

JANUARY 15, 2013

TOWN BOARD RESOLUTION LIST:

- Res. #41 Capital Project Closures Budget Adjustment**
- Res. #42 Calverton Sewer District Budget Adjustment**
- Res. #43 CDA Calverton Budget Adjustment**
- Res. #44 General Fund Marina and Docks Budget Adjustment**
- Res. #45 General Fund Part Time Police Budget Adjustment**
- Res. #46 General Fund Police Budget Adjustment**
- Res. #47 Riverhead Downtown Revitalization Improvement Project Budget Adjustment**
- Res. #48 Authorizes the Supervisor to Execute an Amendment to a Grant Agreement with NYS Office of Parks, Recreation, and Historic Preservation for Funds to Support the Calverton Park Recreational Trail**
- Res. #49 Ratifies the Reappointment of a Temporary Student Intern II (Thomas Houghton)**
- Res. #50 Reappoints a Temporary Clerk to the Tax Receiver's Office (Melissa Messina)**
- Res. #51 Appoints a Call-In Recreation Aid to the Recreation Department (Dezarae Brown)**
- Res. #52 Appoints a Call-In Recreation Aide I to the Recreation Department (Jessica Cheatom)**
- Res. #53 Sets Salaries for 2013 Part-Time/Call-In Personnel for the Riverhead Recreation Department**
- Res. #54 Sets Salaries of Various Recreation Employees for the Year 2013**
- Res. #55 Appoints a Call-In Recreation Aide I to the Recreation Department (Courtney Troyan)**
- Res. #56 Appoints Part-Time Recreation Aides/Volleyball Attendants and Officials to the Recreation Department**

- Res. #57** Sets the Fees for Usage of Recreation and Other Town Facilities
- Res. #58** Authorizes the Supervisor to Execute a Professional Services Agreement with Converged Technology Group, Inc. (CTG)
- Res. #59** Authorizes the Supervisor to Execute a Professional Services Agreement with Suffolk Online Advertising
- Res. #60** Authorizes the Supervisor to Execute an Agreement (Thomas Parris)
- Res. #61** Authorizes the Supervisor to Execute a Settlement and Release Agreement with Troy & Banks Consultants, LLC, and the Accounting Department to Pay Fees in the Amount of \$17,500.00 to Troy & Banks Consultants, LLC
- Res. #62** Awards Bid for Annual Audit Services for Town of Riverhead
- Res. #63** Awards Bid for Audit Services for Town of Riverhead Justice Court
- Res. #64** Awards Bid for Audit Services for Town of Riverhead Peconic Bay Community Preservation Fund
- Res. #65** Authorizes the Release of Site Plan Security of Calverton Links LTD
- Res. #66** Authorizes the Release of Site Plan Security of Lincoln Street Development Co., Inc.
- Res. #67** Authorizes the Release of Site Plan Security of East End Wireless, Inc. (Cherry Creek Golf Course)
- Res. #68** Authorizes the Release of Site Plan Security of Fox Hill Country Club Caterers Inc.
- Res. #69** Authorizes the Release of Site Plan Security of Nicolia's LLC
- Res. #70** Authorizes the Release of Security of Traditional Links LLC (Golf Training Building)
- Res. #71** Authorizes the Release of Site Plan Security of Verizon Wireless (Cherry Creek Golf Course – Munley, Meade, Nielsen and Re')
- Res. #72** Adopts a Local Law Amending Chapter 108 Entitled "Zoning" of the Riverhead Town Code
- Res. #73** Authorizes Execution of Main Street Program Grant

- Res. #74** Authorizing the Transfer of County Owned Property to the Town of Riverhead
- Res. #75** Authorizes the Settlement of Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 5506 Sound Avenue, Jamesport, New York
- Res. #76** Ratifies the Reappointment of Member to the Riverhead Open Space/Park Preserve Committee (Charles Cetas)
- Res. #77** Ratifies the Reappointment of Member to the Riverhead Open Space/Park Preserve Committee (Nancy Gilbert)
- Res. #78** Authorizes the Release of Site Plan Security of Baiting Hollow Club
- Res. #79** Authorizes Town Clerk to Publish and Post a Public Notice to Amend Section 58 Entitled "Dogs" of the Riverhead Town Code
- Res. #80** Authorizes the Supervisor to Execute Professional Services Agreement with East End Accounting Services Corp.
- Res. #81** Pays Bills
- Res. #82** Accepts Resignation of Chairwoman of the Board of Assessment Review (Marjorie Acevedo)

01.15.13
130041

ADOPTED

TOWN OF RIVERHEAD

Resolution # 41

CAPITAL PROJECT CLOSURES
BUDGET ADJUSTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Capital Project# 44026 – 2012 USDOJ Police Grant for Computer Equipment has been determined to be complete, and

WHEREAS, Capital Project# 44004 – 2009 Grangebel Park Comfort Station has been determined to be complete, and

WHEREAS, both capital projects were partially funded by the General Fund and have residual amounts remaining that should be returned to the General Fund.

NOW THEREFORE BE ITRESOLVED, that the Town Board hereby authorizes the Accounting Department to close the necessary projects, modify the budget and complete the following transfers of funds:

		<u>FROM</u>	<u>TO</u>
406.099010.595001.44026	Transfer to General Fund	132.00	
406.099010.595001.44004	Transfer to General Fund	7,500.00	
001.095031.481406.00000	General Fund Transfer from Capital		7,632.00

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

THE VOTE

Giglio <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

01.15.13
130042

ADOPTED

TOWN OF RIVERHEAD

Resolution # 42

CALVERTON SEWER DISTRICT

BUDGET ADJUSTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS a transfer of funds is necessary to cover property taxes for the Calverton Sewer District.

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>
124.000000.499999	Fund Balance – Calverton Sewer	25,087.58	
124.081300.547100	Property Taxes		25,087.58

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

01.15.13
130043

ADOPTED

TOWN OF RIVERHEAD

Resolution # 43

CDA CALVERTON

BUDGET ADJUSTMENT

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS funds were received from Insurance Auto Auctions for rental of the runway for cars damaged from Superstorm Sandy; and

WHEREAS a budget adjustment is required for Calverton Community Development Agency to pay for consulting services provided.

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>
914.012410.44210	Lease of Runway	72,800	
914.069800.543900	Miscellaneous Consultants		72,800

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting Department and Community Development Agency;

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

01.15.13
130044

ADOPTED

TOWN OF RIVERHEAD

Resolution # 44

GENERAL FUND
MARINA AND DOCKS

BUDGET ADJUSTMENT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, due to Super Storm Sandy the Engineering Department is requesting a transfer of funds for the installation of marine pedestals along the riverfront as they were completely submerged and are in need of replacing; and

WHEREAS, the costs associated with this cleanup will be submitted to FEMA for reimbursement;

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

		<u>FROM</u>	<u>TO</u>
001.000000.499999	Fund Balance	17,200	
001.072300.540000	Contractual Expenses – Marinas & Docks		17,200

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

01.15.13
130045

ADOPTED

TOWN OF RIVERHEAD

Resolution # 45

GENERAL FUND
PART TIME POLICE

BUDGET ADJUSTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Chief of Police has determined the need for an increase of police presence in the downtown Riverhead.

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

		<u>FROM</u>	<u>TO</u>
001.000000.499999	Appropriated Fund Balance	104,000	
001.031200.518605	Police – Part Time		104,000

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

01.15.13
130046

ADOPTED

TOWN OF RIVERHEAD

Resolution # 46

GENERAL FUND
POLICE

BUDGET ADJUSTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the General Fund requires a budget adjustment for 2013 as per Resolution #926 adopted 12/4/2012 approving the contract covering 2012-2015 with the Riverhead Police Benevolent Association, Inc.

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

		<u>FROM</u>	<u>TO</u>
001.000000.499999	Appropriated Fund Balance	418,506	
001.031200.511100	Police Personnel		295,149
001.031200.513100	Longevity – Police Uniform		11,213
001.090350.582100	Social Security – Police Uniform		23,437
001.090550.585500	MTA Tax – Police Uniform		1,793
001.090150.581100	NYS Police Retirement		86,914

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

01.15.13
130047

ADOPTED

TOWN OF RIVERHEAD

Resolution # 47

**RIVERHEAD DOWNTOWN REVITALIZATION
IMPROVEMENT PROJECT**

BUDGET ADJUSTMENT

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, a fully executed contract has been received from the New York State Local Housing Trust Fund Corporation to provide fund support for Main Street revitalization projects; and

WHEREAS, as part of the administrative expenses, the purchase of certain items are required to be purchased out of an Equipment Account for inventory classification purposes and tracking.

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

	<u>FROM</u>	<u>TO</u>
177.085100.5490000.44019 Administrative Expense	1,300	
177.085100.524000.44019 Equipment		1,300

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

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

THE VOTE

Giglio 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 # 48

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AMENDMENT TO A GRANT AGREEMENT WITH NYS OFFICE OF PARKS, RECREATION, AND HISTORIC PRESERVATION FOR FUNDS TO SUPPORT THE CALVERTON PARK RECREATIONAL TRAIL

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Grant funding is available from the New York State Office of Parks, Recreation and Historic Preservation (“Parks”) to provide funds to the Town of Riverhead for the Calverton Park Recreational Trail; and

WHEREAS, Parks has awarded the Town of Riverhead a grant in the amount of \$100,000 for the Calverton Park Recreational Trail; and

NOW, THEREFORE, BE IT RESOLVED, the Town of Riverhead Board authorizes the Supervisor to sign an Amendment to the contract with New York State amending the Contract to \$199,200 for project close out and reimbursement purposes; and

BE IT FURTHER RESOLVED, that the Town Clerk shall send a copy of this resolution to Community Development, Town Engineer, Town Accounting Department and Office of the Town Attorney; and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

APPENDIX X - MODIFICATION AGREEMENT FORM

Period From: August 21, 2007 to December 31, 2011

Agency Code: 49070
Project #: RTP-07-L1-01
Contract #: C050108

Funding Amount for Period: \$100,000.00

This is an AGREEMENT between THE STATE OF NEW YORK, acting by and through the Office of Parks, Recreation and Historic Preservation, having its principal office in Albany, New York 12238 (hereinafter referred to as the STATE), and the Town of Riverhead, having its principal office at 200 Howell Avenue, Riverhead, New York 11901 (hereinafter referred to as the CONTRACTOR), for modification of Contract Number C050108, as amended in this Appendix and the attached Appendices B and C.

All other provisions of said AGREEMENT shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT as of the dates appearing under their signatures.

CONTRACTOR:

STATE AGENCY:

Town of Riverhead

New York State Office of Parks, Recreation, and
Historic Preservation

Sean Walter
Supervisor

By: _____

Date: _____

Date

State Agency Certification:

"In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract."

STATE OF NEW YORK)
) SS.:
COUNTY OF)

On the day of in the year , before me, the undersigned, personally appeared , personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their/ capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public, State of New York

ATTORNEY GENERAL:

Approved:

Thomas P. DiNapoli
State Comptroller

By _____

Date _____

01.15.13
130049

ADOPTED

TOWN OF RIVERHEAD

Resolution # 49

RATIFIES THE REAPPOINTMENT OF A TEMPORARY STUDENT INTERN II

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

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

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

NOW THEREFORE BE IT RESOLVED, that effective for the period of December 17, 2012 through January 4, 2013 this Town Board hereby ratifies the reappointment of Thomas Houghton to the position of temporary Student Intern I at the hourly rate of \$10.50.

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

01.15.13
130050

ADOPTED

TOWN OF RIVERHEAD

Resolution # 50

REAPPOINTS A TEMPORARY CLERK TO THE TAX RECEIVER'S OFFICE

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, This Town Board recognizes that the need to provide additional clerical personnel to the Office of the Receiver of Taxes to assist in the processing of tax money.

NOW, THEREFORE, BE IT RESOLVED, that Melissa Messina be and is hereby reappointed as temporary part-time clerk effective January 15, 2013 through January 25, 2013 at the hourly rate of \$10.25.

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

01.15.13
130051

ADOPTED

TOWN OF RIVERHEAD

Resolution # 51

APPOINTS A CALL-IN RECREATION AIDE I TO THE RECREATION DEPARTMENT

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, a Recreation Aide is needed by the Riverhead Town Recreation Department for work in recreation programs,

NOW THEREFORE BE IT RESOLVED, that effective January 16, 2013 this Town Board hereby appoints Dezarae Brown to the position of Call-in Recreation Aide I, Level 1, to be paid the rate of \$7.50 per hour and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

01.15.13
130052

ADOPTED

TOWN OF RIVERHEAD

Resolution # 52

APPOINTS A CALL-IN RECREATION AIDE I TO THE RECREATION DEPARTMENT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, a Recreation Aide is needed by the Riverhead Town Recreation Department for work in recreation programs,

NOW THEREFORE BE IT RESOLVED, that effective January 16, 2013 this Town Board hereby appoints Jessica Cheatom to the position of Call-in Recreation Aide I, Level 1, to be paid the rate of \$7.50 per hour and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

01.15.13
130053

ADOPTED

TOWN OF RIVERHEAD

Resolution # 53

SETS SALARIES FOR 2013 PART-TIME/CALL-IN PERSONNEL FOR THE RIVERHEAD RECREATION DEPARTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town of Riverhead Recreation Department needs to set salaries for the 2013 Part-time/Call-in Recreation personnel,

NOW THEREFORE BE IT RESOLVED, that effective January 15, 2013, this Town Board sets salaries for the 2013 part-time/call-in personnel for the Recreation Department

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

THE VOTE

Giglio Yes No

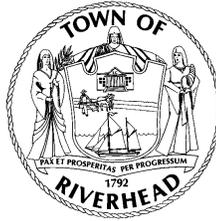
Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted



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

**2013 Salaries
Part- Time/Call- In Recreation Positions**

	Rec Aide I	Rec AideII	Asst. Rec Leader	Rec Leader I	Rec Leader II
Level 1	\$ 7.50	\$9.0834	\$ 9.50	\$10.50	\$12.00
Level2	\$ 8.25	\$10.00	\$10.45	\$11.55	\$13.20
Level3	\$ 8.50	\$10.30	\$10.75	\$11.90	\$13.60
Level4	\$ 8.75	\$10.60	\$11.10	\$12.25	\$14.00
Level 5	\$ 9.00	\$10.95	\$11.45	\$12.65	\$14.45
Level 6	\$ 9.30	\$11.25	\$11.75	\$13.00	\$14.85
Level 7	\$ 9.55	\$11.60	\$12.10	\$13.40	\$15.30

	PT Gate Attendant	Park Attendant I	Park Attendant II	Park Attendant III	Guard	Chaperone	Rec Bus Driver
Level 1	\$9.75	\$7.50	\$9.75	\$10.25	\$10.60	\$8.50	\$11.45
Level 2	\$10.75	\$8.25	\$10.75	\$11.30	\$11.65	\$9.35	\$12.60
Level 3	\$11.10	\$8.50	\$11.10	\$11.60	\$12.00	\$9.65	\$13.00
Level 4	\$11.40	\$8.75	\$11.50	\$12.00	\$12.35	\$9.95	\$13.40
Level 5	\$11.75	\$9.00	\$11.75	\$12.30	\$12.75	\$10.25	\$13.75
Level 6	\$12.10	\$9.30	\$12.10	\$12.70	\$13.10	\$10.55	\$14.15
Level 7	\$12.45	\$9.55	\$12.45	\$13.10	\$13.50	\$10.85	\$14.60

Recreation Specialist: Starting Salary \$20.00 with a 10% Raise after Level One and a 3% Raise thereafter. **

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

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

01.15.13
130054

ADOPTED

TOWN OF RIVERHEAD

Resolution # 54

SETS SALARIES OF VARIOUS RECREATION EMPLOYEES FOR THE YEAR 2013

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

RESOLVED, that the salaries of the following recreation employees of the Town of Riverhead for the year 2013 be and are hereby set as follows:

Name	Title	2013 Level	2013 Rate
Guards			
Beatrice Caccioppo	Call-In Guard	3	\$ 12.00
Kenneth Drumm	Call-In Guard	5	\$ 12.75
Jonathan LaGue	Call-In Guard	1	\$ 10.60
Patrick O'Neill	Call-In Guard	3	\$ 12.00
Jessica Rachubka	Call-In Guard	3	\$ 12.00
Meyer Segal	Call-In Guard	14	\$ 16.63
Ronny A. Strange, Jr.	Call-In Guard	1	\$ 10.60
Park Attendants			
Helga Guthy	P/T Gate Attendant	8	\$ 12.82
Kenneth Drumm	Call-In Park Attendant III	9	\$ 13.89
Andrew Blackmore	Call-In Park Attendant II	3	\$ 11.10
Robert Chituk	Call-In Park Attendant II	1	\$ 9.75
Kenneth Drumm	Call-In Park Attendant II	10	\$ 13.57
Carol Janecek	Call-In Park Attendant II	2	\$ 10.75
Patrick O'Neill	Call-In Park Attendant II	1	\$ 9.75
Jessica Rachubka	Call-In Park Attendant II	2	\$ 10.75
Jason Sims	Call-In Park Attendant II	3	\$ 11.10
Christine Spero	Call-In Park Attendant II	1	\$ 9.75
George Spero	Call-In Park Attendant II	3	\$ 11.10
Devin Thieme	Call-In Park Attendant II	1	\$ 9.75
Skate Park/Youth Sports/Special Events/Special Needs			
Andrew Aleksandrowicz	Call-In Rec Leader I	2	\$ 11.55
Eugene Barrow	Call-In Rec Leader II	3	\$ 13.60
Richard D'Alsace	Call-In Rec Leader II	2	\$ 13.20
Michelle Fusilli	Call-In Rec Leader II	1	\$ 12.00
Catherine Hale	Call-In Rec Leader II	2	\$ 13.20
John Nowack	Call-In Rec Leader II	16	\$ 19.96
Amy Bullock	Call-In Asst Rec Leader	10	\$ 13.21

Lisa Douglas	Call-In Asst Rec Leader	3	\$ 10.75
Kenneth Drumm	Call-In Asst Rec Leader	7	\$ 12.10
Patricia Granneman	Call-In Asst Rec Leader	3	\$ 10.75
Keith Greene	Call-In Asst Rec Leader	8	\$ 12.43
Justin Grohoski	Call-In Asst Rec Leader	6	\$ 11.75
Johnathan LaGue	Call-In Asst Rec Leader	2	\$ 10.45
Patrick O'Neill	Call-In Asst Rec Leader	2	\$ 10.45
Jessica Rachubka	Call-In Asst Rec Leader	3	\$ 10.75
Devin Thieme	Call-In Asst Rec Leader	2	\$ 10.45
Jalyn Brown	Call-In Rec Aide I	2	\$ 8.25
Beatrice Caccioppo	Call-In Rec Aide II	4	\$ 10.60
Carolyn Carrera	Call-In Rec Aide I	3	\$ 8.50
Robert Chituk	Call-In Rec Aide I	3	\$ 8.50
Amanda Commins	Call-In Rec Aide I	5	\$ 9.00
Patrick Cuccia	Call-In Rec Aide I	2	\$ 8.25
Lexianne Davis	Call-In Rec Aide I	2	\$ 8.25
Colleen Dougherty	Call-In Rec Aide I	2	\$ 8.25
Samantha Dunn	Call-In Rec Aide I	2	\$ 8.25
Christian Estrada	Call-In Rec Aide I	5	\$ 9.00
Caleb Fox	Call-In Rec Aide I	2	\$ 8.25
Kevan Fox	Call-In Rec Aide I	2	\$ 8.25
Sarah Freeborn	Call-In Rec Aide I	2	\$ 8.25
Amanda Graziano	Call-In Rec Aide I	3	\$ 8.50
Carley Hayon	Call-In Rec Aide I	2	\$ 8.25
Stephanie Heins	Call-In Rec Aide II	3	\$ 10.30
Paige Hubbard	Call-In Rec Aide I	2	\$ 8.25
Walter Jacob	Call-In Rec Aide I	2	\$ 8.25
Carol Janecek	Call-In Rec Aide I	4	\$ 8.75
Dylan Kelly	Call-In Rec Aide I	2	\$ 8.25
Michael Kelly	Call-In Rec Aide I	2	\$ 8.25
Yevgeniya Komzyuk	Call-In Rec Aide I	1	\$ 7.50
Devrion Kucuk	Call-In Rec Aide I	2	\$ 8.25
Johnathan LaGue	Call-In Rec Aide I	6	\$ 9.30
Steven Lomonaco	Call-In Rec Aide II	1	\$ 9.08
Aleki Lui	Call-In Rec Aide II	1	\$ 9.08
Michelle Magliulo	Call-In Rec Aide I	6	\$ 9.30
Ellie Markewitz	Call-In Rec Aide I	3	\$ 8.50
Alexandra McKillop	Call-In Rec Aide I	2	\$ 8.25
Kathryn McKillop	Call-In Rec Aide I	2	\$ 8.25
Alexa Nieves	Call-In Rec Aide II	3	\$ 10.30
Davion Porter	Call-In Rec Aide I	3	\$ 8.50
Macey Reichel	Call-In Rec Aide I	3	\$ 8.50
Tonilyn Ruisi	Call-In Rec Aide I	3	\$ 8.50
Jason Sendlewski	Call-In Rec Aide II	3	\$ 10.30
Jason Sims	Call-In Rec Aide I	3	\$ 8.50
Amanda Smith	Call-In Rec Aide I	2	\$ 8.25
Sierra Smith	Call-In Rec Aide I	2	\$ 8.25
Ronny A. Strange, Jr.	Call-In Rec Aide I	1	\$ 7.50

Scott Tocci, Jr.	Call-In Rec Aide I	1	\$ 7.50
Leanne Weber	Call-In Rec Aide I	2	\$ 8.25
Megan Weiss	Call-In Rec Aide I	2	\$ 8.25
Jocelyn Zaneski	Call-In Rec Aide I	3	\$ 8.50
Katelyn Zaneski	Call-In Rec Aide I	1	\$ 7.50
Jaclyn Zilnicki	Call-In Rec Aide I	5	\$ 9.00
Adult Sports/ Bus Drivers/Recreation Specialists			
Beatrice Caccioppo	Call-In Rec Bus Driver	4	\$ 13.40
Douglas Dewling	Call-In Rec Bus Driver	3	\$ 13.00
Noel Ehlers	Call-In Rec Bus Driver	4	\$ 13.40
Robert A. Fox	Call-In Rec Bus Driver	9	\$ 15.50
Mary Hopkins	Call-In Rec Bus Driver	3	\$ 13.00
Stephan Jeski	Call-In Rec Bus Driver	3	\$ 13.00
Michael Zorovich	Call-In Rec Bus Driver	5	\$ 13.75
Amy Bullock	Call-In Rec Specialist (Youth Sports)		\$ 23.34
Justin Cobis	Call-In Rec Specialist (Youth Sports)		\$ 22.00
Joseph Cuccia	Call-In Rec Specialist (Youth Sports)		\$ 20.00
Dennis Doherty	Call-In Rec Specialist (Youth Sports)		\$ 25.50
Maria Dounelis	Call-In Rec Specialist (Youth Sports)		\$ 22.00
Gerard Duvall	Call-In Rec Specialist (Tennis)		\$ 20.00
Kelly Fox	Call-In Rec Specialist (Softball)		\$ 22.66
Robert A. Fox	Call-In Rec Specialist (Softball/Baseball)		\$ 24.04
Jeanette Friscia	Call-In Rec Specialist (Dog Obedience)		\$ 45.22
Joy Graf	Call-In Rec Specialist (Cooking)		\$ 25.50
Victor Guadagnino	Call-In Rec Specialist (Youth Sports)		\$ 22.66
Cynthia Hynds	Call-In Rec Supervisor		\$ 22.52
Lisa Lindsay	Call-In Rec Specialist (Arts & Crafts)		\$ 22.00
Robert Lum	Call-In Rec Specialist (Youth Sports)		\$ 22.66
Rosemary Martilotta	Call-In Rec Specialist (Yoga)		\$ 52.17
Christopher Nentwich	Call-In Rec Specialist (Youth Sports)		\$ 22.00
Alexa Nieves	Call-In Rec Specialist (Exercise)		\$ 22.00
John Nicolellis	Call-In Rec Specialist (Canoe/Kayak)		\$ 23.34
Cherie Paveglio	Call-In Rec Specialist (Fitness)		\$ 33.28
Christine Pizzi	Call-In Rec Specialist (Arts & Crafts)		\$ 31.36
Kristin Realander	Call-In Rec Specialist (Sailing)		\$ 22.00
Margaret Sautkulis	Call-In Rec Spec. (Lifeguard Training)		\$ 22.66
Christine Spero	Call-In (Registered Nurse)		\$ 23.34
David Spinella	Call-In Rec Specialist (Youth Sports)		\$ 25.50
Cheryl Walsh Edwards	Call-In Rec Specialist (Youth Sports)		\$ 25.50
Rebecca Winkel	Call-In Rec Specialist (Youth Sports)		\$ 22.66
Chaperones			
Beatrice Caccioppo	Call-In Chaperone	2	\$ 9.35
Cathleen Fox	Call-In Chaperone	3	\$ 9.65
Cynthia Hynds	Call-in Chaperone	3	\$ 9.65
Lisa Lindsay	Call-In Chaperone	1	\$ 8.50
Kathleen Pantaleo	Call-In Chaperone	1	\$ 8.50
Jessica Rachubka	Call-In Chaperone	2	\$ 9.35
Corrine Segal	Call-In Chaperone	5	\$ 10.25

Mary Walsh	Call-In Chaperone	2	\$ 9.35

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

01.15.13
130055

ADOPTED

TOWN OF RIVERHEAD

Resolution # 55

APPOINTS A CALL-IN RECREATION AIDE I TO THE RECREATION DEPARTMENT

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, a Recreation Aide is needed by the Riverhead Town Recreation Department for work in recreation programs,

NOW THEREFORE BE IT RESOLVED, that effective January 16, 2013 this Town Board hereby appoints Courtney Troyan to the position of Call-in Recreation Aide I, Level 1, to be paid the rate of \$7.50 per hour and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

01.15.13
130056

ADOPTED

TOWN OF RIVERHEAD

Resolution # 56

APPOINTS PART-TIME RECREATION AIDES/VOLLEYBALL ATTENDANTS AND OFFICIALS TO THE RECREATION DEPARTMENT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Part-Time Recreation Aides/Volleyball Attendants and Officials are needed by the Riverhead Town Recreation Department for the Adult Volleyball Program.

NOW THEREFORE BE IT RESOLVED, that effective January 28, 2013, this Town Board hereby appoints the attached list of Volleyball Attendants and Officials to the Recreation Department.

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**RECREATION DEPARTMENT APPOINTMENTS
01/15/13 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Level</u>	<u>Start Date</u>	<u>End Date</u>	<u>Salary</u>
Barrow	Eugene	C/I Volleyball Attendant	III	1/28/13	12/31/13	\$10.20/hr
Bullock	Amy	C/I Volleyball Attendant	V	1/28/13	12/31/13	\$11.14/hr
Bullock	Amy	C/I Volleyball Official1	II	1/28/13	12/31/13	\$9.90/game
Case	Dennis	C/I Volleyball Official2	III	1/28/13	12/31/13	\$11.70/game
Commins	Amanda	C/I Volleyball Attendant	I	1/28/13	12/31/13	\$9.00/hr
O'Neill	Patrick	C/I Volleyball Attendant	II	1/28/13	12/31/13	\$9.90/hr
Scanlon	Gregory	P/T Volleyball Official2	X	1/28/13	12/31/13	\$14.40/game
Terry	Richard	P/T Volleyball Attendant	IX	1/28/13	12/31/13	\$12.17/hr

01.15.13
130057

ADOPTED

TOWN OF RIVERHEAD

Resolution # 57

SETS THE FEES FOR USAGE OF RECREATION AND OTHER TOWN FACILITIES

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

RESOLVED, that the Town Board does authorize the Recreation Department to set the following fees for the 2013 calendar year.

FACILITY RENTAL FEES

(All applications require \$25 non-refundable application fee)

PARK / BEACH RESERVATIONS

- | | |
|--|---------------------|
| • Group Picnic/Beach Party** | \$20.00 per hour*** |
| • Gazebo/Pavilion Rental (residents)** | \$50 per hour*** |
| • Gazebo/Pavilion Rental (non-residents)** | \$100 per hour*** |
| • Lights & Attendant | \$50.00 per hour |

Permits cannot be issued during beach operation. *Groups 50+ are required to submit a \$50 cleaning fee

BALL FIELDS/MULTI-SPORT (Profit Making Organizations)

All Town owned/operated ball fields *(except Veterans Memorial Park in Calverton)*

- | | |
|---|------------------------|
| • Tournament Reservations/Daily Field Rental | \$15.00 per hour/field |
| • Lights & Attendant <i>(required for all rentals after 8pm)</i> | \$50.00 per hour |
| • Seasonal Field Rental <i>(maximum 6 hour time block per day)</i>
season *** | \$1,000 per field per |
| • Seasonal Field Rental w/lights <i>(maximum 6 hour time block per day)</i>
season *** | \$2,000 per field per |

Veterans Memorial Park in Calverton

- | | |
|--|--|
| • Tournament Reservations/Daily Field Rental | \$25.00 per hour/field |
| • Seasonal Field Rental <i>(maximum 6 hour time block per day)</i>
season *** | \$1,500 per field per |
| • Holiday Weekend Event Surcharge | \$100 per day/per complex |
| • Non-Resident Usage Surcharge | \$50 daily rental
\$250 seasonal rental |

BALL FIELDS/MULTI-SPORT (Non-Profit Organizations w/valid proof of Non-Profit Status)

All Town owned/operated ball fields *(except Veterans Memorial Park in Calverton)*

- | | |
|--|----------------------------|
| • Tournament Reservations/Daily Field Rental | \$6.00 per hour/field |
| • Lights & Attendant <i>(required for all rentals after 8pm)</i> | \$50.00 per hour |
| • Seasonal Field Rental <i>(maximum 6 hour time block per day)</i>
*** | \$400 per field per season |
| • Seasonal Field Rental w/lights <i>(maximum 6 hour time block per day)</i>
*** | \$800 per field per season |

Rev. 1/7/2013 - **Application must be submitted 45 days in advance of dates requested**

Veterans Memorial Park in Calverton

- Tournament Reservations/Daily Field Rental \$10.00 per hour/field
- Seasonal Field Rental (*maximum 6 hour time block per day*) \$600 per field per season

- Holiday Weekend Event Surcharge \$40 per day/per complex
- Non-Resident Usage Surcharge \$50 daily rental /\$250 seasonal rental

*** (Max 15 dates)

TOWN BUILDINGS

Resident Usage

- Weekday Meetings during Business Hours (*groups recognized by the Town Board*) Free
- Weekday Meetings during Business Hours (*excluding groups recognized by the Town Board*) \$10 per hour
\$50 quarterly surcharge

- After hours Events* \$50.00 per hour
\$100.00 Cleaning
Deposit***

Non-Resident Usage

- Fees \$100.00 per hour
\$100.00 Cleaning
Deposit***

** After hours consist from 5pm through 11pm Monday through Friday and from 8am to 11pm Saturday and Sunday***

****Deposit will be refunded if the building guidelines are followed and there is no damage to the building.*

EAST CREEK DOCK

- Resident/ Taxpayer \$67.00 per foot
- Electricity \$275.00 per line
- Processing Fee \$200.00

RIVERFRONT DOCKING

- Daily (Overnight) \$25.00 fee
- Weekly \$150.00 fee

HOCKEY RINK

- Rink use \$5.00 Application fee
- Rental \$15.00/per hour
(Minimum 2 hours)

**During non-business hours. Subject to availability and coverage

Rev. 1/7/2013 - **Application must be submitted 45 days in advance of dates requested**

VEHICLE USAGE

Bus rental fee \$30.00 per hour
(Riverhead sponsored groups only)

BEACH STICKERS

- 4X4 Permits \$45.00
- Boat Ramps Permit \$15.00
- Daily Permit \$35.00
- Non-Resident Permit \$200.00
- Resident Permit \$15.00
- Senior Resident \$5.00
- Resident Bus Fee \$85.00

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

01.15.13
130058

ADOPTED

TOWN OF RIVERHEAD

Resolution # 58

**AUTHORIZES THE SUPERVISOR TO
EXECUTE A PROFESSIONAL SERVICES AGREEMENT
WITH CONVERGED TECHNOLOGY GROUP, INC. (CTG)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, Converged Technology Group, Inc. (CTG) has proposed to provide professional services to provide for the installation and implementation of Storage/VMWare Redundancy as outlined in the Professional Services Agreement attached for the period beginning on January 1, 2013 and ending on December 31, 2013 for the sum of \$25,119.00; and

WHEREAS, CTG is an approved New York State Vendor for said professional services.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a Professional Services Agreement with CTG for a total sum not to exceed \$25,119.00, which Agreement shall be in substantially the same form annexed hereto; and be it further

RESOLVED, that Town Clerk the Town Clerk be and is hereby directed to forward a certified copy of this resolution to CTG, 1377 Motor Parkway, Suite 402, Islandia, New York 11749; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted



1377 Motor Parkway
Suite 402
Islandia, New York 11749
P. 631-468-5700
F. 631-468-5750

Prepared By: Scott Marro

Price Quote

Date 11/28/2012
Estimate # CTGQ1841
Expires 12/28/2012
Ship Via FedEx Ground
Terms Net 30 Days
Memo QUOTE #5
PROFESSIONAL
SERVICES

Sold To:
Town of Riverhead Lori Pipczynski 1295 Pulaski Street Riverhead, New York 11901-2669 US

Ship To:
Town of Riverhead Lori Pipczynski 1295 Pulaski Street Riverhead, New York 11901-2669 US

QUOTE #5 PROFESSIONAL SERVICES

Item	Description	Qty	Price	Ext Price
------	-------------	-----	-------	-----------



1377 Motor Parkway
 Suite 402
 Islandia, New York 11749
 P. 631-468-5700
 F. 631-468-5750

Price Quote

Date 11/28/2012
Estimate # CTGQ1841
Expires 12/28/2012
Ship Via FedEx Ground
Terms Net 30 Days
Memo QUOTE #5
 PROFESSIONAL
 SERVICES

Item	Description	Qty	Price	Ext Price
Project	Fixed cost professional services Town of Riverhead - Phase 2: * CTG Will provide project coordination throughout the entire duration of the project * Detailed Design and Planning <ul style="list-style-type: none"> o Test Plan Creation o VMWare View Design o Switch Design * Staging <ul style="list-style-type: none"> o CFG Existing Network Core o Stage Cisco UCS Server o Setup and Configure VMWare ESXi o Setup and Configure Stacking Module o Setup and Configure VMWare Distributed Switch o Setup and Configure DRS o Add additional NIC to Existing Server 	1	\$25,119.00	\$25,119.00
			SubTotal	\$25,119.00



1377 Motor Parkway
 Suite 402
 Islandia, New York 11749
 P. 631-468-5700
 F. 631-468-5750

Price Quote

Date 11/28/2012
Estimate # CTGQ1841
Expires 12/28/2012
Ship Via FedEx Ground
Terms Net 30 Days
Memo QUOTE #5
 PROFESSIONAL
 SERVICES

Item	Description	Qty	Price	Ext Price
Prepared For:		Ship To:		Bill To:
Town of Riverhead Lori Pipczynski 1295 Pulaski Street Riverhead, New York 11901-2669 US Phone: (631) 727-3200 Ext: 280 Fax: (631) 727-4230		Town of Riverhead Lori Pipczynski 1295 Pulaski Street Riverhead, New York 11901-2669 US Phone: (631) 727-3200 Ext: 280 Fax: (631) 727-4230		Town of Riverhead Lori Pipczynski 1295 Pulaski Street Riverhead, New York 11901-2669 US Phone: (631) 727-3200 Ext: 280 Fax: (631) 727-4230

Approved By: _____

Signature: _____

Date: _____

PO#: _____

Subtotal: \$25,119.00

Grand Total: \$25,119.00

Terms and Conditions
 Converged Technology Group, Inc. Order Terms and Conditions

Customer must provide the following upon order: Customer name, Billing Address & Shipping Address, Purchase Order Number and Price, Part Number & Quantity of items ordered. Prices: All prices are stated in US Dollars (US\$) and are subject to change. Freight will be pre-paid and added to invoice. New Customers: Must complete a credit application, and be approved in order to receive payment terms. Payment Terms: 30% deposit of equipment order due upon receipt of order may apply. Balance will be billed Net 30 days on all accounts in good standing with available credit. Professional and Managed Services billed according to payment schedule in scope of work. There will be a \$30.00 transaction fee charged for returned checks. Cancellations: Custom orders may be non-cancelable. Non-stock items may be subject to a restocking fee. Freight Terms: Except when noted, all prices are F.O.B. shipping point. Customers will be invoiced for actual shipping charges. All orders will ship UPS ground (or equivalent), unless another shipping method is explicitly requested on Customer PO. Return Policy: A Returned Merchandise Authorization (RMA) number is required for all returned merchandise. Call your Account Manager to receive RMA number. Returns will only be authorized within 30 days of purchase date. RMA number must be referenced on all labels and correspondence regarding the returned merchandise. All returns must be shipped freight prepaid and returned within 30 days of authorization. To ensure your ability to track your return, we recommend that you use FedEx Ground or UPS. We cannot be held responsible for merchandise lost or damaged in shipment. Converged Technology Group, Inc. cannot refund shipping and handling charges or return postage. Credit or refund will be issued only for items returned in new, unopened, saleable condition. Non-stock and custom orders may be non-cancelable and/or non-returnable or may be subject to a restocking fee.

CONSULTANT/PROFESSIONAL SERVICES AGREEMENT

This Agreement made the _____ of January, 2013 between the TOWN OF RIVERHEAD, a municipal corporation organized and existing under the laws of New York, with its office located at 200 Howell Avenue, Riverhead, New York 11901 (hereinafter referred to as the "Town") and Converged Technology Group, Inc., with its principal place of business at 1377 Motor Parkway, Suite 402, Islandia, NY 11749 (hereinafter referred to as the CONSULTANT"). (hereinafter referred to as "Consultant").

In consideration of the mutual promises herein contained, Town of Riverhead and Consultant agree as follows:

1. SCOPE OF SERVICES

See Attachment A

2. TERM OF AGREEMENT

The Agreement shall commence on January 1st, 2013 and terminate on December 31st, 2013

3. PAYMENT

In consideration for these services rendered by the Consultant under this agreement, the Town agrees to pay the Consultant fixed cost consulting services for implementation and knowledge base transfer of Phase II \$25,119.00 in professional services. The Town shall not have any liability for any other expenses or costs incurred by Consultant. Consultant shall not incur any expenses on Town's behalf. Invoices for services and reimbursable expenses shall contain the following statement signed by Consultant, or if this Agreement is with a firm, an officer or authorized representative of the firm: "I hereby certify, to the best of my knowledge and belief, that this invoice is correct, and that all items invoiced are based upon actual costs incurred or services rendered consistent with the terms of the professional services agreement." Each invoice for reimbursable expenses shall be supported by: (a) an itemized description of expenses claimed; (b) pertinent information relative to the expenses; and (c) attached receipts. Invoices shall reference this Agreement or otherwise be identified in such a manner as Town may reasonably require.

4. RIGHTS TO DOCUMENTS OR DATA

All information and data, regardless of form, generated in the performance of, or delivered under this Agreement, as well as any information provided to Consultant by Town, shall be and remain the sole property of Town. Consultant shall keep all such information and data in confidence and not disclose or use it for any purpose other than in performing this Agreement, except with Town's prior written approval. In the event that the legal right in any data and information generated in the performance of this Agreement does not vest in Town by law, Consultant hereby agrees and assigns to Town such legal rights in all such data and information. Final payment shall not be due hereunder until after receipt by Town of such complete document and data file, or a certification that there is no such information created by the services performed under this Agreement, and receipt of all information and data which is the property of Town. These obligations shall survive the termination of this Agreement.

5. PUBLICITY

Consultant shall not, without the prior written consent of Town, in any manner advertise or publish the fact that Town has entered into this Agreement with Consultant. Consultant shall not, without the prior written consent of the Town, provide, release or make available for inspection any documents, data, written material of any kind without the prior written consent of at least three members of the Town board or by resolution of the Town Board.

6. ASSIGNMENT AND SUBCONTRACTING

Performance of any part of this Agreement may not be subcontracted nor assigned without, in each case, the prior written consent of at least three members of the Town Board or by resolution of the Town Board.

7. TERMINATION

This Agreement may be terminated at any time by either party upon 30 days written notice to the other party. In the event of such termination, Town shall have no further obligation to Consultant except to make any payments which may have become due under this Agreement.

8. RECORDS

Consultant shall keep accurate records of the time spent in the performance of services hereunder. The Town shall, until the expiration of seven years after final payment under this Agreement, have access to and the right to examine any directly pertinent books, documents, papers and records of Consultant involving transactions related to this Agreement.

9. CHANGES

The Town, by resolution of the Town Board or written request by at least three members of the Town Board, within the general scope of this Agreement, may, at any time by written notice to Consultant, issue additional instructions, require additional services or direct the omission of services covered by this Agreement. In such event, there will be made an equitable adjustment in price and time of performance, but any claim for such an adjustment must be made within 15 days of the receipt of such written notice. In the event that the Consultant determines that a change order is required, Consultant shall obtain written approval of the Town, by resolution or written consent of at least three members of the Town Board, and if the change shall require the payment of additional compensation, Consultant must obtain the written approval of three members of the Town Board or resolution of the Town Board for the additional compensation prior to commencement of work regarding the change order. It is agreed and understood that no oral agreement, conversation, or understanding between the Consultant and the Town, its departments, officers, agents and employees shall effect or modify any of the terms or obligations of this Agreement or schedules annexed hereto and made a part hereof.

10. NOTICES

Any notice shall be considered as having been given: (i) to Town of Riverhead if mailed by certified mail, postage prepaid to Town of Riverhead, Attention: _____, 200 Howell Avenue, Riverhead, New York 11901; or (ii) to Consultant if mailed by certified mail, postage prepaid to _____ [name and address].

11. COMPLIANCE WITH LAWS

Consultant shall comply with all applicable federal, state and local laws and ordinances and regulations in the performance of its services under this Agreement. Consultant will notify Town immediately if Consultant's work for Town becomes the subject of a government audit or investigation. Consultant will promptly notify Town if Consultant is indicted, suspended or debarred. Consultant represents that Consultant has not been convicted of fraud or any other felony arising out of a contract with any local, state or federal agency. In carrying out the work required hereunder, Consultant agrees not to make any communication to or appearance before any person in the executive or legislative branches of the local, state or federal government for the purpose of influencing or attempting to influence any such persons in connection with the award, extension, continuation, renewal, amendment or modification of any contract or agreement. Consultant may perform professional or technical services that are rendered directly in the preparation, submission or negotiation activities preceding award of a Town agreement/contract or to meet requirements imposed by law as a condition for receiving the award but only to the extent specifically detailed in the statement of work. Professional and technical services are limited to advice and analysis directly applying Consultant's professional and technical discipline.

12. INSURANCE, INDEMNITY AND LIABILITY

Consultant shall carry Comprehensive General Liability Insurance and, if applicable, worker's compensation insurance. Consultant hereby indemnifies and holds the Town, its departments, officers,

agents and employees, harmless against any and all claims, actions or demands against Town, its departments, officers, agents and employees and against any and all damages, liabilities or expenses, including counsel fees, arising out of the acts or omissions of Consultant under this Agreement.

13. CONFLICT OF INTEREST

Consultant hereby represents and covenants that neither it nor any of its employees or representatives has or shall have, directly or indirectly, any agreement or arrangement with any official, employee or representative of the Town of Riverhead which any such official, employee, representative shall receive either directly or indirectly anything of value whether monetary or otherwise as the result of or in connection with any actual or contemplated application before any department of the Town, contract with the Town for sale of any product or service. Consultant further represents and covenants that neither it nor any of its employees or representatives has offered or shall offer any gratuity to the Town, its officers, employees, agents or representatives with a view toward obtaining this Agreement or securing favorable treatment with respect thereto. Consultant further represents that it will not engage in any activity which presents a conflict of interest in light of its relationship with Town.

14. DISCLOSURE

The Town shall have the right, in its discretion, to disclose the terms and conditions of this Agreement (as it may be amended from time to time), including but not limited to amounts paid pursuant hereto, to agencies of the local, state and federal government.

15. DISPUTES

If Consultant fails to perform any of its obligations hereunder in accordance with the terms hereof, then after reasonable notice to Consultant not to exceed thirty (30) days, and an opportunity for Consultant to cure such failure (except in case of emergency), the Town may (but shall not be obligated to) cure such failure at the expense of the Consultant, and the amount incurred by the Town on demand. Notwithstanding the above, any dispute arising under this Agreement which is not settled by Agreement of the parties may be settled by appropriate legal proceedings. Pending any decision, appeal or judgment in such proceedings or the settlement of any dispute arising under this Agreement, Consultant shall proceed diligently with the performance of this Agreement in accordance with the decision of Town.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

TOWN OF RIVERHEAD

Converged Technology Group, Inc.

By: Sean Walter

By:

ATTACHMENT A



Storage/VMWare Redundancy

Created for: Town of Riverhead



Prepared By:

George Mouzithras
Converged Technology Group
631.468.5714
gmouzithras@ctg-solutions.com
December 18, 2012

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December 18, 2012

Lori Pipczynski
Town of Riverhead
1295 Pulaski Street
Riverhead, New York 11901-2669

Subject: Statement of Work

Lori,

Converged Technology Group is pleased to offer this statement of work for your review. We are looking forward to the opportunity to work with Town of Riverhead on the Storage/VMWare Redundancy and future projects to come. CTG takes pride in its experience and expertise in this space and looks forward to a successful completion of this project.

Please indicate your acceptance of the included statement of work by faxing a signed copy to 631-468-5766.

Sincerely,

Steven Schietel
631.468.5716
sscheitel@ctg-solutions.com

Executive Overview

Over the course of the past couple of months Converged Technology Group (CTG) has been working with the IT staff of Town of Riverhead to build out the first Phase of the Virtual Desktop environment and remote access needs. Prior to starting the Virtual Desktop phase of the project, CTG had recommended that Town of Riverhead add a redundant VMWare server as part of a follow up to the project. In order to achieve this goal, VMWare requires TOR to also purchase shared storage to act as a repository for all of the Virtual desktops. In addition, CTG recommends that TOR migrate their Virtual Desktop Data to the SAN for improved performance.

This document provides Town of Riverhead with a high-level overview of the professional services included as part of the solution delivered to Town of Riverhead with a fixed firm price for the engagement.

Converged Technology Group Overview

Converged Technology Group is an advanced technology solutions provider who offers full life cycle data center solutions to our customers. The members of the CTG team have extensive experience in preparing, planning, designing, implementing, operating and optimizing comprehensive, end to end data center solutions for our clients. CTG's engineering holds some of the highest levels of IT industry certification and is looking forward to showcasing our value to Town of Riverhead.

Statement of Work

Project Goals

The following goals have been identified for this project:

- ▶ Successfully implement a redundant VMWare Server.
- ▶ Successfully implement a SAN solution
- ▶ Successfully install an additional Cisco switch for added port density

Project Scope

Based on these project goals, CTG recommends that a project team consisting of a Sr. Consultant and Project Coordinator from CTG work with Town of Riverhead's IT staff to successfully design, stage and install the solution components. CTG recommends that this project be implemented utilizing a phased approach which is summarized below.

Phase I – Project Kickoff

The Project Kickoff meeting marks the official starting point of a project engagement. During this meeting the CTG project team and Town of Riverhead's IT staff will meet to review the project implementation tasks in detail. Each team member's role will be clearly defined, in order to ensure an efficient implementation.

CTG's responsibility during this phase of the project will include:

- ▶ Introductions
- ▶ Project Scope Review
- ▶ Review of Key Project Milestones
- ▶ Roles and Responsibility Review
- ▶ Coordinate team communications
- ▶ Coordination of the Detailed Design and Planning Sessions

Phase II – Detailed Design and Planning

The main objectives of the Detailed Design and Planning sessions are to capture the exact configuration requirements of the system to ensure that it is implemented to meet Town of Riverhead's implementation specifications. These details will be captured in a Detailed Design Document which will become the exact blueprint for the implementation.

CTG's responsibility during this phase of the project will include:

- ▶ Detailed Design Creation
- ▶ Detailed Project Plan Creation in beginning of phase and modification as needed throughout the duration of the project
- ▶ Virtualization Architecture Design Creation
 - Data Center Architecture Review
 - Power Provisioning / Rack Logistics
 - LAN Modification
 - IP Addressing Scheme Recommendations
 - Naming Convention Recommendations
 - OS/Hypervisor Recommendations
 - IOS Recommendations
 - SNMP Recommendations
 - NTP Recommendations
 - L1 Recommendations
 - Physical Connectivity
 - Uplink Redundancy / Fault Tolerance
 - L2 Recommendations
 - STP/RSTP
 - L2 Trunks
 - BPDU Guard
 - BPDU Filter
 - L3 Recommendations
 - L3 Segmentation and Routing
 - Virtual Switch Configurations
 - Distributed Switches
 - Standard Switches
 - VMotion Switch
 - Storage Switch
 - Test Plan Creation
- ▶ Physical Switch Configuration
- ▶ SAN Design
 - Disk Recommendations
 - Raid
 - Volumes
 - Disk Type
 - Network Recommendations
 - Code Version
 - CIFS, NFS
- ▶ Datacenter Visio Diagram
- ▶ VMWare Data Migration Plan

Phase III – Staging

During this phase of the project a CTG Sr. Consultant will Stage, Install & Turn-up the Equipment based on the design and recommendations from Phase II of the project. The configuration of these devices will be performed in parallel to the current production configuration during normal business hours. The actual cut over to the new Virtual Desktop Environment will take place after Town of Riverhead has approved all desktop configurations.

CTG's responsibility during this phase of the project will include:

- ▶ Staging
 - Rack all Equipment at Customers Site
 - (1) Cisco UCS C220 ESX Data Center Servers based on the design created in phase II of this project.
 - Configure VMware ESXi
 - Standard Switches
 - Storage Switch
 - VMotion Switch
 - Configure DRS
 - HA and VMotion
 - Configure (1) VMware VCenter Server
 - Add new server to VCenter Management
 - Create Cluster
 - Add servers to Cluster
 - Configuration of the SAN Storage
 - Storage Pools
 - Volumes
 - CIFS Shares
 - Failover
 - IP Addressing
 - Raid Groups
 - Test System functionality
 - Configure a Town of Riverhead Standard desktop images for VMWare View
 - Configure Switches
 - Add new server to Veeam Backup

Phase IV – Implementation/Migration

After the new VMWare server, Storage and Switch has been completely staged CTG's Sr. Consultant will work with Town of Riverhead's IT staff to determine the Fileserver shares that can be migrated to the new SAN. CTG's Sr. Consultant will rack and install the EMC SAN, Cisco Switch and new VMWare Server. CTG's Senior Consultant will modify the group policy to redirect the Virtual Desktop Data to the SAN

During this phase of the project, CTG will be responsible for the following:

- Rack and Connect equipment
 - Storage VMotion VDI Environment to SAN
 - Configure CIFS Shares
 - Update GPO for Data Relocation to CIFS Share
 - Present Storage to VMWare Environment
 - Copy VMWare Data to CIFS Share and Test Permissions
 - Configure Backups to SAN
 - Present SAN to Backup Server
 - Configure Veeam
 - Configure Backups to Disk
 - Test Backups
 - Recompose Virtual Desktops to use SAN Datastore
- ▶ Migration 1 – Install Stacking module in existing Cisco Switch. Migrate VMWare Data from existing FileServer to CIFS share on SAN. Recompose Virtual Desktops to use SAN Datastore. Storage VMotion Virtual Machines and Recompose Desktops

Phase V – First Day in Service (FDiS) Support

Following the Migration event, a CTG's Sr. Consultant will return back on-site during the first business day in production to monitor the system and to immediately resolve any potential post migration support issues.

CTG's responsibility during this phase of the project will include:

-
- ▶ Migration Event 1 FDiS
 - CTG will provide (1) Day of onsite post migration support

Phase VI – Documentation / Knowledge Transfer / Project Closeout

After the Storage/VMWare Redundancy has been successfully implemented, CTG will update the detailed design document to reflect the “as-built” design. This document which will include the device configurations which can be used deployments will be submitted to Town of Riverhead’s IT staff during the project close meeting. CTG will also provide the Town of Riverhead’s IT staff with (1) days of administrative training on the new system.

CTG’s responsibility during this phase of the project will include:

- ▶ Update the detailed design document to reflect the “as-built” design
- ▶ Provide Town of Riverhead’s IT staff with a complete knowledge transfer of all system changes.
- ▶ Coordinate a project close meeting to review the documentation and to answer any questions Town of Riverhead might have regarding maintaining the system moving forward.

Acceptance Criteria

This project will be deemed complete when the following criteria have been met:

- ▶ CTG has successfully completed Phases I, II, III, IV, V and VI of the project as outlined in this document.

Assumptions and Responsibilities

This scope of work is based on the following key assumptions:

- ▶ A member of Town of Riverhead's IT staff will be available to work with CTG's project team during the full duration of this project. This individual will not have to be available at all times, but CTG requests that we have a single point of contact, which is readily available as a point of escalation.
- ▶ CTG's project team will have physical or remote access to the core network devices which will be reviewed and reconfigured as part of this project.
- ▶ CTG will only Migrate the File Server Data associated with the VMWare Virtual Desktop Environment (Redirected folders)
- ▶ CTG will train the TOR Staff on how to move any additional fileserver data to the SAN
- ▶ Any other work performed outside the scope of this project will require a change order
- ▶ CTG's project team will have physical access to the facility during the staging and migration phases of the project
- ▶ A member of Town of Riverhead's IT staff will be available to work with CTG during the cutover events
- ▶ A point of contact is available at each of the additional sites to review the remote site connectivity requirements and to validate the testing procedure for the cutovers.
- ▶ All software license will be available during the Staging process
- ▶ Adequate power will be provided to the datacenter prior to CTG arriving onsite to perform the Staging Phase of the project

Professional Services Pricing

CTG is presenting this solution to Town of Riverhead as fixed firm price project. All work outlined in this scope of work is to be performed during normal business hours (Monday through Friday, 8:30 A.M. – 5:30 P.M.), with the exception of work which will be performed during the change control windows. The total cost for this professional services project is **\$32,119.36**. This total includes all of the services required to complete each of the tasks outlined in this scope of work. In the event that there are any changes to the project scope Town of Riverhead's IT staff and CTG will have to approve them in writing. This price is valid for 30 days from the date of this proposal.

Professional Services Payment Schedule

CTG will invoice Town of Riverhead on the following Phase Completion:

Phases	Phase Description	Percent Billed
	Contract Execution	30%
II	Detailed Design & Planning Completion	25%
III	Staging	25%
VI	Project Completion	20%

Proposal Acceptance

The parties have executed this statement of work, effective _____, 2012.

By: Converged Technology Group

By: Town of Riverhead

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Appendix –A-

Contact Information

Town of Riverhead Contacts	Contact Information
Lori Pipczynski	Phone: 631-727-3200 Ext. 280 Email: pipczynski@riverheadli.com
CTG Contacts	Contact Information
Steve Scheitel	Phone: 631.468.5716 Email: sscheitel@ctg-solutions.com

01.15.13
130059

ADOPTED

TOWN OF RIVERHEAD

Resolution # 59

AUTHORIZES THE SUPERVISOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH SUFFOLK ONLINE ADVERTISING

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town of Riverhead requires professional services to provide various web mail and spam related services to the Town; web hosting and for code adjustments and in-house technical support and services regarding Recreation Department and Town of Riverhead domain name re-registrations; and

WHEREAS, Suffolk Online Advertising has been providing all of the aforementioned services to the Town of Riverhead.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a Professional Services Agreement with Suffolk Online Advertising for a total sum not to exceed \$8,435.00, which Agreement shall be in substantially the same form annexed hereto; and be it further

RESOLVED, that Town Clerk the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Suffolk Online Advertising, 43 Warwick Row, Riverhead, New York 1190; 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

PROFESSIONAL SERVICES AGREEMENT

This agreement made this _____ day of January 2013 by and between the Town of Riverhead, a Municipal Corporation, having its principal offices at 200 Howell Avenue, Riverhead New York (hereinafter referred to as the "TOWN"), and SUFFOLK ONLINE ADVERTISING, with its principal place of business at 43 Warwick Row, Riverhead, New York 11901 (hereinafter referred to as the CONSULTANT").

W I T N E S S E T H

Whereas, the Town is in need of assistance on occasion with the following professional services: (a) e mail spam services; (b) commercial web hosting; (c) town code adjustments and in-House technical support; and (d) virus scan in connection with the Town of Riverhead website and webmail, and

Whereas, Consultant is, by skill training and expertise, qualified to render such services, and

Now, therefore, the parties hereto mutually agree as follows:

1. SERVICES

That Consultant shall provide, at the Town's request consulting services as needed.

2. COMPENSATION

In consideration for these services rendered by the Consultant under this agreement, the Town agrees to pay the Consultant as follows:

1. \$4,800.00 annually for web mail, spam services and virus scan together with \$35.00 annually for reimbursement of domain name registration or re-registration annually. This fee includes monthly hosting of up to 250 e-mail accounts.

2. Enhanced e-mail spam and anti-virus filtering for 250 e-mail accounts at the flat rate of \$1,800.00 annually which includes Black and White listing. Collected spam will be auto-deleted after 10 days.

3. Migration from existing email hosting service to Managed Private Server w/ in-house support service. 100gb Basic Level MPS, 1TB monthly bandwidth at the one time flat rate of \$1,800.00. Migration of riverheadli.com to townofriverheadny.gov with perpetual redirect of riverheadli.com email.

5. Recreation Department annual domain registration riverheadrecreation.com annual cost of \$35.00.

3. PAYMENTS

Consultant shall submit invoices to the Town every month and will indicate time and expenses incurred during that period pursuant to the tasks identified herein. Invoices shall be due and payable to Consultant within 30 days of their receipt by the Town. The Town has the right to withhold payment for portions of work not completed, after notification to Consultant unless the schedule is extended for reasons beyond the control of Consultant, including extra agency review or other unanticipated events.

4. TERM OF AGREEMENT

January 15, 2013 - January 15, 2014 unless otherwise terminated pursuant to the provisions herein. The Agreement shall commence upon the execution of this agreement by the Town Supervisor pursuant to authorization of the Town Board and shall expire upon completion of the work specified herein to the satisfaction of the Town

5. TERMINATION

This Agreement may be terminated at any time by either party upon 30 days written notice to the other party. In the event of such termination, Town shall have no further obligation to Consultant except to make any payments which may have become due under this Agreement. In such event, the Consultant shall be paid such part of the fee as shall have been determined to fairly compensate the Consultant, in the sole opinion of the Town for work done by it.

6. MODIFICATIONS TO AGREEMENT

This Agreement may only be modified in writing and such modification is subject to approval by the Town Board of the Town pursuant to a duly adopted resolution.

7. PERFORMANCE OF PROFESSIONAL SERVICES

Consultant will perform its service hereunder in a timely manner. Consultant shall not be responsible for delays occasioned by factors beyond its control nor by factors which could not reasonably have been foreseen at the time this Agreement was executed.

Consultant shall be entitled to rely on information provided by the Town provided said information is sealed by a licensed professional where appropriate or directly provided to Consultant by the Town.

Consultant shall perform its services in accordance with the professional standards applicable to the services provided, i.e. information technology, at the time such services are rendered.

Estimates made by Consultant of probable costs and detailed cost projections represent consultant's judgment with respect thereto. It is recognized, however, that Consultant has no control over actual site conditions or the cost of materials or equipment. However, Consultant will advise the Town prior to ordering any materials or equipment prices if said prices have increased beyond that quoted herein.

All drawing, specifications, reports, notes and data developed pursuant to this Agreement are instruments of service, and as such, the original documents will become the property of the Town.

Except as otherwise provided herein, the parties agree that Consultant's liability under this agreement and for the project shall be limited to the total contract cost to the Town as specified herein and any modifications made thereto.

8. CONFIDENTIALITY - HOLD SAFE & HARMLESS

Consultant understands and recognizes that in conducting the work authorized by this agreement its employees and or agents may have access to confidential or sensitive Town

documents and/or records. Consultant agrees that it shall not copy, utilize, distribute or otherwise provide unauthorized access to any Town documents and/or records. Consultant agrees to indemnify and hold the Town harmless from any and all damages it may incur by reason of the unauthorized distribution, use or exposure of Town documents together with the Town's reasonable attorneys fees incurred in connection with such unauthorized distribution, use or exposure of confidential Town documents. Consultant shall immediately notify the Town in writing should its employees or agents become aware that copying, use, distribution or other unauthorized exposure of Town documents has occurred.

9. CONTROLLING LAW

This Agreement shall be construed according to the laws of the State of New York.

IN WITNESS WHEREOF, this Agreement has been duly executed by the parties hereto.

TOWN OF RIVERHEAD

SUFFOLK ONLINE ADVERTISING

By: _____
Sean M. Walter, Supervisor

By: _____
Barry Karlin

01.15.13
130060

ADOPTED

TOWN OF RIVERHEAD

Resolution # 60

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Senior Citizen Department offers a wide variety of programs, activities and support services for the older residents of the Riverhead community which include music and entertainment; and

WHEREAS, Thomas Parris represents that he is competent by reason of training and/or experience to provide music and entertainment services to the Senior Citizen Department;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to execute the Agreement between the Town of Riverhead and Thomas Parris to provide music and entertainment services to the Senior Citizen Department in substantially the form annexed hereto; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Thomas Parris, 118 King Road, Rocky Point, New York, 11778; Senior Center Director; the Accounting Department and the Town Attorney's Office; 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



Senior Citizens Department
200 Howell Avenue
Riverhead, NY 11901
(631) 722-4444

Independent Contractor Agreement

THIS AGREEMENT, made on the _____ day of _____ 2013 by and between the Senior Citizens Department of the TOWN OF RIVERHEAD, a municipal corporation with its principal place of business at 200 Howell Avenue, Riverhead, NY, 11901, (hereinafter referred to as the "AGENCY") and Thomas Parris, (hereinafter referred to as the "Contractor"), residing at 118 King Road, Rocky Point, NY 11788.

WITNESSETH

1. This agreement shall commence in January 2013 and terminate at the end of December 2013.
2. This agreement is for Consultant services rendered to the agency by the contractor. The above consultant will provide Entertainment/DJ services for special events at the Senior Center.
3. The parties hereto agree that the fee for such services by the contractor shall be \$125.00/hour, to be paid following every event.
4. The Contractor represents that he/she is competent by reason of training and/or experience to provide the services described in item #2 above and will furnish these services in an effective and professional manner.
5. If there are events beyond his/her control and the contractor is unable to carry out the services described in item #2, then he/she shall immediately notify the SENIOR CITIZENS DEPARTMENT. A substitute can only be used if he/she is an affiliated member of the Contractor's organization and is covered by the Liability Insurance.
6. The contractor must sign a separate Hold Harmless Agreement and submit a Certificate of Liability Insurance naming the Town of Riverhead as additionally insured with a policy limit of \$1,000,000.00 per occurrence.
7. Failure to comply with any of the aforementioned terms and conditions will result in a cancellation of this agreement.
8. The Agency reserves the right to terminate this Agreement without notice and with no obligation to show due cause.

Independent Contractor

Senior Citizens Director

Approved By: _____ Date _____

Town Supervisor

HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

Agreement, made this ____ day of January, 2013, by and between Thomas Parris (hereinafter "Indemnitor") and the Town of Riverhead (hereinafter "Town"), a municipal corporation authorized under the laws of the State of New York, with offices located at 200 Howell Avenue, Riverhead, NY 11901.

Whereas, Indemnitor wishes to have access to Town's property located at Town of Riverhead Senior Citizens Department building, 60 Shade Tree Lane, Riverhead, New York 11901, or any other Town location so designated, and

Whereas, Town wishes to grant access provided it is indemnified and held harmless from any acts of the Indemnitor which result in harm or injury to persons or property,

NOW, THEREFORE, it is hereby agreed as follows:

To the fullest extent permitted by law, indemnitor shall indemnify and hold harmless the Town of Riverhead from and against claims, damages, losses and expense, including but not limited to attorneys' fees, arising out of or resulting from performance of the work, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property including loss therefrom, but only to the extent caused in whole or part by the negligent acts or omissions of indemnitor.

By: Thomas Parris

TOWN OF RIVERHEAD

By: Sean M. Walter, Town Supervisor

01.15.13
130061

ADOPTED

TOWN OF RIVERHEAD

Resolution # 61

AUTHORIZES THE SUPERVISOR TO EXECUTE A SETTLEMENT AND RELEASE AGREEMENT WITH TROY & BANKS CONSULTANTS, LLC, AND THE ACCOUNTING DEPARTMENT TO PAY FEES IN THE AMOUNT OF \$17,500.00 TO TROY & BANKS CONSULTANTS, LLC,

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town of Riverhead entered an Agreement with Troy & Banks Consultants, LLC, on August 28, 2009, whereby Troy & Banks Consultants, LLC, agreed to and actually did conduct a cable television franchise fee compliance audit; and

WHEREAS, Said Agreement with Troy & Banks Consultants, LLC, stipulated that Troy & Banks Consultants, LLC, would be paid a contingency fee equal to thirty-five percent of under-payments identified and actually recovered; and

WHEREAS, the Town of Riverhead has recovered under-payments in the amount of \$50,000.00; and

WHEREAS, Thirty-five percent of \$50,000.00 equates to \$17,500.00.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is authorized to execute the subject Settlement and Release Agreement with Troy & Banks Consultants, LLC, whose terms are known to the Town Board.

BE IT FURTHER RESOLVED THAT, the Accounting Department is hereby directed to pay Troy & Banks Consultants, LLC, the sum of \$17,500.00, in satisfaction of the Settlement and Release Agreement for services so rendered regarding completion of a cable television franchise fee compliance audit; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Thomas T. Ranallo, Manager, Troy & Banks Consultants, LLC, 2216 Kensington Avenue, Kensington At Saratoga Buffalo, New York 14226, the Accounting Department and the Office of the Town Attorney; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

01.15.13
130062

ADOPTED

TOWN OF RIVERHEAD

Resolution # 62

AWARDS BID FOR ANNUAL AUDIT SERVICES FOR TOWN OF RIVERHEAD

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Town Board of the Town of Riverhead, by Resolution #811 adopted on October 16, 2012, authorized the issuance of a Request for Proposals for annual audit services for Town of Riverhead; and

WHEREAS, pursuant to such Request for Proposal, each proposal must comply with the instructions in the Notice and required that all proposals be submitted on or before 12:15 pm on November 9, 2012; and

WHEREAS, five (5) responses were received, opened and read aloud on November 9, 2012 at 12:15 pm in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York; and

WHEREAS, the Town Financial Administrator, together with the Office of the Town Attorney, did review and evaluate all proposals; and

WHEREAS, after serious consideration and evaluation, the Town Financial Administrator and the Office of the Town Attorney determined that Albrecht, Viggiano, Zureck & company, P.C. (AVZ) was the lowest responsible bidder and recommend that the bid for annual audit services for Town of Riverhead be awarded to AVZ.

NOW THEREFORE BE IT RESOLVED, that the bid for annual audit services for Town of Riverhead be and is hereby awarded to AVZ; and be it further

RESOLVED, that the Town Board be and does hereby authorize the Town Supervisor to execute an agreement with AVZ; and

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Albrecht, Viggiano, Zureck & Company, P.C., 25 Suffolk Court, Hauppauge, NY 11788-3715; the Town Attorney's Office and the Accounting Department; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

01.15.13
130063

ADOPTED

TOWN OF RIVERHEAD

Resolution # 63

**AWARDS BID FOR AUDIT SERVICES FOR
TOWN OF RIVERHEAD JUSTICE COURT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Board of the Town of Riverhead, by Resolution #811 adopted on October 16, 2012, authorized the issuance of a Request for Proposals for audit services for Town of Riverhead Justice Court; and

WHEREAS, pursuant to such Request for Proposal, each proposal must comply with the instructions in the Notice and required that all proposals be submitted on or before 12:05 pm on November 9, 2012; and

WHEREAS, four (4) responses were received, opened and read aloud on November 9, 2012 at 12:05 pm in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York; and

WHEREAS, the Town Financial Administrator, together with the Office of the Town Attorney, did review and evaluate all proposals; and

WHEREAS, after serious consideration and evaluation, the Town Financial Administrator and the Office of the Town Attorney determined that Albrecht, Viggiano, Zureck & company, P.C. (AVZ) was the lowest responsible bidder and recommend that the bid be awarded to AVZ.

NOW THEREFORE BE IT RESOLVED, that the bid for audit services for Town of Riverhead Justice Court be and is hereby awarded to AVZ; and be it further

RESOLVED, that the Town Board be and does hereby authorize the Town Supervisor to execute an agreement with AVZ; and

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Albrecht, Viggiano, Zureck & Company, P.C., 25 Suffolk Court, Hauppauge, NY 11788-3715; the Town Attorney's Office and the Accounting Department; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

01.15.13
130064

ADOPTED

TOWN OF RIVERHEAD

Resolution # 64

**AWARDS BID FOR AUDIT SERVICES FOR TOWN OF RIVERHEAD
PECONIC BAY COMMUNITY PRESERVATION FUND**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town Board of the Town of Riverhead, by Resolution #810 adopted on October 16, 2012, authorized the issuance of a Request for Proposals for audit services for Town of Riverhead Community Preservation Fund; and

WHEREAS, pursuant to such Request for Proposal, each proposal must comply with the instructions in the Notice and required that all proposals be submitted on or before 12:00 noon on November 9, 2012; and

WHEREAS, four (4) responses were received, opened and read aloud on November 9, 2012 at 12:00 noon in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York; and

WHEREAS, the Town Financial Administrator, together with the Office of the Town Attorney, did review and evaluate all proposals; and

WHEREAS, after serious consideration and evaluation, the Town Financial Administrator and the Office of the Town Attorney determined that George R. Rehn, CPA was the lowest responsible bidder and recommend that the bid be awarded to George R. Rehn, CPA.

NOW THEREFORE BE IT RESOLVED, that the bid for audit services for Town of Riverhead Community Preservation Fund be and is hereby awarded to George R. Rehn, CPA; and be it further

RESOLVED, that the Town Board be and does hereby authorize the Town Supervisor to execute an agreement with George R. Rehn, CPA; and

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to George R. Rehn, CPA, 286 Main Street, East Setauket, NY 11733; the Town Attorney's Office and the Accounting Department; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 65

**AUTHORIZES THE RELEASE OF SITE PLAN SECURITY OF
CALVERTON LINKS LTD.**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Calverton Links Ltd. posted a check in the sum of Two Thousand Three Hundred Ninety-Two Dollars (\$2,392.00) representing a 5% site plan security for improvements to be made upon property located at 149 Edwards Avenue, Riverhead, New York, further described as Suffolk County Tax Map Number #0600-137-1-2.1, pursuant to Section 108-133(l) of the Riverhead Town Code; and

WHEREAS, the Planning Department is satisfied with the site requirements, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction, and Certificate of Occupancy No. 16103 dated August 14, 2001, has been issued.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the above mentioned security in the sum of Two Thousand Three Hundred Ninety-Two Dollars (\$2,392.00); and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Calverton Links Ltd., P.O. Box 306, Calverton, NY, 11933; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 66

**AUTHORIZES THE RELEASE OF SITE PLAN SECURITY OF
LINCOLN STREET DEVELOPMENT CO., INC.**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, Lincoln Street Development Co., Inc. (Thomas) posted a check in the sum of One Hundred Fifty-Three Dollars (\$153.00) representing a 5% site plan security for improvements to be made upon property located at 206 Lincoln Street, Riverhead, New York, further described as Suffolk County Tax Map Number #0600-126-1-28, pursuant to Section 108-133(l) of the Riverhead Town Code; and

WHEREAS, the Planning Department is satisfied with the site requirements, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction, and Certificate of Occupancy No. 22026 dated June 20, 2008, has been issued.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the above mentioned security in the sum of One Hundred Fifty-Three Dollars (\$153.00); and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Lincoln Street Development Co., Inc., P.O. Box 877, Jamesport, NY, 11947; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 67

**AUTHORIZES THE RELEASE OF SITE PLAN SECURITY OF
EAST END WIRELESS, INC. (CHERRY CREEK GOLF COURSE)**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, East End Wireless, Inc. posted a check in the sum of Eight Thousand Dollars (\$8,000.00) representing a 5% site plan security for the installation of a monopole and wireless communication antennas upon property of Cherry Creek Golf Course, located at 900 Reeves Avenue, Riverhead, New York, further described as Suffolk County Tax Map Number #0600-18-2-1.3, pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, the Planning Department is satisfied with the site requirements, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction, and Certificate of Occupancy No. 21951 dated May 5, 2008, has been issued.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the above mentioned security in the sum of Eight Thousand Dollars (\$8,000.00); and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to East End Wireless, Inc., 1290 Peconic Avenue, West Babylon, NY, 11704; 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

01.15.13
130068

ADOPTED

TOWN OF RIVERHEAD

Resolution # 68

**AUTHORIZES THE RELEASE OF SITE PLAN SECURITY OF
FOX HILL COUNTRY CLUB CATERERS INC.**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Fox Hill Country Club Caterers Inc. (a/k/a Georgio's) posted a check in the sum of Four Thousand One Hundred Seventy-Eight Dollars (\$4,178.00) representing a 5% site plan security for improvements to be made upon property located at 100 Fox Hill Drive, Baiting Hollow, New York, further described as Suffolk County Tax Map Number #0600-40-2-6.3, now known as #0600-40-2-10.3, pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, the Planning Department is satisfied with the site requirements, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction, and Certificate of Occupancy No. 20668 dated June 19, 2006, has been issued.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the above mentioned security in the sum of Four Thousand One Hundred Seventy-Eight Dollars (\$4,178.00); and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Fox Hill Country Club Caterers Inc., 100 Fox Hill Drive, Baiting Hollow, NY, 11933; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 69

AUTHORIZES THE RELEASE OF SITE PLAN SECURITY OF NICOLIA'S LLC

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Nicolia's LLC posted a check in the sum of Two Thousand Seven Hundred Nine Dollars (\$2,709.00) representing a 5% site plan security in connection improvements to be made upon property located at 86 Kroemer Avenue, Riverhead, New York, further described as Suffolk County Tax Map Number #0600-119-1-29, pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, the Planning Department is satisfied with the site requirements, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction, and Certificate of Occupancy No. 14510 dated March 3, 1999, has been issued.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the above mentioned security in the sum of Two Thousand Seven Hundred Nine Dollars (\$2,709.00); and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Nicolia's LLC, P.O. Box 1065, W. Babylon, NY, 11704; 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 # 70

**AUTHORIZES THE RELEASE OF SECURITY OF TRADITIONAL LINKS LLC
(GOLF TRAINING BUILDING)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, Traditional Links LLC posted two checks totaling the sum of Eight Thousand Three Hundred Eighty-Three Dollars (\$8,383.00) the first check in the sum of One Thousand Two Hundred Sixteen Dollars (\$1,216.00) and the second check in the sum of Seven Thousand One Hundred Sixty-Seven Dollars (\$7,167.00) representing a 5% site plan security in connection with Riverhead Town Board Resolution #1181 dated November 5, 2003, for the construction of a 2,450 sq. ft. golf training building upon property located at 2818-2851 Sound Avenue, Baiting Hollow, New York, formally known and designated as Suffolk County Tax Map Number #0600- 41-1-10.5, now known as #0600-41-1-10.6, pursuant to Section 108-133(l) of the Riverhead Town Code; and

WHEREAS, the Planning Department is satisfied with the site requirements, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department’s satisfaction, and Certificate of Occupancy No. 19659 dated April 27, 2005, has been issued.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the above mentioned security in the total sum of Eight Thousand Three Hundred Eighty-Three Dollars (\$8,383.00); and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Traditional Links, LLC, 3000 Sound Avenue, Riverhead, NY, 11901; and be it further

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

THE VOTE

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 # 71

**AUTHORIZES THE RELEASE OF SITE PLAN SECURITY OF VERIZON WIRELESS
(CHERRY CREEK GOLF COURSE – MUNLEY, MEADE, NIELSEN AND RE´)**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, Munley, Meade, Nielsen and Re´, attorneys for New York SMA Limited d/b/a Verizon Wireless, posted a check in the sum of Four Thousand Two Hundred Fifty (\$4,250.00) Dollars representing a 5% site plan security for improvements to be made upon property of Cherry Creek Golf Course, at 900 Reeves Avenue (north side of road), Riverhead, New York, further described as Suffolk County Tax Map Number #0600-18-2-1.3, pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, the Planning Department is satisfied with the site requirements, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department’s satisfaction, and Certificate of Occupancy No. 23433 dated March 1, 2010, has been issued.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the above mentioned security in the sum of Four Thousand Two Hundred Fifty (\$4,250.00) Dollars; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Law Office of Munley, Meade, Nielsen and Re´, 160 Middle Neck Road, Great Neck, NY 11021; 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

01.15.13
130072

ADOPTED

TOWN OF RIVERHEAD

Resolution # 72

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED
“ZONING” OF THE RIVERHEAD TOWN CODE**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

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

WHEREAS, a public hearing was held on the 18th day of December 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 108 entitled “Zoning” 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 108 entitled "Zoning", of the Riverhead Town Code at its meeting held on January 15, 2013. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**Chapter 108
ZONING
Article XXVII
Light Industrial (LI) Zoning Use District**

§ 108-135. Uses.

No building or premises shall be used and no building shall be erected, reconstructed, altered or added to except for the following permitted or accessory uses:

A. Permitted uses.

- (1)** Light manufacturing.
- (2)** Research and development.
- (3)** Laboratories.
- (4)** Radio and television broadcasting studios.
- (5)** Warehouse and distribution of nonhazardous materials.
- (6)** Mariculture and floriculture facilities.
- (7)** Health spas and health-related facilities, including:
 - (a)** Health clubs and gymnasiums.
 - (b)** Health spas.
 - (c)** Wellness center.

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

Dated: Riverhead, New York
January 15, 2013

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, TOWN CLERK

01.15.13
130073

ADOPTED

TOWN OF RIVERHEAD

Resolution # 73

AUTHORIZES EXECUTION OF MAIN STREET PROGRAM GRANT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

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

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

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

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

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

WHEREAS, the Town Board strongly supported the Main Street Application prepared by the Community Development Department by resolution #451 adopted on June 5, 2012.

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

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

01.15.13
130074

ADOPTED

TOWN OF RIVERHEAD

Resolution # 74

**AUTHORIZING THE TRANSFER OF COUNTY OWNED
PROPERTY TO THE TOWN OF RIVERHEAD**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, by Resolution # 705, adopted on July 21, 1987, the Town Board of the Town of Riverhead granted a change of zone and a special permit to Robert Entenmann for a 222 unit residential recreational condominium on land north of Sound Avenue, Riverhead which consisted of approximately 111 acres of farmland and woods; and

WHEREAS, Resolution # 705, adopted on July 21, 1987, was conditioned upon dedication of 111 acres of off-site farmland into the Suffolk County Farmland Program; and

WHEREAS, in the findings set forth in Resolution # 705, adopted on July 21, 1987, the Town Board determined, among other things, that the site plan for the 222 unit residential recreational condominium project preserved the Sound Avenue Corridor as recommended by Raymond Parish Pine and Weiner (2/1/84) and an act of the State Legislature in that there would no alteration of the existing natural state of the site for the initial 650 +/- feet north of Sound Avenue except for the entry road and gate house; and

WHEREAS, by Resolution # 333, adopted on April 3, 2001, the Town Board of the Town of Riverhead granted the application of Sound Housing, LLC to amend the special permit to substitute the recreational amenities for the twelve tennis courts and tennis stadium proposed by the special permit of Robert Entenmann; and

WHEREAS, by Resolution adopted on April 20, 2001, the Planning Board of the Town Board of the Town of Riverhead granted the condominium map of Willow Ponds on the Sound for a 222 unit residential recreational condominium on land north of Sound Avenue, Riverhead which continued the preservation of the existing natural condition of the site for the 650 feet +/- northerly of Sound Avenue; and

WHEREAS, through tax default, the County of Suffolk has acquired the real property known and designated as 3815 Sound Avenue, Riverhead, New York & 3877 Sound Avenue, Riverhead, New York, known and designated as SCTM # 0600-18-1-12.1 & 12.5 (the areas on the west and east sides of the entry road/gate house and

being the areas shown on said site/condominium plans as being preserved in their existing natural state); and

WHEREAS, the Town of Riverhead's intended use of the real property known as SCTM # 0600-18-1-12.1 & 12.5, is for a municipal purpose, specifically for the creation of open space preservation in accordance with the prior approvals of the 222 unit condominium projects; and

WHEREAS, this property may be transferred to the Town of Riverhead pursuant to General Municipal Law 72-h.

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes the Supervisor to take all steps necessary to take all necessary steps to take title to the tax default properties known as 0600-18-1-12.1 & 12.5 (3815 Sound Avenue, Riverhead, New York & 3877 Sound Avenue, Riverhead, New York) from the County of Suffolk; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this Resolution to the County of Suffolk Department of Planning, Division of Real Estate, Sarah Lansdale, Director, Elaine Harrison, Office of the Suffolk County Treasurer, Suffolk County Legislator, 1st Legislative District Office, the Riverhead Town Supervisor, Highway Department, Assessor's Office, Tax Receiver, Town Attorney Town Engineer and Community Development Office.

THE VOTE

Giglio - ABSTAIN
Wooten Yes No

Gabrielsen - ABSTAIN
Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

01.15.13
130075

ADOPTED

TOWN OF RIVERHEAD

Resolution # 75

**AUTHORIZES THE SETTLEMENT OF LEGAL ACTION AGAINST THE OWNERS,
TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT
5506 SOUND AVENUE, JAMESPORT, NEW YORK**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, by Resolution 696 of 2010, adopted on September 8, 2010, the Town Board authorized the commencement of legal action against the owners, tenants, occupants and mortgagee of the property situated at 5506 Sound Avenue, Jamesport, Town of Riverhead, New York; also known as SCTM # 0600-21.00-03.00-001.000 in the Supreme Court of the State of New York; and

WHEREAS, by Order dated September 20, 2012, the Court granted in part and denied in part the motion for summary judgment made by the parties; and

WHEREAS, by Notice of Appeal dated October 24, 2012, the defendants sought to appeal the Order dated September 20, 2012; and

WHEREAS, the action has been set for non-jury trial to commence January 16, 2013; and

WHEREAS, the parties have reached an agreement on terms and conditions of a Stipulation of Settlement; and

WHEREAS, in light of the costs attendant to proceeding to a trial with the attendant uncertainties of litigation it is in the best interests of the Town to accept the settlement proposal.

NOW BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the settlement proposal; and

BE IT FUTHER RESOLVED, that Town Supervisor, Town Attorney and/or outside counsel be and is hereby authorized to sign the Stipulation of Settlement in substantially the same form as attached on behalf of the Town as well as any other documents necessary to effectuate the settlement of the litigation; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Campolo, Middleton & McCormick, LLP, 3340 Veterans Memorial Highway, Suite 400, Bohemia, New York 11716, the Planning Department, the Building Department and the Town Attorney; and

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

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

-----x
TOWN OF RIVERHEAD,

Plaintiff,

Index No. 10-37847

-against-

**STIPULATION OF
SETTLEMENT**

TASTE OF COUNTRY, INC., RENEE C. REEVE
a/k/a RENEE C. KAELIN, JOHN A. REEVE, and
JOHN DOES and MARY DOES "1" to "10," said names
being fictitious and presently unknown but who are
believed to be tenants, operators, contractors, invitees,
and/or licencees of 5506 Sound Avenue, Riverhead,
New York,

Defendants.

----- x

IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto that,
subject to a vote of the Town Board of the Town of Riverhead, this action is settled upon the
following terms and conditions:

1. Upon execution hereof, Defendants shall withdraw with prejudice their Notice of
Appeal dated October 24, 2012, which sought to appeal the Order dated September 20, 2012,
which Order was entered September 26, 2012, in this action.

2. Defendants shall pay to Plaintiff civil penalties under Riverhead Town Code 108-
78E in the total amount of Ten Thousand (\$10,000.00) Dollars payable in ten (10) equal monthly
installments as follows:

- a. \$1,000.00 on or before February 15, 2013, **TIME BEING OF THE ESSENCE;**
- b. \$1,000.00 on or before March 15, 2013, **TIME BEING OF THE ESSENCE;**
- c. \$1,000.00 on or before April 15, 2013, **TIME BEING OF THE ESSENCE;**
- d. \$1,000.00 on or before May 15, 2013, **TIME BEING OF THE ESSENCE;**

- e. \$1,000.00 on or before June 15, 2013, **TIME BEING OF THE ESSENCE**;
- f. \$1,000.00 on or before July 15, 2013, **TIME BEING OF THE ESSENCE**;
- g. \$1,000.00 on or before August 15, 2013, **TIME BEING OF THE ESSENCE**;
- h. \$1,000.00 on or before September 15, 2013, **TIME BEING OF THE ESSENCE**;
- i. \$1,000.00 on or before October 15, 2013, **TIME BEING OF THE ESSENCE**;
- j. \$1,000.00 on or before November 15, 2013, **TIME BEING OF THE ESSENCE**;

3. Each check given for payment of the sums due hereunder shall be made payable to "Town of Riverhead" and delivered to the Riverhead Town Attorney.

4. To secure payment of the Ten Thousand (\$10,000.00) Dollar civil penalty set forth herein, Defendants, Taste of Country Inc., Renee C. Reeve a/k/a Renee C. Kaelin and John A. Reeve, hereby consent and confess to a money judgment against each of them jointly and severally in the amount of Ten Thousand (\$10,000.00) Dollars and Defendants shall execute a Confession of Judgment in the form annexed hereto as Exhibit A.

5. Notwithstanding the execution of the Confession of Judgment in the form annexed hereto as Exhibit A, entry of the Judgment shall be stayed in accordance with the provisions set forth below.

6. If Respondents fail to make timely payments of any of the sums due hereunder, **TIME BEING OF THE ESSENCE**, or if any check given as payment is dishonored or returned unpaid for any reason whatsoever, and if such default remains uncured after ten (10) days written notice to Defendants' counsel, John Ciarelli, Esq. of Ciralli & Dempsey by facsimile at (631) 369-5132, Plaintiff, without further notice, may immediately enter the Confession of Judgment

and execute upon the Judgment, crediting Respondents with any sums that may have been paid pursuant to this Stipulation prior to such default.

7. In full satisfaction of the first, second and third causes of action set forth in the Complaint in this action, Respondents acknowledge the validity and enforceability of the Zoning Board of Appeals determination under Appeal No. 05-27 dated May 26, 2005 and in accordance with that determination, hereby agree and consent as follows:

a. The pre-fabricated dwelling unit referenced in the May 26, 2005 Zoning Board of Appeals determination under Appeal No. 05-27 and referenced herein will not be occupied by more than two farm workers employed by the applicant and that no person or persons other than farm workers employed by the applicant may reside in the pre-fabricated dwelling unit;

b. Within thirty (30) days from the date hereof, Respondents shall submit proof to the Riverhead Zoning Board of Appeals and the Town Board that Respondents Renee C. Reeve a/k/a Renee C. Kaelin and John A. Reeve actively farm at least five acres of land within three miles of 5506 Sound Avenue, Jamesport, New York and shall submit proof of same to the Zoning Board of Appeals and the Riverhead Town Board annually on or before May 26th of each succeeding year.

8. Respondents agree that within thirty (30) days of the date hereof, they shall comply with all agriculture worker housing permit requirements set forth in the Riverhead Town Code and shall submit to an annual inspection pursuant to Chapter 86 of the Riverhead Town Code by the Building Department of the Town of Riverhead.

9. This Stipulation constitutes the entire agreement between the parties and shall not be amended or modified except in writing signed by the parties to this action.

10. This agreement shall be binding upon the respective parties, their heirs, assigns, executors, administrators and successors in interest.

Dated: Bohemia, New York
January , 2013

**CAMPOLO, MIDDLETON
& McCORMICK, LLP**

CIARELLI & DEMPSEY, P.C.

By: _____
Patrick McCormick, Esq.
Attorneys for Plaintiff
3340 Veterans Memorial Highway
Suite 400
Bohemia, New York 11716
(631) 738-9100

By: _____
John Ciarelli, Esq.
Attorneys for Defendants
737 Roanoke Avenue
Riverhead, NY 11901
(631) 369-5100

TOWN OF RIVERHEAD

TASTE OF COUNTRY, INC.

By: _____

By: _____

Renee C. Reeve
a/k/a Renee C. Kaelin

John A. Reeve

TOWN OF RIVERHEAD

Resolution # 76

RATIFIES THE REAPPOINTMENT OF MEMBER TO THE RIVERHEAD OPEN SPACE/PARK PRESERVE COMMITTEE

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Chapter 14-§14-40 of the Riverhead Town Code entitled “Open Space/Park Preserve Committee” causes the establishment of an advisory body to the Town Board known as the Open Space/Park Preserve Committee (commonly referred to as the “Open Space Committee”) consisting of five representatives from the community at large appointed by the Town Board for staggered two-year terms; and

WHEREAS, the Open Space Committee is charged with the advisory responsibility related to, but not limited to, identification, review and recommendation of lands that should be acquired by the Town and preserved as open space or incorporated into the Town of Riverhead park system or preserve; and

WHEREAS, Charles Cetas was reappointed to the Open Space Committee by resolution # 278 adopted on April 20, 2011 for a term expiring October 1, 2012 and has held over since expiration of said term; and

WHEREAS, the Town Board wishes to ratify the reappointment of Charles Cetas for a two year term such that the term will be deemed to have commenced on October 1, 2012 and will expire on October 1, 2014; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby reappoints Charles Cetas to the Open Space Committee for a two year term such that the term will be deemed to have commenced on October 1, 2012 and will expire on October 1, 2014; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Charles Cetas and the Open Space Committee; 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

Resolution # 77

RATIFIES THE REAPPOINTMENT OF MEMBER TO THE RIVERHEAD OPEN SPACE/PARK PRESERVE COMMITTEE

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Chapter 14-§14-40 of the Riverhead Town Code entitled “Open Space/Park Preserve Committee” causes the establishment of an advisory body to the Town Board known as the Open Space/Park Preserve Committee (commonly referred to as the “Open Space Committee”) consisting of five representatives from the community at large appointed by the Town Board for staggered two-year terms; and

WHEREAS, the Open Space Committee is charged with the advisory responsibility related to, but not limited to, identification, review and recommendation of lands that should be acquired by the Town and preserved as open space or incorporated into the Town of Riverhead park system or preserve; and

WHEREAS, Nancy Gilbert was appointed to the Open Space Committee by resolution #714 adopted on September 21, 2010 for a term expiring September 2012 and has held over since expiration of said term; and

WHEREAS, the Town Board wishes to ratify the reappointment of Nancy Gilbert for a two year term such that the term will be deemed to have commenced on September 1, 2012 and will expire on September 1, 2014; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby reappoints Charles Cetas to the Open Space Committee for a two year term such that the term will be deemed to have commenced on October 1, 2012 and will expire on October 1, 2014; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Charles Cetas and the Open Space Committee; 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

Resolution # 78

**AUTHORIZES THE RELEASE OF SITE PLAN SECURITY OF
BAITING HOLLOW CLUB**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, Baiting Hollow Club posted a check in the sum of One Hundred Fifty-Three Dollars (\$153.00) representing a 5% site plan security for the construction of a temporary observation platform upon property located at 100 Fox Hill Drive, Baiting Hollow, New York, formally described as Suffolk County Tax Map Number #0600-40-2-6.3, now known as #0600-40-2-10.3, pursuant to Section 108-133(l) of the Riverhead Town Code; and

WHEREAS, the Planning Department is satisfied with the site requirements, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction, and Certificate of Occupancy No. 20990 dated November 6, 2006, has been issued.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the above mentioned security in the sum of One Hundred Fifty-Three Dollars (\$153.00); and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Baiting Hollow Club, 100 Fox Hill Drive, Baiting Hollow, New York, 11933; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

01.15.13
130079

ADOPTED

TOWN OF RIVERHEAD

Resolution # 79

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE TO AMEND SECTION 58 ENTITLED "DOGS" OF THE RIVERHEAD TOWN CODE

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice to consider a proposed local law to amend Section 58 entitled "Dogs" from the Riverhead Town Code once in the January 24, 2013 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
PUBLIC NOTICE**

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 5th day of February, 2013 at 2:05 o'clock p.m. to consider a local law amending Section 58 "Dogs" of the Riverhead Town Code as follows:

§ Chapter 58. DOGS & OTHER ANIMALS

58-9. Prohibited Acts, Seizure and impounding of dogs or domestic/farm animals not under reasonable control.

A. It shall be unlawful for any owner of any dog or other domestic animal to permit or allow such dog or other domestic animal in the Town of Riverhead to:

(1) Be at large.

(2) Disturb the comfort, peace or repose of any persons in the vicinity by long or frequent noise or odor.

(3) Destroy property or habitually trespasses in a damaging way or commits a nuisance on the property or persons other than the owner of or person harboring said dog or domestic/farm animal.

(4) Shows vicious habits or molests passersby who are lawfully on a public street, public park or school ground, whether or not said dog or domestic/farm animal is on a public street or otherwise harass any person in such a manner as reasonable to cause intimidation or to put such person in reasonable apprehension of bodily harm.

B. It shall be the duty of any police officer or the Dog Warden or other authority ~~Any Dog Control Officer, Police Officer, or any employee, officer or agent~~ designated by the Town Board of the Town of Riverhead to apprehend and impound any dog or domestic/farm animal may seize and impound any dog not under reasonable control of its owner which:

~~A. (1) Is an unlicensed dog.~~

~~B. (2) Is running at large contrary to the provisions of this article.~~

~~C. (3) Has destroyed property or habitually trespasses in a damaging way or commits a nuisance on the property or persons other than the owner of or person harboring said dog or domestic/farm animal.~~

- D. (4) Shows vicious habits or molests passerby who are lawfully on a public street, public park or school ground, whether or not said dog ~~or domestic/farm animal~~ is on a public street or otherwise harass any person in such a manner as reasonable to cause intimidation or to put such person in reasonable apprehension of bodily harm.
- E. (5) At any time has attacked or bitten a person.
- F. (6) Habitually enters on a public highway and runs or barks at pedestrians or vehicles.

§ 58-10. Redemption of impounded dogs.

- A. Unidentified dogs. Each dog which is not identified, whether or not licensed, shall be held for a period of ~~seven~~ five days from the day seized.
 - (1) During the first ~~seven~~ five days the dog may be redeemed by its owner, provided that such owner produces proof that the dog has been licensed and has been identified pursuant to the provisions of Article 7 of the New York State Agriculture and Markets Law, as well as the following impoundment fees:
 - (2) After a period of ~~seven~~ five days, such unidentified dog shall be available for adoption.

§ 58-10.1. Voluntary surrender of an identified dog.

The owner or authorized agent of the owner of a dog licensed by the Town of Riverhead may ~~voluntarily~~ make application to the Town of Riverhead Animal Shelter for the voluntary surrender of such dog to the Town of Riverhead ~~Dog Control Officer~~ Animal Shelter upon the payment of a surrender fee of \$25 and execution of a written consent in which the owner shall forfeit all title to such dog. Such dog may be offered for adoption immediately by the Dog Control Officer or euthanized at the discretion of the Dog Control Officer. The Town of Riverhead Animal Shelter or their designee shall have the authority and discretion to accept dogs for voluntary surrender. An owner or authorized agent of the owner of the dog shall be required to pay a surrender fee of \$25 and execute a written consent to forfeit all title to such dog. Any dog voluntarily surrendered to the Town of Riverhead Animal Shelter may be offered for adoption immediately or euthanized at the discretion of the Town of Riverhead Animal Shelter and/or Dog Control Officer.

§ 58-14. Penalties for offenses.

Any person owning or harboring a dog or domestic/farm animal in violation of any of the provisions of this article other than §§ 58-2 to § 58-7~~9~~ shall be guilty of a violation punishable by imprisonment for a term not in excess of 15 days and/or by a fine of not less than \$50 for the first offense and not less than \$100 for each subsequent offense.

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

Dated: Riverhead, New York
January 15, 2013

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, TOWN CLERK

01.15.13
130080

ADOPTED

TOWN OF RIVERHEAD

Resolution # 80

AUTHORIZES THE SUPERVISOR TO EXECUTE PROFESSIONAL SERVICES AGREEMENT WITH EAST END ACCOUNTING SERVICES CORP.

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town Board of the Town of Riverhead requires the services of an accounting service to assist the Town with internal audits; and

WHEREAS, East End Accounting Services Corporation will provide on-going internal audit contract services on a per diem basis for the Town of Riverhead; and

WHEREAS, budget and cost estimates will be provided by East End Accounting Services Corporation and approved by Town management prior to commencement of engagement; and

WHEREAS, East End Accounting Services Corporation has agreed to the terms and provisions in the Professional Services Agreement; and

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to execute the Professional Services Agreement with East End Accounting Services Corporation, in substantially the form annexed hereto, and be it further;

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

CONSULTANT/PROFESSIONAL SERVICES AGREEMENT

This Agreement made the _____ of January, 2013 between the TOWN OF RIVERHEAD, a municipal corporation organized and existing under the laws of New York, with its office located at 200 Howell Avenue, Riverhead, New York 11901 (hereinafter referred to as the "Town") and East End Accounting Services Corp., a corporation existing under the laws of the State of New York with a principal place of business at P.O Box 3054, Southampton, NY 11969 (hereinafter referred to as "Consultant").

In consideration of the mutual promises herein contained, Town of Riverhead and Consultant agree as follows:

1. SCOPE OF SERVICES

During the term of this Agreement, Consultant shall furnish the services related to internal audit (independent, objective assurance and consulting activity designed to add value and improve the Town's operations and assist the Town accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes). All services shall be provided as an independent contractor and not as an employee of Town. Consultant will provide on-going internal audit contract services on a per diem basis for the Town of Riverhead. Internal audit assignments will be determined and assigned by Town management through the Town Supervisor and Audit Committee. Budget and cost estimates will be provided by East End Accounting Services Corporation and approved by town management prior to commencement of engagement. It is agreed that all work will be performed by Charlene Kagel, CPA and utilize (billing for) team staff will only utilized if needed and approved in advance, by the Town Supervisor.

2. TERM OF AGREEMENT

Agreement shall commence upon the execution of same and terminate upon completion. It is agreed and understood that time is of the essence with respect to the internal audit of the Town's finances and such other policies and procedures related to such matters employment benefits, procurement, investment... Consultant and Town estimate that all services related to the internal audit shall be completed on or before December 31, 2013.

3. PAYMENT

For these services Town of Riverhead will pay Consultant based upon the fee schedule set forth below. The Town will pay Consultant the following fees for the services described in paragraphs one above:

Charlene Kagel, CPA, Company President \$135 hourly
Senior Accounting Consultant \$85 hourly
Audit Manager \$105 hourly
Accounting Associate \$45 hourly

Note, as set forth above all internal audit assignments will be determined and assigned by Town management through the Town Supervisor and Audit Committee. Budget and cost estimates will

be provided by East End Accounting Services Corporation and approved by town management evidenced by letter of engagement identifying the services and executed by the Supervisor prior to commencement of said services. It is agreed additional staff will only utilized if needed, and subject to approval, letter of engagement executed by the Supervisor, for additional staffing in advance of commencement of such work. The Town shall require the submission of documentation, including time records, identifying the services provided and individual performing the identified tasks. The Town shall not have any liability for any other expenses or costs incurred by Consultant except for the services identified in paragraph one. It is agreed and understood that this agreement for payment of services does not include reimbursement for any out of pocket expenses and the Town shall not have any liability related to same.

4. RIGHTS TO DOCUMENTS OR DATA

All information and data, regardless of form, generated in the performance of, or delivered under this Agreement, as well as any information provided to Consultant by Town, shall be and remain the sole property of Town. Consultant shall keep all such information and data in confidence and not disclose or use it for any purpose other than in performing this Agreement, except with Town's prior written approval. In the event that the legal right in any data and information generated in the performance of this Agreement does not vest in Town by law, Consultant hereby agrees and assigns to Town such legal rights in all such data and information. Final payment shall not be due hereunder until after receipt by Town of such complete document and data file, or a certification that there is no such information created by the services performed under this Agreement, and receipt of all information and data which is the property of Town. These obligations shall survive the termination of this Agreement.

5. PUBLICITY

Consultant shall not; without the prior written consent of Town, in any manner advertise or publish the fact that Town has entered into this Agreement with Consultant. Consultant shall not, without the prior written consent of the Town, provide, release or make available for inspection any documents, data, written material of any kind without the prior written consent of at least three members of the Town board or by resolution of the Town Board.

6. ASSIGNMENT AND SUBCONTRACTING

Performance of any part of this Agreement may not be subcontracted nor assigned without, in each case, the prior written consent of at least three members of the Town Board or by resolution of the Town Board.

7. TERMINATION

This Agreement may be terminated at any time by either party upon 30 days written notice to the other party. In the event of such termination, Town shall have no further obligation to Consultant except to make any payments which may have become due under this Agreement.

8. RECORDS

Consultant shall keep accurate records of the time spent in the performance of services hereunder. The Town shall, until the expiration of seven years after final payment under this Agreement, have access to and the right to examine any directly pertinent books, documents, papers and records of Consultant involving transactions related to this Agreement.

9. CHANGES

As set forth in paragraphs #1 and #3 above, all internal audit assignments will be determined and assigned by Town management through the Town Supervisor and Audit Committee. The Town, by written request of the Supervisor may at any time, by written notice to Consultant, issue additional instructions, require additional services or direct the omission of services covered by this Agreement and/or Letters of Engagement provided such services are within the general scope of this Agreement (i.e. internal audit of Town financial statements/records). In such event, there will be made an equitable adjustment in price and time of performance, but any claim for such an adjustment must be made within 15 days of the receipt of such written notice. In the event that the Consultant determines that a change order is required, Consultant shall obtain written approval of the Supervisor. It is agreed and understood that no oral agreement, conversation, or understanding between the Consultant and the Town, its departments, officers, agents and employees shall effect or modify any of the terms or obligations of this Agreement or schedules annexed hereto and made a part hereof.

10. NOTICES

Any notice shall be considered as having been given: (i) to Town of Riverhead if mailed by certified mail, postage prepaid to Town of Riverhead, Attention: Bill Rothaar, 200 Howell Avenue, Riverhead, New York 11901; or (ii) to Consultant if mailed by certified mail, postage prepaid to East End Accounting Services Corp., P.O. Box 3054, Southampton, NY 11969.

11. COMPLIANCE WITH LAWS

Consultant shall comply with all applicable federal, state and local laws and ordinances and regulations in the performance of its services under this Agreement. Consultant will notify Town immediately if Consultant's work for Town becomes the subject of a government audit or investigation. Consultant will promptly notify Town if Consultant is indicted, suspended or debarred. Consultant represents that Consultant has not been convicted of fraud of any other felony arising out of a contract with any local, state or federal agency. In carrying out the work required hereunder, Consultant agrees not to make any communication to or appearance before any person in the executive or legislative branches of the local, state or federal government for the purpose of influencing or attempting to influence any such persons in connection with the award, extension, continuation, renewal, amendment or modification of any contract or agreement. Consultant may perform professional or technical services that are rendered directly in the preparation, submission or negotiation activities preceding award of a Town agreement/contract or to meet requirements imposed by law as a condition for receiving the award but only to the extent specifically detailed in the statement of work. Professional and technical services are limited to advice and analysis directly applying Consultant's professional and technical discipline.

12. INSURANCE, INDEMNITY AND LIABILITY

Consultant shall carry Comprehensive General Liability Insurance and, if applicable, worker's compensation insurance. Consultant hereby indemnifies and holds the Town, its departments, officers, agents and employees, harmless against any and all claims, actions or demands against Town, its departments, officers, agents and employees and against any and all damages,

liabilities or expenses, including counsel fees, arising out of the acts or omissions of Consultant under this Agreement.

13. CONFLICT OF INTEREST

Consultant hereby represents and covenants that neither it nor any of its employees or representatives has or shall have, directly or indirectly, any agreement or arrangement with any official, employee or representative of the Town of Riverhead which any such official, employee, representative shall receive either directly or indirectly anything of value whether monetary or otherwise as the result of or in connection with any actual or contemplated application before any department of the Town, contract with the Town for sale of any product or service. Consultant further represents and covenants that neither it nor any of its employees or representatives has offered or shall offer any gratuity to the Town, its officers, employees, agents or representatives with a view toward obtaining this Agreement or securing favorable treatment with respect thereto. Consultant further represents that it will not engage in any activity which presents a conflict of interest in light of its relationship with Town.

14. DISCLOSURE

The Town shall have the right, in its discretion, to disclose the terms and conditions of this Agreement (as it may be amended from time to time), including but not limited to amounts paid pursuant hereto, to agencies of the local, state and federal government.

15. DISPUTES

If Consultant fails to perform any of its obligations hereunder in accordance with the terms hereof, then after reasonable notice to Consultant not to exceed thirty (30) days, and an opportunity for Consultant to cure such failure (except in case of emergency), the Town may (but shall not be obligated to) cure such failure at the expense of the Consultant, and the amount incurred by the Town on demand. Notwithstanding the above, any dispute arising under this Agreement which is not settled by Agreement of the parties may be settled by appropriate legal proceedings. Pending any decision, appeal or judgment in such proceedings or the settlement of any dispute arising under this Agreement, Consultant shall proceed diligently with the performance of this Agreement in accordance with the decision of Town.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

TOWN OF RIVERHEAD

EAST END ACCOUNTING SERVICES CORP.

By: Sean M. Walter, Supervisor

By: Charlene Kagel, President

TOWN OF RIVERHEAD

Resolution # 81

PAYS BILLS

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

ABSTRACT #13-01 January 09, 2013 (TBM 1/15/13)			
FUND NAME		Transfer	GRAND TOTALS
GENERAL FUND	1	1,331,814.23	1,331,814.23
POLICE ATHLETIC LEAGUE	4	862.85	862.85
RECREATION PROGRAM FUND	6	4,982.08	4,982.08
NUTRITION SITE COUNCIL FUND	7	2,783.00	2,783.00
CHILD CARE CENTER BUILDING FUN	9	8,349.95	8,349.95
ECONOMIC DEVELOPMENT ZONE FUND	30	5,000.00	5,000.00
HIGHWAY FUND	111	149,027.46	149,027.46
WATER DISTRICT	112	86,021.44	86,021.44
RIVERHEAD SEWER DISTRICT	114	51,982.89	51,982.89
REFUSE & GARBAGE COLLECTION DI	115	6,358.40	6,358.40
STREET LIGHTING DISTRICT	116	10,884.94	10,884.94
PUBLIC PARKING DISTRICT	117	5,242.11	5,242.11
BUSINESS IMPROVEMENT DISTRICT	118	2.50	2.50
AMBULANCE DISTRICT	120	1,128.79	1,128.79
EAST CREEK DOCKING FACILITY FU	122	12,401.71	12,401.71
CALVERTON SEWER DISTRICT	124	97,053.73	97,053.73
RIVERHEAD SCAVANGER WASTE DIST	128	40,183.02	40,183.02
MAIN STREET REHAB PROGRAM	177	14,266.00	14,266.00
CDBG CONSORTIUM ACOUNT	181	885.06	885.06
GENERAL FUND DEBT SERVICE	384	25,890.62	25,890.62
COMMUNITY DEVELOPMENT AGENCY C	405	800.00	800.00
TOWN HALL CAPITAL PROJECTS	406	155,574.98	155,574.98
WATER DISTRICT CAPITAL PROJECT	412	72,763.82	72,763.82
RIVERHEAD SEWER CAPITAL PROJEC	414	1,625.88	1,625.88
CALVERTON SEWER CAPITAL PROJEC	424	5,406.15	5,406.15
TRUST & AGENCY	735	26,827,498.77	26,827,498.77
CALVERTON PARK - C.D.A.	914	1,088.19	1,088.19
TOTAL ALL FUNDS		28,919,878.57	28,919,878.57

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

01.15.13
130082

ADOPTED

TOWN OF RIVERHEAD

Resolution # 82

**ACCEPTS RESIGNATION OF CHAIRWOMAN OF
THE BOARD OF ASSESSMENT AND REVIEW**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town received a letter from the Chairwoman of the Board of Assessment and Review, Marjorie Acevedo, effective January 15, 2013.

NOW THEREFORE BE IT RESOLVED, that this Town Board hereby accepts the resignation of Marjorie Acevedo effective January 15, 2013.

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Marjorie Acevedo, 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 may be obtained from the Office of the Town Clerk.

On a motion by Councilman Dunleavy, seconded by Councilman Gabrielsen, resolution #82 was TAKEN OFF THE FLOOR

THE VOTE:

YES – 5 Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes
NO - 0

Immediately thereafter on a motion by Councilman Gabrielsen, seconded by Councilman Dunleavy, resolution #82 was ADOPTED

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted