

RESOLUTION LIST
SEPTEMBER 5, 2012

- Res. #680 2011 General Fund Debt Service Budget Adjustment
- Res. #681 2011 General Fund Budget Adjustment
- Res. #682 2011 Highway District Budget Adjustment
- Res. #683 2012 General Fund Budget Adjustment Police Cars
- Res. #684 Water Department Budget Adjustment
- Res. #685 Authorizes Town Clerk to Publish and Post the Attached Notice to Bidders for the Weeping Willow Park Improvement Project
- Res. #686 Awards Bid on 2012 Wheel Loader
- Res. #687 Authorizes the Town Clerk to Advertise for Bids on an EZ-Liner Traffic Paint Striping Machine or Equal
- Res. #688 Auction of Town's Disposed Assets
- Res. #689 Appoints an Accountant (Raymond Scelzi)
- Res. #690 Appoints Laurie Zaneski to Fill Vacancy in Position of Tax Receiver for the Town of Riverhead
- Res. #691 Appoints a Part-Time Crossing Guard (Edward Hocker)
- Res. #692 Amends the Terms of Resolution #310 (Melissa Messina)
- Res. #693 Accepts the Resignation of a Homemaker (Sandra Roberts)
- Res. #694 Appoints a Seasonal Traffic Control Officer to the Riverhead Town Police Department (Anthony Schoberl)
- Res. #695 Appoints a Part-Time Traffic Control Special to the Riverhead Town Police Department (Remy Bell)
- Res. #696 Appoints a Part-Time Homemaker to the Seniors Program (Kristina Georgoulakos)
- Res. #697 Classifies Action and Declares Lead Agency on Proposed Zoning Amendments and Amendment of the Town of Riverhead Comprehensive Plan applicable to the Wading River Route 25A Corridor

- Res. #698 Authorization to Re-Publish Advertisement for Janitorial Supplies for the Town of Riverhead
- Res. #699 Appoints an Assistant Recreation Leader I – Level I (Skate Park) to the Recreation Department
- Res. #700 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 Entitled “Vehicles & Traffic” of the Riverhead Town Code (§101-3. Stop and Yield Intersection; Parking Fields)
- Res. #701 Adopts a Local Law to Amend Chapter 101 Entitled “Vehicles & Traffic” of the Riverhead Town Code (§101-17 – Parking by Permit §101-12 – No Parking Certain Hours; Road Leading to Water)
- Res. #702 Adopts a Local Law Amending Chapter 106 Entitled “Waterways” of the Riverhead Town Code
- Res. #703 Authorizes the Supervisor to Execute an Inter-municipal Agreement with the Riverhead Central School District to Provide Mutual Aid and Assistance during Disasters - Renewal for 2012
- Res. #704 Authorizes the Supervisor to Execute an Addendum to the Agreement with the Riverhead Fire District Regarding Fuel Services
- Res. #705 Authorizes the Supervisor, on Behalf of the Community Development Agency and Town of Riverhead, to Execute Agreement with LIPA and National Grid to Utilize Property at EPCAL to Store Vehicles and Equipment Necessary to Respond to Power Outages Caused by Weather Emergencies
- Res. #706 Authorization to Extend Submission deadline for a Request for Proposals for Medical Transportation Billing and Reimbursement Services on Behalf of the Town of Riverhead Ambulance District
- Res. #707 Approves Chapter 90 Application of Darkside Productions Inc. (Haunted House Walk Through – September 28th through November 4th, 2012)
- Res. #708 Approves Chapter 90 Application of Dean Delprete (5K Race)
- Res. #709 Approves the Chapter 90 Application of Hallockville Inc. (Country Style Fair – September 15th and 16th, 2012)
- Res. #710 Approves Chapter 90 Application of Riverhead MTAS Inc. (Bike Expo and Competition – September 22, 2012)

- Res. #711 Authorization to Publish Advertisement for Purchase of Three (3) 2011 Ford Crown Victoria Police Interceptor Vehicles and an Undesignated Quantity of Newly Manufactured Ford Police Interceptor Sedans for Use by the Town of Riverhead Police Department
- Res. #712 Authorizes Town Clerk to Publish and Post a Public Notice to Consider a Local Law to Amend Chapter 110 Entitled "Stormwater Management and Erosion and Sediment Control" of the Riverhead Town Code
- Res. #713 Reappoints Member to the Recreation Advisory Committee (Marge Acevedo)
- Res. #714 Reappoints Member to the Recreation Advisory Committee (Ronald Schmitt)
- Res. #715 Authorizes Town Clerk to Publish and Post Notice to Bidders for Water Meters & Accessory Equipment, or Reasonable Equivalent, & Repairs to Meter Reading Equipment to be used by the Riverhead Water District
- Res. #716 Authorization to Publish Advertisement for Sale of Surplus Ground Yard Waste
- Res. #717 Extends Bid Contract for Disposal of Town of Riverhead Municipal Solid Waste
- Res. #718 Pays Bills

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- Res. #717 Extends Bid Contract for Disposal of Town of Riverhead Municipal Solid Waste
- Res. #718 Pays Bills

09.05.12
120680

ADOPTED

TOWN OF RIVERHEAD

Resolution # 680

2011 GENERAL FUND DEBT SERVICE

BUDGET ADJUSTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Budget adjustments are necessary for various accounts in year ending 12/31/2011;

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

		<u>FROM</u>	<u>TO</u>
384.000000.499999	Fund Balance	330	
384.099010.595001	Transfer to General Fund		330

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

09.05.12
120681

ADOPTED

TOWN OF RIVERHEAD

Resolution # 681

2011 GENERAL FUND

BUDGET ADJUSTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, Budget adjustments are necessary for various accounts in year ending 12/31/2011;

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

		<u>FROM</u>	<u>TO</u>
001.090650.584100	Police Uniform, Dental Hosp & Optical	54,000	
001.040200.515502	Personal Services		2,000
001.050100.511500	Personal Services, Highway		9,000
001.067720.511501	Personal Services, Seniors		5,000
001.097100.571000	Debt, Bonding Fees		38,000

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

09.05.12
120682

ADOPTED

TOWN OF RIVERHEAD

Resolution # 682

2011 HIGHWAY DISTRICT

BUDGET ADJUSTMENT

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, Budget adjustments are necessary for various accounts in year ending 12/31/2011;

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>
111.090100.581500	NYS Retirement	9,524	
111.097100.571000	Highway, Bonding Fees		9,524

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

09.05.12
120683

ADOPTED

TOWN OF RIVERHEAD

Resolution # 683

2012 GENERAL FUND

BUDGET ADJUSTMENT POLICE CARS

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the town is in the need of additional police cars over the next year;

WHEREAS, the current contract expires on December 31, 2012, and a price increase for new vehicles is expected;

NOW THEREFORE BE ITRESOLVED, that the Supervisor be, and is hereby, authorized to establish the following budget adjustment to purchase four police cars under the current contract:

		<u>FROM</u>	<u>TO</u>
001.031200.524201	Police –Computers	30,000	
001.000000.499999	Fund Balance	45,000	
001.031200.524101	Police – Vehicles		75,000

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

09.05.12
120684

ADOPTED

TOWN OF RIVERHEAD

Resolution # 684

WATER DEPARTMENT

BUDGET ADJUSTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Superintendent of Water requests various budget adjustments to help pay year end expenses;

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>
112.083200.524400	Field Equipment	9,000	
112.083200.524910	Safety Equipment	5,000	
112.083100.512500	Overtime	5,000	
112.083200.543506	Professional Svc		9,000
112.083100.542113	Postage Expenses		5,000
112.083200.546100	Utilities		5,000

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 685

AUTHORIZES TOWN CLERK TO PUBLISH AND POST THE ATTACHED NOTICE TO BIDDERS FOR THE WEEPING WILLOW PARK IMPROVEMENT PROJECT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached Notice to Bidders for the Weeping Willow Park Improvement Project in the September 13, 2012 issue of the News Review newspaper; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Drew Dillingham, P.E., Assistant Town Engineer, Christina Kempner, Community Development Director, Purchasing Department, IT Department and the Office of Accounting.

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the Weeping Willow Park Improvement Project will be received by the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 4:00 pm on October 4, 2012, and will be publicly opened and read aloud at 11:00 am on October 5, 2012 in the Office of the Town Clerk.

Plans and specifications may be examined and/or obtained on or about September 20, 2012 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website: www.riverheadli.com and click on Bid Requests.

Funding for this project comes in part through an EPF grant administered by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). The contract contains questions, forms and other procedures that must be followed as conditions of this funding. Under Article 15A, Executive Law, the State of New York is committed to providing Minority and Women Owned Business (MWBE) equal opportunity to participate in government contracts. The following goals have been set for this project: 8% of the contract value of MBE's and 7% of the contract value for WBE's. The successful bidder may be required to furnish an EEO policy statement and reports showing the participation of various business enterprises of subcontractors and suppliers on the contract.

There will be a mandatory pre-construction meeting on October 1, 2012 at 9:00 am at the site of the proposed construction at 967 West Main Street, Riverhead, New York 11901. All potential bidders will be required to attend and to sign the attendance sheet as proof of attendance.

A fee \$50.00 *refundable fee (*subject to terms, conditions and instructions to be provided by Town Clerk/Receipt of Fee form) will be required for each hard copy of the contract documents obtained from the Office of the Town Clerk.

Each proposal must be submitted on the form provided and must be in a sealed envelope clearly marked, "Weeping Willow Park Improvement Project" and must be accompanied by a bid surety as stated in the Instruction to Bidders.

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

BY ORDER OF THE RIVERHEAD TOWN BOARD
DIANE M. WILHELM, TOWN CLERK
Riverhead, NY 11901
Dated: September 5, 2012

09.05.12
120686

ADOPTED

TOWN OF RIVERHEAD

Resolution # 686

AWARDS BID ON 2012 WHEEL LOADER

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Clerk was authorized to advertise for sealed bids on a 2012 Wheel Loader for the use of the Riverhead Highway Department, and

WHEREAS, all bids were received and read aloud on the 27th of August at 11:00 A.M. at the Town Hall, 200 Howell Avenue, Riverhead, New York the date, time and place given in the Notice to Bidders, and

WHEREAS, three bids were received,

NOW THEREFORE BE IT RESOLVED, that the bid for 2012 Wheel Loader be and is hereby awarded to All Island Equipment, 39 Jersey St., West Babylon, New York 11702 in the amount of \$99,000.00 with trade-ins, and

THEREFORE, BE IT FURTHER RESOLVED that the Town Clerk shall provide a copy of this resolution to All Island Equipment and the Highway 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 <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

09.05.12
120687

ADOPTED

TOWN OF RIVERHEAD

Resolution # 687

**AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR BIDS ON AN
EZ-LINER TRAFFIC PAINT STRIPING MACHINE OR EQUAL**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of a EZ-Liner Traffic Paint Striping Machine or Equal for the use of the Town of Riverhead Highway Department, AND BE IT

RESOLVED, that the specifications and forms for bidding be prepared by the Superintendent of Highway and all bids be returnable up to 11:00 A.M. on September 14, 2012, AND BE IT FURTHER,

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to open publicly and read aloud on September 14, 2012 at 11:00 A.M. at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, all sealed bids bearing the designation "EZ-Liner Traffic Paint Striping Machine or Equal".

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 a **“EZ-Liner Traffic Paint Striping Machine or Equal”** for the use of the Riverhead Highway Department will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until **11:00 A.M. on September 14, 2012.**

Instructions for bidders, specifications and forms may be obtained at the office of the Town Clerk at the Town Hall Monday through Friday 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 , click on “Bid Requests”.

All bids will be submitted on the bid form provided. Any and all exceptions to the specifications will 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 waive any formalities if it believes such action to be in the best interest of the town.

All bids will be submitted in a sealed envelope bearing the designation **“BID on an EZ-Liner Traffic Paint Striping Machine or Equal”** and addressed to: **TOWN CLERK, TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901.**

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

09.05.12
120688

ADOPTED

TOWN OF RIVERHEAD

Resolution # 688

AUCTION OF TOWN'S DISPOSED ASSETS

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, pursuant to the Town's Procurement Policy, the Town Board of the Town of Riverhead expressed its desire to ensure that the same sound business judgment used for the purchase of personal property and/or assets is used for the evaluation of personal property and/or assets with respect to its usefulness now or in the foreseeable future; determination regarding its commercial or salvage value; and finally, cost effective and efficient procedures for disposition of the personal property and/or assets deemed no longer of public use to the Town such that the Town may receive the highest return for resale; and

WHEREAS, pursuant to and consistent with the Town's Procurement Policy Guideline #8, the Town Department's responsible for personal property and/or assets must declare the personal property and/or assets no longer have value or use to the town and recommend disposal such as sale or salvage; and

WHEREAS, by resolution # 635 adopted on August 16, 2011, the Town Board of the Town of Riverhead authorized the Supervisor to execute an agreement for auction services with PropertyRoom.com Inc. for the sale and disposal of personal property and/or assets declared surplus consistent with Guideline #8 of the Town's Procurement Policy; and

WHEREAS, the Town Department responsible for the personal property and/or asset set forth in the attached list has declared assets no longer of value or use to the town and has completed the required "Plant Asset/Office Equipment Disposal Form" including a description of the item, serial/tag #, location, condition and reason for disposal; and

WHEREAS, that the Financial Administrator recommends to dispose these items for auction; and

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the transfer of attached assets to PropertyRoom.com Inc for auction in accordance with terms and conditions of the Agreement between the Town and PropertyRoom.com Inc. entered into on or about August 11, 2011.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the Office of 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

2012 AUCTION		TOWN ID#		Town Tag#	
VIN	YEAR	MAKE	MODEL		
1FTHF26F3VEB82828	1997	FORD	F25	57	B82828 Title Doculex
1FTHF26F5VEB82829	1997	FORD	F25	60	B82829 Title Doculex
1FDNF70J7SVA82090	1995	FORD	F70	15	A82090 Title Doculex
1FDNF70J9SVA81927	1995	FORD	F70	46	A81927 Title Doculex
1FMEU15H7TLA77591	1996	FORD	TK	64	A77591 Title Doculex
1GNEK18K1PJ402505	1993	CHEVR	TK	28	402505 Title Doculex
567721	1956	WALTER	Snow blower	106	567721 Transferable Reg Doculex
1A9A24DBXJR059043	1988	MOBIL	Sweeper	10	10B Transferable Reg Doculex
1FDY190N6FVA19489	1985	FORD	DUMP	31	19489 Title Doculex
11493	1991	MBCOM	Line Strip Class	74	11493 Title Doculex

TOWN OF RIVERHEAD

Resolution # 689

APPOINTS AN ACCOUNTANT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the resignation of an Account Clerk has created a vacancy and the need for additional support personnel in the Accounting Department; and

WHEREAS, it has been the recommendation of Town auditors, Albrecht, Viggiano, Zureck & Company, P.C., to fill such vacancies with titles that require broader experience and education in accounting and financial methodologies; and

WHEREAS, a Certified List of Eligibles for the title of Accountant, List # 11-0221-272, has been received from the Suffolk County Department of Civil Service and was duly canvassed, and pursuant to a completed background investigation and personal interview, a recommendation of a suitable candidate has been made by the Financial Administrator and the Personnel Committee.

NOW, THEREFORE, BE IT RESOLVED, effective September 10, 2012 this Town Board hereby appoints Raymond Scelzi to the position of Accountant as found in Group 7, Step P on the Administrative Salary Schedule in the CSEA contract; and,

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Raymond Scelzi, 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

09.05.12
120690

ADOPTED

TOWN OF RIVERHEAD

Resolution # 690

**APPOINTS LAURIE ZANESKI TO FILL VACANCY IN POSITION OF TAX RECEIVER
FOR THE TOWN OF RIVERHEAD**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, MaryAnn Wowak Heilbrunn, former Tax Receiver of the Town of Riverhead, had regrestfully expressed her desire to retire and had requested that her retirement and resignation became effective on July 1, 2012; and

WHEREAS, pursuant to Town Law Section 64(5) the Town Board is authorized to make appointments to fill vacancies in Town offices; and

WHEREAS, pursuant to Town Law Section 64(5) and Public Officers Law Section 42, the Town Board may appoint a qualified person to fill the vacancy of an elective office; and

WHEREAS, Laurie Zaneski is a Deputy Tax Receiver with a civil service title of Account Clerk Typist; and

WHEREAS, the Town Board approves Laurie Zaneski's request for a three month leave of absence from her title of Account Clerk Typist to permit her to accept an appointment to the position of Tax Receiver for the Town of Riverhead.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Riverhead that Laurie Zaneski, Deputy Tax Receiver for the Town of Riverhead, be and hereby is appointed Tax Receiver for a term effective September 6, 2012 and ending the close of business on November 6, 2012, at an annual salary of \$69,597.00, prorated for the remainder of 2012, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Laurie Zaneski, the Financial Administrator and the Personnel Director,

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 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

09.05.12
120691

ADOPTED

TOWN OF RIVERHEAD

Resolution # 691

APPOINTS A PART-TIME CROSSING GUARD

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, a vacancy for the position of part-time Crossing Guard exists at the Riverhead Town Police Department; and

WHEREAS, the job was duly advertised for; and

WHEREAS, pending the result of a successful background check, a recommendation of a suitable candidate has been made by the Chief of Police and the Personnel Officer.

NOW, THEREFORE, BE IT RESOLVED, that effective September 6, 2012, this Town Board hereby appoints Edward Hocker to the position of part-time Crossing Guard at the hourly rate of \$11.00; 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

09.05.12
120692

ADOPTED

TOWN OF RIVERHEAD

Resolution # 692

AMENDS THE TERMS OF RESOLUTION # 310

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

WHEREAS, Resolution #310 which appointed a temporary part-time clerk to the Tax Receiver’s office was ratified on May 1, 2012; and

WHEREAS, the effective dates of this temporary appointment was for the period of April 5, 2012 through June 15, 2012; and

WHEREAS, due to the retirement of the Tax Receiver on June 30, 2012 additional clerical support is needed beyond the time frame set forth in Resolution # 310.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby amends the terms of Resolution # 310 and extends the appointment of temporary clerk Melissa Messina through August 31, 2012.

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

09.05.12
120693

ADOPTED

TOWN OF RIVERHEAD

Resolution # 693

ACCEPTS THE RESIGNATION OF A HOMEMAKER

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, Sandra Roberts, a Homemaker in the Riverhead Town Seniors' EISEP Program, has submitted a letter to the Town Personnel Officer indicating her intent to resign effective August 31, 2012.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the resignation of Sandra Roberts.

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Sandra Roberts, 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 <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

09.05.12
120694

ADOPTED

TOWN OF RIVERHEAD

Resolution # 694

APPOINTS A SEASONAL TRAFFIC CONTROL OFFICER TO THE RIVERHEAD TOWN POLICE DEPARTMENT

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, Traffic Control Officers are needed by the Riverhead Town Police Department to direct traffic and enforce the laws, rules, and regulations relating to the movement, parking, stopping, or standing of vehicles during seasonal events; and

WHEREAS, former Sign Inspector Anthony Schoberl has expressed an interest in serving in the capacity of Traffic Control Officer; and

WHEREAS, a recommendation has been made by the Personnel Committee to appoint Mr. Schoberl to the position of Seasonal Traffic Control Officer.

NOW, THEREFORE, BE IT RESOLVED, that effective September 6, 2012, this Town Board hereby appoints Anthony Schoberl to the position of Seasonal Traffic Control Officer at the hourly rate of \$10.50; 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

09.05.12
120695

ADOPTED

TOWN OF RIVERHEAD

Resolution # 695

**APPOINTS A PART-TIME TRAFFIC CONTROL SPECIALIST TO THE
RIVERHEAD TOWN POLICE DEPARTMENT**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, due to the resignation of an incumbent Traffic Control Specialist, a vacancy for the position of Part-time Traffic Control Specialist exists at the Riverhead Town Police Department; and

WHEREAS, pending the result of a successful background check, a recommendation of a suitable candidate has been made by the Chief of Police and the Personnel Officer.

NOW, THEREFORE, BE IT RESOLVED, that effective September 6, 2012, this Town Board hereby appoints Remy Bell to the position of Part-time Traffic Control Specialist at the hourly rate of \$12.00; 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

Resolution # 696

APPOINTS A PART-TIME HOMEMAKER TO THE SENIORS PROGRAM

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

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

WHEREAS, this position was duly posted for, job posting #11; and

WHEREAS, pursuant to a completed background investigation and a prior interview, the recommendation of the Department Head and the Personnel Officer has been received.

NOW, THEREFORE, BE IT RESOLVED, that effective September 6, 2012 Kristina Georgoulakos is hereby appointed to the position of Part-Time Homemaker at the hourly rate of \$12.84.

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

09.05.12
120697

ADOPTED

TOWN OF RIVERHEAD

Resolution # 697

CLASSIFIES ACTION AND DECLARES LEAD AGENCY ON PROPOSED ZONING AMENDMENTS AND AMENDMENT OF THE TOWN OF RIVERHEAD COMPREHENSIVE PLAN APPLICABLE TO THE WADING RIVER ROUTE 25A CORRIDOR

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Town of Riverhead found reason to revisit the zoning regime established by the Town's 2003 Comprehensive Plan in the Wading River Hamlet along State Route 25A from the Riverhead/Brookhaven Town line east to the intersection of 25A and Hulse Landing Road, and

WHEREAS, the Town entered into a professional services agreement with BJJ Planning by Resolution #534 of July 6, 2011 to undertake a study of the area including the conduct of public focus group meetings and workshops and Town Board work sessions, preparation of draft and final Comprehensive Plan updates and zoning text modifications, preparation of necessary SEQR documentation and conduct of public hearing necessary to amendment to the zoning ordinance and map, and

WHEREAS, the Town held public hearings on August 21st 2012 on proposed revisions to the Riverhead Zoning Ordinance Chapter 108 Article XXXIV, the Multifamily Residential Professional Office Zone and Article LV, the Business CR Zone and on amendments to the official Town of Riverhead Zoning Map respecting these districts in the study area at which hearings all persons wishing to comment on the proposed amendments were heard, and

WHEREAS, pursuant to New York State Town Law §272-a the Town Board is the only agency with the authority to adopt amendments to its Town Comprehensive Plan, and

WHEREAS, pursuant to New York State Town Law §264 the Town Board is the only agency with the authority to adopt amendments to its Zoning Code and Zoning Map, and

WHEREAS, New York State Environmental Law 617.6(b) states that when a single agency is involved that agency will be the lead agency when it proposes to undertake an action, now

THEREFORE, BE IT RESOLVED, that the Town Board declares itself as to be the Lead Agency in the zoning amendments and selective update of the Comprehensive Plan within the Wading River corridor study area which the Board classifies as a Type I action for the purpose of SEQR compliance pursuant to 6 NYCRR Part 617.4(b)(1), and

BE IT FURTHER RESOLVED, the Proposed Action involves the adoption of an update to the Town of Riverhead 2003 Comprehensive Plan with a focus on Route 25A in Wading River. This selective Comprehensive Plan update will help guide future development along Route 25A in Wading River so that it allows for orderly growth and development while balancing conservation and preserving and enhancing the community character of the study area. The proposed zoning amendments will carry out the Comprehensive Plan update. The Zoning Map changes will reduce the Business CR Zone (Rural Neighborhood Business) and will increase the extent of the MRP Zone (Multifamily Residential Professional Office Zone) in order to provide additional opportunities for multifamily housing in Wading River and to provide for an appropriate amount of retail development based on current and projected need. The text amendments to the MRP and Business CR zones will add open space requirements, limit building coverage, limit floor area ratio and impervious surface cover, and limit residential unit sizes, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Planning Department and to BJJ Planning, and that the Riverhead Planning Department be directed to publish and post the requisite notice of significance pursuant to 6 NYCRR Part 617.12, 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 a certified copy from the Town Clerk if needed.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

09.05.12
120698

ADOPTED

TOWN OF RIVERHEAD

Resolution # 698

**AUTHORIZATION TO RE-PUBLISH ADVERTISEMENT FOR JANITORIAL
SUPPLIES 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 JANITORIAL SUPPLIES FOR THE TOWN OF RIVERHEAD and;

WHEREAS, the Town Clerk is hereby authorized to publish and post the following public notice in the SEPTEMBER 13, 2012 issue of the News Review and;

NOW THEREFORE BE IT 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 JANITORIAL SUPPLIES 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 21, 2012 at which time they will be publicly opened and read aloud.

Specifications may be examined and/or obtained on SEPTEMBER 13, 2012 on the Town of Riverhead website at www.townofriverheadny.gov, 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 RE-BIDJANITORIAL SUPPLIES. 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

09.05.12
120699

ADOPTED

TOWN OF RIVERHEAD

Resolution # 699

APPOINTS AN ASSISTANT RECREATION LEADER I - LEVEL I (SKATE PARK)
TO THE RECREATION DEPARTMENT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, a Call-In Assistant Recreation Leader I - Skate Park (Level 1) is needed by the Riverhead Town Recreation Department

NOW THEREFORE BE IT RESOLVED, that effective September 5th, 2012, this Town Board hereby appoints Patrick O'Neill to the position of Call-In Assistant Recreation Leader I - Skate Park (Level 1) to be paid the rate of \$9.50 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

09.05.12
120700

ADOPTED

TOWN OF RIVERHEAD

Resolution # 700

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE
(§101-3. Stop and yield intersections; railroad crossings; parking fields.)

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

RESOLVED, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider a proposed local law to amend Chapter 101 entitled "Vehicles & Traffic" of the Riverhead Town Code, once in the September 13th, 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 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
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 2nd day of October, 2012 at 2:05 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

Chapter 101
VEHICLES AND TRAFFIC
ARTICLE III
Traffic Regulations

§ 101-3. Stop and yield intersections; railroad crossings; parking fields.

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

Intersection	Stop Sign On	Entrance From
<u>Hinda Boulevard</u>	<u>Industrial Boulevard</u>	<u>East and West</u>

- Underline represents addition(s)

Dated: Riverhead, New York
September 5, 2012

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

DIANE M. WILHELM, Town Clerk

09.05.12
120701

ADOPTED

TOWN OF RIVERHEAD

Resolution # 701

ADOPTS A LOCAL LAW TO AMEND CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE
(§101-17. – Parking by permit. §101-12. – No parking certain hours; roads leading to water.)

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 entitled, "Vehicles & Traffic" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 21st day of August, 2012 at 7:20 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

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

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

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

THE VOTE

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 & Traffic" of the Riverhead Town Code at its regular meeting held on September 5, 2012. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 101
Vehicles and Traffic
ARTICLE VII
Parking, Standing and Stopping

§ 101-12. No parking certain hours; roads leading to water.

Parking is hereby prohibited during the hours designated upon any street or portion thereof as follows:

Street	Side	Hours	Location
Meeting House Creek Road (in the Hamlet of Aquebogue)	Both	6:00 a.m. to 10:00 p.m.	Beginning at the Harbor Road intersection and thence southerly to the southerly terminus of Meeting House Creek Road

§ 101-17. Parking by permit.

The parking of vehicles bearing valid beach parking permits is hereby permitted in the following locations where parking is otherwise prohibited:

Street	Side	Location
Meeting House Creek Road	Both	From the southerly side of Harbor Road southerly to and along the bulkhead abutting the beach <u>Beginning at the Harbor Road intersection and running thence in a southerly direction to the southerly terminus of Meeting House Creek Road</u>

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

Dated: Riverhead, New York
September 5, 2012

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

DIANE M. WILHELM, Town Clerk

09.05.12
120702

ADOPTED

TOWN OF RIVERHEAD

Resolution # 702

**ADOPTS A LOCAL LAW AMENDING CHAPTER 106 ENTITLED
"WATERWAYS" OF THE RIVERHEAD TOWN CODE**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 106 entitled "Waterways" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 19th day of June 2012 at 7:05 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 106 entitled "Waterways" 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 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 Chapter 106 entitled "Waterways", of the Riverhead Town Code at its meeting held on September 5, 2012. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

CHAPTER 106

WATERWAYS

§ 106-4. Definitions and word usage.

A. The following terms, phrases and their derivatives shall have the meanings given herein:

BOAT

Every vessel propelled in any manner.

MOTOR BOAT

~~Any mechanically propelled vessel.~~ Includes any vessel propelled in whole or in part by an engine or motor whether inboard or outboard.

VESSEL

Any floating craft used or capable of being used as a means of transport or for commercial purposes, whether or not capable of self-propulsion, and includes but is not limited to boats, sailboats, motorboats, barges, scow, dredges, rafts or other buoyant devices permitting free flotation.

§ 106-8. Operation; Sspeed; reckless operation-; areas restricted to electric motor.

J. No person shall operate (start/run) or permit to be operated a motorboat, other than an electric motor to propel a motorboat on the Peconic River, including water areas in and/or on the waters designated as the Peconic Lake (formerly known as "Forge Pond"), and extending to the Grangebél Dam (westerly side of Peconic Avenue). This restriction shall not apply to emergency personnel in the performance of emergency activities that are necessary to protect the public health, safety and welfare and in furtherance of activities pursuant to a lawfully issued permit.

K. The area described immediately above shall be marked with signs and/or buoys.

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

Dated: Riverhead, New York
September 5, 2012

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, TOWN CLERK

TOWN OF RIVERHEAD

Resolution # 703

AUTHORIZES THE SUPERVISOR TO EXECUTE AN INTERMUNICIPAL AGREEMENT WITH THE RIVERHEAD CENTRAL SCHOOL DISTRICT TO PROVIDE MUTUAL AID AND ASSISTANCE DURING DISASTERS – RENEWAL FOR 2012

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town of Riverhead (Town) and the Riverhead Central School District (District) are desirous of providing aid and assistance to Town taxpayers during disasters, either natural or manmade; and

WHEREAS, the Town and the District agree that the health and well being of the community will best be protected through the concerted efforts of governmental entities, districts, and agencies; and

WHEREAS, the Town and the District agree that the promotion and coordination of this assistance through this Agreement is desirable for the effective and efficient provision of mutual aid and assistance in order to prevent, minimize, repair, and alleviate injury or damage resulting from any such disaster.

NOW, THEREFORE, BE IT RESOLVED that the Supervisor is hereby authorized to execute an Intermunicipal Agreement Renewal for 2012 with the Riverhead Central School District in substantially the form annexed hereto; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Riverhead Central School District, 700 Harrison Avenue, Riverhead, New York 11901; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a 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

**RENEWAL FOR 2012
INTERMUNICIPAL AGREEMENT
FOR EMERGENCY PREPAREDNESS AND EVACUATION
PROCEDURES AND PROVISIONS
BETWEEN**

THE TOWN OF RIVERHEAD AND RIVERHEAD CENTRAL SCHOOL DISTRICT

This Agreement, made and entered into this day of September 2012, by and between the Town of Riverhead, a municipal corporation of the State of New York, hereinafter referred to as “Town” with offices for the transaction of business located at 200 Howell Avenue, Riverhead, NY and Riverhead Central School District with offices for the transaction of business located at 700 Osborne Avenue, Riverhead, NY hereinafter referred to as “District”.

WITNESSETH:

WHEREAS, the governing bodies of the Town and District are desirous of providing aid and assistance to our taxpayers when the threat of a disaster, either natural or manmade, including tropical storms, hurricanes and nor’easters, threaten the Riverhead Area and the Town recommends or orders “Evacuation” or declares a “State of Emergency”.

WHEREAS, the Town and District agree that concerted efforts of the Town and District are required to implement evacuation procedures and provisions to protect the health and well-being of the community.

WHEREAS, the promotion and coordination of this assistance through this Agreement is desirable for the effective and efficient provision of aid and assistance such that injury or damage from any such disaster may be prevented, minimized or alleviated.

WHEREAS, the Town has researched town records and determined that approximately 1500 residents reside in structures which pre-date the provisions of the New York State Building Code designed to prevent significant and catastrophic damage to residential structures caused by hurricane-force winds and rains with potential flooding and nor’easters with high winds, rain, snow and ice and therefore are vulnerable to damage risking the safety of the inhabitants.

WHEREAS, the Town seeks to utilize District property during periods of “Evacuation” due to impending and/or forecasted disasters and declared “State of Emergencies” to temporarily shelter Town residents forced to leave their homes due to the potential or realized health and safety issues caused or created by the emergency or disaster.

WHEREAS, in addition, as many of the 1500 residents identified above are elderly and do not have transportation to travel to a shelter, the Town seeks to utilize District buses and drivers to transport these residents to and from designated locations to the shelter.

WHEREAS, the Town and District will coordinate staff, including but not limited to Town police, fire, engineering and highway personnel and District security, mechanical (bus garage),

and food service personnel to ensure the health, safety and welfare of all individuals being transported to and from and seeking shelter at District-owned property.

WHEREAS, this Agreement recognizes and does not supersede present and future mutual aid agreements or intermunicipal agreements among the signatories of this Agreement.

WHEREAS, this Agreement does not limit any party jurisdiction's ability to enter into mutual aid agreements in the future with neighboring municipalities, local or regional government entities, emergency response organizations and public health departments/agencies.

WHEREAS, this Agreement does not limit any parties' right to apply for any type of state or federal emergency assistance and seek reimbursement for services performed and costs incurred in performing the tasks identified in this Agreement.

NOW, THEREFORE, the Town and District agree as follows:

1. The Town and District agree that for purposes of this Agreement the Supervisor of the Town of Riverhead shall be vested with the sole and exclusive authority to recommend or order "Evacuation" and declare a "State of Emergency". The recommendation or order for "Evacuation" and "State of Emergency" shall include natural or man-made disasters.
2. The Town and District shall each designate an authorized representative in accordance with this Agreement. The authorized representative of the Town may request the assistance of the District by contacting the authorized District representative. The authorized representative of the District may authorize the following aid:
 - a. The District shall permit use of District property located at 700 Osborne Avenue, Riverhead, NY and commonly known as "Riverhead High School" for the limited purpose of sheltering Town residents during a state of emergency due to forecast or realized natural or man-made disasters.
 - b. The District shall permit use of the District buses and arrange for District personnel to operate the buses for the limited purpose of transporting residents to and from designated locations within the Town, described in Exhibit "A" annexed hereto and made part hereof, and the District property. In addition, upon notification from the Town of a forecasted or predicted disaster of a magnitude likely to result in the state of emergency, the District shall fuel a sufficient number of buses to mitigate time and complications which may arise due to the lack of electricity required to operate fueling stations and alleviate the need for generator power to fuel the buses.
 - c. The District shall arrange security and/or custodial personnel to assist with the use of the District property.
 - d. The District may designate such other personnel necessary to efficiently and effectively respond to the state of emergency, assist in transportation of residents, and coordinate any and all aspects of the use of District property for shelter.

3. The Town and District agree that in exchange for the aid set forth in provisions 2 (a)-(d) above, the Town shall provide the following:
 - a. The Town shall deliver and install, with assistance of District personnel, a 25-KiloWatt generator at the District property and such other available and necessary equipment required to operate the shelter. The Town agrees to maintain the generator and the District agrees to allow the generator to be placed on District property and to provide such electricity as needed for the operation of the generator.
 - b. The Town shall provide police personnel to assist with the order and security of use of the District property as and for a temporary shelter.
 - c. The Town shall provide Engineering and Building & Grounds personnel to assist with the delivery of necessary equipment, movement of furniture, and installation of temporary equipment which may be required to provide shelter on District property.
 - d. Town personnel shall follow the management protocol and procedures of the District at all times while on District property.
4. The Town and District agree that either Town or District may contract for emergency response services, i.e. American Red Cross, to assist in the operation of the shelter and, in the event any such agreement/contract provides for management of the operation of the shelter, the Town and District shall follow the management protocol and procedures of the emergency response organization and offer such support as may be requested by said emergency response organization.
5. The Town and District agree that the District's Agreement with the Red Cross, dated February 13, 2009, shall supercede this Agreement the event the Red Cross requires use of the District's facilities during an emergency. In the event of any conflict between the terms of this Agreement and the terms of the District's Agreement with the Red Cross, the terms of the District's Agreement with the Red Cross shall prevail.
6. The Town and District agree that the provisions of this Agreement shall only apply to requests for assistance made by and to the authorized representative of each entity.
7. The Town and District agree that requests for assistance may be made verbally or in writing; and, if verbal, the request shall be confirmed in writing at the earliest possible date, but no later than 5 calendar days following the verbal request. In addition, written requests shall provide the following information: a description of the function for which assistance is needed; the amount or type of personnel, equipment, material, services or supplies and other resources needed and an estimated length of time the items will be needed; and, the specific place and time for the staging of the District's response and at point of contact at the location.
8. The Town and District recognize that especially during an emergency, the requirements for the protection of the public health and safety may require work, services and supplies beyond that contained either in oral or written requests. Nothing in this Agreement should be construed to limit the ability of either the Town or District and its personnel to respond in any manner necessary for the preservation of the public health

and safety. To the extent such services or supplies are extended, the provisions of this Agreement shall apply.

9. The Town and District agree that this provision of aid and assistance is voluntary. Neither the Town nor District shall be required to deplete its own resources.
10. The Town and District agree that to the extent assistance is to be provided under this Agreement, the District shall determine the extent of assistance and same may be recalled at the sole discretion of the District; provided however, that the Town shall determine the scope of services to be delivered by the District.
11. The Town and District agree that employees (referred to as personnel above) shall remain employees of the Town or District, as the case may be, at all times. The employees designated by the Town or District to participate and aid in the emergency relief shall continue under the command and control of their regular supervisors. The Town and District shall be responsible for its own employees' wages, benefits and similar obligations. If applicable, the Town and District shall provide for the payment of workers compensation and death benefits to the personnel of its own jurisdiction.
12. The Town and District agree that the Town shall reimburse the District for the cost of all fuel required to transport residents to and from designated locations within the Town and the District property. In addition, the Town and District agree that the Town shall reimburse the District for salary of all personnel designated and employed to assist with the emergency relief.
 - a. The costs for District personnel's time required to undertake the services identified above shall be payable by the Town at the actual rate incurred by the District and as stated in the labor contract in effect on the date of the rendition of services. The District and Town agree that all efforts shall be made to perform the required services within District personnel contracted hours, however, in the event an employee is required to work on overtime, the District shall be reimbursed at the District employee(s) overtime rate.
 - b. The Town and District agree that in any fiscal year the District provides service and seeks reimbursement for fuel, utilities, water and food costs or personnel, the District shall keep appropriate records of the services performed, costs incurred, and reimbursements and contributions received. Such records shall be available for, and shall be subject to audit as is otherwise required by law for municipal financial records. Such records shall also be summarized in a financial statement that will be issued to the Town upon request.
 - c. The District shall prepare and present an itemized voucher for payment on an approved form supplied by the Town for such purposes.
13. The Town and District shall each either maintain commercial comprehensive general liability policies or shall maintain self-insured liability loss exposures. Each party shall

provide to the other a copy of current certificates of insurance. Any lapse in coverage shall be grounds for immediate termination of this Agreement.

- a. To the extent permitted by law, the Town and District agree that it shall protect, indemnify and hold harmless the other and its officers, officials, employees, contractors, agents and other persons from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and reasonable attorneys' fees, arising out of and resulting from the acts or omissions or the negligence of the other party in connection with the services described or referred to in this Agreement. Each party shall defend the other and its officers, officials, employees, agents and other persons in any suit, including appeals, or at a party's option, pay reasonable attorneys' fees for defense of any such suit arising out of the acts or omissions or negligence of the other party, its officers, officials, employees, or agents, if any, in connection with the services described or referred to in this Agreement.
 - b. Each party shall cooperate with the other in connection with the investigation, defense, or prosecution of any action, suit or proceeding in connection with this Agreement.
 - c. The Town and District, by entering into this agreement, have not waived any governmental immunity or limitation of damages which may be extended by operation of law.
 - d. The provisions of this Section shall survive the termination of this Agreement.
14. The Town and District agree that any communication, notice, report, or other submission necessary or required to be made by the parties regarding this Agreement shall be in writing, except as set forth in paragraph 6 above, and delivered to the other party or its designated representative at the following addresses or at such other address that may be specified in writing by the parties:

By Personal Delivery and First Class Mail; or First Class and Certified Mail, Return Receipt Requested; or by Nationally Recognized Overnight Courier Service or Fax transmittal or Email:

For the Town of Riverhead:

Sean Walter, as Supervisor for Town of Riverhead and Commissioner of
the Town of Riverhead Police Department

200 Howell Avenue

Riverhead, New York 11901

Email: walter@riverheadli.com

Fax No. (631)727-6712

With a copy to the Office of the Town Attorney at the same address:

Attention: Robert F. Kozakiewicz, Town Attorney

Email: rfk@riverheadli.com

Fax No. (631) 727-6152

For the Riverhead Central School District:

Sam M. Schneider, Assistant Superintendent for Finance & Operations

Riverhead Central School District

700 Osborne Avenue

Riverhead, New York 11901

Email: sam.schneider@riverhead.net

With a copy to:

Christopher Venator, Esq.

Ingerman Smith, LLP.

150 Motor Parkway, Suite 400

Hauppauge, New York 11788

15. In the event either the Town or District receives a notice of claim or becomes a party (plaintiff, petitioner, defendant, respondent, third party complainant, third party defendant) to any legal action or proceeding related to this Agreement, it shall immediately deliver to the other party, and to the Office of the Town Attorney and Christopher Venator, Esq., counsel for the District, at the addresses set forth above, copies of all papers filed by or against it.
16. The Town and District agree that any communication or notice regarding termination of this Agreement shall be in writing and shall be given to the Town or District at the addresses set forth above and must be delivered as set forth in paragraph 13 above.
17. This Agreement shall remain in effect for one (1) year from the date of execution. The Agreement may be renewed for successive one (1) year terms upon the mutual written agreement of the parties. Either party may withdraw from this agreement by sending 30 days written notice to all parties.
18. This Agreement, together with Schedule "A", represents the entire and integrated agreement between the Town and the District and supersedes all prior negotiations,

representations, or agreements, either written or oral. This agreement may be amended only by written instrument signed by both the Town and District.

19. No waiver shall be inferred from any failure or forbearance by the County or Town to enforce any provision of this Agreement in any particular instance or instances, but the same shall otherwise remain in full force and effect notwithstanding any such failure or forbearance.
20. This Agreement shall be governed by and construed in accordance with the laws of the State of New York, without regard to conflict of laws. Venues shall be designated in Suffolk County; New York or the United States District Court for the Eastern District of New York.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on their behalf.

TOWN OF RIVERHEAD

RIVERHEAD CENTRAL SCHOOL DISTRICT

Sean M. Walter, Supervisor

Ann Cotten-DeGrasse, President
Board of Education

09.05.12
120704

ADOPTED

TOWN OF RIVERHEAD

Resolution # 704

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

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Riverhead Fire District (hereinafter referred to as "District") and the Town of Riverhead (hereinafter referred to as "Town") had discussions concerning the use of the Town of Riverhead's unleaded and/or diesel fuel facility by the Riverhead Fire District vehicles and equipment; and

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

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

WHEREAS, the Riverhead Fire District seeks to add additional vehicles identified in Exhibit "A" and permit said vehicles to use the unleaded and/or diesel fuel pump at the Town Municipal Garage; and

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

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

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute an Addendum to the Municipal Cooperation Agreement with The Riverhead Fire District adding additional vehicles identified in Exhibit "A" annexed to and made part of agreement and adding a provision permitting the District to terminate the agreement if fueling is limited to bio-diesel, in substantially the same form as annexed hereto, regarding the use of the Town of Riverhead's unleaded and/or diesel fuel facility at the Town Garage specifically delineated in the Agreement; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Jonathan Brown, Esq., counsel to Riverhead Fire District; 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

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

This Addendum to the MUNICIPAL COOPERATION AGREEMENT entered into as of the _____ day of _____, 2012, by and between the RIVERHEAD FIRE DISTRICT, with offices for the transaction of business located at 540 Roanoke Avenue, Riverhead, New York and the TOWN OF RIVERHEAD, with offices for the transaction of business located at 200 Howell Avenue, Riverhead, New York.

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

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

WHEREAS, the Riverhead Fire District seeks to add additional vehicles identified in Exhibit “A” and permit said vehicles to use the unleaded fuel and/or diesel pump at the Town Municipal Garage; and

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

WHEREAS, the Riverhead Fire District seeks to add additional vehicles to the list of vehicles utilizing the Town’s Municipal Garage Fuel Pump Station; and

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

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

1. The term of this Agreement shall be for the period July , 2012, until July , 2013. However, District and Town each may unilaterally terminate this Agreement at any time and for any reason upon 30 days written notice. Town may also terminate this Agreement immediately without notice in the event a safety and/or security issue arises.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RIVERHEAD FIRE DISTRICT

By: _____

Print Name: _____

Date: _____

TOWN OF RIVERHEAD

By: _____

Sean M. Walter, Town Supervisor

Date: _____

SCHEDULE "A"

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

CHARGES:

A. Cost of gasoline: As per New York State contract Group 05600 Award # 22258 Contract PC 65523-Gasoline and E-85 (unleaded gasoline 87 octane), Award Number: 21712-PF: Contract Expires: 9/19/13. District acknowledges receipt of same which is hereby incorporated herein as if recited in its entirety. District acknowledges that price for unleaded gasoline may change or fluctuate based upon contract award by Town and cost/charge shall be subject to such contract award.

Diesel: Bid Award as per Resolution # 120599 adopted by the Town Board on 8/7/12.

B. Fuel Supplier: Sprague Energy Corporation
Diesel Supplier: Metro Fuel Oil Corporation

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

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

E.

- 1. Fuel Point Module: \$126.00 per vehicle**
- 2. T-Ring: \$ 22.00 per vehicle**
- 3. OBDII Mileage Adapter \$127.00 per vehicle**
- 4. Operator Key: \$10.00 (onetime leasing fee, District to return key upon contract termination).**
- 5. Gas Can Key: \$10.00(one-time leasing fee, District to return key at contract end)**

E. Town Administrative Charges: .32 (thirty-two cents) per gallon. District agrees to pay an administrative charge to the Town equal to .32 cents per gallon of fuel that is dispensed from the Town's fuel pump. District further agrees to pay the administrative charge in addition to the cost of fuel (on a per gallon basis/rate) set forth in the fuel invoice. District agrees, acknowledges and understands that the administrative charge of .32 cents per gallon is a charge in addition to the fuel gallon rate specified in the Town's contract with Sprague Energy Corporation or such other company subject to contract/agreement with the Town. Town represents that the administrative charge shall be subject to review on an annual basis and as such may be modified and/or increased on an annual basis.

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

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

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

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

SCHEDULE B (LIST OF VEHICLES)

1. 6-2-30 2011 CHEVY TAHOE VIN # 1GNSK2E01BR345017
2. 6-2-31 2007 CHEVY SUBURBAN VIN # 3GNGK26K57G278743
3. 6-2-32 2005 CHEVY SUBURBAN VIN # 1GNFK16Z45J250785
4. 6-2-33 2008 FORD EXPEDITION VIN # 1FMFU16578LA84850
5. 6-2-90 2002 CHEVY TAHOE VIN # 1GNEK13412T280464
6. 6-2-91 2001 DODGE RAM PICK UP VIN # 1B7HF13731J521985
7. 6-2-93 2003 CHEVY TAHOE VIN # 1GNEK13Z23R176393

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

TOWN OF RIVERHEAD

Resolution # 705

AUTHORIZES THE SUPERVISOR, ON BEHALF OF THE COMMUNITY DEVELOPMENT AGENCY AND TOWN OF RIVERHEAD, TO EXECUTE AGREEMENT WITH LIPA AND NATIONAL GRID TO UTILIZE PROPERTY AT EPCAL TO STORE VEHICLES AND EQUIPMENT NECESSARY TO RESPOND TO POWER OUTAGES CAUSED BY WEATHER EMERGENCIES

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the health, safety and welfare of the inhabitants of the Town of Riverhead is of paramount concern to the Town of Riverhead; and

WHEREAS, in order to protect the health, safety and welfare of the inhabitants of the Town of Riverhead, it is imperative that LIPA and National Grid act swiftly respond to outages and assess major damage to transmission and distribution lines, substations and other infrastructure caused by Hurricanes and other weather emergencies and restore power to the residents of the Town of Riverhead; and

WHEREAS, LIPA and National Grid wish to utilize a portion of the EPCAL property to store trucks and equipment to enable fifty-five (55) crews to swiftly respond to power outages and assess major damage to transmission and distribution lines, substations and other infrastructure that can be caused by hurricanes and other weather emergencies.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Riverhead, acting as governing board of the Community Development Agency and the Town Board of the Town of Riverhead, does hereby authorize the Supervisor of the Town of Riverhead to execute a "Site Access Agreement" to authorize LIPA and National Grid to utilize a portion of the EPCAL property to store trucks and equipment to enable fifty-five (55) crews to swiftly respond to outages and assess major damage to transmission and distribution lines, substations and other infrastructure caused by weather emergencies; 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

SITE ACCESS AGREEMENT

This Site Access Agreement (the “Agreement”), made this _____ day of August, 2012, by and between **Community Development for the Town of Riverhead and the Town of Riverhead (“Riverhead”)(“Licensor”)** a New York corporation, duly organized under the laws of the State of New York, with principal offices at 200 Howell Avenue, Riverhead, New York 11901 and **National Grid Electric Services LLC (“National Grid”)(“Licensee”)**, a New York limited liability corporation, duly organized under the laws of the State of New York, with principal offices at 175 East Old Country Road, Hicksville, New York 11801, as Agent for and on behalf of Long Island Lighting Company d/b/a LIPA (“LIPA”), with principal offices at 333 Earle Ovington Blvd., Uniondale, New York 11553. Licensor and/or Licensee are referred to herein individually as “Party” and collectively as the “Parties.”

A. **GENERAL-APPROVED ACTIVITIES:** National Grid/LIPA, their employees, agents, contractors and subcontractors may access the Henry Pfeifer Community Center for use of conference room, kitchen, and restrooms and 1000 feet of the north end of the 7000’ runway for the purpose of parking vehicles/equipment (the “Approved Activities”) all located on and within property commonly referred to as EPCAL during any declared federal, state or local emergency affecting the health, safety and welfare of the residents of the Town of Riverhead and all such residents within the County of Suffolk and at such other times as may be required to address major outages (interruptions of electrical service affecting a significant portion of residents and business located on the east end of Long Island, Suffolk County, New York) and/or hazards which may potentially cause major outages or place at risk the health safety and welfare of the residents and business located on the east end of Long Island, Suffolk County, New York..

B. **TERMS OF ACCESS**

The approved activities on the site are granted from the date first written above until terminated by either party upon thirty (30) days prior written notice to the other party. All notices which are required or permitted under this Agreement shall be in writing and shall be deemed to have been given if delivered in person or sent registered or certified mail, addressed as follows:

C. **INGRESS AND EGRESS TO SITE**

1. National Grid/LIPA, their employees, agents, contractors and subcontractors may access the Henry Pfeifer Community Center and the 1000 feet of the north end of the runway from the North gate (State Route 25) or Grumman Boulevard.

D. **AUTHORIZATION:** Riverhead warrants and represents that they are authorized to enter into this Site Access Agreement on behalf of Property Owner.

In consideration of the mutual promises and agreements herein contained, the Parties agree as follows:

1. Limited Scope. This Agreement does not provide Site access other than to Licensee, its agents, employees, invitees and/or contractors/subcontractors specifically authorized by Licensor to engage in the Approved Activities.
2. Access by Licensor Representatives. Licensor may at all times have access to the Site for the purpose of reviewing the Approved Activities hereunder and inspecting, maintaining and repairing its facilities located on such Site.

E. NOTIFICATION:

National Grid/LIPA shall notify Ken Testa, Chief Engineer Town of Riverhead at 631-727-3200 ext 279 or Chief Davis Hagermiller 631-727-4500 ext 315 regarding access to the Site and subsequent vacating of the Site.

F. REMEDIES

Of Third Parties. No third party, except authorized subsidiaries, affiliates or assignees of National Grid and/or LIPA shall have any rights to enforce the terms of this Agreement.

G. COMPLIANCE WITH LAWS

National Grid/LIPA shall comply with any and all applicable laws, ordinances, permits or zoning requirements of the School District or any Federal, State or municipal body or agency, for the use of the Site for the Approved Activities.

H. INDEMNIFICATION/INSURANCE

National Grid/LIPA shall hereby release, hold harmless and indemnify the CDA and the Town of Riverhead from any liability arising in connection with the use of the Henry Pfeifer Community Center and 7000' runway as set forth in this Agreement. Licensor will be held harmless by Licensee and Licensee shall defend and indemnify from and against any and all claims, demands, payments, suits, actions, recoveries, judgments, costs and expenses, including, without limitation, attorney's fees in connection therewith, of every nature, including but not limited to claims for bodily injury or death, by any third party, and by or on behalf of the contractors, agents, servants or employees, arising out of or in connection with Licensee, its agents, servants or employees. Licensor will be held harmless by Licensee and Licensee agrees to defend and indemnify Licensor for property damage, including damage to the Leased Space, unless the damages are caused by or are the result of the misconduct or negligence of Licensor or any of Licensor's agents, servants, employees, licensees or invitees. Notwithstanding any provisions herein to the contrary, it is understood and agreed that all property kept, installed, stored or maintained in or upon the Licensed Space by Licensee will be so installed, kept, stored or maintained at the risk of Licensee. Licensor will not be responsible for any loss or damage to equipment owned by Licensee which might result from tornadoes, lightning, wind storms or other Acts of God, provided, however, Licensor will be responsible for

and agrees to hold Licensee harmless from any liability (including reimbursement of reasonable legal fees and all costs) for damages to any person or any property in or upon the Leased Space arising out of the misconduct or negligence of Licensor or any of Licensor's agents, servants, employees, licensees or invitees. Except for willful misconduct, neither Licensor nor Licensee will in any event be liable in damages for each other's business loss, business interruption or other consequential damages of whatever kind or nature, regardless of the cause of the damages, and each party, and anyone claiming by or through them, expressly waives all claims for the damages. Prior to utilizing the Site, National Grid/LIPA will furnish to the Property Owner a Certificate of Insurance and will include the Property Owner as additional insured.

I. MAINTENANCE/RESTORATION

Licensee will be responsible for maintaining the Site in clean, orderly condition, good repair and in a secured condition throughout the term. Upon completion of the Approved Activities, National Grid/LIPA, at their expense, shall repair any damage to the Site or remit a mutually agreed upon cost, if any.

J. GOVERNING LAW

This Agreement shall be governed by the laws of the State of New York except for conflict of law issues.

K. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement and understanding between the Parties for the Approved Activities, and no amendments, additions, or modifications hereto shall be valid unless in writing and signed by all the Parties hereto.

L. BINDING EFFECT

This Agreement shall inure to the benefit of and shall be binding upon the Parties and their respective successors and assigns.

M. ASSIGNMENT

This Agreement and the rights and obligations associated herewith may not be assigned without prior written consent of the other party.

N. SEVERABILITY

If any provision of the Agreement shall be declared to be unenforceable, the remaining provisions hereof shall remain in full force and effect.

O. COUNTERPARTS

This Agreement may be executed in several counterparts, each of which shall be an original and which shall constitute the same instrument.

P. WAIVER

No delay or omission by either party in the exercise of any right under this Agreement shall impair any such right or shall be taken, construed or considered as a waiver or relinquishment thereof, but any such right may be exercised from time to time and as often as may be deemed expedient. If any agreement or covenant herein shall be breached by either party and thereafter waived by the other party, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other breach hereunder.

Q. ARTICLE

The article headings and other titles used in this Agreement are for convenience only and shall not affect the construction of any terms of this Agreement.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their duly authorized representatives on the date first written above.

Community Development for the Town of
Riverhead and the Town of Riverhead

National Grid Electric Services LLC, as
agent for and on behalf of Long Island
Lighting Company d/b/a LIPA

By: _____
Name: Sean M. Walter
Title: Supervisor

By: _____
Name: John Bruckner
Title: Senior Vice President

TOWN OF RIVERHEAD

Resolution # 706

AUTHORIZATION TO EXTEND SUBMISSION DEADLINE FOR A REQUEST FOR PROPOSALS FOR MEDICAL TRANSPORTATION BILLING AND REIMBURSEMENT SERVICES ON BEHALF OF THE TOWN OF RIVERHEAD AMBULANCE DISTRICT

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town of Riverhead is seeking proposals from qualified parties for medical transportation billing and reimbursement services on behalf of the Town of Riverhead Ambulance District, and;

WHEREAS, the Town of Riverhead had previously established a submission deadline of September 6, 2012, at 11:00 a.m., for such Requests for Proposals, and;

WHEREAS, numerous interested parties have requested additional information from the Town of Riverhead and Riverhead Volunteer Ambulance Corp., which shall be included in the interested parties response to the Town’s Request for Proposals, and;

WHEREAS, the Town of Riverhead and Riverhead Volunteer Ambulance Corp. are in the process of providing the requested information to the interested parties.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes and extends the submission deadline for such Requests for Proposals to **October 1, 2012, at 11:00 a.m.**, regarding a Request for Proposals for medical transportation billing and reimbursement services on behalf of the Town of Riverhead Ambulance District; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish and post the following public notice in the September 13, 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 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

PLEASE TAKE NOTICE, that sealed proposals must be received by the Office of the Town Clerk at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on or before **October 1, 2012, at 11 o'clock a.m.**, for:

REQUEST FOR PROPOSALS

The Town of Riverhead is seeking proposals from qualified parties that can provide medical transportation billing and reimbursement services on behalf of the Town of Riverhead Ambulance District.

Specifications and guidelines for submission of proposals will continue to be available on the Town website at <http://townofriverheadny.gov> or at the Office of the Town Clerk and may be picked up between the hours of 8:30 a.m. and 4:15 p.m., Monday through Friday, until October 1, 2012.

Each proposal must be submitted in a sealed envelope clearly marked **“MEDICAL TRANSPORTATION BILLING AND REIMBURSEMENT SERVICES ON BEHALF OF THE TOWN OF RIVERHEAD AMBULANCE DISTRICT”** and must be received by the Office of the Town Clerk by no later than **11:00 a.m. on October 1, 2012.**

This RFP is not an offer or a binding commitment to contract on the part of the Town. The Town retains the right to postpone or cancel the RFP or to reject all proposals even after submission of same, if the Town determines, in its sole discretion, that the best interests of the Town will be served thereby.

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

09.05.12
120707

ADOPTED

TOWN OF RIVERHEAD

Resolution # 707

**APPROVES CHAPTER 90 APPLICATION OF DARKSIDE PRODUCTIONS INC.
(Haunted House Walk-through – September 28th – November 4th, 2012)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, on August 17, 2012, Darkside Productions Inc. submitted a Chapter 90 Application for the purpose of conducting a haunted house walk-through to be held at 5184 Rte. 25A, Wading River, New York, on Friday, September 28, 2012 through Sunday, November 4, 2012, between the hours of 12:00 noon and 12:00 midnight; and

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

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

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

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

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

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

RESOLVED, that the Chapter 90 Application of Darkside Productions, Inc. for the purpose of conducting a haunted house walk-through to be held at 5184 Rte. 25A, Wading River, New York, on Friday, September 28, 2012 through Sunday, November 4, 2012, between the hours of 12:00 noon and 12:00 midnight, is hereby approved; and be it further

RESOLVED, that any necessary tent permits must be obtained and the tent installation and all electric shall comply with the applicable 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 this approval is subject to the obtaining of any permits as may be required by the New York State Department of Labor and the Suffolk County Department of Health; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Darkside Productions, Inc., 4 Olive Street, Rocky Point, New York, 11778; and be it further .

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 708

APPROVES CHAPTER 90 APPLICATION OF DEAN DELPRETE
(5K Race and Obstacle Course – September 8, 2012)

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, on August 3, 2012, Dean Delprete of Survival Race, LLC submitted a Chapter 90 Application for the purpose of conducting an event entitled “5K Race and Obstacle Course” to be held at the Cornell Cooperative Extension of Nassau County property a/k/a 4-H Camp, located at 3186 Sound Avenue, Riverhead, New York, on Saturday, September 8, 2012, between the hours of 9:00 a.m. and 2:00 p.m.; and

WHEREAS, Dean Delprete 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 paid the applicable Chapter 90 Fee; and

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

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

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

RESOLVED, that the application of Dean Delprete of Survival Race, LLC for the purpose of conducting an event entitled “5K Race and Obstacle Course” to be held at the Cornell Cooperative Extension of Nassau County property a/k/a 4-H Camp, located at 3186 Sound Avenue, Riverhead, New York, on Saturday, September 8, 2012, between the hours of 9:00 a.m. and 2:00 p.m., is hereby approved; 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 the “pre-opening” inspection appointment; 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 Dean Delprete, 2900 Route 112, Medford, New York, 11763; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

09.05.12
120709

ADOPTED

TOWN OF RIVERHEAD

Resolution # 709

**APPROVES THE CHAPTER 90 APPLICATION OF HALLOCKVILLE INC.
(Country Style Fair – September 15th and 16th, 2012)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, on August 2, 2012, Hallockville Inc. submitted a Chapter 90 Application for the purpose of conducting a “Country Style Fair” to be held at the Hallockville Farm Museum, located at 6038 Sound Avenue, Riverhead, New York, on Saturday, September 15th, 2012 and Sunday, September 16th, 2012, between the hours of 10:00 a.m. and 5:00 p.m.; and

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

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

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

WHEREAS, a certificate of insurance (general liability only) 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 a “Country Style Fair” to be held at the Hallockville Farm Museum, located at 6038 Sound Avenue, Riverhead, New York, on Saturday, September 15th, 2012 and Sunday, September 16th, 2012, between the hours of 10:00 a.m. and 5:00 p.m., is hereby approved; and be it further

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

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

- Receipt of required Suffolk County Department of Health Vendors Temporary Food Service Permit;
- Receipt of required Emergency Medical Services (EMS) information;
- Receipt of a Certificate of Insurance to include liquor liability having acceptable limits naming the Town of Riverhead as an additional insured **no later than September 10, 2012**;

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Hallockville, Inc, 6038 Sound Avenue, Riverhead, New York, 11901; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 710

APPROVES CHAPTER 90 APPLICATION OF RIVERHEAD MTAS INC.
(Bike Expo and Competition – September 22, 2012)

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, on August 21, 2012, Riverhead MTAS Inc. submitted a Chapter 90 Application for the purpose of conducting an event entitled “Bike Expo and Competition” to include bike contests, raffles and prizes, free to the general public and a \$20 entry fee to bike contestants, to be held at the Riverhead Town Skate Park located at Pulaski Street, Riverhead, New York, on Saturday, September 22, 2012, between the hours of 11:00 a.m. and 8:00 p.m., having a rain date of Sunday, September 23, 2012; and

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

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

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

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

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

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

RESOLVED, that the application of Riverhead MTAS Inc. for the purpose of conducting an event entitled “Bike Expo and Competition” to include bike contests, raffles and prizes, free to the general public and a \$20 entry fee to bike contestants, to be held at the Riverhead Town Skate Park located at Pulaski Street, Riverhead, New York, on Saturday, September 22, 2012, between the hours of 11:00 a.m. and 8:00 p.m., having a rain date of Sunday, September 23, 2012, is hereby approved; 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 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 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 it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Riverhead MTAS Inc., P.O. Box 635, 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

TOWN OF RIVERHEAD

Resolution # 711

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR PURCHASE OF THREE (3)
2011 FORD CROWN VICTORIA POLICE INTERCEPTOR
VEHICLES AND AN UNDESIGNATED QUANTITY OF NEWLY MANUFACTURED
FORD POLICE INTERCEPTOR SEDANS FOR USE BY THE TOWN OF
RIVERHEAD POLICE DEPARTMENT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town of Riverhead Police Department requires new vehicles to replace police vehicles taken out of service due to damage, extensive repairs, excessive mileage and general depreciation whereby the costs to repair the vehicle exceeds the value of the vehicle; and

WHEREAS, the Town of Riverhead Police Department seeks to acquire three newly manufactured or unused 2011 Ford Crown Victoria Police Interceptor vehicles and newly manufactured 2013 Ford Police Interceptor Sedans (Crown Victorias are no longer manufactured by Ford) to replace vehicles taken out of service; and

WHEREAS, the Town of Riverhead Police Department advocates for the purchase of three newly manufactured or unused 2011 Ford Crown Victoria Police Interceptor vehicles and an undesignated quantity of newly manufactured 2013 Ford Police Interceptor Sedans, due to the reliability, specifications unique to the automobile, and ability to utilize parts from the retired fleet of Town-owned Ford Crown Victorias; and

NOW THEREFORE BE IT RESOLVED, Town Clerk is authorized to publish and post the following notice to bidders in the September 13, 2012 issue of the News Review for proposals for Three (3) newly manufactured or unused 2011 Ford Crown Victoria Police Interceptor vehicles and an undesignated quantity of newly manufactured 2013 Ford Police Interceptor Sedans for use by the Town of Riverhead Police 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 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 Three (3) three newly manufactured or unused 2011 Ford Crown Victoria Police Interceptor vehicles and newly manufactured 2013 Ford Police Interceptor Sedans for use by the Town of Riverhead Police Department will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York until 11:05 a.m. on September 25, 2012 at which time they will be publicly opened and read aloud.

Bid specifications may be examined and/or obtained on September 13, 2012 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays, or by visiting the Town of Riverhead website at www.riverheadli.com and click on Bid Requests.

Any and all exceptions to the specifications must be listed on the sheet provided in the Bid Specification at **VI. Exceptions to Specifications** and attached to the bid form.

Each proposal must be submitted on the form provided and must be in a sealed envelope clearly marked "2011 Ford Crown Victoria Police Interceptor And Newly Manufactured Ford Police Interceptor Sedans".

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

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

09.05.12
120712

ADOPTED

TOWN OF RIVERHEAD

Resolution # 712

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE
TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 110 ENTITLED
“STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL” OF
THE RIVERHEAD TOWN CODE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice to consider a proposed local law to amend Chapter 110 entitled “Stormwater Management and Erosion and Sediment Control” of the Riverhead Town Code once in the September 13, 2012, issue of the News-Review, the newspaper hereby designated as the official newspaper for this purpose, and post same on the sign board at Town Hall; and be it further

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

THE VOTE

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 Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 2nd day of October, 2012, at 2:10 o'clock p.m., to consider a local law to amend Chapter 110 entitled, "Stormwater Management and Erosion and Sediment Control " of the Riverhead Town Code as follows:

**CHAPTER 110
STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL**

§110-12. Fees for services.

The Town ~~may~~ shall require any person or entity undertaking land development or redevelopment activities regulated by this chapter to pay reasonable costs at prevailing rates for review of Storm Water Pollution Prevention Plans (SWPPPs) , and inspections, or Storm Water Management Practice (SMPs) performed by the Town or performed by a third party at the direction of the Town.

A. The following fees shall be required in connection with the submission of a stormwater pollution prevention plan (SWPPP):

(1) Storm Water Pollution Prevention Plan (SWPPP) Review/Inspection fees initial deposit: \$3500.00.

~~(a) SWPPP for final subdivision approval: \$200 basic fee; plus \$100 per acre or part thereof.~~

~~(b) SWPPP for site plan approval: \$200 basic fee; plus \$100 per acre or part thereof.~~

~~(c) SWPPP for final subdivision as built: \$200 basic fee; plus \$100 per acre or part thereof.~~

~~(d) SWPPP for site plan as built: \$200 basic fee; plus \$100 per acre or part thereof.~~

~~(2) Inspection fees deposit. SWPPP subdivision and site plan inspection fees to be paid upon approval of final subdivision or site plan shall be 2% of the total estimated cost of all improvements, including all temporary and permanent stormwater erosion control measures. The total estimated cost of all improvements, including all temporary and permanent stormwater erosion~~

~~control measures, shall be determined by Riverhead Town personnel or Town consultants.~~

a. SWPPP review fees: maximum of \$175.00 per hour upon initial review, and all subsequent reviews, if necessary, as performed by Town's retained consultant.

b. SWPPP site inspection fees: \$110.00 per hour upon inspection by Town's retained consultant.

c. The fees referenced in Subsection A(2) shall become non-refundable upon SWPPP review and/or SWPPP site inspection(s).

(3) All fees delineated in Subsections A(1) and A(2), above, shall be deposited in the Town of Riverhead's escrow account entitled "Engineering Department: Storm Water Pollution Prevention Plan Review and Inspection" as addressed in Section B below.

(4) In the event subsequent SWPPP review and/or subsequent site inspection is required, the Town shall defray the cost of such expense from replenishment of the escrow account as addressed in Section B, below.

(5) All fees and deposits delineated in Subsections A(1) and A(2), above, shall be solely used to defray the cost and expense of SWPPP review, site inspection and related activities.

(6) The Town shall provide an accounting of costs and expenses incurred by the Town and/or Town consultants on an annual basis. The Town shall also provide a final accounting at such time that the Town deems the project complete.

Dated: Riverhead, New York
September 5, 2012

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 713

REAPPOINTS MEMBER TO THE RECREATION ADVISORY COMMITTEE

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, Resolution #763 of August 2, 2005 adopted guidelines for Town Board Advisory Committees; and

WHEREAS, guideline #1 states that each committee will consist of no less than seven and no more than nine members;

WHEREAS, the Town Board recommends the reappointment of a certain member to the Recreation Advisory Committee.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby reappoints Marjorie Acevedo to the Recreation Advisory Committee for a two (2) year term to expire September 2014.

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 714

REAPPOINTS MEMBER TO THE RECREATION ADVISORY COMMITTEE

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, Resolution #763 of August 2, 2005 adopted guidelines for Town Board Advisory Committees; and

WHEREAS, guideline #1 states that each committee will consist of no less than seven and no more than nine members;

WHEREAS, the Town Board recommends the reappointment of a certain member to the Recreation Advisory Committee.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby reappoints Ronald Schmitt to the Recreation Advisory Committee for a two (2) year term to expire September 2014.

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

09.05.12
120715

ADOPTED

TOWN OF RIVERHEAD

Resolution # 715

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS FOR WATER METERS & ACCESSORY EQUIPMENT, OR REASONABLE EQUIVALENT, & REPAIRS TO METER READING EQUIPMENT TO BE USED BY THE RIVERHEAD WATER DISTRICT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Resolution #120678 terminated the bid award for water meters and accessory equipment; and

WHEREAS, the Town Board of the Town of Riverhead, as governing body of the Riverhead Water District by Resolution #120679 adopted August 23, 2012, directed the Riverhead Water District to publish and post a notice to bidders for water meters and accessory equipment within 30 days of the adoption of Resolution #120679; and

WHEREAS, the Riverhead Water District wishes to comply with the requirements of Resolution #120679.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the requirements of Resolution #12067 adopted on August 23, 2012, the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders for water meters and accessory equipment, or reasonable equivalent, to be used by the Riverhead Water District in the **September 20, 2012**, issue of ***The News-Review***; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Gary J. Pendzick, Superintendent of the Riverhead Water District, and the Purchasing, IT and Accounting Departments; 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 TO BIDDERS**

Sealed bids for the purchase of **SENSUS WATER METERS & ACCESSORY EQUIPMENT, OR REASONABLE EQUIVALENT, & REPAIR TO METER READING EQUIPMENT** for use by the RIVERHEAD WATER DISTRICT will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:05 a.m.** on **October 5, 2012.**

Requests for Bids may be examined and/or obtained after **September 20, 2012**, 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. Click on "Bid Requests" and follow the instructions to register.

All bids are to be submitted in a sealed envelope bearing the designation **BID #RWD-2012-20 – SENSUS WATER METERS & ACCESSORY EQUIPMENT, OR REASONABLE EQUIVALENT, & REPAIR TO METER READING EQUIPMENT – 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

09.05.12
120716

ADOPTED

TOWN OF RIVERHEAD

Resolution # 716

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR
SALE OF SURPLUS GROUND YARD WASTE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for **SALE OF SURPLUS GROUND YARD WASTE**.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk is hereby authorized to publish and post the following public notice in the September 13, 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 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**

TAKE NOTICE that sealed bids for **SALE OF SURPLUS GROUND YARD WASTE** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until **11:10 a.m. on October 12, 2012.**

Bid packets, including Specifications, are available on the Town website at <http://townofriverheadny.gov>, click on bids, or at the Office of the Town Clerk at Town Hall and may be picked up between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, beginning **September 13, 2012.**

Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

All bids are to be submitted in a sealed envelope bearing the designation **SALE OF SURPLUS GROUND YARD WASTE**. Bids must be received by the Office of the Town Clerk by no later than **11:10 am on October 12, 2012.**

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

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

TOWN OF RIVERHEAD

Resolution # 717

**EXTENDS BID CONTRACT FOR DISPOSAL OF TOWN OF RIVERHEAD
MUNICIPAL SOLID WASTE**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, pursuant to Resolution #128 adopted by the Town Board on February 15, 2011, the Town of Riverhead awarded the bid for Disposal of Municipal Solid Waste to Eastern Resource Recycling, Inc. for the amount of \$62.72 per ton; and

WHEREAS, pursuant to Resolution #114 adopted by the Town Board on February 7, 2012, the Town of Riverhead extended the bid contract with Eastern Resource Recycling for Disposal of Municipal Solid Waste for an additional 90 days (May 2012) for the bid amount of \$62.72 per ton; and be it further

WHEREAS, by Resolution #334 adopted by the Town Board on May 1, 2012, the Town of Riverhead extended the bid contract with Eastern Resource Recycling for Disposal of Municipal Solid Waste for an additional 90 days (August 2012) for the bid amount of \$62.72 per ton; and

WHEREAS, the Town of Riverhead wishes to further extend the contract with Eastern Resource Recycling, Inc. to December 31, 2012 to allow the Town the requisite time to complete the bid process, to wit: public notice, review of bids, and finally, award the bid to the successful bidder for the disposal of Municipal Solid Waste; and

WHEREAS, Eastern Resource Recycling, Inc. has agreed to extend the contract to December 31, 2012 subject to the same terms and conditions set forth in the original contract.

NOW THEREFORE BE IT RESOLVED, that the Town Board approves the extension of the contract with Eastern Resource Recycling, Inc. for Disposal of Municipal Solid Waste to December 31, 2012 for the bid amount of \$62.72 per ton; 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

09.05.12
120718

ADOPTED

TOWN OF RIVERHEAD

Resolution # 718

PAYS BILLS

Councilman Gabrielsen offered the following resolution,
which was seconded by Councilwoman Giglio

ABSTRACT #12-34 August 23, 2012 (TBM 9/5/12)			
FUND NAME		Transfer	GRAND TOTALS
GENERAL FUND	1	1,084,430.53	1,084,430.53
POLICE ATHLETIC LEAGUE	4	696.78	696.78
RECREATION PROGRAM FUND	6	44,815.75	44,815.75
HIGHWAY FUND	111	107,442.20	107,442.20
WATER DISTRICT	112	77,302.77	77,302.77
RIVERHEAD SEWER DISTRICT	114	33,186.20	33,186.20
REFUSE & GARBAGE COLLECTION DI	115	8,208.37	8,208.37
STREET LIGHTING DISTRICT	116	17,356.65	17,356.65
PUBLIC PARKING DISTRICT	117	620.84	620.84
EAST CREEK DOCKING FACILITY FU	122	1,654.78	1,654.78
CALVERTON SEWER DISTRICT	124	1,358.63	1,358.63
RIVERHEAD SCAVANGER WASTE DIST	128	22,355.23	22,355.23
RISK RETENTION FUND	175	12,113.10	12,113.10
CDBG CONSORTIUM ACOUNT	181	782.06	782.06
TOWN HALL CAPITAL PROJECTS	406	106,569.94	106,569.94
WATER DISTRICT CAPITAL PROJECT	412	1,886.37	1,886.37
TRUST & AGENCY	735	1,181,751.53	1,181,751.53
TOTAL ALL FUNDS		2,702,531.73	2,702,531.73

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 # 718

PAYS BILLS

Councilman Gabrielsen offered the following resolution,
which was seconded by Councilwoman Giglio

ABSTRACT #12-35 August 30, 2012 (TBM 9/5/12)			
FUND NAME		Transfer	GRAND TOTALS
GENERAL FUND	1	121,409.48	121,409.48
POLICE ATHLETIC LEAGUE	4	4,326.87	4,326.87
RECREATION PROGRAM FUND	6	24,282.49	24,282.49
HIGHWAY FUND	111	39,990.14	39,990.14
WATER DISTRICT	112	18,893.13	18,893.13
RIVERHEAD SEWER DISTRICT	114	3,133.64	3,133.64
REFUSE & GARBAGE COLLECTION DI	115	208,209.34	208,209.34
STREET LIGHTING DISTRICT	116	2,472.38	2,472.38
BUSINESS IMPROVEMENT DISTRICT	118	3.18	3.18
AMBULANCE DISTRICT	120	5,739.48	5,739.48
EAST CREEK DOCKING FACILITY FU	122	380.31	380.31
RIVERHEAD SCAVANGER WASTE DIST	128	530.90	530.90
RISK RETENTION FUND	175	8,585.25	8,585.25
CDBG CONSORTIUM ACOUNT	181	397.44	397.44
GENERAL FUND DEBT SERVICE	384	383.82	383.82
TRUST & AGENCY	735	78,285.25	78,285.25
COMMUNITY PRESERVATION FUND	737	153.53	153.53
CALVERTON PARK - C.D.A.	914	542.00	542.00
TOTAL ALL FUNDS		517,718.63	517,718.63

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted