 2016, the Town Board extended the bid contracts for six (6) months from December 16, 2016 to June 16, 2017; and

**WHEREAS**, the Town Purchasing Department has requested that the contracts with Riverhead Motors and Suffolk County Brake be extended nunc pro tunc from June 16, 2017 until March 31, 2018; and

**WHEREAS**, Riverhead Motors and Suffolk County Brake have agreed to extend the contract for Auto and Truck Repairs nunc pro tunc until March 31, 2018 for the same pricing, terms and conditions set forth in the original contracts.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board does hereby extend bid contracts for Auto and Truck Repairs nunc pro tunc until March 31, 2018 with Riverhead Motors and Suffolk County Brake; and be it further

**RESOLVED**, that the Town Clerk be directed to forward a certified copy of this resolution to Riverhead Motors, 1419 Old Country Road, Riverhead, NY 11901 and Suffolk County Brake Service, 862 Lincoln Avenue, Bohemia, NY 11716; 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 # 844

**REJECTS REBID FOR AUTOMOTIVE PARTS 2017  
FOR THE TOWN OF RIVERHEAD**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Town of Riverhead, by Resolution #740 adopted on September 19, 2017, authorized the Town Clerk to republish and repost a Notice to Bidders for **AUTOMOTIVE PARTS 2017** for use by the Town of Riverhead; and

**WHEREAS**, only (1) one bid was received, opened and read aloud on October 19, 2017 at 2:00 p.m. in the office of the Town Clerk, the date, time and place given in the Notice to Bidders; and

**WHEREAS**, the Purchasing Department, after careful consideration and evaluation of past years response to this bid, recommends that the Town Board exercise its right to reject the sole bid in order to provide the prices necessary to serve the best interests of the Town; and

**WHEREAS**, the Town, in the Notice to Bidders and Bid Specifications, reserved the right to reject any and all bids.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board does hereby reject the sole bid received for the Automotive Parts 2017 for the Town of Riverhead; 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 # 845

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST A NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 289 ENTITLED, "VEHICLES, TRAFFIC AND PARKING REGULATIONS" OF THE RIVERHEAD TOWN CODE**  
**(§289-17. Parking time limited. – East Main St.)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**RESOLVED**, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider a proposed local law for the amendment of Chapter 289 entitled, "Vehicles, Traffic and Parking Regulations" of the Riverhead Town Code, once in the November 16, 2017 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 21<sup>st</sup> day of November, 2017 at 7:10 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

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

**§ 289-17. Parking time limited.**

Parking is hereby prohibited for longer than the time limit designated upon any of the described streets, or portions thereof, and parking fields:

D. Fifteen minutes. The parking of vehicles a period longer than 15 minutes is prohibited in the following locations between the hours of 9:00 a.m. to 5:00 p.m., Monday through Saturday:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
<u>East Main Street</u>	<u>North</u>	<u>The first 2 parking stalls located south of the stores that front on the north side of East Main Street, west of East Avenue Extension, in front of property now known as SCTM #'s 0600-129-1-8.2 and 9</u>
<u>East Main Street</u>	<u>South</u>	<u>The first 2 parking stalls located north of the stores that front on the south side of East Main Street, east of McDermott Avenue, in front of property now known as SCTM #'s 0600-129-4-3 and 12</u>

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

Dated: Riverhead, New York  
November 8, 2017

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

**DIANE M. WILHELM**, Town Clerk

TOWN OF RIVERHEAD

Resolution # 846

**AUTHORIZES SHOT GUN HUNTING FOR DEER ON TOWN PROPERTY AT ENTERPRISE PARK AT CALVERTON (SCTM No. 600-135-1-7.33, et al.) and 1751 SOUND AVENUE, CALVERTON (SCTM No. 600-60-1-2) FROM JANUARY 1, 2018, to JANUARY 31, 2018, WEEK DAYS ONLY, SUNRISE TO SUNSET**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, Town of Riverhead residents and Town of Riverhead real property owners have requested permission to engage in shot gun hunting for deer only on Town property at Enterprise Park at Calverton, SCTM No. District 600, Section 135, Block 1, Lot 7.33, et al., (hereinafter referred to as "EPCAL") and 1751 Sound Avenue, Calverton, District 600, Section 60, Block 1, Lot 2, (hereinafter referred to as "SOUND") from January 1, 2018, to January 31, 2018, week days only, sunrise to sunset; and

**WHEREAS**, the Town Board of the Town of Riverhead wishes to provide shot gun hunting for deer only to Town of Riverhead residents and Town of Riverhead real property owners on Town property at EPCAL and SOUND, from January 1, 2018, to January 31, 2018, week days only, sunrise to sunset; and

**WHEREAS**, deer hunting by shot gun in New York State is a regulated activity by New York State and is subject to the laws, rules and regulations of New York State as enforced in whole or in part by the New York State Department of Environmental Conservation; and

**WHEREAS**, Town of Riverhead residents and Town of Riverhead real property owners who wish to engage in hunting activity in New York State are bound by applicable laws, rules and regulations of New York State.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead authorizes the Wildlife Management Advisory Committee (WMAC) to conduct a lottery on **Tuesday, December 5, 2017, at 6:00 p.m.**, in the town hall board meeting room, to establish a list of those qualified hunters who are either residents of the Town of Riverhead or Town of Riverhead real property owners who shall be permitted to hunt for deer only by shot gun in EPCAL and SOUND, in designated sections and at designated time periods as determined by the WMAC, in conformance with applicable New York State law, rules and regulations.

**BE IT FURTHER RESOLVED THAT**, all designated and qualified hunters must possess a valid New York State deer hunting license, big game tag, landowner's endorsement as well as all other attendant-required documentation and shall abide by the laws, rules and regulations of New York State regarding deer hunting as well as the directives of the Wildlife Management Advisory Committee and/or Town officials and

employees, failure of which to abide by shall subject the hunter to immediate revocation of the non-transferable hunting privilege.

**BE IT FURTHER RESOLVED THAT**, designated and qualified hunters shall only hunt in areas as designated and delineated in the above-referenced tax map numbers, from January 1, 2018, to January 31, 2018, week days only, sunrise to sunset, in one-week time slots or as amended by and as per the directives of the Wildlife Management Advisory Committee and/or Town officials and employees.

**BE IT FURTHER RESOLVED THAT**, designated and qualified hunters shall be required to review and execute a revocable license agreement in a form approved by the Town Attorney at the time they are selected as a designated hunter in the lottery system.

**BE IT FURTHER RESOLVED THAT** from January 1, 2018, to January 31, 2018, inclusive, the above-referenced Town properties, including the recreational path at EPCAL, shall be closed to the public in the interest of safety.

**BE IT FURTHER RESOLVED THAT** the Town Supervisor is authorized to sign the respective landowner's endorsement and revocable license agreement on behalf of the Town Board.

**BE IT FURTHER RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from 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 # 847

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE  
TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 217  
ENTITLED "BUILDINGS, BUILDING CONSTRUCTION AND IMPROVEMENTS AND  
HOUSING STANDARDS", PART 5 THEREOF ENTITLED  
"HOUSING STANDARDS" OF THE TOWN CODE**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**RESOLVED**, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 217 entitled, "Buildings, Building Construction and Improvements and Housing Standards", Part 5 thereof entitled, "Housing Standards" of the Riverhead Town Code once in the November 16, 2017 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 5<sup>th</sup> day of December, 2017 at 2:00 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider a local law to amend Chapter 217 entitled, "Buildings, Building Construction and Improvements and Housing Standards", Part 5 thereof entitled, "Housing Standards" of the Town Code as follows:

Chapter 217  
Buildings, Building Construction and Improvements and Housing Standards

Part 5  
Housing Standards

Article XV Penalties

§ 217-104 Penalties for offenses.

- A. Except as provided in § 217-97 for violations of Article XIII of this Part 5, a violation of any provision or requirement of this Part 5 shall be deemed a violation punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or by both such fine and imprisonment.
- B. Except where a time for compliance may have been set in a notice of violation, each week's violation shall be deemed a separate offense.
- C. Civil penalties. In addition to the criminal penalties set forth herein, the Town Attorney is authorized to pursue any and all actions in law or equity, including but not limited to actions for compensatory damages; civil penalties; to compel compliance, or to restrain by injunction, violations of this Part 5; and any other remedies which the Town Attorney may deem necessary and proper.
  - (1) Any person found to have violated any of the provisions of this Part 5 shall be subject to a civil penalty.
  - (2) Each day of a continuing violation shall be subject to a separate civil penalty. The civil penalty for a violation of this Part 5 shall be as follows: \$350 for the first day of violation or any part thereof; \$500 for the second day of violation or any part thereof; and \$1,000 for the third day of violation or any part thereof; and for all subsequent days of violation, up to and including the 15th day, said civil penalties for any given fifteen-day period may not exceed \$15,000. Civil penalties may be recovered in any action or proceeding brought by the Town Attorney in any court of competent jurisdiction or before a duly appointed hearing officer whenever permitted by law for a violation of this Part 5.
  - (3) Each fifteen-day period shall be the subject of a separate cause of action and shall be subject to additional civil penalties not to exceed \$15,000 in each and every fifteen-day period.
  - (4) All civil penalties shall be mandatory penalties and must be imposed upon a judgment in favor of the Town. If said penalty is not paid to the Town of

Riverhead within 10 days of a judgment, a civil judgment shall be entered against the property, and the owner of the property, and said judgment may be collectible by a tax assessment against the property on which said violation occurred.

- (5) Any civil penalty imposed shall be in addition to any fine and/or imprisonment imposed as a result of a criminal prosecution provided for in the Riverhead Town Code or any state or local law. There is no requirement of notice prior to the commencement of a civil action.
- (6) Strict liability. Personal knowledge of the existence of a violation is not required, no *mens rea* (intent) is required, and any violation charged herein shall be one of strict liability.
- (7) Continued violation. There shall be a presumption that a violation continues from the day the Town establishes that said violation existed until the violation's existence is rebutted, but in any case no longer than 15 days for each civil action filed.

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

Dated: Riverhead, New York  
November 8, 2017

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

DIANE M. WILHELM, TOWN CLERK

TOWN OF RIVERHEAD

Resolution # 848

**AUTHORIZES SETTLEMENT OF LEGAL ACTION BY THE TOWN OF RIVERHEAD  
AGAINST 801 F REALTY CORP., ET AL.**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, a legal action was commenced by Town of Riverhead against 801 F Realty Corp and others regarding premises located at 1563 Main Road, Jamesport, New York, which premises is also known as SCTM # 0600-68.-4-65.1; and

**WHEREAS**, by determination dated July 13, 2017, the Zoning Board of Appeals did grant the appeal by Valero Gas to allow gasoline price sign which is internally illuminated; and

**WHEREAS**, the parties entered into negotiations and reached a settlement of that legal action inclusive of all costs, expenses and interest.

**NOW BE IT RESOLVED**, that the Town Board of the Town of Riverhead be and hereby authorizes the settlement of the legal action commenced by the Town of Riverhead in the Supreme Court, Suffolk County under Index No. 02734/2009; and be it further

**RESOLVED**, that the Town Attorney is authorized to sign the proposed So-Ordered Stipulation in substantially the form agreed to by the parties and such other documents necessary to effectuate that settlement of the above referenced legal action; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Accounting Department, the Building Department, the Planning Department and 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 # 849

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN ADDITION TO CHAPTER 279 ENTITLED, "TAXATION" OF THE RIVERHEAD TOWN CODE (§279-37. Exemption for Cold War Veterans)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**RESOLVED**, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider a proposed local law for an addition to Chapter 279 entitled, "Taxation" of the Riverhead Town Code, once in the November 16, 2017 issue of News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 5<sup>th</sup> day of December, 2017 at 2:15 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law for an addition to amend Chapter 279 of the Riverhead Town Code entitled, "Taxation" as follows:

**Chapter 279  
TAXATION  
ARTICLE IX  
Exemption for Cold War Veterans**

**§279-37. Limitations.**

B. If a Cold War veteran receives the exemption under ~~§ 458-a or §458-b~~ § 458 or §458-a of the Real Property Tax Law, the Cold War veteran shall not be eligible to receive the exemption under this article

~~C. The exemption provided by this article shall be granted for a period of 10 years. The commencement of such ten-year period shall be governed pursuant to this Subsection C. Where a qualified owner owns qualifying residential real property on the effective date of the local law providing for such exemption, such ten-year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring on or after the effective date of the local law providing for such exemption. Where a qualified owner does not own qualifying residential real property on the effective date of the local law providing for such exemption, such ten-year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least 60 days after the date of purchase of qualifying residential real property; provided, however, that should the veteran apply for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within 60 days after the date of purchase of residential real property, such ten-year period shall be measured from the first assessment roll in which the exemption occurs. If, before the expiration of such ten-year period, such exempt property is sold and replaced with other residential real property, such exemption may be granted pursuant to this Subsection C for the unexpired portion of the ten-year exemption period.~~

C. The exemption provided by this article shall apply to qualifying owners of a qualifying real property for as long as they remain qualifying owners, without regard to such ten (10) year limitation contained in Real Property Tax Law § 458-b.

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

Dated: Riverhead, New York  
November 8, 2017

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

**DIANE M. WILHELM**, Town Clerk

**TOWN OF RIVERHEAD**

**Resolution # 850**

**APPROVES THE CHAPTER 255 APPLICATION OF**  
**BODY RITE TRAINING**  
**("Biking for Bacon Fundraiser" – November 19, 2017)**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, on October 11, 2017, Paige Romanowski, on behalf of Body Rite Training, submitted a Chapter 255 Application for the purpose of conducting a group bike ride fundraiser event entitled "Riding for Bacon Fundraiser", to benefit Maureen's Haven, an organization that protects the east end homeless by providing shelter, supportive services and compassionate care for individuals in need. All participants will start and finish said bike run at Body Rite Training, located at 1604 Main Road, Jamesport, New York, on Sunday, November 19, 2017, having a rain date of Sunday, November 26, 2017, between the hours of 7:00 a.m. and 12:00 noon; and

**WHEREAS**, Body Rite Training 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 255 Application fee has been paid; and

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

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

**RESOLVED**, that the Chapter 255 Application of Body Rite Training for the purpose of conducting a group bike ride fundraiser event entitled "Riding for Bacon Fundraiser", to benefit Maureen's Haven, an organization that protects the east end homeless by providing shelter, supportive services and compassionate care for individuals in need. All participants will start and finish said bike run at Body Rite Training, located at 1604 Main Road, Jamesport, New York, on Sunday, November 19, 2017, having a rain date of Sunday, November 26, 2017, between the hours of 7:00

a.m. and 12:00 noon, 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**, should it be determined that this approval is subject to a license agreement for purposes of the utilization of police personnel and patrol vehicles, said license agreement, together with the requisite license fee as stated in said license agreement, shall be received **no later than November 15, 2017**; and be it further

**RESOLVED**, that this approval is subject to the provisions of Riverhead Town Code Chapter 301, Article XLVIII - "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 Body Rite Training, Attn: Paige Romanowski, 1604 Main Road, 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 # 851

**RATIFIES THE APPROVAL OF THE CHAPTER 255 APPLICATION OF  
ABATE OF NY LONG ISLAND CHAPTER  
(St. Mary's Food & Toy Run – Sunday, November 5, 2017)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, on October 5, 2017, Bill Quinn, on behalf of Abate of NY Long Island Chapter (ABATE), submitted a Chapter 255 Application for the purpose of conducting a motorcycle run entitled “St. Mary’s Food & Toy Run”, to bring toys, food and cash donations to be distributed to needy families and children. Said run to commence at the Riverhead Elks Lodge located on 1239 East Main Street, Riverhead, New York and to end at St. Mary’s Episcopal Church, located at 165 Ponquogue Avenue, Hampton Bays, New York, on Sunday, November 5, 2017; and

**WHEREAS**, all participants shall congregate at the Riverhead Elks Lodge between the hours of 10:00 a.m. and 11:30 a.m.; and

**WHEREAS**, ABATE has submitted and completed a Short Environmental Assessment Form pursuant to 6 NYCRR Part 617, identifying the potential adverse environmental impacts of the event; and

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

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

**WHEREAS**, the Town Attorney of the Town of Riverhead has reviewed all documents regarding said application; and

**WHEREAS**, ABATE events typically involve the gathering of a large number of motorcycles. The gathering of these vehicles may create a noise disturbance to the health, safety, and welfare of the adjacent residential community. This requires that such events be limited in number and conditioned to minimize the impact on adjoining property owners.

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

**RESOLVED** that the Chapter 255 Application of Abate of NY Long Island Chapter for the purpose of conducting a motorcycle run entitled “St. Mary’s Food & Toy Run”, said run to commence at the Riverhead Elks Lodge located on 1239 East Main Street, Riverhead, New York and to end at St. Mary’s Episcopal Church, located at 165

Ponquogue Avenue, Hampton Bays, New York, on Sunday, November 5, 2017, having all participants to congregate for said motorcycle run at the Riverhead Elks Lodge between the hours of 10:00 a.m. and 11:30 a.m., is hereby approved subject to the conditions set forth herein; and be it further

**RESOLVED**, that the applicant shall be required to stage the arrival and departure of motorcycles in such a way as to minimize to the greatest extent possible the noise impacts to surrounding neighbors, and be it further

**RESOLVED**, that all parking for this event shall be contained upon the Riverhead Elks Lodge property and there shall be no parking permitted on Sunrise Avenue and East Main Street; and be it further

**RESOLVED**, that the applicant shall advise event participants that motorcycle engines shall not be permitted to continue to run upon arrival at the event premises; and be it further

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

**RESOLVED**, that should the conditions of this approval be violated that the Riverhead Police Department shall have the authority to revoke the permit and require the public to vacate the premises; and be it further

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

**RESOLVED**, that this approval is subject to Riverhead Town Code Chapter 251 entitled, "Noise Control" and that applicant shall not exceed the noise limits as defined in Section 251-5 Prohibited Acts.; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Abate of NY Long Island Chapter, c/o Bill Quinn, P.O. Box 22, Yaphank, New York, 11980 and the Riverhead Elks Lodge #2044, P.O. Box 688, 1239 E. Main Street, Riverhead, New York, 11901; and be it further

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

### THE VOTE

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 # 852**

**RATIFIES AND APPROVES THE CHAPTER 255 APPLICATION OF  
LONG ISLAND ANTIQUE POWER ASSOCIATION  
(Truck and Tractor Pulling -  
October 21, 2017 and November 11, 2017)**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, on October 12, 2017, Stephen Barker, on behalf of Long Island Antique Power Association (LIAPA), submitted a Chapter 255 Application for the purpose of conducting a Truck and Tractor Pulling event for family entertainment, to be held on their property located at 5950 Sound Avenue, Riverhead, New York, on Saturday, October 21, 2017 and Saturday, November 11, 2017, having a rain date of November 18, 2017, between the hours of 1:00 p.m. and 12:00 midnight; and

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

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

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

**WHEREAS**, 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 255 Application of LIAPA for the purpose of conducting a Truck and Tractor Pulling event for family entertainment, to be held on their property located at 5950 Sound Avenue, Riverhead, New York, on Saturday, October 21, 2017 and Saturday, November 11, 2017, having a rain date of November 18, 2017, between the hours of 1:00 p.m. and 12:00 midnight, is hereby approved; and be it further

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

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

- Receipt of required Suffolk County Department of Health permit(s), including the Vendors Temporary Food Service Permit(s);
- Receipt of an Outdoor Public Safety Plan, to be submitted to the Fire Marshal's office; and be it further

**RESOLVED**, that the above permits and Outdoor Public Safety Plan are to be received **no later than November 10, 2017**; and be it further

**RESOLVED**, that this approval is subject to the provisions of Riverhead Town Code Chapter 251 Article I entitled - "Noise Control", Chapter 301 Article XLVIII entitled "Signs" and any other section of the Riverhead Town Code that may pertain to this event; and be 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 Association 102 (Tents & Membrane Structures); and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Long Island Antique Power Association, P.O. Box 1134, Riverhead, New York, 11901; and be it further

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

### **THE VOTE**

Hubbard Yes No

Giglio Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 853

**RATIFIES THE AUTHORIZATION OF THE FIRE SAFETY INSPECTOR TO ATTEND  
A FIRE ARSON INVESTIGATION SEMINAR**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the New York State Fire Academy is hosting a “Fire Arson Investigator Seminar”, which will offer specific training techniques to be utilized by the Fire Marshal’s Office, to be held in Montour Falls, New York, on November 8, 2017 through November 10, 2017; and

**WHEREAS**, it is the desire of the Fire Marshal that Fire Safety Inspector Andrew Smith attend such training seminar.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby authorizes the Fire Safety Investigator to attend the aforesaid “Fire Arson Investigation Seminar” and that all related expenses incurred shall not exceed a total cost of \$ 600.00 (expenses to include fees for registration, accommodations, meals and other travel costs such as tolls and gas) and 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.

**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 # 854**

**APPOINTS MEMBER TO SENIOR CITIZEN ADVISORY COUNCIL**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, Resolution #265 adopted on April 15, 2014 reestablished the Senior Citizen Advisory Council and appointed its members; and

**WHEREAS**, according to Resolution #265, the purpose of the Senior Citizen Advisory Council is to assist this government in identifying the needs of its senior citizen community and to advise the Town Board of the council's recommendations as to the direction the Town can take in coordinating services and programs benefiting our aging population as well as providing them with valuable resources; and

**WHEREAS**, members shall serve on a voluntary basis without salary; and

**WHEREAS**, according to the amended Senior Citizen Advisory Council bylaws, Article II §D, adopted by the Town Board, each appointment of the Senior Citizen Advisory Council members shall be set for a term without expiration; and

**WHEREAS**, Ray Coyne, as the Town of Riverhead Superintendent of Parks and Recreations, worked with the Senior Citizen Advisory Council on several occasions and provided a wealth of knowledge and resources to the council; and

**WHEREAS**, the Senior Citizen Advisory Council voted unanimously to invite Ray Coyne to the council as a Riverhead Recreation representative, acknowledging the opportunities and beneficial coordination of efforts that both the Senior Citizen Advisory Council and the Riverhead Recreation Department will receive through his appointment; and

**WHEREAS**, Ray Coyne expressed interest in working with the Senior Citizen Advisory Council and accepted the nomination to serve on the council.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby appoints Ray Coyne to the Senior Citizen Advisory Council, as a Town of Riverhead Parks and Recreation Department representative; and be it further

**RESOLVED**, that the Town Clerk shall forward a copy of this resolution to Ray Coyne; 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 # 855

**AUTHORIZES NOTICE TO BIDDERS CONSTRUCTION OF PRE-STRESSED  
GROUND STORAGE TANK-PLANT NO. 15 CONTRACT T-TANK CONSTRUCTION  
RIVERHEAD WATER DISTRICT PROJECT NO.: RDWD 17-02**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, plans and specifications have been prepared by H2M, consulting engineers to the Riverhead Water District, regarding Construction of Pre-Stressed Ground Storage Tank at Plant No. 15, Contract T-Tank Construction, of the Riverhead Water District.

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the November 16, 2017 edition of The News Review, with regard to receiving bids for the Construction of Pre-Stressed Ground Storage Tank at Plant No. 15, Contract T-Tank Construction of the Riverhead Water District, and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall publicly open and read aloud the submitted bids on the date as advertised in the Notice to Bidders; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

SECTION 001113 – NOTICE TO BIDDERS

Notice is hereby given that sealed proposals for:

**Construction of Pre-Stressed Ground Storage Tank at Plant No. 15**

**Contract T – Tank Construction**

**PROJECT NO.: RDWD 17-02**

Will be received by the Town Board of the Town of Riverhead for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until **10:00 A.M.**, on **Thursday, December 7, 2017** at which time and place all bids will be publicly opened and read aloud for.

Plans and specifications may be examined on or after *Thursday, November 16, 2017* by visiting the Town of Riverhead website: <http://townofriverheadny.gov> and click on "Bid Requests". Plans and specifications are available in electronic format only from the aforementioned website.

Each proposal must be accompanied by a certified check or bid bond, made payable to the TOWN OF RIVERHEAD, in the amount equal to five percent (5%) of the total amount of the bid, as a commitment by the bidder that if its bid is accepted, it will enter into a contract to perform the work and will execute such further security as may be required for the faithful performance of the contract.

The Owner reserves the right to reject any or all bids, to waive any informality, and to accept such bid which, in the opinion of the Owner, is in the best interest of the Owner.

BY ORDER OF THE TOWN BOARD  
TOWN OF RIVERHEAD  
SUFFOLK COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY  
OF THE RIVERHEAD WATER DISTRICT

TOWN CLERK, TOWN OF RIVERHEAD

**DATED: November 16, 2017**

TOWN OF RIVERHEAD

Resolution # 856

**AUTHORIZES NOTICE TO BIDDERS PROCESS CONTROL SYSTEM  
MAINTENANCE AND EMERGENCY SERVICES RIVERHEAD WATER DISTRICT  
PROJECT NO. RDWD 17-01 (PCS)**

Councilman Hubbard offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, plans and specifications have been prepared by H2M, consulting engineers to the Riverhead Water District, regarding Process Control System Maintenance and Emergency Services for the Riverhead Water District.

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the November 16, 2017 edition of The News Review, with regard to receiving bids for Process Control System Maintenance and Emergency Services for the Riverhead Water District, and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall publicly open and read aloud the submitted bids on the date as advertised in the Notice to Bidders; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

SECTION 001113 - NOTICE TO BIDDERS

Notice is hereby given that on behalf of the Riverhead Water District, the Town Board of the Town of Riverhead will receive bids for **PROCESS CONTROL SYSTEM MAINTENANCE AND EMERGENCY SERVICES CONTRACTS** at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, by 10:05 AM on Thursday, December 7, 2017 at which time and place all bids will be publicly opened and read aloud for:

**PROCESS CONTROL SYSTEM MAINTENANCE AND EMERGENCY SERVICES**

**PROJECT NO. RDWD 17-01 (PCS)**

Specifications may be examined and obtained on or after November 16, 2017 by visiting the Town of Riverhead website: <http://townofriverheadny.gov> and click on "Bid Requests". Plans and specifications are available in electronic format only from the aforementioned website.

Each proposal must be accompanied by a certified check or bid bond, made payable to the TOWN OF RIVERHEAD, in the amount equal to five percent (5%) of the total amount of the bid, as a commitment by the bidder that if its bid is accepted, it will enter into a contract to perform the work and will execute such further security as may be required for the faithful performance of the contract.

The Owner reserves the right to reject any or all bids, to waive any informality, and to accept such bid which, in the opinion of the Owner, is in the best interest of the Owner.

BY ORDER OF THE TOWN BOARD  
TOWN OF RIVERHEAD  
SUFFOLK COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY  
OF THE RIVERHEAD WATER DISTRICT

DIANE WILHELM, TOWN CLERK

DATED: NOVEMBER 8, 2017

TOWN OF RIVERHEAD

Resolution # 857

**AUTHORIZES NOTICE TO BIDDERS HYDRAULIC CONTROL VALVE  
MAINTENANCE AND EMERGENCY SERVICES RIVERHEAD WATER DISTRICT  
PROJECT NO. RDWD 17-01 (HCV)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, plans and specifications have been prepared by H2M, consulting engineers to the Riverhead Water District, regarding Hydraulic Control Valve Maintenance and Emergency Services for the Riverhead Water District.

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the November 16, 2017 edition of The News Review, with regard to receiving bids for Hydraulic Control Valve System Maintenance and Emergency Services for the Riverhead Water District, and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall publicly open and read aloud the submitted bids on the date as advertised in the Notice to Bidders; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

SECTION 001113 - NOTICE TO BIDDERS

Notice is hereby given that on behalf of the Riverhead Water District, the Town Board of the Town of Riverhead will receive bids for **HYDRAULIC CONTROL VALVE MAINTENANCE AND EMERGENCY SERVICES CONTRACT** at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, by 10:10 AM on Thursday, December 7, 2017 at which time and place all bids will be publicly opened and read aloud for:

**HYDRAULIC CONTROL VALVE MAINTENANCE AND EMERGENCY SERVICES CONTRACT**

**PROJECT NO. RDWD 17-01 (HCV)**

Specifications may be examined and obtained on or after November 16, 2017 by visiting the Town of Riverhead website: <http://townofriverheadny.gov> and click on "Bid Requests". Plans and specifications are available in electronic format only from the aforementioned website.

Each proposal must be accompanied by a certified check or bid bond, made payable to the TOWN OF RIVERHEAD, in the amount equal to five percent (5%) of the total amount of the bid, as a commitment by the bidder that if its bid is accepted, it will enter into a contract to perform the work and will execute such further security as may be required for the faithful performance of the contract.

The Owner reserves the right to reject any or all bids, to waive any informality, and to accept such bid which, in the opinion of the Owner, is in the best interest of the Owner.

BY ORDER OF THE TOWN BOARD  
TOWN OF RIVERHEAD  
SUFFOLK COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY  
OF THE RIVERHEAD WATER DISTRICT

DIANE WILHELM, TOWN CLERK

DATED: NOVEMBER 8, 2017

TOWN OF RIVERHEAD

Resolution # 858

**AUTHORIZES NOTICE TO BIDDERS ELECTRICAL SYSTEM MAINTENANCE AND  
EMERGENCY SERVICES RIVERHEAD WATER DISTRICT  
PROJECT NO. RDWD 17-01 (E)**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, plans and specifications have been prepared by H2M, consulting engineers to the Riverhead Water District, regarding Electrical System Maintenance and Emergency Services for the Riverhead Water District.

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the November 16, 2017 edition of The News Review, with regard to receiving bids for Electrical System Maintenance and Emergency Services for the Riverhead Water District, and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall publicly open and read aloud the submitted bids on the date as advertised in the Notice to Bidders; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

SECTION 001113 - NOTICE TO BIDDERS

Notice is hereby given that on behalf of the Riverhead Water District, the Town Board of the Town of Riverhead will receive bids for **ELECTRICAL SYSTEM MAINTENANCE AND EMERGENCY SERVICES CONTRACTS** at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, by 10:15 AM on Thursday, December 7, 2017 at which time and place all bids will be publicly opened and read aloud for:

**ELECTRICAL SYSTEM MAINTENANCE AND EMERGENCY SERVICES**

**PROJECT NO. RDWD 17-01 (E)**

Specifications may be examined and obtained on or after November 16, 2017 by visiting the Town of Riverhead website: <http://townofriverheadny.gov> and click on "Bid Requests". Plans and specifications are available in electronic format only from the aforementioned website.

Each proposal must be accompanied by a certified check or bid bond, made payable to the TOWN OF RIVERHEAD, in the amount equal to five percent (5%) of the total amount of the bid, as a commitment by the bidder that if its bid is accepted, it will enter into a contract to perform the work and will execute such further security as may be required for the faithful performance of the contract.

The Owner reserves the right to reject any or all bids, to waive any informality, and to accept such bid which, in the opinion of the Owner, is in the best interest of the Owner.

BY ORDER OF THE TOWN BOARD  
TOWN OF RIVERHEAD  
SUFFOLK COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY  
OF THE RIVERHEAD WATER DISTRICT

DIANE WILHELM, TOWN CLERK

DATED: NOVEMBER 8, 2017

TOWN OF RIVERHEAD

Resolution # 859

**AUTHORIZES NOTICE TO BIDDERS WATER DISTRIBUTION SYSTEM  
MAINTENANCE AND EMERGENCY SERVICES RIVERHEAD WATER DISTRICT  
PROJECT NO. RDWD 17-01 (WD)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, plans and specifications have been prepared by H2M, consulting engineers to the Riverhead Water District, regarding Water Distribution System Maintenance and Emergency Services for the Riverhead Water District.

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the November 16, 2017 edition of The News Review, with regard to receiving bids for Water Distribution System Maintenance and Emergency Services for the Riverhead Water District, and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall publicly open and read aloud the submitted bids on the date as advertised in the Notice to Bidders; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

SECTION 001113 - NOTICE TO BIDDERS

Notice is hereby given that on behalf of the Riverhead Water District, the Town Board of the Town of Riverhead will receive bids for **WATER DISTRIBUTION SYSTEM MAINTENANCE AND EMERGENCY SERVICES CONTRACTS** at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, by 10:20 AM on Thursday, December 7, 2017 at which time and place all bids will be publicly opened and read aloud for:

**WATER DISTRIBUTION SYSTEM MAINTENANCE AND EMERGENCY SERVICES**

**PROJECT NO. RDWD 17-01 (WD)**

Specifications may be examined and obtained on or after November 16, 2017 by visiting the Town of Riverhead website: <http://townofriverheadny.gov> and click on "Bid Requests". Plans and specifications are available in electronic format only from the aforementioned website.

Each proposal must be accompanied by a certified check or bid bond, made payable to the TOWN OF RIVERHEAD, in the amount equal to five percent (5%) of the total amount of the bid, as a commitment by the bidder that if its bid is accepted, it will enter into a contract to perform the work and will execute such further security as may be required for the faithful performance of the contract.

The Owner reserves the right to reject any or all bids, to waive any informality, and to accept such bid which, in the opinion of the Owner, is in the best interest of the Owner.

BY ORDER OF THE TOWN BOARD  
TOWN OF RIVERHEAD  
SUFFOLK COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY  
OF THE RIVERHEAD WATER DISTRICT

DIANE WILHELM, TOWN CLERK

DATED: NOVEMBER 8, 2017

TOWN OF RIVERHEAD

Resolution # 860

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST  
NOTICE TO BIDDERS FOR WATER SERVICE MATERIALS**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Town of Riverhead Water District requires a variety of parts and equipment, including but not limited to outlet thread taps, meter pit covers, yoke key valves, wedge gate valves, hydrant tee(s), hydrant extension kits, nuts and eye bolts, to maintain equipment and facilities (hereinafter described as “Water Service Materials”); and

**WHEREAS**, the Town of Riverhead Water District prepares bid specifications each year listing all items required to properly service equipment and facilities related to water services provided by the Water District.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board, acting as governing body of the Riverhead Water District, hereby authorizes the Town Clerk to publish and post the attached Notice to Bidders for Water Service Materials in the **November 16, 2017**, issue of *The News-Review*, and be it further

**BE IT FURTHER RESOLVED**, that the Town Clerk is to forward a copy of this resolution to the Information Technologies Department.

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **WATER SERVICE MATERIALS** (parts and equipment, including but not limited to, outlet thread taps, meter pit covers, yoke key valves, wedge gate valves, hydrant tee(s), hydrant extension kits, nuts and eye bolts, to maintain equipment and facilities) for use by the RIVERHEAD WATER DISTRICT will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **2:00 p.m. on December 1, 2017**, at which time all bids will be opened and publically read aloud.

Bid Specifications and/or Plans may be obtained by visiting the Town of Riverhead website at [www.townofriverheadny.gov](http://www.townofriverheadny.gov) on or after **November 16, 2017**. Click on "Bid Requests" and follow the instructions to register.

All bids are to be submitted in a sealed envelope bearing the designation **BIDS FOR WATER SERVICE MATERIALS – BID #2017-36-RWD**. All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "**EXCEPTIONS TO THE SPECIFICATIONS**" and be attached to the bid form.

**NOTE: Bid responses must be delivered to the Office of the Town Clerk at 200 Howell Avenue, Riverhead, New York, 11901, on or before 2:00 p.m. on December 1, 2017. 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.**

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 # 861

**EXTENDS BID CONTRACT FOR CALCIUM  
HYPOCHLORITE TABLETS FOR RIVERHEAD WATER DISTRICT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, Eagle Control Corp. was awarded a bid for calcium hypochlorite tablets for use by the Riverhead Water District under Resolution #150808 adopted November 17, 2015, for one (1) year until November 17, 2016; and

**WHEREAS**, the Riverhead Water District had requested an extension of the contract and the above-named vendor has agreed to extend the contract until November 17, 2018, per the attached Bid Extension Notice, at the original bid amount, said extension being the second and final extension under the current contract.

**WHEREAS**, the Town Board has reviewed said request.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bid contract for calcium hypochlorite tablets for use by the Riverhead Water District be and is hereby be extended to November 17, 2018; and be it further

**RESOLVED**, that the Town Clerk be directed to forward a certified copy of this resolution to Eagle Control, 23 Old Dock Road, Yaphank, New York, 11980;

**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



*RWD Riverhead Water District*

1035 Pulaski Street, Riverhead, New York 11901-3043  
Phone: 631-727-3205 FAX: 631-369-4608

*Mark K Conklin, Superintendent*  
conklin@townofriverheadny.gov

*Thomas Kruger, Assistant Superintendent*  
kruger@townofriverheadny.gov

**Bid Extension Notice**

To: F. Richard Thaeber, Eagle Control Corp.  
From: Riverhead Water District  
Date: October 27, 2017  
Subject: Extension of Bid Services – Calcium Hypochlorite Tablets

This correspondence is to inform you that our current bid contract with you for Calcium Hypochlorite tablets will expire on November 17, 2017. Pursuant to the terms of the contract, two (2) extensions of the contract may be granted if approved by the vendor(s).

The Town of Riverhead would like to extend this contract for a period of one (1) year until November 17, 2018. This would be the ~~first~~ extension pursuant to the terms of the original contract.

~~second~~ and final

If the above meets with your approval, please complete the bottom portion of this notice and return it to us. Thank you for your consideration in this matter.

  
Authorized Signature

F. Richard Thaeber  
Print Name

Eagle Control Corporation  
Company Name

October 31, 2017  
Date



BID CONTRACT #RWD-2015-22

BID PROPOSAL SHEET

**CALCIUM HYPOCHLORITE TABLETS**

Approx. annual requirement: 800 50-lb pails    \$ 111.50 = Price Per 50-lb. pail

Quantity discount (if offered)    \$ 107.50 = Price for (24) 50-lb. pails (one [1] pallet)

\$ 103.50 = Price per 240 50-lb. pails (ten [10] pallets)

COMPANY NAME:

Eagle Central Corporation

Riverhead Water District

TOWN OF RIVERHEAD

Resolution # 862

**AUTHORIZES THE TOWN SUPERVISOR TO FILE STATE FORM TE-9-A**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, an increased flow of traffic on Deep Hole Road has raised safety concerns for residents and for the many pedestrians and cyclists that also utilize this road; and

**WHEREAS**, the Riverhead Traffic Safety Committee has recommended that the Town of Riverhead reduce the speed limit to 35 mph along the entire length of Deep Hole Road; and

**WHEREAS**, the Town Board of the Town of Riverhead agrees with this recommendation and believes that a study should be conducted by the New York State Department of Transportation to determine if a reduced speed limit on the aforementioned road is warranted.

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor be directed, under Section 1622.1 of the Vehicle and Traffic Law of the State of New York, to file New York State form TE-9-A with the New York State Department of Transportation requesting such study.

**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 # 863**

**PAYS BILLS**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

<b>ABSTRACT #17-35 OCTOBER 19, 2017 (TBM 11/08/17)</b>			
			<b>Grand</b>
<b>Fund Name</b>	<b>Fund</b>	<b>Ckrun</b>	<b>Totals</b>
GENERAL FUND	1	52,792.47	52,792.47
HIGHWAY FUND	111	221.97	221.97
WATER DISTRICT	112	22,417.26	22,417.26
RIVERHEAD SEWER DISTRICT	114	1,846.01	1,846.01
STREET LIGHTING DISTRICT	116	31,180.38	31,180.38
AMBULANCE DISTRICT	120	275.83	275.83
CALVERTON SEWER DISTRICT	124	4,957.75	4,957.75
RIVERHEAD SCAVENGER WASTE DIST	128	1,079.11	1,079.11
RISK RETENTION FUND	175	375,000.00	375,000.00
WATER DISTRICT CAPITAL PROJECT	412	24,623.38	24,623.38
RIVERHEAD SEWER CAPITAL PROJEC	414	4,017.20	4,017.20
CALVERTON PARK - C.D.A.	914	1,500.00	1,500.00
<b>TOTAL ALL FUNDS</b>		<b>519,911.36</b>	<b>519,911.36</b>

<b>ABSTRACT #17-36 OCTOBER 26, 2017 (TBM 11/08/17)</b>			
			<b>Grand</b>
<b>Fund Name</b>	<b>Fund</b>	<b>Ckrun</b>	<b>Totals</b>
GENERAL FUND	1	68,691.83	68,691.83
RECREATION PROGRAM FUND	6	280.00	280.00
HIGHWAY FUND	111	66,798.43	66,798.43
WATER DISTRICT	112	2,864.40	2,864.40
RIVERHEAD SEWER DISTRICT	114	48,707.22	48,707.22
STREET LIGHTING DISTRICT	116	4,280.76	4,280.76
PUBLIC PARKING DISTRICT	117	4,867.74	4,867.74
AMBULANCE DISTRICT	120	2,583.32	2,583.32
CALVERTON SEWER DISTRICT	124	1,489.61	1,489.61
RIVERHEAD SCAVENGER WASTE DIST	128	23,019.61	23,019.61
TOWN HALL CAPITAL PROJECTS	406	189,355.12	189,355.12

WATER DISTRICT CAPITAL PROJECT	412	12,923.35	12,923.35
TRUST & AGENCY	735	89,107.85	89,107.85
CALVERTON PARK - C.D.A.	914	26.30	26.30
<b>TOTAL ALL FUNDS</b>		<b>514,995.54</b>	<b>514,995.54</b>

<b>ABSTRACT #17-37 NOVEMBER 3, 2017 (TBM 11/08/17)</b>			
			<b>Grand</b>
<b>Fund Name</b>	<b>Fund</b>	<b>Ckrun</b>	<b>Totals</b>
GENERAL FUND	1	149,314.21	149,314.21
RECREATION PROGRAM FUND	6	103.85	103.85
HIGHWAY FUND	111	35,345.50	35,345.50
WATER DISTRICT	112	8,295.29	8,295.29
RIVERHEAD SEWER DISTRICT	114	3,093.09	3,093.09
REFUSE & GARBAGE COLLECTION DI	115	212,145.27	212,145.27
STREET LIGHTING DISTRICT	116	656.42	656.42
PUBLIC PARKING DISTRICT	117	373.69	373.69
AMBULANCE DISTRICT	120	4,207.16	4,207.16
EAST CREEK DOCKING FACILITY FU	122	72.94	72.94
RIVERHEAD SCAVENGER WASTE DIST	128	305.89	305.89
TOWN HALL CAPITAL PROJECTS	406	84,075.00	84,075.00
TRUST & AGENCY	735	15,746.32	15,746.32
<b>TOTAL ALL FUNDS</b>		<b>513,734.63</b>	<b>513,734.63</b>

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted