

**RESOLUTION LIST  
AUGUST 21, 2012**

- Res. #638 CDBG Consortium 2010 Budget Adjustment**
- Res. #639 2012 Law Enforcement Facility Improvement Budget Adoption**
- Res. #640 Calverton Recreational Park Project Budget Adjustment**
- Res. #641 Highway District Budget Adjustment**
- Res. #642 Riverhead Sewer District Budget Adjustment**
- Res. #643 Authorizes Professional Services Agreement for Final Audit of NYS Parks Grants**
- Res. #644 Authorizes Town to Accept Bike Lockers from NYS DOT**
- Res. #645 Authorizes Supervisor to Execute Contract and Easement for Suffolk County Downtown Revitalization Round 10 Funds for Downtown Ice Rink Facility**
- Res. #646 Authorizes Supervisor to Extend 2010 New York State Main Street Grant Contract**
- Res. #647 Ratifies the Promotion of a Detective (Evelyn Hobson)**
- Res. #648 Accepts the Resignation of a Part-Time Police Officer (Theodore Richert)**
- Res. #649 Appoints a Public Safety Dispatcher to the Police Department (Margaret Wickers)**
- Res. #650 Ratifies the Appointment of a Temporary Custodial Worker I (Paul Bauerfeind)**
- Res. #651 Appoints Member to the Zoning Board of Appeals of the Town of Riverhead (Lisa Worthington)**
- Res. #652 Ratifies the Appointment of Part-Time Kennel Attendant to the Police Department (Jacob Phillips)**
- Res. #653 Promotes Wastewater Treatment Plant Operators in the Sewer District (Matthew E. Hattorff, Michael J. Lech)**

- Res. #654** Authorizes the Supervisor to Execute Stipulation of Settlement with Civil Service Employees Association, Inc. Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #85 (CSEA)
- Res. #655** Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for an Executive Director of Youth Bureau
- Res. #656** Authorization to Publish Advertisement for Food Products for the Town of Riverhead
- Res. #657** Appoints a Call-In Seasonal Beach Attendant to the Recreation Department (Joseph Inzalaco)
- Res. #658** Authorizes Town Clerk to Publish and Post Public Notice for Public Hearing Regarding a Local Law to Amend Chapter 26 Entitled “Officers and Employees” of the Riverhead Town Code
- Res. #659** Adopts a Local Law to Amend Chapter 101 Entitled “Vehicles and Traffic” of the Riverhead Town Code (§101-7, Turns – East Ave Southbound at Northville Tpke)
- Res. #660** Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 of the Riverhead Town Code Entitled “Zoning” (§108.56.1 Sign Permits)
- Res. #661** Accepts 100% Security of Headriver LLC (Walmart Project)
- Res. #662** Accepts Donation of 100 Trees from Barbara and Jim Cromarty and Riverhead Raceway for Planting throughout the Town
- Res. #663** Adopts a Local Law Amending Article IV, Early Retirement Incentive Program for Eligible Full-Time Police Officers of Chapter 37 Entitled “Retirement” of the Riverhead Town Code
- Res. #664** Amends Resolution #611 of 2012
- Res. #665** Authorizes the Supervisor to Execute an Agreement with Suffolk County for Operation Shield Grant Program
- Res. #666** Accepts the Retirement of the Executive Director of Youth Bureau (Donna Lyczkowski)
- Res. #667** Approves Chapter 90 Application of Church of the Harvest (Rock the River/Car Show – September 8, 2012)

- Res. #668 Approves the Chapter 90 Application of the Long Island Corvair Association (September 23, 2012)**
- Res. #669 Approves the Chapter 90 Application of Garden of Eve, LLC (L.I. Garlic Festival – September 29<sup>th</sup> and 30<sup>th</sup>, 2012)**
- Res. #670 Approves the Chapter 90 Application of George M. Bartunek (Antique Car Show – September 30, 2012)**
- Res. #671 Resolution to Authorize the Town of Riverhead to Donate Money to Riverhead High School Key Club for Recycling Education Programs**
- Res. #672 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled “Zoning” of the Riverhead Town Code (Parking Schedule)**
- Res. #673 Approves Chapter 90 Application of Railroad Museum of Long Island (“Toy Train Play Days” – October 6<sup>th</sup> and 7<sup>th</sup>, 2012)**
- Res. #674 Authorizes the Town, by and Through the Town of Riverhead Senior Center to Enter into an Agreement with Ace in the Hole Productions, Inc. for Entertainment/Performance at the Senior Center**
- Res. #675 Authorizes Town Clerk to Publish and Post Notice to Bidders for Calcium Hypochlorite Tablets**
- Res. #676 Resolution Officially Naming the Park Located in South Jamesport as “Miamogue Point Park”**
- Res. #677 Pays Bills**

**TOWN OF RIVERHEAD**

**Resolution # 638**

**CDBG CONSORTIUM 2010**

**BUDGET ADJUSTMENT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, resolution #902 adopted December 6, 2011 authorized a budget modification to the 2010 & 2011 Community Development Block Grant Programs;

**WHEREAS** a transfer of funds is approved from the Senior Center Improvement and Home Improvement budgets to a Street Lighting Replacement appropriation.

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

	<b><u>FROM</u></b>	<b><u>TO</u></b>
181.067720.541000.06910 Senior Center Improvements	50,000.00	
181.086680.540000.06910 Home Improvement Program	26,372.65	
181.051820.541414.06910 Street Lighting Replacement		76,372.65
181.086680.540000.06911 Home Improvement Program	13,743	
181.051820.541414.06911 Street Lighting Replacement		13,743

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

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

**THE VOTE**

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



08.21.12  
120640

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 640**

**CALVERTON RECREATIONAL PARK PROJECT**

**BUDGET ADJUSTMENT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Engineering Dept requests a budget adjustment to move monies into the engineering line to pay for additional work not accounted for in the original proposal.

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

	<u>FROM</u>	<u>TO</u>
406.071100.523039.70015 Infrastructure Improvements	12,500	
406.071100.543150.70015 Prof. Fees Engineers		12,500

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120641

TABLED

**TOWN OF RIVERHEAD**

**Resolution # 641**

**HIGHWAY DISTRICT**

**BUDGET ADJUSTMENT**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Superintendent of Highway is requesting a transfer of funds for additional costs associated with Repair & Maintenance of Roads due to flooding;

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
111.051400.547504	Landfill Expense	19,900	
111.051100.541310	Roads Repair & Maint/Floods		19,900

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

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

**THE VOTE**

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

08.21.12  
120642

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 642**

**RIVERHEAD SEWER DISTRICT**

**BUDGET ADJUSTMENT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Superintendent of Sewer is requesting a transfer of funds to cover the cost of plant improvements for the SBR system at the Sewer Plant;

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
114.081300.546203	Electricity	7,500	
114.081300.523011	Plant Improvements		7,500

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120643

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 643**

**AUTHORIZES PROFESSIONAL SERVICES AGREEMENT FOR  
FINAL AUDIT OF NYS PARKS GRANTS**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Town of Riverhead has completed the construction of the Calverton Recreation Trails, Weeping Willow Park, and Miamogue Point Park; and

**WHEREAS**, a portion of the project was funded with New York State Office of Parks, Recreation and Historic Preservation (NYS Parks); and

**WHEREAS**, prior to final reimbursement of the remaining grant funds, NYS Parks requires a final audit of the project; and

**WHEREAS**, the Community Development Department obtained several estimates for this work and Cullen & Danowski, LLP have provided the lowest bid at \$5,000 per audit as per attached proposal; and

**NOW THEREFORE BE IT RESOLVED**, that the Riverhead Town Board hereby authorizes the Supervisor to execute a professional services agreement with Cullen & Danowski, LLP for the above described audits subject to review and approval by the Town Attorney.

**BE IT FURTHER RESOLVED**, that the Riverhead Town Board authorizes and instructs the Accounting Department to set up a budget and issue purchase orders for the above mentioned grant; 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; and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall send a copy of this resolution to Community Development, the Town Engineer and Accounting.

**THE VOTE**

Giglio  Yes  No Gabrielsen  Yes  No

Wooten  Yes  No Dunleavy  Yes  No

Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

**CULLEN & DANOWSKI, LLP**  
CERTIFIED PUBLIC ACCOUNTANTS

VINCENT D. CULLEN, CPA  
JAMES E. DANOWSKI, CPA  
PETER E. RODRIGUEZ, CPA  
JILL S. SANDERS, CPA  
DONALD J. HOFFMANN, CPA  
CHRISTOPHER V. REINO, CPA  
ALAN YU, CPA

July 6, 2012

Mr. Frank Messina  
Town of Riverhead  
Community Development Department  
200 Howell Avenue  
Riverhead, NY 11901

Dear Mr. Messina:

We are pleased to confirm our understanding of the nature and limitations of the services we are to provide for the Town of Riverhead.

We will audit the statement of contract revenues and expenditures of the Town of Riverhead's Acquisition of Peconic Bay-Miamogue Point Project for the period October 20, 2006 to December 31, 2011 pursuant to Contract #C406044 between the Town of Riverhead and the New York State Office of Parks, Recreation and Historic Preservation Agency. Supplementary information also accompanies statement of contract revenues and expenditures. We will subject the following supplementary information to the auditing procedures applied in our audit of the statement of contract revenues and expenditures and will provide an opinion on it in relation to the statement of contract revenues and expenditures.

**Audit Objective**

The objective of our audit is the expression of opinions as to whether your statement of contract revenues and expenditures is fairly presented, in all material respects, in conformity with generally accepted accounting principles and to report on the fairness of the additional information referred to in the first paragraph when considered in relation to the statement of contract revenues and expenditures taken as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinion. If our opinion on the statement of contract revenues and expenditures is other than unqualified, we will fully discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed an opinion, we may decline to express an opinion or to issue a report as a result of this engagement.

**Management Responsibilities**

Management is responsible for the statement of contract revenues and expenditures and all accompanying information as well as all representations contained therein. You are also responsible for making all management decisions and performing all management functions; for designating an individual with suitable skill, knowledge, or experience to oversee our assistance with the preparation of your statement of contract revenues and expenditures and related notes; and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the fair presentation in the statement of contract revenues and expenditures.

TOWN OF RIVERHEAD

Resolution # 644

AUTHORIZES TOWN TO ACCEPT BIKE LOCKERS FROM NYS DOT

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town of Riverhead has completed the construction of a section of the Calverton Athletic Trail; and

**WHEREAS**, the Town of Riverhead desires to help expand transportation choices, such as safe bicycle and pedestrian facilities, scenic routes, beautification and other investments that increase recreation, accessibility and safety for everyone beyond traditional highway programs; and

**WHEREAS**, the New York State Department of Transportation (“**NYSDOT**”) sponsors the Transportation Demand Management Program (“**TDM**”), to cooperate in efforts to increase and improve bicycle use by providing BICYCLE LOCKER FACILITIES; and

**WHEREAS**, TDM is a program designed to promote, coordinate and provide strategies that will reduce the use of single-occupant vehicles and other automobiles on Long Island thereby improving air quality and helping to reduce congestion. One of the TDM strategies is to encourage bicycling to reduce the use of single-occupant vehicles and automobiles; and

**NOW THEREFORE BE IT RESOLVED**, that the Riverhead Town Board hereby authorizes the Supervisor to execute an AGREEMENT TO TRANSFER OWNERSHIP AND OPERATION OF BICYCLE LOCKER FACILITIES with NYSDOT for the above described BICYCLE LOCKER FACILITIES subject to review and approval by the Town Attorney.

**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; and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall send a copy of this resolution to Community Development, the Town Engineer and Town Attorney.

**THE VOTE**

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

TOWN OF RIVERHEAD

Resolution # 645

**AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT AND EASEMENT FOR SUFFOLK COUNTY DOWNTOWN REVITALIZATION ROUND 10 FUNDS FOR DOWNTOWN ICE RINK FACILITY**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, Suffolk County awarded Down Revitalization Grant Program Round 10 funding to the Town of Riverhead Community Development Department for a public ice rink facility within the Town of Riverhead parking district property along the downtown waterfront; and

**WHEREAS**, the project meets the requirements and goals and objectives of the program, is consistent with the goals of the East Main Street Urban Renewal Plan (1993 and 2008 update), the Vision Plan for Downtown Riverhead (BID 1995), the Revitalization Strategy for Downtown Riverhead (APPS, June 2000), the Town of Riverhead Comprehensive Plan (2003), Downtown Center-1 zoning district (2004), and the objectives of Smart Growth as recognized by Vision Long Island (2005); and

**WHEREAS**, the project is supported by the Riverhead Business Improvement District and the Riverhead Town Board, specifically Resolution #420 adopted May 26, 2011 that "SUPPORTS AND ENDORSES PURSUIT OF SUFFOLK COUNTY DOWNTOWN REVITALIZATION ROUND 10 FUNDING FOR DOWNTOWN ICE RINK FACILITY"; and

**THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute the attached easement and contract with Suffolk County for Downtown Revitalization Round 10 funding for the Downtown Ice Rink Facility and reflecting leveraged funds provided by inkind Town of Riverhead engineering, community development and buildings and grounds services as well as Riverhead Business Improvement District matching funds; and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall provide notification of this resolution to CDD Director Chris Kempner and the Accounting Department; and

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

**THE VOTE**

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

08.21.12  
120646

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 646**

**AUTHORIZES SUPERVISOR TO EXTEND 2010 NEW YORK STATE MAIN STREET GRANT CONTRACT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the New York State Housing Trust Fund Corporation / Office of Community Renewal has awarded the Town of Riverhead \$500,000 as part of the 2010 New York Main Street Program to provide up to 75% state funds and 25% private funds to support main street revitalization projects that help attract businesses, improve commerce and revitalize local economies; and

**WHEREAS**, the boundaries of the project area are the Riverhead Business Improvement District; and

**WHEREAS**, the Town of Riverhead desires to foster continued redevelopment in downtown Riverhead;

**WHEREAS**, the Town Board previously approved the Supervisor to execute a grant agreement with the New York State Housing Trust Fund Corporation by Town Board Resolution #707 (2010); and

**WHEREAS**, the Community Development Department has solicited project applications for building renovations within the Business Improvement District.

**WHEREAS**, the existing contract will expire on August 31, 2012 and several projects require more time to be completed; and

**THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the supervisor to sign an extension through March 29, 2013.

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

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120647

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 647**

**RATIFIES THE PROMOTION OF A DETECTIVE**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, Detective Evelyn Hobson has been assigned to investigative duties with the Riverhead Police Department since February 10, 2002 and presently holds the designation of Detective Grade II; and

**WHEREAS**, it is the recommendation of Chief David J. Hegermiller that she be promoted to the rank of Detective Grade I.

**NOW THEREFORE BE IT RESOLVED**, that effective February 10, 2012, the Town Board hereby ratifies the promotion of Evelyn Hobson to the position of Detective Grade I at an annual salary as set forth in the current labor contract that exists between the Riverhead Police Benevolent Association and the Town of Riverhead; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Det. Evelyn Hobson, the Police Chief, Office of Accounting and the Personnel Director; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120648

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 648**

**ACCEPTS THE RESIGNATION OF A PART-TIME POLICE OFFICER**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, Chief of Police David J. Hegermiller has received a letter of resignation from Theodore Richert stating he is resigning from his position of Part-time Police Officer with the Riverhead Police Department, effective July 18, 2012.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby accepts the letter of resignation submitted by Theodore Richert; and

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120649

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 649**

**APPOINTS A PUBLIC SAFETY DISPATCHER TO THE POLICE DEPARTMENT**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, vacancies for a Public Safety Dispatcher I exist in the Police Department; and,

**WHEREAS**, the Suffolk County Department of Civil Service has established List #11-DC275 for Public Safety Dispatcher I which was canvassed; and,

**WHEREAS**, pursuant to a completed background investigation and personal interview, it is the recommendation of Chief David J. Hegermiller and the Town Personnel Committee that Margaret Wickers be appointed to this position.

**NOW, THEREFORE, BE IT RESOLVED**, effective September 4, 2012 this Town Board hereby appoints Margaret Wickers to the position of Public Safety Dispatcher I as found in Group 1, Step P of the Public Safety Dispatcher salary schedule in the CSEA contract; and,

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

**THE VOTE**

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

08.21.12  
120650

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 650**

**RATIFIES THE APPOINTMENT OF A TEMPORARY CUSTODIAL WORKER I**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the leave of absence of the incumbent custodian has necessitated the appointment of a temporary replacement; and

**WHEREAS**, Paul Bauerfeind has had prior seasonal and temporary employment with the Town of Riverhead, and the department head has recommended his appointment to this temporary position.

**NOW, THEREFORE, BE IT RESOLVED**, that effective for August 13, 2012 through October 5, 2012 this Town Board hereby ratifies the appointment of Paul Bauerfeind to the position of temporary Custodial Worker I at the hourly rate of \$12.50.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120651

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 651**

**APPOINTS MEMBER TO THE**  
**ZONING BOARD OF APPEALS OF THE TOWN OF RIVERHEAD**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**BE IT**

**RESOLVED**, effective August 21, 2012, Lisa Worthington is hereby appointed as a member of the Town of Riverhead Zoning Board of Appeals for a term ending December 31, 2013, and

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Lisa Worthington, the Zoning Board of Appeals, the Planning Department, Office of Accounting and the Personnel Director.

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120652

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 652**

**RATIFIES THE APPOINTMENT OF PART-TIME KENNEL ATTENDANT TO THE  
POLICE DEPARTMENT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the need for a Part-Time Kennel Attendant exists in the Police Department; and,

**WHEREAS**, it is the recommendation of Chief David J. Hegermiller and the Personnel Committee that Jacob Phillips be appointed to this position.

**NOW, THEREFORE, BE IT RESOLVED**, effective August 18, 2012, the Town Board hereby ratifies the appointment of Jacob Phillips to the position of Part-Time Kennel Attendant at an hourly rate of \$9.00; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Jacob Phillips, the Police Department, the Office of Accounting and the Personnel Director; 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 from the Office of the Town Clerk.

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120653

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 653**

**PROMOTES WASTEWATER TREATMENT PLANT OPERATORS IN  
THE SEWER DISTRICT**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, it is incumbent upon the Superintendent of the Sewer District to expand the duties of his existing staff, making it appropriate to promote certain employees to job titles that allow for increased levels of responsibility; and

**WHEREAS**, these individuals are immediately reachable on the applicable civil service certified List of Eligibles for the title of Senior Wastewater Treatment Plant Operator IIIA.

**NOW, THEREFORE, BE IT RESOLVED**, that effective for August 12, 2012, this Town Board hereby promotes the following individuals to the title of Senior Wastewater Treatment Plant Operator IIIA:

Matthew E. Hattorff	Group 18 Step 19
Michael J. Lech	Group 18 Step 14A

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120654

ADOPTED

TOWN OF RIVERHEAD

Resolution # 654

**AUTHORIZES THE SUPERVISOR TO EXECUTE STIPULATION  
OF SETTLEMENT WITH CIVIL SERVICE EMPLOYEES ASSOCIATION, INC., LOCAL  
1000, AFSCME, AFL-CIO, RIVERHEAD UNIT  
OF THE SUFFOLK LOCAL # 85 (CSEA)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, an employee who is a member of the CSEA and entitled to the benefits and protections set forth in the collective bargaining agreement ("Contract") has been recommended for a promotion which results in a salary increase less than that provided pursuant paragraph 2 of Article XV "Job Classification and Salary Administration Program" of the Contract; and

**WHEREAS**, the Town Board has given consideration to the unique circumstances of the employee; and

**WHEREAS**, the parties have reached a resolution of the matter and wish to enter into a stipulation reflecting their agreement.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board be and hereby ratifies the attached stipulation and authorizes the Supervisor to execute same; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Personnel Director, CSEA Unit President, the Sewer District Superintendent, the Town Attorney's Office and the Financial Administrator; and

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

**THE VOTE**

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

## **STIPULATION**

Made this        day of August, 2012, between the Town of Riverhead, 200 Howell Avenue, Riverhead, New York (Town) and Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Riverhead Unit of Suffolk Local #852 having its principal office at 3 Garet Place, Commack, New York (CSEA); and

WHEREAS, Mathew Hattorff is an employee in the Sewer Department for the Town of Riverhead and is presently employed full time as a Wastewater Treatment Operator 3A; and

WHEREAS, pursuant to the contract between the parties, and in particular Article XV (2), an employee receiving a promotion shall be guaranteed an increase in salary of at least three (3%) percent; and

WHEREAS, the Sewer District Superintendent has recommended that Mr. Hattorff receive a promotion from Wastewater Treatment Operator 3A to Senior Wastewater Treatment Operator 3A;

WHEREAS, the promotion and assignment will, if granted, result in Mr. Hattorff being promoted from Group 17, Step to Group 18, Step 19 with an increase in salary of one thousand one hundred seventy-seven and 02/100 (\$1,177.02); and

WHEREAS, Mr. Hattorff has indicated that he agrees to the terms of the promotion and assignment.

NOW, THEREFORE, it is mutually agreed as follows:

1. That due to the length of service by employee Mathew Hattorff which result in a unique circumstance regarding the Group and Step placement of the employee, the Town Board agrees that Hattorff be considered for promotion at an amount less than \$3000.00 as provided under Article XV (2).

2. This stipulation shall not, in any way, constitute or be construed to constitute "past practice" for the parties now or in the future and shall remain specific to this matter.
3. This stipulation constitutes the entirety of the parties agreement herein.

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Sean M. Walter, Supervisor

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Matthew E. Hattorff, for CSEA

---

Labor Relation Specialist

08.21.12  
120655

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 655**

**AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST A HELP WANTED AD  
FOR AN EXECUTIVE DIRECTOR OF YOUTH BUREAU**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**RESOLVED**, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the September 6, 2012 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 copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

## **HELP WANTED**

**PLEASE TAKE NOTICE**, that the Town of Riverhead is seeking a qualified individual to serve as the Executive Director of the Riverhead Town Youth Bureau. Applicants must be a graduate of a regionally accredited college or university with a Bachelor's Degree which includes the study of behavioral sciences and sociology and have four (4) years of professional experience dealing with the social and educational aspects of youths and their problems. Additional relevant graduate level education may be substituted for experience up to a maximum of two (2) years. Applications are to be submitted to the Personnel Office, 1295 Pulaski Street, Riverhead, NY, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. No applications will be accepted after 4:00 p.m. on September 21, 2012. EOE

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

08.21.12  
120656

ADOPTED

TOWN OF RIVERHEAD

Resolution # 656

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR FOOD PRODUCTS FOR  
THE TOWN OF RIVERHEAD

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town Clerk is authorized to publish and post a notice to bidders for proposals for FOOD PRODUCTS FOR THE TOWN OF RIVERHEAD and;

**NOW THEREFORE BE IT RESOLVED**, the Town Clerk is hereby authorized to publish and post the following public notice in the AUGUST 30, 2012 issue of the News Review and;

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

THE VOTE

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

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD  
NOTICE TO BIDDERS

Sealed bids for the purchase of FOOD PRODUCTS for the use in the Town of Riverhead, Riverhead, New York will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 11:05 am on SEPTEMBER 10, 2012 at which time they will be publicly opened and read aloud.

Specifications may be examined and/or obtained on AUGUST 30, 2012 on the Town of Riverhead website at [www.riverheadli.com](http://www.riverheadli.com), click on bid requests or at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays.

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

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

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

08.21.12  
120657

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 657**

**APPOINTS A CALL-IN SEASONAL BEACH ATTENDANT TO THE RECREATION DEPARTMENT**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, a Call-In Seasonal Beach Attendant is needed by the Riverhead Town Recreation Department

**NOW THEREFORE BE IT RESOLVED**, that effective August 22, 2012, through and including September 3, 2012, this Town Board hereby appoints Joseph Inzalaco to the position of Seasonal Beach Attendant, Level I, to be paid the rate of \$8.70 per hour to the Recreation Department and

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120658

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 658**

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE FOR  
PUBLIC HEARING REGARDING A LOCAL LAW TO AMEND CHAPTER 26  
ENTITLED "OFFICERS AND EMPLOYEES" OF THE RIVERHEAD TOWN CODE**

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 local law to amend Chapter 26 entitled, "Officers and Employees" of the Riverhead Town Code once in the August 30, 2012 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 the Town Clerk shall provide a copy of this resolution to the Building Department, Code Enforcement, and the Town Attorney.

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 18<sup>th</sup> day of September, 2012 at 7:10 o'clock p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider a local law to amend Chapter 26 entitled, "Officers and Employees" of the Riverhead Town Code as follows:

Chapter 26  
**OFFICERS AND EMPLOYEES**  
ARTICLE IV  
**Zoning Officer**

**§26-17. Administrator of Building Department.**

The Administrator of the Building Department, also known as "~~Senior Building Inspector,~~" "Town Building and Planning Administrator", shall be the principal executive officer and administrative head of the Building Department.

**§26-20. ~~Planning Director~~ Town Building and Planning Administrator for Town of Riverhead.**

The Town Building and Planning Administrator and the Planning Director of the Town of Riverhead shall be vested with authority to make, issue and render determinations regarding compliance with the provisions of the Zoning Code for site plan, special permit and subdivision applications; however, the Director of Planning shall not have authority as granted to authorized issuing officers as set forth in § 3-1 of the Town Code. Nothing herein above shall be deemed to diminish or restrict the performance of such duties as are vested in and imposed upon the Planning Director or such officers or persons under the supervision of the Planning Director.

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

Dated: Riverhead, New York  
August 21, 2012

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

**DIANE M. WILHELM, Town Clerk**

08.21.12  
120659

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 659**

**ADOPTS A LOCAL LAW TO AMEND CHAPTER 101 ENTITLED "VEHICLES AND TRAFFIC" OF THE RIVERHEAD TOWN CODE**  
**(§101-7. Turns.)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 101, "Vehicles and Traffic" (§101-7. Turns.) of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the 7<sup>th</sup> day of August, 2012 at 2:05 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

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

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE**, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 101 entitled, "Vehicles and Traffic" of the Riverhead Town Code at its regular meeting held on August 21, 2012. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 101  
Vehicles and Traffic  
ARTICLE III  
**Traffic Regulations**

**§ 101-7. Turns.**

- B. Pursuant to the authority granted by §1660 of the New York State Vehicle and Traffic Law, the areas designated below restrict turns such that only right turns shall be permitted at said location and a sign "right turn only" shall be posted at the location.

**Location**

East Avenue southbound at Northville Turnpike

- Underscore represents addition(s)

Dated: Riverhead, New York  
August 21, 2012

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

**DIANE M. WILHELM**, Town Clerk

08.21.12  
120660

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 660**

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED "ZONING" (§108-56.1 Sign permits.)**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**RESOLVED**, that the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-56.1. Sign permits.) once in the August 30, 2012 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**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held before the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York on the 18<sup>th</sup> day of September, 2012 at 7:15 o'clock p.m. to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled "Zoning" (§108-56.1. Sign permits.).

**ZONING  
ARTICLE XIII  
Supplementary Use Regulations**

**§108-56.1. Sign permits.**

**E. Nonconforming signs.**

- (1) Any sign legally existing on the date of adoption of this chapter of the Town Code may be continued, although such sign may not thereafter conform to the regulations of the district in which it is located.
- (2) No nonconforming sign may be reestablished where a nonconforming use has been discontinued for a period of ~~six months~~ one year.
- (3) Any sign which was erected or placed prior to the adoption of §108-56 of the Town Code shall be considered a legally existing, nonconforming sign.
- (4) Any legally existing, nonconforming sign destroyed by an accidental cause such as fire, flood, explosion, riot, act of God or act of the public enemy shall be replaced by a sign which conforms to the regulations of the district in which it is located.
- ~~(5) All signs must comply with the provisions of this chapter within seven years from October 18, 2005.~~

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

Dated: Riverhead, New York  
August 21, 2012

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

**DIANE M. WILHELM, Town Clerk**

08.21.12  
120661

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 661**

**ACCEPTS 100% SECURITY OF HEADRIVER LLC**  
**(Wal-mart Project)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, Headriver LLC posted cash security (TD Bank Official Check #51416913-3) in the sum of Twenty Five Thousand Dollars (\$25,000.00) representing site plan security in connection with Riverhead Town Board Resolution #557, dated June 5, 2007, for the construction of a 169,547 sq. ft. building (including a building of 146,018 sq. ft., an outdoor vestibule of 2,238 sq. ft., a covered garden center of 9,091 sq. ft., an uncovered garden center to the south of the building) and a separate 27,000 sq. ft. retail building and associated improvements, upon real property located on the north side of Route 58 east of Kroemer Avenue, Riverhead, New York, further described as Suffolk County Tax Map #0600-119-1-1.2, pursuant to Section 108-133 (l) of the Riverhead Town Code; and

**WHEREAS**, the Town Attorney has reviewed said security and deems it to be sufficient in its form.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby accepts the cash security in the sum of Twenty Five Thousand Dollars (\$25,000.00) issued to the Town of Riverhead; and be it further

**RESOLVED**, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a copy of this resolution to Linda U. Margolin, Esq. of the Law Firm of Bracken, Margolin Besunder LLP, 1050 Old Nichols Road, Suite 200, Islandia, New York, 11749; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120662

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 662**

**ACCEPTS DONATION OF 100 TREES FROM BARBARA AND JIM CROMARTY  
AND RIVERHEAD RACEWAY FOR PLANTING THROUGHOUT THE TOWN**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the National Association of Stock Car Auto Racing (NASCAR) has the largest nationwide tree planting program in sports; and

**WHEREAS**, The NASCAR Green Clean Air Program plants trees for each green flag that drops during a NASCAR sanctioned race, capturing 100% of the carbon produced by on-track racing; and

**WHEREAS**, Riverhead Raceway was one of five tracks nationwide in the NASCAR Whelen All-American Series to be selected to participate in the program; and

**WHEREAS**, on June 16, 2012, NASCAR donated 100 trees to Barbara and Jim Cromarty and Riverhead Raceway for the recipient of their choice; and

**WHEREAS**, Barbara and Jim Cromarty offered to donate the 100 trees to the Town of Riverhead for planting throughout the Town which will not only add to the aesthetics of each locate but will also benefit the environment; and

**WHEREAS**, pursuant to New York State Town Law §64-8, the Town may take by gift any real or personal property for public use or benefit; and

**WHEREAS**, the Town Board finds that acceptance of 100 trees at no cost to the Town is in the best interest of the residents of the Town of Riverhead.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Riverhead hereby accepts the donation of 100 trees from Barbara and Jim Cromarty; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Barbara and Jim Cromarty, Riverhead Raceway, 1797 Old Country Road, Riverhead, NY 11901, Engineering 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 certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120663

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 663**

**ADOPTS A LOCAL LAW AMENDING ARTICLE IV. EARLY RETIREMENT INCENTIVE PROGRAM FOR ELIGIBLE FULL-TIME POLICE OFFICERS OF CHAPTER 37 ENTITLED "RETIREMENT" OF THE RIVERHEAD TOWN CODE**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Article IV. Early Retirement Incentive Program for Eligible Full-Time Police Officers of Chapter 37 entitled "Retirement" of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the 7<sup>th</sup> day of August, 2012, at 2:15 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that a local law amending Article IV. Early Retirement Incentive Program for Eligible Full-Time Police Officers of Chapter 37 entitled "Retirement" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Police Chief, Financial Administrator, Personnel Director, Town Attorney's Office and the Riverhead PBA; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Riverhead adopted a local law amending Article IV. Early Retirement Incentive Program for Eligible Full-Time Police Officers of Chapter 37 entitled "Retirement" of the Riverhead Town Code at its regular meeting held on August 21, 2012. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**CHAPTER 37  
RETIREMENT**

**ARTICLE IV. Early Retirement Incentive Program for Eligible Full-Time Police Officers who are Members of the Riverhead Police Benevolent Association, Inc. (PBA)**

Section 37-16 Legislative Intent and Findings:

The Town of Riverhead is pleased to offer an early retirement incentive program ("ERIP") in order to bridge budget deficits. This plan is strictly voluntary, and is designed to support positive employee morale by reducing or eliminating the need for involuntary lay-offs. This ERIP is the result of a cooperative effort between the Town of Riverhead ("the Town"), and the Riverhead Police Benevolent Association, Inc., ("the PBA").

Section 37-17 The Eligibility Group:

The eligibility group is the set of individuals who will be offered the opportunity to participate in the ERIP.

Section 37-18 Eligibility Requirements:

- ~~A. Full-time PBA bargaining unit members who: (i) have at least 20 years of credited service in the New York State Police and Fire Retirement System ("the NYSPFRS") as of March 15, 2011 (ii) are eligible for and actually retire and vest into the NYSPFRS on or before May 26, 2011; (iii) are employed by the Town on the day before the effective date of their retirement; (iv) are not resigning for purposes of retirement pursuant to any prior Stipulation of Agreement with the Town or any State-offered retirement or separation incentive or similar program; and (v) are one of the employees to fully comply with all of the terms and conditions set forth in the Incentive. Those employees shall be eligible to participate in this Incentive and shall be referred to as an "Eligible Employee."~~

A. Any full-time PBA bargaining unit member who is: (i) eligible for and

actually retires and vests into the New York State Police & Fire Retirement System on or before December 31, 2012; and (ii) not resigning for purposes of retirement pursuant to any prior Stipulation of Agreement with the Town or any State-offered retirement or separation incentive or similar program; and (iii) one of the employees to fully comply with all of the terms and conditions set forth in the Incentive. This employee will be eligible to participate in this Incentive and will be referred to as an "Eligible Employee."

- B. The Eligible Employee must deliver to the Supervisor, by no later than ~~May 2, 2014~~ October 11, 2012, an unaltered irrevocable letter of resignation for retirement purposes in the form attached to the Town Incentive-related documents prepared by the Town, referencing that resignation is to be effective on or before ~~May 26, 2014~~ December 31, 2012.
- C. In order for this incentive to be activated, a minimum number of unit members, to be determined by the Town in its sole discretion on or about ~~May 2, 2014~~ October 11, 2012, must opt for the incentive. In the event the incentive is not activated, any resignation letter tendered by an employee will be deemed null and void, and the Eligible Employee may continue working in the Town. The employee may also elect to resign his/her position for retirement purposes, but will not receive the Incentive.
- D. This Incentive is effective solely for the ~~2014~~ 2012 calendar year.
- E. The Eligible Employee must, at the time of submitting the unaltered irrevocable letter of resignation for retirement purposes referenced in Section 37-18 (B) above, execute the unaltered Waiver and General Release of Claims form attached to the retirement incentive-related documentation prepared by the Town.
- F. An Eligible Employee shall forfeit eligibility for this Incentive if he/she opts for any retirement or separation incentive offered pursuant to New York State law during the ~~2014~~ 2012 calendar year.
- G. Additional eligibility requirements are set forth elsewhere in this Agreement.
- H. The Town reserves the sole, non-reviewable discretion to defer, due to staffing concerns, one or more Eligible Employee's actual date of separation from Town employment until not later than December 31, 2013. In this event, all other terms and conditions of this Incentive will remain in full force and effect, although any applicable dates will be adjusted to reflect the deferral of the employee's separation from employment. If the

employee refuses to consent to the Town's deferral determination, then the employee will not be deemed to be eligible for the Incentive.

Section 37-19 BENEFIT:

~~A. Fully paid health insurance premiums by the Town for a period of 48 months following an Eligible Employee's retirement for all Eligible Employees who are enrolled in a family health insurance plan at the time of their retirement and who remain enrolled in a family health insurance plan for this 48 month period. In the event an Eligible Employee dies during this 48 month period, the Town shall pay 75% of the cost of health insurance for the deceased employee's dependents, at the time of death, for the remaining months of this 48 month period of time, in accordance with applicable provisions of the New York State Health Insurance Program and applicable law. After the first 48 months, the Town's contribution of health insurance premiums shall be as per Article III(1)(A) of the parties' collective bargaining agreement.~~

~~-or-~~

A. An Eligible Employee who complies with the terms and conditions of this Agreement pursuant to the Town's Incentive Program will (1) receive a payment of \$1,000 for each year of completed service as a police officer with the Town up to \$25,000; (2) the Town will pay for the employee's portion of family health insurance coverage premiums for the first five years of retirement and will continue to pay for 100% of individual coverage premiums per the CBA. If individual coverage is selected during the five year period immediately following retirement, then the employee will also receive, at the end of each quarter (i.e., March, June, September and December) during each one year period (five maximum) during which the employee remains in individual coverage, a payment equal to the difference in the premiums between family and individual coverage during that year period, minus applicable taxes. The monies in (1) may, at the employee's discretion, be used to pay for cost of the employee's contribution to family retiree health insurance premium payments after five years. Employees may also use any or all of their contractual payments for unused leave time upon retirement for the same purpose. Those contractual payments for unused leave time upon retirement not being utilized as set forth in the preceding sentence will be equally spread over the three calendar years following the effective date of the employee's retirement and paid in quarterly installments beginning February of each year (i.e., February, April, July and October).

~~B. A lump sum payment of \$400 per month, payable in quarterly installments, for a period of 48 months following an employee's retirement for all Eligible Employees who are enrolled in an individual health insurance plan at the time of their retirement, for which the Town contributes 100% of the~~

~~premium cost, and who remain enrolled in an individual health insurance plan for this 48 month period. In the event an Eligible Employee dies during this 48 month period, the Town shall continue to make these payments to the Eligible Employee's estate for the remaining months of this 48 month period of time.~~

B. Notwithstanding any contrary practice or provision in the parties' collective negotiations agreement, any contractual payment due to an employee for unused leave time upon retirement will be spread out and paid in equal quarterly amounts as a separate payment during the three fiscal years, installments beginning February of each year (i.e., February, April, July and October) commencing February 2013.

C. Eligible Employees shall remain eligible for the "Severance" payment pursuant to Article XV of the parties' collective bargaining agreement except that Eligible Employees shall not be required to provide four months notice of their intent to retire. Instead, Eligible Employees shall receive the "Severance" payment provided they comply with the notice provisions of the Incentive set forth in Section 37-18 (B) and (E) above.

D. Employees who are eligible and opt for the Incentive will be eligible to earn new accruals of any type after the date on which this Incentive Agreement is fully ratified and approved by the parties unless the employee's date of separation of employment is deferred by the Town pursuant to §37-18 H., in which case the employee will be entitled, pursuant to the provisions of the collective negotiations agreement, to earn a maximum of one additional year's accruals depending upon the new date of separation from employment selected by the Town.

D.

#### SECTION 37-20 INAPPLICABILITY OF OTHER CONTRACTUAL INCENTIVES:

Notwithstanding anything to the contrary in the collective bargaining agreement(s) between the Town and the PBA, any Eligible Employee who opts for this Incentive shall be deemed ineligible for any resignation or retirement incentive provided for in that collective bargaining agreement.

E.

#### SECTION 37-21 RATIFICATION AND APPROVAL:

The terms and conditions of this Incentive ~~were ratified and approved by the Town Board on March 15, 2011~~ are subject to ratification and approval by the Town Board.

F.

SECTION 37-22 INVALIDITY OR ILLEGALITY:

If any provision of this Incentive is deemed to be invalid by any court, administrative agency or other neutral of competent jurisdiction, then this entire Incentive shall be deemed null and void from its inception.

SECTION 37-23 COMPLETE AGREEMENT:

This Agreement constitutes the entire agreement between the Town and the PBA. This Agreement, including this paragraph, may only be modified by written agreement executed by both parties.

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

Dated: Riverhead, New York  
August 21, 2012

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

08.21.12  
120664

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 664**

**AMENDS RESOLUTION #611 OF 2012**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, by Resolution #611 adopted August 7, 2012, the Town Board authorized the reduction of site plan security submitted for improvements to be made at real property known as 1074 Pulaski Street, Riverhead, New York 11901, further described as Suffolk County Tax Map #0600-125-1-11; and

**WHEREAS**, said resolution provided for a refund of the site plan security in the sum of \$20,000.00 when said refund of the site plan security should have been in the sum of \$27,000.00.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead be and hereby amends Resolution #611 of 2012 and authorizes the refund of an additional \$7,000.00 to New Riverhead Realty Holding LLC, 19 Wolf Way, East Hampton, New York, 11947; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to 1074 Pulaski Street LLC, 19 Wolf Way, East Hampton, New York, 11947, the Accounting Department, the Riverhead Planning Department, the Riverhead Building Department and the Office of the Town Attorney.

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120665

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 665**

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH SUFFOLK COUNTY FOR OPERATION SHIELD GRANT PROGRAM**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the New York State Office of Homeland Security is appropriating pass-through grant funds for "Operation Shield"; and

**WHEREAS**, the Suffolk County, through its duly constituted Office of the Sheriff in conjunction with the East End Marine Task Force administers the pass-through funds for "Operation Shield"; and

**WHEREAS**, the Town of Riverhead has determined that it will provide personnel to assist in the "Operation Shield" exercises.

**NOW THEREFORE BE IT RESOLVED**, that the Supervisor is hereby authorized to execute an Agreement in substantially the same form as attached with Suffolk County for funding under "Operation Shield"; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to the Riverhead Town Police Department, the Office of the Town Attorney and the Office of Accounting.

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

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**Agreement**

**This Contract (“the Contract”)** is between the **County of Suffolk (“the County”)**, a municipal corporation of the State of New York, acting through its duly constituted Sheriff’s Office (**“the Department”**), located at 100 Center Drive, Riverhead, New York 11901; and

**The Town of Riverhead (“the Contractor”)**, having an address at 200 Howell Avenue, Riverhead, New York 11901.

**Term of the Contract:** January 1, 2012 through December 31, 2012

**Total Cost of the Contract:** Shall not exceed \$9,552.00, as set forth in Article II, attached.

**Terms and Conditions:** Shall be as set forth in Articles I and II and Exhibit 1, attached hereto and made a part hereof.

**In Witness Whereof,** the parties hereto have executed the Contract as of the latest date written below.

**Town of Riverhead**

By: \_\_\_\_\_  
Name: Sean M. Walter  
Title: Supervisor  
Fed. Tax ID #11-600-1935  
Date \_\_\_\_\_

\_\_\_\_\_, hereby certifies under penalties of perjury that I am an officer of \_\_\_\_\_, that I have read and I am familiar with §A5-7 of Article V of the Suffolk County Code, and that \_\_\_\_\_ meets all requirements to qualify for exemption thereunder.

\_\_\_\_\_  
Name  
Date \_\_\_\_\_

**Approved as to Legality:**  
**Christine Malafi, County Attorney**

By: \_\_\_\_\_  
Basia Deren Braddish  
Assistant County Attorney  
Date \_\_\_\_\_

**COUNTY OF SUFFOLK**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Regina M. Calcaterra  
Title: Chief Deputy County Executive  
Date: \_\_\_\_\_

**Approved:**  
**Suffolk County Sheriff’s Office**

By: \_\_\_\_\_  
Name Vincent F. DeMarco  
Title Sheriff  
Date \_\_\_\_\_

**List of Articles & Exhibits**

**Article I**  
**Description of Services**

**Article II**  
**Financial Terms and Conditions**

1. Conflicting Provisions
2. General Payment Terms
3. Agreement Subject to Appropriation of Funds
4. Comptroller's Rules and Regulations for Consultant's Agreements
5. Specific Payment Terms and Conditions

**Article II**  
**County Terms and Conditions**

1. Elements of Interpretation
2. Meanings of Terms
3. Contractor Responsibilities
4. Qualifications, Licenses, and Professional Standards
5. Termination
6. Indemnification and Defense
7. Insurance
8. Independent Contractor
9. Severability
10. Merger; No Oral Changes
11. Set-Off Rights
12. Non-Discrimination in Services
13. Nonsectarian Declaration
14. Governing Law
15. No Waiver
16. Conflicts of Interest
17. Cooperation on Claims
18. Confidentiality
19. Assignment and Subcontracting
20. No Intended Third Party Beneficiaries
21. Certification as to Relationships
22. Publications and Publicity
23. Copyrights and Patents
24. Arrears to County
25. Lawful Hiring of Employees Law in Connection with Contracts for Construction or Future Construction
26. Notice

**Law No. 12-SH-019**  
**Operation SHIELD**

**EXHIBIT 1**

**Suffolk County Legislative Requirements**

1. Contractor's/Vendor's Public Disclosure Statement
2. Living Wage Law
3. Use of County Resources to Interfere with Collective Bargaining Activities
4. Lawful Hiring of Employees Law
5. Gratuities
6. Prohibition Against Contracting with Corporations that Reincorporate Overseas
7. Child Sexual Abuse Reporting Policy
8. Non Responsible Bidder
9. Use of Funds in Prosecution of Civil Actions Prohibited
10. Youth Sports
11. Work Experience Participation
12. Suffolk County Local Laws Website Address

**Article I**  
**Description of Services**

**Whereas**, the County has received federal pass-through grant funds from the New York State Office of Homeland Security for an “Operation Shield”; and

**Whereas**, the County has accepted and appropriated said funds via Resolution No.     -2012; and

**Whereas**, the Contractor will provide personnel to assist the County in the “Operation Shield” exercises as set forth herein;

**Now Therefore**, in consideration of the mutual provisions and covenants hereafter set forth, the parties hereto agree as follows:

**1.     Conflicting Provisions**

In the event of any conflict between any provision in this Article I and an exhibit to this contract, the exhibit shall prevail unless it is expressly stated in the conflicting provision in this Article I, that it shall prevail over the exhibit.

**2.     The Contractor will assist the County in carrying out two New York State funded “Operation Shield” exercises by providing personnel for maritime enforcement.**

**End of Text for Article I**

**Article II**  
**Financial Terms and Conditions**

**1. Conflicting Provisions**

In the event of any conflict between any provision in this Article II and an exhibit to this contract, the exhibit shall prevail unless it is expressly stated in the conflicting provision in this Article II, that it shall prevail over the exhibit.

**2. General Payment Terms**

**a. Presentation of Suffolk County Payment Voucher**

In order for payment to be made by the County to the contractor for the Services, the contractor shall prepare and present a Suffolk County Payment Voucher (“Voucher”), which shall be documented by sufficient, competent and evidential matter.

**b. Voucher Documentation**

To the extent applicable to the Contract, the Contractor shall furnish the County with detailed documentation in support of the payment for the Services or expenditures under the Contract e.g. dates of the Service, worksite locations, activities, hours worked, pay rates, program budget categories, and time records, certified by the Contractor as true and accurate, of all personnel for whom expenditures are claimed during the period.

**c. Payment by County**

Payment by the County shall be made within thirty (30) days after approval of the Voucher by the Comptroller.

**d. Final Voucher**

The acceptance by the Contractor of payment of all billings made on an approved Voucher shall operate as and shall be a release of the County from all claims by the Contractor through the date of the Voucher.

**3. Agreement Subject to Appropriation of Funds**

The Contract is subject to the amount of funds appropriated and any subsequent modifications thereof by the Legislature, and no liability shall be incurred by the County beyond the amount of funds appropriated by the Legislature for the Services.

**4. Comptroller’s Rules and Regulations for Consultant’s Agreements**

**a.** The Contractor shall comply with the “Comptroller’s Rules and Regulations for Consultant’s Agreements” as promulgated by the Department of Audit and Control of Suffolk County and any amendments thereto during the term of the Contract. The County shall provide the Contractor

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**Operation SHIELD**

with a copy of any amendments to the “Comptroller’s Rules and Regulations for Consultant’s Agreements” during the term of the Contract.

- b. The Contractor agrees to maintain its accounts in the performance of the Contract in accordance with generally accepted accounting principles, and as may otherwise be directed by the Comptroller.
- c. The Contractor agrees to retain all accounts, records and other documents relevant to the Contract for six (6) years after final payment.
- d. All payments made under the Contract are subject to audit by the Comptroller. If such an audit discloses overpayments by the County to the Contractor, within thirty (30) days after the issuance of an official audit report by the Comptroller, the Contractor shall repay the amount of such overpayment by check to the order of the Suffolk County Treasurer.

**5. Specific Payment Terms and Conditions**

**a. Payments Contingent upon State/Federal Funding**

Payments under the Contract may be subject to and contingent upon continued funding by State and/or Federal agencies. In such event, no payment shall be made until the Contractor submits documentation in the manner and form as shall be required by State and/or Federal agency. If late submission of claims precludes the County from claiming State or Federal reimbursement, such late claims shall not be honored. If, for any reason, the full amount of such funding is not made available to the County, the Contract may be terminated in whole or in part, or the amount payable to the Contractor may be reduced at the discretion of the County, provided that any such termination or reduction shall not apply to allowable costs incurred by the Contractor prior to such termination or reduction, and provided that money has been appropriated for payment of such costs.

**b. Denial of Aid**

If a State or Federal government agency is funding the Contract and fails to approve aid in reimbursement to the County for payments made hereunder by the County to the Contractor for expenditures made during the Term because of any act, omission or negligence on the part of the Contractor, then the County may deduct and withhold from any payment due to the Contractor an amount equal to the reimbursement denied by the state or federal government agency, and the County’s obligation to the Contractor shall be reduced by any such amounts. In such an event, if there should be a balance due to the County after it has made a final payment to the Contractor under the Contract, on demand by the County, the Contractor shall reimburse the County for the amount of the balance due the County, payable to the Suffolk County Treasurer. The provisions of this subparagraph shall survive the expiration or termination of the Contract.

**c. Budget**

The Contractor expressly represents and agrees that the Budget below, to the extent applicable, lists all personnel and/or all other costs of the Services.

**Law No. 12-SH-019**  
**Operation SHIELD**

**d. Salaries**

The Contractor shall not be eligible to receive any salary reimbursement until proof of deposit or payment of all withholding and payroll taxes to the Federal/State governments has been provided to the County.

**e. Salary Increases**

No salary, wage, or other compensation for the Services shall be increased over the amount stated in the Budget without the prior written approval of the County.

**6. Budget**

<u>Rank</u>	<u>O/T Hours</u>	<u># Assigned</u>	<u>Salary &amp; Fringe</u>	<u>Total</u>
Sergeant	72	1	\$84.00	\$6,048.00
P.O.	48	1	\$73.00	<u>\$3,504.00</u>
				\$9,552.00

**End of Text for Article II**

**Law No. 12-SH-019**  
**Operation Shield**

**Exhibit 1**  
**Suffolk County Legislative Requirements**

**1. Contractor's/Vendor's Public Disclosure Statement**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of section A5-7 of Article V of the Suffolk County Code.

Unless certified by an officer of the Contractor as being exempt from the requirements of section A5-7 of Article V of the Suffolk County Code, the Contractor represents and warrants that it has filed with the Comptroller the verified public disclosure statement required by Suffolk County Administrative Code Article V, Section A5-7 and shall file an update of such statement with the Comptroller on or before the 31st day of January in each year of the Contract's duration. The Contractor acknowledges that such filing is a material, contractual and statutory duty and that the failure to file such statement shall constitute a material breach of the Contract, for which the County shall be entitled, upon a determination that such breach has occurred, to damages, in addition to all other legal remedies, of fifteen percent (15%) of the amount of the Contract.

**Required Form:**  
Suffolk County Form SCEX 22; entitled  
"Contractor's/Vendor's Public Disclosure Statement"

**2. Living Wage Law**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 575, of the Suffolk County Code.

This Contract is subject to the Living Wage Law of the County of Suffolk. The law requires that, unless specific exemptions apply, all employers (as defined) under service contracts and recipients of County financial assistance, (as defined) shall provide payment of a minimum wage to employees as set forth in the Living Wage Law. Such rate shall be adjusted annually pursuant to the terms of the Suffolk County Living Wage Law of the County of Suffolk. Under the provisions of the Living Wage Law, the County shall have the authority, under appropriate circumstances, to terminate the Contract and to seek other remedies as set forth therein, for violations of this Law.

**Required Forms:**  
Suffolk County Living Wage Form LW-1; entitled "Suffolk County Department of Labor – Living Wage Unit Notice of Application for County Compensation (Contract)"

Suffolk County Living Wage Form LW-38; entitled  
"Suffolk County Department of Labor – Living Wage Unit Living Wage Certification/Declaration – Subject To Audit"

**3. Use of County Resources to Interfere with Collective Bargaining Activities**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article I of Chapter 803 of the Suffolk County Code.

County Contractors (as defined by section 803-2) shall comply with all requirements of Chapter 803 of the Suffolk County Code, including the following prohibitions:

- a. The Contractor shall not use County funds to assist, promote, or deter union organizing.
- b. No County funds shall be used to reimburse the Contractor for any costs incurred to assist, promote, or deter union organizing.
- c. The Contractor shall not use County funds to assist, promote, or deter union organizing.
- d. No employer shall use County property to hold a meeting with employees or supervisors if the purpose of such meeting is to assist, promote, or deter union organizing.

If the Services are performed on County property, the Contractor must adopt a reasonable access agreement, a neutrality agreement, fair communication agreement, non-intimidation agreement, and a majority authorization card agreement.

If the Services are for the provision of human services and are not to be performed on County property, the Contractor must adopt, at the least, a neutrality agreement.

Under the provisions of Chapter 803, the County shall have the authority, under appropriate circumstances, to terminate the Contract and to seek other remedies as set forth therein, for violations of this Law.

**Required Form:**  
Suffolk County Labor Law Form DOL-LO1; entitled  
"Suffolk County Department of Labor – Labor Mediation Unit Union Organizing Certification/Declaration – Subject to Audit."

**4. Lawful Hiring of Employees Law**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article II of Chapter 353 of the Suffolk County Code.

This Contract is subject to the Lawful Hiring of Employees Law of the County of Suffolk. It provides that all covered employers, (as defined), and the owners thereof, as the case may be, that are recipients of compensation from the County through any grant, loan, subsidy, funding, appropriation, payment, tax incentive, contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or an awarding agency, where such compensation is one hundred

## Law No. 12-SH-019

### Operation Shield

percent (100%) funded by the County, shall submit a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees (as defined) and with respect to the alien and nationality status of the owners thereof. The affidavit shall be executed by an authorized representative of the covered employer or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement with the County; and shall be made available to the public upon request.

All contractors and subcontractors (as defined) of covered employers, and the owners thereof, as the case may be, that are assigned to perform work in connection with a County contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit to the covered employer a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees and with respect to the alien and nationality status of the owners thereof, as the case may be. The affidavit shall be executed by an authorized representative of the contractor, subcontractor, or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement between the covered employer and the County; and shall be made available to the public upon request.

An updated affidavit shall be submitted by each such employer, owner, contractor and subcontractor no later than January 1 of each year for the duration of any contract and upon the renewal or amendment of the contract, and whenever a new contractor or subcontractor is hired under the terms of the contract.

The Contractor acknowledges that such filings are a material, contractual and statutory duty and that the failure to file any such statement shall constitute a material breach of the Contract.

Under the provisions of the Lawful Hiring of Employees Law, the County shall have the authority to terminate the Contract for violations of this Law and to seek other remedies available under the law.

The documentation mandated to be kept by this law shall at all times be kept on site. Employee sign-in sheets and register/log books shall be kept on site at all times during working hours and all covered employees, as defined in the law, shall be required to sign such sign-in sheets/register/log books to indicate their presence on the site during such working hours.

#### Required Forms:

Suffolk County Lawful Hiring of Employees Law Form LHE-1; entitled "Suffolk County Department of Labor-

Notice Of Application To Certify Compliance With Federal Law (8 U.S.C. SECTION 1324a) With Respect To Lawful Hiring of Employees."

"Affidavit Of Compliance With The Requirements Of 8 U.S.C. Section 1324a With Respect To Lawful Hiring Of Employees" Form LHE-2.

#### 5. Gratuities

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 664 of the Suffolk County Code.

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of the County or the State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement.

#### 6. Prohibition Against Contracting with Corporations that Reincorporate Overseas

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of sections A4-13 and A4-14 of Article IV of the Suffolk County Code.

The Contractor represents that it is in compliance with sections A4-13 and A4-14 of Article IV of the Suffolk County Code. Such law provides that no contract for consulting services or goods and services shall be awarded by the County to a business previously incorporated within the U.S.A. that has reincorporated outside the U.S.A.

**Law No. 12-SH-019**  
**Operation Shield**

**7. Child Sexual Abuse Reporting Policy**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article II of Chapter 880 of the Suffolk County Code.

The Contractor shall comply with Article II of Chapter 880, of the Suffolk County Code, entitled "Child Sexual Abuse Reporting Policy," as now in effect or amended hereafter or of any other Suffolk County local law that may become applicable during the term of the Contract with regard to child sexual abuse reporting policy.

**8. Non Responsible Bidder**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article II of Chapter 189 of the Suffolk County Code.

Upon signing the Contract, the Contractor certifies that it has not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding of guilty after a trial or a plea of guilty to an offense covered under the provision of section 189-5 of the Suffolk County Code under "Nonresponsible Bidder."

**9. Use of Funds in Prosecution of Civil Actions Prohibited**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article III of Chapter 893 of the Suffolk County Code.

The Contractor shall not use any of the moneys, in part or in whole, and either directly or indirectly, received under the Contract in connection with the prosecution of any civil action against the County in any jurisdiction or any judicial or administrative forum.

**10. Youth Sports**

It shall be the duty of the Contractor to read, become familiar with, and comply with Article III of Chapter 730 of the Suffolk County Code.

All contract agencies that conduct youth sports programs are required to develop and maintain a written plan or policy addressing incidents of possible or actual concussion or other head injuries among sports program participants. Such plan or policy must be submitted prior to the award of the County contract, grant or funding. Receipt of such plan or policy by the County does not represent approval or endorsement of any such plan or policy, nor shall the County be subject to any liability in connection with any such plan or policy.

**11. Work Experience Participation**

If the Contractor is a not-for-profit or governmental Agency or institution, each of the Contractor's locations in the County at which the Services are provided shall be a work site for public-assistance clients of Suffolk County pursuant to Chapter 281 of the Suffolk County Code at all times during the Term of the Contract. If no Memorandum of Understanding ("MOU") with the Suffolk County Department of Labor for work experience is in effect at the beginning of the Term of the Contract, the Contractor, if it is a not-for profit or governmental agency or institution, shall enter into such MOU as soon as possible after the execution of the contract and failure to enter into or to perform in accordance with such MOU shall be deemed to be a failure to perform in accordance with the Contract, for which the County may withhold payment, terminate the Contract or exercise such other remedies as may be appropriate in the circumstances.

**12. Suffolk County Local Laws Website Address**

Suffolk County Local Laws, Rules and Regulations can be accessed on the Suffolk County homepage of the Suffolk County Legislature.

**SUFFOLK COUNTY DEPARTMENT OF LABOR – LIVING WAGE UNIT**

**LIVING WAGE CERTIFICATION/DECLARATION – SUBJECT TO AUDIT**

If either of the following definitions of ‘compensation’ (*Living Wage Law Chapter 347 – 2*) applies to the contractor’s/recipient’s business or transaction with Suffolk County, the contractor/recipient must complete Sections 1, 3, 4 below; and Form LW-1 (Notice of Application for County Compensation). If the following definitions do not apply, the contractor/recipient must complete Sections 2, 3 and 4 below. Completed forms must be submitted to the awarding agency.

“Any grant, loan, tax incentive or abatement, bond financing subsidy or other form of compensation of more that \$50,000 which is realized by or provided to an employer of at least ten (10) employees by or through the authority or approval of the County of Suffolk,” or

“Any service contract or subcontract let to a contractor with ten (10) or more employees by the County of Suffolk for the furnishing of services to or for the County of Suffolk (except contracts where services are incidental to the delivery of products, equipment or commodities) which involve an expenditure equal to or greater than \$10,000. For the purposes of this definition, the amount of expenditure for more than one contract for the same service shall be aggregated. A contract for the purchase or lease of goods, products, equipment, supplies or other property is not ‘compensation’ for the purposes of this definition.”

**Section I** The *Living Wage Law* applies to this contract. I/we hereby agree to comply with all the provisions of Suffolk County Local Law No. 12-2001, the Suffolk County *Living Wage Law* (the Law) and, as such, will provide to all full, part-time or temporary employed persons who perform work or render services on or for a project, matter, contract or subcontract where this company has received compensation, from the County of Suffolk as defined in the Law (compensation) a wage rate of no less than \$11.27 (\$9.25 for child care providers) per hour worked with health benefits, as described in the Law, or otherwise \$12.84 (\$10.50 for child care providers) per hour or the rates as may be adjusted annually in accordance with the Law. (Chapter 347-3 B)

Check if applicable

I/we further agree that any tenant or leaseholder of this company that employs at least ten (10) persons and occupies property or uses equipment or property that is improved or developed as a result of compensation or any contractor or subcontractor of this company that employs at least ten (10) persons in producing or providing goods or services to this company that are used in the project or matter for which this company has received compensation shall comply with all the provisions of the Law, including those specified above. (Chapter 347-2)

I/we further agree to permit access to work sites and relevant payroll records by authorized County representatives for the purpose of monitoring compliance with regulations under this Chapter of the Suffolk County Code, investigating employee complaints of noncompliance and evaluating the operation and effects of this Chapter, including the production for inspection & copying of payroll records for any or all employees for the term of the contract or for five (5) years, whichever period of compliance is longer. All payroll and benefit records required by the County will be maintained for inspection for a similar period of time. (Chapter 347-7 D)

The County Department of Labor shall review the records of any Covered Employer at least once every three years to verify compliance with the provisions of the Law. (Chapter 347-4 C)

**Section II** The *Living Wage Law* does not apply to this contract for the following reason(s): \_\_\_\_\_

Check if applicable

**Section III**  
Contractor Name: Town of Riverhead Federal Employer ID#: 11-600-1935  
Contractor Address: 200 Howell Avenue Amount of compensation: \$9,552.00  
Riverhead, NY 11901 Vendor #: \_\_\_\_\_  
Contractor Phone #: 727-3200

Description of project or service: \_\_\_\_\_

**Section IV**  
I declare under penalty of perjury under the Laws of the State of New York that the undersigned is authorized to provide this certification, and that the above is true and correct.

\_\_\_\_\_  
Authorized Signature  
Sean M. Walter, Supervisor

\_\_\_\_\_  
Date

Print Name and Title of Authorized Representative

**SUFFOLK COUNTY DEPARTMENT OF LABOR - LIVING WAGE UNIT**

**NOTICE OF APPLICATION FOR COUNTY COMPENSATION (Contract)**

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

**To Be Completed By Applicant/ Employer/Contractor**

- 1) **NAME:** Town of Riverhead
- 2) **VENDOR #:** \_\_\_\_\_ (If known)      3) **CONTRACT ID #:** \_\_\_\_\_ (If known)
- 4) **CONTACT:** David Hegermiller, C of P      5) **TELEPHONE #:** 727-3200 x335
- 6) **ADDRESS:** 210 Howell Avenue  
Riverhead, NY 11901
- 7) **TERM OF CONTRACT (DATES):** 1/1/12-12/31/12
- 8) **PROJECT NAME: ( IF DIFFERENT FROM #1)** Operation Shield
- 9) **AMOUNT:** \$9,552.00
- 10) **AWARDING AGENCY:** Homeland Security
- 11) **BRIEF DESCRIPTION OF PROJECT OR SERVICE:**  
Maritime law enforcement focusing on foreign flagged vessels.

12) **PROJECTED EMPLOYMENT NEEDS:** (attach a statement listing, by job classification, the total workforce dedicated to performing this contract or service, including calculation of estimated net increase or decrease in jobs as a result of funding).

13) **PROJECTED WAGE LEVELS:** (attach a statement listing projected wage levels, compensated days off and medical benefits for total workforce dedicated to fulfilling the terms of this contract, broken down annually for each year of the term of the contract).

**SUFFOLK COUNTY DEPARTMENT OF LABOR – LABOR MEDIATION UNIT**  
**UNION ORGANIZING CERTIFICATION/DECLARATION – SUBJECT TO AUDIT**

If the following definition of "County Contractor" (Union Organizing Law Chapter 466-2) applies to the contractor's/beneficiary's business or transaction with Suffolk County, the contractor/beneficiary must complete Sections I, III, and IV below. If the following definitions do not apply, the contractor/beneficiary must complete Sections II, III and IV below. Completed forms must be submitted to the awarding agency.

**County Contractor:** "Any employer that receives more than \$50,000 in County funds for supplying goods or services pursuant to a written contract with the County of Suffolk or any of its agencies; pursuant to a Suffolk County grant; pursuant to a Suffolk County program; pursuant to a Suffolk County reimbursement for services provided in any calendar year; or pursuant to a subcontract with any of the above."

**Section I**

Check if  
Applicable

The Union Organizing Law applies to this contract. I/we hereby agree to comply with all the provisions of Suffolk County Local Law No. 26-2003, the Suffolk County Union Organizing Law (the law) and, as to the goods and/or services that are the subject of the contract with the County of Suffolk shall not use County funds to assist, promote, or deter union organizing (Chapter 466-3 A), nor seek reimbursement from the County for costs incurred to assist, promote, or deter union organizing. (Chapter 466-3 B)

I/we further agree to take all action necessary to ensure that County funds are not used to assist, promote, or deter union organizing. (Chapter 466-3 H)

I/we further agree that I/we will not use County property to hold meetings to assist, promote, or deter union organizing. (Chapter 466-3E)

I/we further agree that if any expenditures or costs incurred to assist, promote, or deter union organizing are made,

I/we shall maintain records sufficient to show that no County funds were used for those expenditures and, as applicable, that no reimbursement from County funds has been sought for such costs. I/we agree that such records shall be made available to the pertinent County agency or authority, the County Comptroller, or the County Department of Law upon request. (Chapter 466-3 I)

I/we further affirm to the following as to the goods and/or services that are the subject of the contract with the County of Suffolk:

- I/we will not express to employees any false or misleading information that is intended to influence the determination of employee preferences regarding union representation;
- I/we will not coerce or intimidate employees, explicitly or implicitly, in selecting or not selecting a bargaining representative;
- I/we will not require an employee, individually or in a group, to attend a meeting or an event that is intended to influence his or her decision in selecting or not selecting a bargaining representative;
- I/we understand my/our obligation to limit disruptions caused by prerecognition labor disputes through the adoption of nonconfrontational procedures for the resolution of prerecognition labor disputes with employees engaged in the production of goods or the rendering of services for the County; and
- I/we have or will adopt any or all of the above-referenced procedures, or their functional equivalent, to ensure the efficient, timely, and quality provision of goods and services to the County. I/we shall include a list of said procedures in such certification.

**Section II**

Check if  
Applicable

The Union Organizing Law does not apply to this contract for the following reason(s): \_\_\_\_\_

Contractor will not receive more than \$50,000 in County funds.

**Section III**

Contractor Name: Town of Riverhead Federal Employer ID#: 11-600-1935  
Contractor Address: 200 Howell Avenue Amount of Assistance: \$9,552.00  
Riverhead, NY 11901 Vendor #: \_\_\_\_\_  
Contractor Phone #: 727-3200

Description of project or service: Maritime law enforcement focusing on foreign flagged vessels.

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**Section IV**

In the event any part of the Union Organizing Law, Chapter 466 of the Laws of Suffolk County, is found by a court of competent jurisdiction to be preempted by federal and/or state law, this certification/declaration shall be void *ab initio*.

**Section V**

I declare under penalty of perjury under the Laws of the State of New York that the undersigned is authorized to provide this certification, and that the above is true and correct.

\_\_\_\_\_  
Authorized Signature

Sean M. Walter, Supervisor

\_\_\_\_\_  
Print Name and Title of Authorized Representative

\_\_\_\_\_  
Date

**SUFFOLK COUNTY DEPARTMENT OF LABOR**  
**NOTICE OF APPLICATION TO CERTIFY COMPLIANCE WITH FEDERAL LAW**  
**(8 U.S.C. SECTION 1324A)**  
**WITH RESPECT TO LAWFUL HIRING OF EMPLOYEES**  
Suffolk County Code, Chapter 234 (2006)

**To Be Completed By Applicant/ Covered Employer//Owner**

**EMPLOYER/CORP./BUSINESS/COMPANY NAME:** Town of Riverhead

- 1) **ADDRESS:** 200 Howell Avenue  
Riverhead, NY 11901
- 2) **NOT-FOR-PROFIT:** YES  NO  (SUBMIT PROOF OF IRS NOT-FOR-PROFIT STATUS)
- 3) **VENDOR #:** \_\_\_\_\_ 4) **\*\*CONTRACT ID:** \_\_\_\_\_  
(If known) (If known)
- 5) **CONTACT:** Sean M. Walter 6) **TELEPHONE #:** 727-3200
- 7) **TERM OF CONTRACT OR EXTENSION (PROVIDE DATES):** 1/1/12-12/31/12
- 8) **AMOUNT OF CONTRACT OR EXTENSION:** \$9,552.00
- 9) **BRIEF DESCRIPTION OF PROJECT OR SERVICE** Maritime law enforcement focusing  
on foreign flagged vessels.

**SUBCONTRACTOR:** \_\_\_\_\_

- 1) **ADDRESS:** \_\_\_\_\_
- 2) **VENDOR#:** \_\_\_\_\_ 3) **TELEPHONE #:** \_\_\_\_\_
- 4) **CONTACT:** \_\_\_\_\_
- 5) **DESCRIPTION OF COMPENSATION, PROJECT OR SERVICE:** \_\_\_\_\_

**EVIDENCE OF COMPLIANCE:**

**COPIES OF THE FOLLOWING MUST BE MAINTAINED BY COVERED EMPLOYERS OR THE OWNERS THEREOF FOR EACH EMPLOYEE FOR THE TIME PERIODS SET FORTH IN SUFFOLK COUNTY CODE, CHAPTER 234, SECTION 5 (C):**

- A. United States passport; or
- B. resident alien card or alien registration card; or
- C. birth certificate indicating that person was born in the United States; or
- D. (1) a driver's license, if it contains a photograph of the individual; and  
(2) a social security account number card (other than such a card which specifies on its face that the issuance of the card does not authorize employment in the United States); or
- E. employment authorization documents such as an H-1B visa, H-2B visa, and L-1 visa, or other work visa as may be authorized by the United States Government at the time the County contract is awarded for all covered employees.

LHE-1 (03/07)



08.21.12  
120666

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 666**

**ACCEPTS THE RETIREMENT OF THE  
EXECUTIVE DIRECTOR OF YOUTH BUREAU**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town has received a letter from Donna Lyczkowski, Executive Director of the Riverhead Town Youth Bureau, indicating her intent to retire effective August 31, 2012.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby accepts the retirement of Donna Lyczkowski.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120667

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 667**

**APPROVES CHAPTER 90 APPLICATION OF CHURCH OF THE HARVEST**  
**(Rock the River/Car Show – September 8, 2012)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, on August 7, 2012, Church of the Harvest had submitted a Chapter 90 Application for the purpose of conducting an event entitled “Rock the River/Car Show” to include a free gospel concert and car show, to take place in the Peconic Riverfront parking lot Riverhead, New York on Saturday, September 8, 2012 between the hours of 5:00 p.m. and 10:00 p.m.; and

**WHEREAS**, Church of the Harvest 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 applicable Chapter 90 Application fee be waived to its not-for-profit status; and

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

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

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

**RESOLVED**, that the Chapter 90 Application of the Church of the Harvest to conduct an event entitled “Rock the River/Car Show” to include a free gospel concert and car show, to take place in the Peconic Riverfront parking lot Riverhead, New York on Saturday, September 8, 2012 between the hours of 5:00 p.m. and 10:00 p.m., is hereby approved; and be it further

**RESOLVED**, that this approval is subject to the provisions of Riverhead Town Code Chapter 81 - "Noise Control", Chapter 108-56 - "Signs" and any other section of the Riverhead Town Code that may pertain to this event; and be further

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

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

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Church of the Harvest, P.O. Box 1082, Riverhead, New York, 11901; and be it further

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

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No

Wooten Yes No      Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120668

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 668**

**APPROVES THE CHAPTER 90 APPLICATION OF  
THE LONG ISLAND CORVAIR ASSOCIATION  
(September 23, 2012)**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, on June 18, 2012, the Long Island Corvair Association submitted a Chapter 90 Application for the purpose of conducting a car show, to be held on Sunday, September 23, 2012, having a rain date of Sunday, September 30, 2012, in the Peconic Riverfront Municipal Parking Lot, Riverhead, New York, between the hours of 9:00 a.m. and 4:00 p.m.; and

**WHEREAS**, the Long Island Corvair Association has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

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

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

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

**RESOLVED**, that the Chapter 90 Application of the Long Island Corvair Association for the purpose of conducting a car show to be held on Sunday, September 23, 2012, having a rain date of Sunday, September 30, 2012, in the Peconic Riverfront Municipal Parking Lot, Riverhead, New York, between the hours of 9:00 a.m. and 4:00 p.m., is hereby approved; and be it further

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

- Receipt of a certificate of insurance having acceptable limits and naming the Town of Riverhead as an additional insured **no later than September 1, 2012**; and be it further

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

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

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

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

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Long Island Corvair Association, c/o Victor Clausen, 24 Maple Road, Wading River, New York, 11792; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120669

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 669**

**APPROVES THE CHAPTER 90 APPLICATION OF GARDEN OF EVE, LLC**  
**(L.I. GARLIC FESTIVAL)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, on May 10, 2012, Garden of Eve, LLC submitted a Chapter 90 Application for the purpose of conducting an "Annual Long Island Garlic Festival" featuring vendors selling garlic and garlic related products and crafts to be held at 4558 Sound Avenue, Riverhead on Saturday, September 29, 2012 and Sunday, September 30, 2012 between the hours of 10:00 a.m. and 6:00 p.m.; and

**WHEREAS**, Garden of Eve, LLC 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 Town Attorney of the Town of Riverhead has reviewed all documents including the certificate of insurance regarding said application; and

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

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

**RESOLVED** that the Chapter 90 Application of Garden of Eve, LLC for the purpose of conducting an "Annual Long Island Garlic Festival" featuring vendors selling garlic and garlic related products and crafts to be held at 4558 Sound Avenue, Riverhead on Saturday, September 29, 2012 and Sunday, September 30, 2012 between the hours of 10:00 a.m. and 6:00 p.m. is hereby approved; and be it further

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

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

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

**RESOLVED**, that no parking shall be permitted along the roadway or on the farm lots located on the south side of Sound Avenue; and be it further

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

**RESOLVED**, that this approval is subject to the provisions of Riverhead Town Code Chapter 81 - "Noise Control", Chapter 108-56 - "Signs" and any other section of the Riverhead Town Code that may pertain to this event; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Garden of Eve, LLC, P.O. Box 216, Aquebogue, New York, 11931; and be it further

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

### **THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120670

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 670**

**APPROVES THE CHAPTER 90 APPLICATION OF GEORGE M. BARTUNEK**  
**(Antique Car Show – September 30, 2012)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, on August 8, 2012, George M. Bartunek submitted a Chapter 90 Application for the purpose of conducting an Antique Car Show to be held at the Hallockville Farm Museum, located at 6038 Sound Avenue, Riverhead, New York, on Sunday, September 30, 2012, having a rain date of Sunday, October 7, 2012, between the hours of 9:00 a.m. and 4:00 p.m.; and

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

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

**WHEREAS**, the applicant has requested that the applicable Chapter 90 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 90 Application of Hallockville Inc. for the purpose of conducting an Antique Car Show to be held at the Hallockville Farm Museum, located at 6038 Sound Avenue, Riverhead, New York, on Sunday, September 30, 2012, having a rain date of Sunday, October 7, 2012, between the hours of 9:00 a.m. and 4:00 p.m., is hereby approved; and be it further

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

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

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

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

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

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

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to George M. Bartunek, 21 Silver Beech Lane, Calverton, New York, 11931; and be it further

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

#### **THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120671

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 671**

**RESOLUTION TO AUTHORIZE THE TOWN OF RIVERHEAD TO DONATE MONEY TO RIVERHEAD HIGH SCHOOL KEY CLUB FOR RECYCLING EDUCATION PROGRAMS**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Town Board of the Town of Riverhead, by Resolution #956 adopted on October 8, 2009 authorized and retained the services of Cashin Associates, P.C. to prepare and file a draft Local Solid Waste Management Plan and Comprehensive Recycling Analysis in conformance with 6 NYCRR Part 360 with the New York State Department of Environmental Conservation; and

**WHEREAS**, on or about January 11, 2010, Cashin Associates, P.C. filed a draft Local Solid Waste Management Plan which included the Comprehensive Recycling Analysis with the New York State Department of Environmental Conservation; and

**WHEREAS**, the New York State Department of Environmental Conservation made several recommendations, including but not limited to, revision of the Town's Residential Solid Waste Management Contract to require successful bidder(s) to recycle and detail the manner/method of recycling; revision of Chapter 103 of the Town Code to require non-residential, commercial, industrial and institutional establishments to recycle; provide education to the general public regarding benefits of recycling; and, otherwise further the purposes of the New York State Solid Waste Management Act; and

**WHEREAS**, the Town of Riverhead implemented a vast majority of the recommendations of the New York State Department of Environmental Conservation, including revision and rebid of the contract for residential solid waste, amendment of Chapter 103 of the Town Code, registration of sites with the New York State Department of Environmental Conservation (yard waste sites); and

**WHEREAS**, pursuant to the New York State Department of Environmental Conservation's comments and recommendations regarding the draft Solid Waste Management Plan the Town seeks to implement an education program to expand waste reduction and recycling efforts; and

**WHEREAS**, the Key Club is an organization of young adults (high school students) from the Riverhead School District, sponsored but not part of Kiwanis Club of

Greater Riverhead, with a focus toward community service and objectives which include development of initiative and leadership, service to the school and community, prepare for useful citizenship with the motto "Caring-Our Way of Life"; and

**WHEREAS**, for the past several years as part of a statewide initiative, the Key Club (also commonly referred to as "Riverhead High School Key Club"), has actively undertaken projects designed to educate all Riverhead residents regarding the importance of recycling and encouraged the "Going Green" effort and notably the Riverhead High School Key Club won an award for the "Going Green" program in 2011; and

**WHEREAS**, the Town Board of the Town of Riverhead seeks to implement the recommendations of the New York State Department of Environmental Conservation and support the efforts of the Riverhead High School Key Club regarding recycling by donation of the sum of \$1000.00 received from the recycling monies required under the Residential Solid Waste contract and Chapter 103 (penalties collected for failure to adhere to the requirements of Chapter 103) with the express intention that the Riverhead High School Key Club utilize the monies for programs designed to provide education regarding waste reduction and recycling; and

**WHEREAS**, the Town of Riverhead has broad authority to adopt local laws, not inconsistent with the State Constitution or general laws, relating to their property, affairs and government and the Town may, in the exercise of its police powers, adopt such laws relating to the health, safety and well-being of the residents of Riverhead pursuant to Municipal Home Rule Law, § 10(1)(ii)(a)(11); and

**NOW THEREFOR BE IT RESOLVED**, that the Town Board of the Town of Riverhead approves the donation of the sum of \$1000.00 from the recycling monies required under the Residential Solid Waste contract and Chapter 103 to the Riverhead High School Key Club with the express intention that the Riverhead High School Key Club utilize the monies for programs designed to provide education regarding waste reduction and recycling; and

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Riverhead High School Key Club; John Reeve, Sanitation Superintendent; and William Rothaar, Financial Administrator; and

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120672

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 672**

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO  
CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED "ZONING"  
OF THE RIVERHEAD TOWN CODE (PARKING SCHEDULE)**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**RESOLVED**, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the August 30, 2012 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

**THE VOTE**

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

The Resolution Was  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 5<sup>TH</sup> day of September, 2012 at 2:30 o'clock p.m., to consider a local law to amend the Parking Schedule [108 Attachment 1] to Chapter 108 entitled "Zoning" of the Code of the Town of Riverhead, as more particularly described on the attached 108 Attachment 1.

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

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

Dated: Riverhead, New York  
August 7, 2012

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

**DIANE M. WILHELM**, Town Clerk

ZONING

*108 Attachment 1*

**Parking Schedule**  
**[Amended 12-18-1973; 5-17-1977; 6-20-1978;**  
**12-18-1979; 5-15-1984]**

<b>Number of Parking Use</b>	<b>Minimum Spaces</b>
One-family and two-family dwellings	1 per dwelling unit
Multiple dwellings	1 1/2 per dwelling unit
Hotels, motels, tourist homes, cabins, lodging, rooming and boarding houses	1 per guest sleeping room or suite
Fraternities, sororities or dormitories	1 per 2 sleeping rooms
Hospitals	1 per 1 1/2 patient beds
Sanatoriums or convalescent homes	1 per 3 patient beds
Medical or dental office <sup>1</sup>	1 per 150 square feet of floor area
Mortuary or funeral directors' establishments	1 per 75 square feet of floor area of assembly rooms
Bowling alleys	4 per alley
Theaters, auditoriums or any public assembly area with fixed seats, including churches, schools above elementary levels, colleges and universities [ <b>Amended 10-6-1992</b> ]	1 per 3 seats

<sup>1</sup> Excluding square feet of floor area used for stairwells, elevators and rest rooms of buildings. Refer to the definition of "Floor Area, Commercial" set forth in Section 108-3 for computation of floor area and which areas may be excluded.

**RTVERHEAD CODE**

<b>Number of Parking Use</b>	<b>Minimum Spaces</b>
Any public assembly area without fixed seats	1 per 100 square feet of floor area
Elementary schools	1 per classroom
Office buildings <sup>1</sup>	1 per 150 square feet of floor area
Restaurants	1 per 3 seats
Retirement Community	1 1/2 per dwelling unit
Marinas	1 per every 2 boat slips or mooring stations
Retail stores <sup>1</sup>	1 per 200 square feet of floor area
<del>Retail stores in Business B District<sup>1</sup></del>	<del>1 per 200 square feet of floor area</del>
Industrial or manufacturing establishments <sup>1</sup>	1 per each 2 employees, computed on the basis of the greater number of persons to be employed at peak employment, but not less than 1 per 400 square feet of floor area
Any commercial or business use not otherwise expressly provided for <sup>1</sup>	1 per 300 square feet of floor area

<sup>1</sup> ~~Excluding square feet of floor area used for stairwells, elevators and rest rooms of buildings. Refer to the definition of "Floor Area, Commercial" set forth in Section 108-3 for computation of floor area and which areas may be excluded.~~

## ZONING

<b>Number of Parking Use</b>	<b>Minimum Spaces</b>
Warehouse, etc. <sup>1</sup>	1 per 1,000 square feet of floor area up to 5,000 square feet, and 1 additional space for each additional 10,000 square feet of floor area
Drive-in restaurant, etc.	1 per 300 square feet of lot area devoted to use
Golf driving range	1 per driving tee
Golf course	2 per hole
<del>Business and industrial uses</del>	<del>See § 108-64.1</del>
Professional service buildings <sup>1</sup>	1 per 150 square feet of floor area
Bed-and-breakfast facilities [ <b>Added 7-19-1994</b> ]	1 per sleeping room

<sup>1</sup> Excluding square feet of floor area used for stairwells, elevators and rest rooms of buildings. Refer to the definition of "Floor Area, Commercial" set forth in Section 108-3 for computation of floor area and which areas may be excluded.

08.21.12  
120673

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 673**

**APPROVES CHAPTER 90 APPLICATION OF RAILROAD MUSEUM  
OF LONG ISLAND (“Toy Train Play Days” – October 6<sup>th</sup> and 7<sup>th</sup>, 2012)**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, on August 1, 2012, the Railroad Museum of Long Island submitted a Chapter 90 application for the purpose of conducting an event entitled, “Toy Train Play Days”, which includes family oriented activities and railroad related vendors and displays. This event is to be located at 416 Griffing Avenue, Riverhead, New York, on Saturday, October 6<sup>th</sup>, 2012 and Sunday, October 7<sup>th</sup>, 2012 between the hours of 11:00 a.m. and 3:00 p.m.; and

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

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

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

**WHEREAS**, the applicant has requested the Chapter 90 Application fee be waived due to its not-for-profit status; and

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

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

**RESOLVED**, that the Chapter 90 Application of Railroad Museum of Long Island for the purpose of conducting an event entitled, “Toy Train Play Days” to be located at 416 Griffing Avenue, Riverhead, New York on the aforementioned dates and times is hereby approved; and be it further

**RESOLVED**, that due to the Railroad Museum of Long Island's not-for-profit status, the Town Board of the Town of Riverhead hereby waives the Chapter 90 application fee for this event; and be it further

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

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

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

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120674

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 674**

**AUTHORIZES THE TOWN, BY AND THROUGH THE TOWN OF RIVERHEAD SENIOR CENTER, TO ENTER INTO AN AGREEMENT WITH ACE IN THE HOLE PRODUCTIONS, INC. FOR ENTERTAINMENT/PERFORMANCE AT THE SENIOR CENTER**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town of Riverhead Senior Center offers a variety of programs, activities and support services for the elderly residents of the Town of Riverhead; and

**WHEREAS**, the Senior Center seeks to engage the services of Ace in the Hole Productions, Inc., a corporation specializing in arranging and providing entertainment, i.e. concerts, plays, dinner dances, for active adults/seniors within the tri-state area, for the production "Joey Arminio and The Family" to be held on October 29, 2012 at the Senior Center in an amount not to exceed \$2200.00; and

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead does hereby authorize the Supervisor to execute a professional services agreement which has been prepared and approved by the Office of Town Attorney, and thereafter secure a purchase order from the Town Purchasing Department in the amount reflected in the professional services agreement; and be it further

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized directed to forward a copy of this resolution to Marilyn Roy, 72 Ridgeview Terrace, Wayne, NJ 07470, Judy Doll, Director of the Senior Center; Office of the Town Attorney; and Town Accounting Department and Town Purchasing Department; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120675

ADOPTED

TOWN OF RIVERHEAD

Resolution # 675

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO  
BIDDERS FOR CALCIUM HYPOCHLORITE TABLETS**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders for in the, issue of *The News-Review*, and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

## NOTICE TO BIDDERS

Sealed bids for the purchase of **CALCIUM HYPOCHLORITE TABLETS** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, on **September 10, 2012**, until **11:00 a.m.**

Requests for Bids may be examined and/or obtained at the Town Clerk's office at Town Hall Monday through Friday (except holidays) between the hours of 8:30 a.m. and 4:30 p.m. or by visiting the Town of Riverhead website at [www.townofriverheadny.gov](http://www.townofriverheadny.gov). Click on "Online Bid Requests" and follow the instructions to register.

All bids are to be submitted in a sealed envelope bearing the designation **BID #2012-21-RWD – CALCIUM HYPOCHLORITE TABLETS – RIVERHEAD WATER DISTRICT.** All bids must be submitted on the bid form provided in the bid document. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "**EXCEPTIONS TO THE SPECIFICATIONS**" and be attached to the bid form.

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

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

08.21.12  
120676

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 676**

**RESOLUTION OFFICIALLY NAMING THE PARK LOCATED IN  
SOUTH JAMESPORT AS "MIAMOGUE POINT PARK"**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, on May 16, 2006, the Town Board of the Town of Riverhead authorized the Community Development Agency to file an application for funds to acquire real property at "Miamogue Point, South Jamesport, New York" more particularly described as SCTM#0600-92-4-5 (hereinafter referred to as "subject property"); and

**WHEREAS**, the Town Board of the Town of Riverhead, by Resolution #963 adopted on October 4, 2007, accepted the offer of sale of the subject property with a portion of the purchase price to be paid by the award of \$350,000.00 grant from New York State Office of Parks, Recreation & Historic Preservation and noted that the acquisition of the subject parcel to be the best alternative for the protection of community character; and

**WHEREAS**, pursuant to and consistent with the grant from New York State Office of Parks, Recreation & Historic Preservation, the Town created a park on the subject property with a boardwalk, landscaping and parking; and

**WHEREAS**, the Riverhead Town Historian reported that the subject property has been called and referred to as "Miamogue Point" and recommended that the park should continue under that name; and

**WHEREAS**, historical research, specifically a book written by William Wallace Tooker in 1911 "The Indian Place – names on Long Island" explains that the root term "mia" refers to a gathering place and the name "Miamogue" indicates that this was a location where the Native Americans came together for fishing; and

**WHEREAS**, some residents of Jamesport have requested that the Town formerly name the park "Miamogue Point Park" since the name Miamogue directly acknowledges the Native American heritage of the residents living in the area; and

**WHEREAS**, the term Miamogue Point has been used to described the point that juts into the Peconic Bay which includes the subject property; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Riverhead determines that the name "Miamogue Point Park" would provide name recognition as to designate the park's location and acknowledge the history of this area and hereby officially names the park "Miamogue Point Park"; and

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120677

ADOPTED

TOWN OF RIVERHEAD

Resolution # 677

PAYS BILLS

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

ABSTRACT #12-33 August 16, 2012 (TBM 8/21/12)				
FUND NAME			8/16/2012	GRAND TOTALS
GENERAL FUND	1		625,327.14	625,327.14
POLICE ATHLETIC LEAGUE	4		7,375.00	7,375.00
RECREATION PROGRAM FUND	6		16,947.74	16,947.74
CHILD CARE CENTER BUILDING FUN	9		51.5	51.5
ECONOMIC DEVELOPMENT ZONE FUND	30		104.02	104.02
HIGHWAY FUND	111		8,223.63	8,223.63
WATER DISTRICT	112		132,955.26	132,955.26
RIVERHEAD SEWER DISTRICT	114		19,276.87	19,276.87
REFUSE & GARBAGE COLLECTION DI	115		207,518.26	207,518.26
STREET LIGHTING DISTRICT	116		204.52	204.52
BUSINESS IMPROVEMENT DISTRICT	118		2.52	2.52
AMBULANCE DISTRICT	120		318.9	318.9
EAST CREEK DOCKING FACILITY FU	122		1,935.86	1,935.86
CALVERTON SEWER DISTRICT	124		294.67	294.67
RIVERHEAD SCAVANGER WASTE DIST	128		55,603.82	55,603.82
RISK RETENTION FUND	175		2,025.00	2,025.00
TOWN HALL CAPITAL PROJECTS	406		68,387.54	68,387.54
WATER DISTRICT CAPITAL PROJECT	412		803.51	803.51
CALVERTON SEWER CAPITAL PROJEC	424		8,372.12	8,372.12
TRUST & AGENCY	735		3,751,679.02	3,751,679.02
SPECIAL TRUST	736		5,000.00	5,000.00
CALVERTON PARK - C.D.A.	914		50.62	50.62
TOTAL ALL FUNDS			4,912,457.52	4,912,457.52

THE VOTE

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

The Resolution Was  Thereupon Duly Declared Adopted

08.21.12  
120677

ADOPTED

TOWN OF RIVERHEAD

Resolution # 677

PAYS BILLS

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

ABSTRACT #12-32 August 9, 2012 (TBM 8/21/12)				
FUND NAME			8/9/2012	GRAND TOTALS
GENERAL FUND	1		923,298.62	923,298.62
POLICE ATHLETIC LEAGUE	4		1,066.76	1,066.76
RECREATION PROGRAM FUND	6		51,685.67	51,685.67
HIGHWAY FUND	111		84,406.03	84,406.03
WATER DISTRICT	112		65,719.86	65,719.86
RIVERHEAD SEWER DISTRICT	114		74,819.57	74,819.57
REFUSE & GARBAGE COLLECTION DI	115		6,773.10	6,773.10
STREET LIGHTING DISTRICT	116		117,077.56	117,077.56
PUBLIC PARKING DISTRICT	117		1,727.42	1,727.42
AMBULANCE DISTRICT	120		1,069.70	1,069.70
EAST CREEK DOCKING FACILITY FU	122		1,724.01	1,724.01
CALVERTON SEWER DISTRICT	124		8,906.65	8,906.65
RIVERHEAD SCAVANGER WASTE DIST	128		25,841.07	25,841.07
RISK RETENTION FUND	175		6,042.00	6,042.00
UNEMPLOYMENT INSURANCE RESERVE	176		2,182.12	2,182.12
MAIN STREET REHAB PROGRAM	177		734.06	734.06
CDBG CONSORTIUM ACOUNT	181		710.22	710.22
TOWN HALL CAPITAL PROJECTS	406		346.80	346.80
TRUST & AGENCY	735		1,079,108.10	1,079,108.10
CALVERTON PARK - C.D.A.	914		52,850.00	52,850.00
TOTAL ALL FUNDS			2,506,089.32	2,506,089.32

THE VOTE

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

The Resolution Was  Thereupon Duly Declared Adopted