

3/19/2013

CDA RESOLUTION LIST:

CDA

Res. #3 Authorizes the Execution of an Addendum to Agreement with VHB Engineering, Surveying and Landscape Architecture, P.C.

TOWN BOARD RESOLUTION LIST:

Res. #208 2009 Calverton Park Recreation Trail Capital Project Budget Adjustment

Res. #209 Acceptance of 2012 Justice Court Audit Report

Res. #210 General Fund Budget Adjustment

Res. #211 General Fund Grangebel Park Walkway Budget Adjustment

Res. #212 General Fund Iron Pier Sidewalk Repair Budget Adjustment

Res. #213 Highway Fund Front and Green Street Repair Budget Adjustment

Res. #214 Riverhead Sewer District Budget Adjustment

Res. #215 Stop & Shop Fuel Facility Riverhead Sewer District Capital Improvement Project Budget Adjustment

Res. #216 2013 Wading River Dredging Project Budget Adjustment

Res. #217 Water Department Budget Adjustment

Res. #218 Authorizes the Filing of an Application for New York State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and Signing of the Associated State Contract Under the Appropriate Laws of New York State

Res. #219 Authorizes Town Clerk to Publish and Post the Attached Notice to Bidders for Annual Irrigation Maintenance Contract

Res. #220 Amends Resolution #149 of 2004

Res. #221 Appoints a Part-Time Court Officer (Jessica Eibs-Stankaitis)

Res. #222 Classifies Action, Declares Lead Agency and Determines Significance on Special Permit of Kroemer Avenue Holding, Inc. (Lumber Liquidators) and Calls Public Hearing

Res. #223 Authorized Attendance at the 2013 35th New York State Association of Municipal Purchasing Officials Annual Professional Development Conference

Res. #224 Ratifies an Appointment for a Call-In Recreation Aide I to the Recreation Department (Amanda Baron)

3/19/2013

- Res. #225** Appoints a Call-In Recreation Specialist - Exercise Instructor to the Recreation Department (Elizabeth Liggon)
- Res. #226** Appoints a Call-In Recreation Specialist – Art Instructor to the Recreation Department (Karen Fellows)
- Res. #227** Appoints a Call-In Recreation Specialist – Dog Obedience Instructor to the Recreation Department (Mary Andruszkiewicz)
- Res. #228** Appoints a Call-In Recreation Leader to the Recreation Department (Stephanie Heins)
- Res. #229** Extends Bid Award for Sludge Cake Removal
- Res. #230** Authorizes the Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 “Vehicles & Traffic” of the Riverhead Town Code (§101-7. Turns – Elton St. & Roanoke Ave.)
- Res. #231** Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 “Vehicles & Traffic” of the Riverhead Town Code (§101-13. Parking Time Limited. D. Three Hours)
- Res. #232** Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 “Vehicles & Traffic” of the Riverhead Town Code (§101-11. No Parking Certain Hours; School Zones. – Edgar Ave.)
- Res. #233** Authorizes the Supervisor to Execute an Agreement (Mary Hopkins- Bus Driver Refresher Training)
- Res. #234** Amends Adopted Rules and Procedures for Town Board of the Town of Riverhead
- Res. #235** Authorizes the Supervisor to Execute an Agreement with the Riverhead Fire District (Data Sharing of GIS Data)
- Res. #236** Authorizes the Supervisor to Execute an Agreement with National Fire & Safety Solutions Inc.
- Res. #237** Authorizes the Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 58 Entitled “Dogs” of the Riverhead Town Code
- Res. #238** Reduces Members on the Accessory Apartment Review Board
- Res. #239** Authorizes Town Clerk to Publish and Post a Public Notice for a Local Law to Consider Amendments to Chapter 18 Entitled “Code of Ethics” of the Riverhead Town Code

3/19/2013

- Res. #240 Approves the Chapter 90 Application of St. Isidore's School (Car Show – June 2, 2013)**
- Res. #241 Establishes Date and Time of 4th Annual "Great Riverhead Cardboard Boat Race"**
- Res. #242 Awards Bid for Propane Fuel 2013**
- Res. #243 Approves Chapter 90 Application of Riverhead MTAS Inc. (Hogs and Hot Rods Fundraiser – Sunday, April 7, 2013)**
- Res. #244 Appoints Member to the Board of Assessment Review (James Kane)**
- Res. #245 Authorizes the Acceptance of a Cash Security for Saber Riverhead**
- Res. #246 Pays Bills**
- Res. #247 Declares Public Emergency Regarding Condition of Wading River Creek and Creek Road Beach Erosion**
- Res. #248 Extends Bid Contract for Removal of Household Hazardous Waste**
- Res. #249 Accepts Resignation of Town Board Coordinator (Tracey Densieski)**
- Res. #250 Authorization for Supervisor to Execute an Agreement with East End Rowing to Utilize Property at 127 McDermott Avenue**
- Res. #251 Authorizes the Supervisor to Execute a Stipulation with Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #852 and Authorizes the Supervisor to Enter an Agreement with an Employee Setting Terms and Conditions of Employment**
- Res. #252 Resolution to Authorize the Town of Riverhead to Enter into an Agreement with Riverhead Central School District/Key Club for Use of Town Owned Bus**

03.19.13
13003

ADOPTED

**TOWN OF RIVERHEAD
Community Development Agency**

Resolution # 3

**AUTHORIZES THE EXECUTION OF AN ADDENDUM TO AGREEMENT WITH
VHB ENGINEERING, SURVEYING AND LANDSCAPE ARCHITECTURE, P.C.**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, on or about February of 2011, the Town of Riverhead (hereinafter "Town"), acting as governing body of the Community Development Agency, entered into a contract for consultant/professional services with VHB Engineering, Surveying and Landscape Architecture, P.C. (VHB) for services, including, development of a revised land use plan and associated zoning, updated market assessment, preparation of subdivision plan, and assistance in the administration of the SEQRA process has agreed to assist the Town in preparing an updated Comprehensive Reuse Plan for the 2,900 acre Calverton site formerly known as the Naval Weapons Industrial Reserve Plant at Calverton; and

WHEREAS, the Town and VHB anticipated that the services identified in the contract as Tasks 1-7 would be complete within two years; and

WHEREAS, despite diligent efforts by the Town and VHB and due to circumstances beyond the control of the Town and VHB, there are tasks including completion of subdivision plan and administration of the SEQRA process have not been completed; and

WHEREAS, at this time and due to VHB's inability to provide services to potential clients in the Town of Riverhead for the past two years and likelihood that the professional services identified in the contract with the Town will require twelve to sixteen months to complete together with the likelihood that VHB will suffer significant loss of business opportunities which in turn impact the firm and all employees, VHB has requested a waiver pursuant to Chapter 18(J)(2)(b) or in the alternative, VHB shall cancel its contract with the Town; and

WHEREAS, the Town seeks to adhere to its commitment to complete the development of a revised land use plan, zoning, subdivision plan, and SEQRA process related to the updated Reuse & Revitalization Plan for the 2,900 acre Calverton site commonly referred to as EPCAL such that benefits of economic development at the site may be realized by all residents; and

NOW THEREFORE BE IT RESOLVED, that the CDA Chairman is hereby authorized to execute an Addendum to Agreement with VHB in substantially the same form annexed hereto; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Theresa Elkowitz, M.S., Principal, 2150 Joshua's Path, Suite 300, Hauppauge, New York 11788; 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 - ABSTAIN Gabrielsen Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**ADDENDUM
CONSULTANT/PROFESSIONAL SERVICES AGREEMENT**

This Addendum made the ____ of March, 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 VHB Engineering, Surveying and Landscape Architecture PC , a corporation existing under the laws of the State of New York with a principal place of business at 2150 Joshua's Path, Suite 300, Hauppauge, New York 11788 (hereinafter referred to as "CONSULTANT").

WHEREAS, on or about February of 2011, the Town of Riverhead entered into a contract for consultant/professional services with VHB Engineering, Surveying and Landscape Architecture, P.C. (VHB) for services, including, development of a revised land use plan and associated zoning, updated market assessment, preparation of subdivision plan, and assistance in the administration of the SEQRA process has agreed to assist the Town in preparing an updated Comprehensive Reuse Plan for the 2,900 acre Calverton site formerly known as the Naval Weapons Industrial Reserve Plant at Calverton; and

WHEREAS, the Town and VHB anticipated that the services identified in the contract as Tasks 1-7 would be complete within two years; and

WHEREAS, despite diligent efforts by the Town and VHB and due to circumstances beyond the control of the Town and VHB, there are tasks including completion of subdivision plan and administration of the SEQRA process have not been completed; and

WHEREAS, pursuant to the terms of the contract and Chapter 18 of the Town Code for the Town of Riverhead, VHB was required to avoid potential conflicts and from appearing on behalf of any other client before the Town or agency during the period of the contract with the Town; and

WHEREAS, at this time and due to VHB's inability to provide services to potential clients in the Town of Riverhead for the past two years and likelihood that the professional services identified in the contract with the Town will require approximately twelve to sixteen months to complete together with the likelihood that VHB will suffer significant loss of business opportunities which in turn impact the firm and all employees, VHB has requested a waiver pursuant to Chapter 18(J)(2)(b) or in the alternative, VHB shall cancel its contract with the Town; and

WHEREAS, the Town seeks to adhere to its commitment to complete the development of a revised land use plan, zoning, subdivision plan, and SEQRA process related to the updated Reuse & Revitalization Plan for the 2,900 acre Calverton site commonly referred to as EPCAL such that benefits of economic development at the site may be realized by all residents; and

NOW THEREFORE and in consideration of the mutual promises herein contained, the TOWN and CONSULTANT agree as follows:

1. The CONSULTANT and TOWN agree that all terms of the original Agreement entered into on or about February, 2011 shall remain in full force and effect, except provision 13 titled " CONFLICT OF INTEREST " shall be amended to read as follows: 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 shall be permitted to represent clients before the Town or any agency provided that (1) to the extent VHB has been or is provided access to Town files, VHB must refrain from disclosure and keep confidential all such records and documents and (2) VHB shall refrain from representation or appearing on behalf of a client who has an application relating to land within the proposed subdivision plan for EPCAL.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum to the original Professional Services Agreement dated February, 2011 as of the date first above written.

TOWN OF RIVERHEAD

VHB Engineering, Surveying &
Landscape Architecture, P.C.

By: Sean Walter, Supervisor

By: Thomas Lucivero, Senior Principal