

## **RESOLUTION LIST**

**OCTOBER 16, 2013**

- Res. #709    General Fund Budget Adjustment**
- Res. #710    Riverhead Police Athletic League Budget Adjustment**
- Res. #711    Recreation Program Budget Adjustment**
- Res. #712    Riverhead Sewer Budget Adjustment**
- Res. #713    Scavenger Waste District Budget Adjustment**
- Res. #714    2013 Armory Building Modification Plan Budget Adoption**
- Res. #715    Calverton CDA – Railspur Budget Adjustment**
- Res. #716    Authorizes Submission of Hazard Mitigation Grant Application Funds to Purchase an Emergency Generator for the Town of Riverhead Police Department**
- Res. #717    Authorizes the Town Clerk to Advertise for Bids on a Used or Newer 35 Detachable Low Bed Trailer**
- Res. #718    Accepts Highway Superintendent’s Personnel Report & Request for Town Board Resolution to Effectuate Personnel Request (Kevin Barty)**
- Res. #719    Appoints a Call-In recreation Aide to the Recreation Department (Benjamin Chester)**
- Res. #720    Appoints a Call-In Recreation Leader to the Recreation Department (Benjamin Miller III)**
- Res. #721    Appoints a Call-In Recreation Leader to the Recreation Department (Elizabeth Flood)**
- Res. #722    Adopts a Local Law to Amend Chapter 108 of the Riverhead Town Code Entitled “Zoning” (Parking Schedule §108 Attachment 1:2)**
- Res. #723    Accepts Maintenance Security and Releases Performance Security of Edward Carrera (Subdivision Entitled, “Edward Carrera at Old Field Court)**
- Res. #724    Adopts a Local Law to Amend Chapter 86 Entitled, “Rental Dwelling Units” of the code of the Town of Riverhead**

- Res. #725** Authorizes the Supervisor to Execute an Agreement Authorizing the Town to Accept Ten (10) Google Tablet Personal Computers from the Suffolk County Office for the Aging for Use in the Senior Center
- Res. #726** Authorizes Supervisor to Execute Agreement with Riverhead Soccer Club for Training and Referee Services for Town of Riverhead Police Athletic League Girls and Boys Soccer Program for 2013 Calendar Year
- Res. #727** Authorizes the Supervisor to Execute a Property Access Agreement with the New York State Department of Transportation Regarding Replacement to an Existing Storm Water Drainage Pipe at Weeping Willow Town Park SCTM No. 600-124-4-5
- Res. #728** Approves the Chapter 90 Application of Abate of NY Long Island Chapter (St. Mary's Food and Toy Run – November 3, 2013)
- Res. #729** Ratifies the Attendance of Two Police Department Employees to the National Academy of Emergency Dispatch Training
- Res. #730** Ratifies a Leave of Absence for a Police Officer
- Res. #731** Approves Chapter 90 Application of Rick Warner Heating & Air Conditioning, Inc. (Motorcycle Swap Meet at Polish Hall – Saturday, October 26, 2013)
- Res. #732** Determines that Bid for Replacement of Tension Membranes for Salt Storage Buildings is Ineligible for Award
- Res. #733** Awards Bid for Replacement of Tension Membranes for Salt Storage Buildings
- Res. #734** Authorization to Publish Advertisement of a Request for Proposals for Landfill Renewable Energy Project
- Res. #735** Authorizes Submission of Hazard Mitigation Grant Application for Funds to Mitigate Inflow and Infiltration for the Riverhead Sewer District
- Res. #736** Awards Bid for Propane Fuel 2013
- Res. #737** Adopts a Local Law to Amend Chapter 108 of the Town Code of the town of Riverhead Entitled, "Zoning" (Non-disturbed transitional yards and screening.)
- Res. #738** Pays Bills
- Res. #739** 852 Roanoke Avenue Chapter 96 Budget Adjustment
- Res. #740** Parking District Repair Budget Adjustment

For more information visit our website at [townofriverheadny.gov](http://townofriverheadny.gov)

10.16.13  
130709

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 709**

**GENERAL FUND**

**BUDGET ADJUSTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Municipal Garage is requesting a transfer of funds for the increase cost of fuel town wide.

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
001.092801.431625	Service Other Departments, Fuel	130,000	
001.016700.540000	Municipal Fuel Contractual Expense		130,000

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

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

**THE VOTE**

Giglio  Yes  No

Gabrielsen  Yes  No

Wooten  Yes  No

Dunleavy ABSENT

Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130710

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 710**

**RIVERHEAD POLICE ATHLETIC LEAGUE**

**BUDGET ADJUSTMENT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the PAL Developmental Soccer program requires a budget adjustment to help fund the Fall Soccer referee expenses.

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
004.073102.542400	Soccer Uniforms	4,302	
004.076250.542400	Softball Uniforms	3,600	
004.073103.542323	Travel Soccer - Supplies	298	
004.073102.543614	Soccer- Referee Expense		8,200

**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 ABSENT
Walter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130711

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 711**

**RECREATION PROGRAM**

**BUDGET ADJUSTMENT**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Superintendent of Recreation requests a budget adjustment to cover expenses through the remainder of the year.

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
006.071100.511500	Staff Employees	40,000.00	
006.076204.543900	Miscellaneous Consultants		21,000.00
006.090300.582500	FICA		15,748.06
006.070000.511500	Personal Services		1,598.58
006.070200.512500	Overtime		940.86
006.071100.542512	Signage Supplies & Expenses		575.00
006.076204.518700	Programs Instructors		137.50

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting and Recreation 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 ABSENT
Walter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130712

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 712**

**RIVERHEAD SEWER**

**BUDGET ADJUSTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Superintendent of Sewer is requesting a budget adjustment to cover expenses through the remainder of the year.

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
114.000000.499999	Fund Balance	20,000	
114.081300.543504	Engineering		20,000

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting and Sewer 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 ABSENT
Walter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130713

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 713**

**SCAVENGER WASTE DISTRICT**

**BUDGET ADJUSTMENT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Superintendent of Sewer is requesting a budget adjustment from Fund Balance for Chemicals and the purchase of a new pump in the Scavenger Waste 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>
128.000000.499999	Fund Balance	23,000	
128.081890.542900	Miscellaneous Equipment		15,400
128.081890.524503	Chemicals		7,600

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

Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130714

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 714**

**2013 ARMORY BUILDING MODIFICATION PLAN**

**BUDGET ADOPTION**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, Resolution #661 adopted 9/4/13 awarded a Request for Proposal for an analysis and cost estimation for the conversion of the Armory Building located on County Road 58 to a Police and Justice Court Facility.

**NOW THEREFORE BE IT RESOLVED**, that the Supervisor be, and is hereby, authorized to establish the following budget adoption transferring funds from General Town Fund Balance:

		<b><u>FROM</u></b>	<b><u>TO</u></b>
001.000000.499999	Transfer from Fund Balance	87,500	
406.016230.543150.40210	Professional Services – Engineering		87,500

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130715

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 715**

**CALVERTON CDA - RAILSPUR**

**BUDGET ADJUSTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Engineering Department is requesting a transfer of funds to pay for costs associated with the Railspur and its Annual Inspection fee.

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
914.069800.541203	Grounds, R & M/Landscaping	3,000	
914.069800.541300	Roads, Repair & Maintenance		3,000

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

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

**THE VOTE**

Giglio <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 ABSENT
Walter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130716

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 716**

**AUTHORIZES SUBMISSION OF HAZARD MITIGATION GRANT APPLICATION FOR FUNDS TO PURCHASE AN EMERGENCY GENERATOR FOR THE TOWN OF RIVERHEAD POLICE DEPARTMENT**

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

**WHEREAS**, federal grant funding is available through the New York State Office of Emergency Management (FEMA Region II) through the Hazard Mitigation Grant Program (HMGP) to provide mitigation projects that reduce or eliminate long-term risk to people and property from natural hazards and their effects; and

**WHEREAS**, the Town of Riverhead wishes to apply for HMGP funds of approximately \$350,000.00 towards funding the purchase of an emergency generator to facilitate Police Department operations and communications during the event of emergency; and

**WHEREAS**, the HMGP funds 75% of total project costs and requires applicants to provide a 25% funding match that may be through in kind services such as design, labor and other staff time; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Riverhead Town Board hereby authorizes submission of the grant application to HMGP for \$350,000.00 with a 25% in kind match by the Town of Riverhead, and further authorizes the Town Supervisor to execute the attached maintenance agreement and other grant application documents and contracts if awarded.

**BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a notification of this resolution to Community Development, Town Engineer, Town Police Department and the Accounting Department.

**THE VOTE**

Giglio  Yes  No

Gabrielsen  Yes  No

Wooten  Yes  No

Dunleavy ABSENT

Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**VIII. MAINTENANCE AGREEMENT**

All applicants whose proposed project involves the retrofit or modification of existing public property or whose proposed project would result in the public ownership or management of property, structures, or facilities, must first sign the following agreement prior to submitting their application to FEMA.

(NOTE: those applicants whose project only involves the retrofitting, elevation, or other modification to private property where the ownership will remain private after project completion DO NOT have to complete this form.)

The Town (*City, Town, County*) of Riverhead, State of NY, hereby agrees that if it receives any Federal aid as a result of the attached project application, it will accept responsibility, at its own expense if necessary, for the **routine** maintenance of any real property, structures, or facilities acquired or constructed as a result of such Federal aid. Routine maintenance shall include, but not be limited to, such responsibilities as keeping vacant land clear of debris, garbage, and vermin; keeping stream channels, culverts, and storm drains clear of obstructions and debris; and keeping detention ponds free of debris, trees, and woody growth.

The purpose of this agreement is to make clear the Subgrantee's maintenance responsibilities following project award and to show the Subgrantee's acceptance of these responsibilities. It does not replace, supercede, or add to any other maintenance responsibilities imposed by Federal law or regulation and which are in force on the date of project award.

Signed by Sean Walter (printed or typed *name of signing official*) the duly authorized Supervisor (*title*) of Riverhead (*name of applicant*),  
this \_\_\_\_\_ (*day*) of \_\_\_\_\_ (*month*), \_\_\_\_\_ (*year*).

**Signature** \_\_\_\_\_

10.16.13  
130717

ADOPTED

TOWN OF RIVERHEAD

Resolution # 717

**AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR BIDS ON A USED 2004 OR NEWER 35 TON DETACHABLE LOW BED TRAILER**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

**RESOLVED**, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of a Used 2004 or Newer 35 Ton Detachable Low Bed Trailer for the use of the Town of Riverhead Highway Department, and be it

**RESOLVED**, that the specifications and forms for bidding be prepared by the Superintendent of Highway and all bids be returnable up to 11:00 A.M. on October 30, 2013, AND BE IT FURTHER,

**RESOLVED**, that the Town Clerk of the Town of Riverhead be and is hereby authorized to open publicly and read aloud on October 30, 2013 at 11:00 A.M. at the Town Clerk’s office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, all sealed bids bearing the designation “Used 2004 or Newer 35 Ton Detachable Low Bed Trailer”.

**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 ABSENT

Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

## **NOTICE TO BIDDERS**

Sealed bids for the purchase of a **“2004 or Newer 35 Ton Detachable Low Bed Trailer”** for the use of the Riverhead Highway Department will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until **11:00 A.M. on October 30, 2013.**

Instructions for bidders, specifications and forms may be obtained at the office of the Town Clerk at the Town Hall Monday through Friday between the hours of 8:30 A.M. and 4:30 P.M. or by visiting the Town of Riverhead website at [www.townofriverheadny.gov](http://www.townofriverheadny.gov) , click on “Bid Requests”.

All bids will be submitted on the bid form provided. Any and all exceptions to the specifications will be listed on a separate sheet of paper bearing the designation **“Exceptions to the Specifications”**, and attached to the bid form.

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

All bids will be submitted in a sealed envelope bearing the designation **“Used 2004 or Newer 35 Ton Detachable Low Bed Trailer”** and addressed to: TOWN CLERK, TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901.

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

10.16.13  
130718

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 718**

**ACCEPTS HIGHWAY SUPERINTENDENT'S PERSONNEL REPORT & REQUEST  
FOR TOWN BOARD RESOLUTION TO EFFECTUATE PERSONNEL REQUEST**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, pursuant to Town Law § 64(1), the Town Board has general management and control of the finances of the Town; and

**WHEREAS**, pursuant to Town Law § 64(3), the Town Board has general management and control of Town property; and

**WHEREAS**, pursuant to Town Law § 20 and except as otherwise provided by law, the Town Board has the responsibility to employ such persons as the Town Board deems necessary for the proper conduct of the affairs of the Town; and

**WHEREAS**, pursuant to Town Law § 27, the Town Board shall fix, from time to time, the salaries of all officers, officials and employees of said town, whether elected or appointed, and determine when the same shall be payable; and

**WHEREAS**, pursuant to Highway Law § 140(4), the Highway Superintendent shall employ such persons as may be necessary for the maintenance and repair of Town highways and removal of obstructions caused by snow and provide for the supervision over such employees, subject to the provisions of law recited above and, including but not limited to, available appropriations for such purpose, any applicable civil service requirements (see e.g. Civil Service Law § 75), and any applicable collective bargaining agreement provisions; and

**WHEREAS**, the Highway Superintendent filed a Personnel Report and Request for Town Board Resolution to Effectuate Personnel Request, to wit: to accept the resignation of Automotive Equipment Operator Kevin Barty; and

**WHEREAS**, the Highway Superintendent's report stated that that he is accepting Mr. Barty's resignation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board accepts the Highway Superintendent's Personnel Report and Request Town Board Resolution to Effectuate Personnel Request, to wit: accept the resignation of Automotive Equipment Operator Kevin Barty effective today, October 16, 2013; and be it further

**RESOLVED**, that the Personnel Officer and Financial Administrator are hereby directed to take such action to effectuate this personnel matter on behalf of the Highway Superintendent; and be it further

**RESOLVED** that the Town Clerk is hereby directed to forward a copy of this resolution to the Town Highway Superintendent, Personnel Officer, Financial Administrator and Town Attorney's Office; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130719

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 719**

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

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

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

**NOW THEREFORE BE IT RESOLVED**, that effective October 17, 2013 this Town Board hereby appoints Benjamin Chester to the position of Call-In Recreation Aide II, Level 2, to be paid the rate of \$10.00 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 ABSENT

Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130720

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 720**

**APPOINTS A CALL-IN ASSISTANT RECREATION LEADER TO THE  
RECREATION DEPARTMENT**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

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

**NOW THEREFORE BE IT RESOLVED**, that effective October 16<sup>th</sup>, 2013, this Town Board hereby appoints Benjamin Miller III to the position of Call-In Assistant Recreation Leader I, to be paid the rate of \$9.50 per hour to the Recreation Department and

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

**THE VOTE**

Giglio  Yes  No

Gabrielsen  Yes  No

Wooten  Yes  No

Dunleavy ABSENT

Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130721

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 721**

**APPOINTS A CALL-IN RECREATION LEADER TO THE RECREATION DEPARTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, a Call-In Recreation Leader II (Level 1) is needed by the Riverhead Town Recreation Department.

**NOW THEREFORE BE IT RESOLVED**, that effective October 16<sup>th</sup>, 2013, this Town Board hereby appoints Elizabeth Flood to the position of Call-In Recreation Leader I, to be paid the rate of \$12.00 per hour to the Recreation Department and

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

**THE VOTE**

Giglio  Yes  No

Gabrielsen  Yes  No

Wooten  Yes  No

Dunleavy ABSENT

Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 722**

**ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN  
CODE ENTITLED "ZONING"  
(Parking Schedule - §108 Attachment 1:2)**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (Parking Schedule - §108 Attachment 1:2); and

**WHEREAS**, a public hearing was held on the 1st day of October, 2013 at 2:10 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 to consider an amendment to Chapter 108 entitled, "Zoning" (Parking Schedule - §108 Attachment 1:2) of the Town Code of the Town of Riverhead is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

**THE VOTE**

Giglio  Yes  No

Gabrielsen  Yes  No

Wooten  Yes  No

Dunleavy ABSENT

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 to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (Parking Schedule - §108 Attachment 1:2) at its regular meeting held on October 16, 2013.

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

**RIVERHEAD CODE**

**Number of Parking Use**

Any public assembly area without fixed seats

Elementary schools

Office buildings<sup>1</sup>

Restaurants

Retirement community

Marinas

Retail stores<sup>1</sup>

Industrial or manufacturing establishments<sup>1</sup>

Any commercial or business use not otherwise expressly provided for<sup>1</sup>

**Minimum Spaces**

1 per 100 square feet of floor area

1 per classroom

1 per ~~450~~ 200 square feet of floor area

1 per 3 seats

1 ½ per dwelling unit

1 per every 2 boat slips or mooring stations

1 per ~~200~~ 250 square feet of floor area

1 per each 2 employees, computed on the basis of the greater number of persons to be employed at peak employment, but not less than 1 per 400 square feet of floor area

1 per 300 square feet of floor area

<sup>1</sup>Refer to the definition of "floor area, commercial" w set forth in § 108-3 for computation of floor area and which areas may be excluded.

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

Dated: Riverhead, New York  
October 16, 2013

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

**DIANE M. WILHELM, Town Clerk**

10.16.13  
130723

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 723**

**ACCEPTS MAINTENANCE SECURITY AND RELEASES PERFORMANCE  
SECURITY OF EDWARD CARRERA  
(SUBDIVISION ENTITLED, "EDWARD CARRERA AT OLD FIELD COURT")**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, by Resolution #30 adopted on April 10, 2006, the Riverhead Planning Board approved the final plat entitled, "Edward Carrera at Old Field Court", for subdivision of certain real property situate northwesterly of the cul de sac at Old Field Court, in the Hamlet of Wading River, New York, which premises was formerly known as Lot 40 on the Map of "Century Farms East" and also formerly known as SCTMNo.0600-57-1-7.47; and

**WHEREAS**, Planning Board Resolution #30 included among other terms and conditions of the approval, a condition that the final plat shall indicate that the right-of-way (road) shall remain private and shall not be offered for dedication to the Town of Riverhead and further, that submission and filing of performance security in the amount of \$222,000.00 be required in connection with improvements to be completed within said subdivision; and

**WHEREAS**, by Resolution #513 dated June 6, 2006, the Riverhead Town Board did accept Suffolk County National Bank Letter of Credit #060517 in the amount of \$222,000.00; and

**WHEREAS**, by Resolution #560 dated June 11, 2007, the Riverhead Town Board did approve the reduction of the aforementioned performance security to the amount of \$100,000.00; and

**WHEREAS**, by Resolution #321 dated May 1, 2012, the Riverhead Town Board accepted Suffolk County National Bank Irrevocable Letter of Credit #120404 in the amount of \$100,000.00; and

**WHEREAS**, pursuant to a Site Plan Inspection Memo from Vincent A. Gaudiello, P.E., Town Engineer; dated June 27, 2013, it has been determined that the road improvements have been satisfactorily completed and further recommends that the performance security be released and replaced with a one-year maintenance security in the amount of \$74,000.00 ; and

**WHEREAS**, under cover letter of Charles R. Cuddy, Esq., dated October 3, 2013, Edward Carrera submitted Suffolk County National Bank Maintenance Letter of Credit #01310213-000 in the amount of \$74,000.00; and

**WHEREAS**, Suffolk County National Bank Maintenance Letter of Credit # 01310213-000 in the amount of \$74,000.00 is found to be acceptable in connection with improvements to be completed in the subdivision entitled "Edward Carrera at Old Field Court".

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby accepts Suffolk County National Bank Maintenance Letter of Credit #01310213-000 in the amount of \$74,000.00 and authorizes the release of Suffolk County National Bank Irrevocable Letter of Credit #120404 in the amount of \$100,000.00; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Charles R. Cuddy, Esq., 445 Griffing 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 ABSENT

Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130724

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 724**

**ADOPTS A LOCAL LAW TO AMEND CHAPTER 86 ENTITLED, "RENTAL DWELLING UNITS" OF THE CODE OF THE TOWN OF RIVERHEAD**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

**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 86, entitled "Rental Dwelling Units" of the Riverhead Town Code of the Code of the Town of Riverhead ("Town Code"); and

**WHEREAS**, a public hearing was held on the 17<sup>th</sup> day of September, 2013 at 7:15 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that the local law amending Chapter 86 entitled, "Rental Dwelling Units" of the Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

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 86 entitled "Rental Dwelling Units" of the Riverhead Town Code at its regular meeting held on October 16, 2013.

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

CHAPTER 86

RENTAL DWELLING UNITS

§ 86-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**TRANSIENT**

A rental period of 29 days or less.

§ 86-4. Rental occupancy permit required.

- A. It shall be unlawful and a violation of this chapter for any person or entity who owns a dwelling unit in the Town to use, establish, maintain, operate, let, lease, rent or suffer or permit the occupancy and use thereof as a rental occupancy by someone other than the owner without first having obtained a valid rental occupancy permit therefor. Failure or refusal to procure a rental occupancy permit hereunder shall be deemed a violation.
- B. A rental occupancy permit issued under this chapter shall only be issued to the owner(s) of the real property at issue.
- C. In the event that the ownership of a rental dwelling is transferred the new owner shall register the property within 30 days of the closing of title pursuant to the requirements set forth in this chapter as a rental occupancy permit issued under this chapter is not transferable. If the rental dwelling is not registered as required by this chapter will be a presumption that said property is being utilized as rental property by the new owner(s) in violation of this chapter.
- D. A transient rental is prohibited. The prohibition on transient rental shall not apply to the following:

Any legally operating commercial hotel/motel business or bed-and-breakfast establishment operating exclusively and catering to transient clientele, that is, customers who customarily reside at these establishments for short durations for the purpose of vacationing, travel, business, recreational activities, conventions, emergencies and other activities that are customary to a commercial hotel/motel business.

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

Dated: Riverhead, New York  
October 16, 2013

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

**DIANE M. WILHELM, TOWN CLERK**

10.16.13  
130725

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 725**

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT  
AUTHORIZING THE TOWN TO ACCEPT TEN (10) GOOGLE TABLET PERSONAL  
COMPUTERS FROM THE SUFFOLK COUNTY OFFICE FOR THE AGING FOR USE  
IN THE SENIOR CENTER**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

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

**WHEREAS**, the Suffolk County Office for the Aging is offering the Town the use of ten (10) Google tablet personal computers for senior residents at no cost to the Town which have been distributed to the County by the New York State Department of State.

**NOW THEREFORE BE IT RESOLVED**, that the Supervisor is hereby authorized to execute the attached agreement authorizing the Town of Riverhead to accept ten (10) Google tablet personal computers from the Suffolk County Office for the Aging for use by senior residents at the Town Senior Center; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Joanne Kandell, Principal Accountant, Suffolk County Office for the Aging, H. Lee Dennison Building, 100 Veterans Memorial Highway, P.O. Box 6100, Hauppauge, NY 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  Yes  No

Gabrielsen  Yes  No

Wooten  Yes  No

Dunleavy ABSENT

Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

**Memorandum of Understanding  
Between  
Suffolk County Office for the Aging  
and  
Nutrition Program for the Elderly Contractors**

This Contract is between the County of Suffolk ("County"), a municipal corporation of the State of New York, having its principal office at the County Center, Riverhead, New York 11901, acting through its duly constituted Office for the Aging ("the Department"), having its principal office at the H. Lee Dennison Building – 3<sup>rd</sup> Floor, 100 Veterans Memorial Highway, Hauppauge, New York (Mailing address: P.O. Box 6100, New York 11788-0099); and

the Town of Riverhead ("the Contractor"), a New York municipal corporation, having a place of business at 200 Howell Avenue, Riverhead, New York 11901.

The County hereby distributes to the Contractor **Ten (10)** Tablet Personal Computers ("Tablets") which have been provided by the New York Department of State, at no cost to the County, to be made available to senior citizens at various nutrition sites and senior centers throughout Suffolk County. In return for this distribution, the Contractor agrees to report Tablet usage to the Department for a period of six (6) consecutive quarters effective as of October 1, 2013 pursuant to the terms and conditions as set forth below.

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

**Town of Riverhead**

**County of Suffolk**

By: \_\_\_\_\_  
Sean M. Walter  
Supervisor  
**Fed. Taxpayer ID #: 11-6001935**  
Date \_\_\_\_\_

By: \_\_\_\_\_  
Dennis M. Cohen  
Chief Deputy County Executive  
Date \_\_\_\_\_

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

**Approved:  
Department**

By: \_\_\_\_\_  
Holly S. Rhodes-Teague  
Director, Office for the Aging  
Date: \_\_\_\_\_

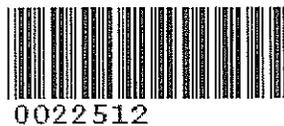
\_\_\_\_\_  
Date \_\_\_\_\_  
Signature

**Recommended:**

By: \_\_\_\_\_  
Maureen Porta  
Senior Citizens Program Administrator II  
Date: \_\_\_\_\_

**Approved as to Legality:  
Dennis M. Brown  
County Attorney**

By: \_\_\_\_\_  
Mary E. Porter  
Assistant County Attorney  
Date \_\_\_\_\_



**Exhibit I**  
**Definitions**

**Exhibit II**  
**General Terms and Conditions**

1. Program Description
2. Contractor Responsibilities
3. Department Responsibilities
4. Mutual Responsibilities

**Exhibit III**  
**Additional Agreement Provisions**

**Exhibit I**  
**Definitions**

**1. Meanings of Terms**

As used in the Contract:

“Contract” means all terms and conditions herein forming all rights and obligations of the Contractor and the County.

“Contractor” means the signatory person, partnership, corporation, association or other entity, its officers, officials, employees, agents, servants, sub-contractors and any successor or assign of any one or more of the foregoing performing the Services.

“Congregate sites”  
Locations where seniors participate in programs sponsored by the Contractor.

“County” means the County of Suffolk, its departments, and agencies.

“Department” means the signatory department approving the Contract.

“Tablets” refers to Nexus 7 wireless devices.

End of Text for Exhibit I

## Exhibit II General Terms and Conditions

**Whereas**, Tablets were donated by Google to the New York State Department of State for use in areas affected by Superstorm Sandy 2012; and

**Whereas**, Suffolk County, as one of these areas affected by Superstorm Sandy 2012, received Tablets from the Department of State; and

**Whereas**, one of the goals of the Department is to prevent social isolation, which may be caused by the lack of ability of senior citizens ("seniors") to keep up with current technological information and to enhance seniors' quality of life through the distribution of the Tablets for use by seniors only at designated congregate nutrition programs and other senior program sites as sponsored by the Contractor throughout Suffolk County;

**Now, therefore**, it is mutually agreed among the parties to this Agreement as follows:

### 1. Program Description

The use of the tablets is intended to provide opportunities for the seniors to increase their skills for using currently available electronic technologies in general use in society. In exchange for use of the Tablets, the Contractor agrees to report usage of the Tablets by seniors for six (6) consecutive reporting quarters beginning October 1, 2013.

### 2. Contractor Responsibilities

The distribution of the Tablets is dependent on the Contractor reporting the usage of the Tablets for six (6) consecutive reporting quarters. The reports shall utilize the form annexed hereto as Exhibit 1 which shall include the numbers of seniors using the tablets and the number of hours the Tablets are in use. The Contractor agrees to provide Wi-Fi and instruction for the use of the Tablets for seniors to use at the sites. Failure of the Contractor to submit the required usage report will result in termination of this MOU and the immediate return of the Tablets.

**Contractor agrees that all Tablets are to remain on-site. Seniors, contractor and contractor staff are prohibited from removing Tablets from Contractor's site. Any violation of this provision is cause for immediate termination of this MOU.**

### 3. Department Responsibilities

The Department, as the designated Area Agency on Aging, advocates for seniors' quality of life. One method of accomplishing this goal is to keep seniors current on assorted technologies. These technologies may enhance their quality of life and prevent isolation, enabling seniors to remain fully engaged in their communities. The Department shall make Tablets available to the Contractor, obtain usage reports from the Contractor and forward usage reports to the New York State Department of State.

**4. Mutual Responsibilities**

The Contractor and the Department agree that their mutual goals are to: work together to educate seniors about proper usage of Tablets; educate seniors on advances in technology; and, work cooperatively to provide data regarding Tablet usage to the New York State Department of State, as required.

The Department and the Contractor each hereby commit that they will diligently cooperate with one another to realize the goals outlined herein to provide educational opportunities on the advances in technology in an effort to improve the quality of life of seniors of Suffolk County.

**5. Tablet Ownership**

The County shall retain ownership of the Tablets until the Contractor complies with all of the requirements set forth in this MOU. Upon the Department issuing a final approval, in writing, that Contractor has successfully complied with all of the reporting requirements set forth in this MOU, the Tablets shall become the property of the Contractor.

End of Text for Exhibit II

**Exhibit III**  
**Additional Agreement Provisions**

**1. Nondiscrimination in Services**

- a. The Contractor shall not, on the grounds of race, creed, color, national origin, sex, age, disability, sexual orientation, military status, or marital status
  - i.) deny any individual the Services provided pursuant to the Contract; or
  - ii.) provide the Services to an individual that is different, or provided in a different manner, from those provided to others pursuant to the Contract; or
  - iii.) subject an individual to segregation or separate treatment in any matter related to the individual's receipt of the Services provided pursuant to the Contract; or
  - iv.) restrict an individual in any way from any advantage or privilege enjoyed by others receiving the Services provided pursuant to the Contract; or
  - v.) treat an individual differently from others in determining whether or not the individual satisfies any eligibility or other requirements or conditions which individuals must meet in order to receive the Services provided pursuant to the Contract.
- b. The Contractor shall not utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, creed, color, national origin, sex, age, disability, sexual orientation, military status, or marital status, or have the effect of substantially impairing the Contract with respect to individuals of a particular race, creed, color, national origin, sex, age, disability, sexual orientation, military status, or marital status, in determining:
  - i.) the Services to be provided; or
  - ii.) the class of individuals to whom, or the situations in which, the Services will be provided; or
  - iii.) the class of individuals to be afforded an opportunity to receive the Services.

**2. Nonsectarian/Nonpartisan Declaration**

The Services performed under the Contract are secular and nonpartisan in nature. No funds received pursuant to the Contract shall be used for sectarian purposes or to further the advancement of any religion, candidate or partisan effort. The Services will be available to all eligible individuals regardless of religious belief or political affiliation.

**3. Governing Law**

The Contract shall be governed by, and construed in accordance with, the laws of the State of New York, without regard to conflict of laws. Venue shall be designated in the Supreme Court, Suffolk County, the United States District Court for the Eastern District of New York, or, if appropriate, a court of inferior jurisdiction in Suffolk County.

**4. No Waiver**

It shall not be construed that any failure or forbearance of the County to enforce any provision of the Contract in any particular instance or instances is a waiver of that provision. Such provision shall otherwise remain in full force and effect, notwithstanding any such failure or forbearance.

End of Text for Exhibit III

Exhibit 1

COUNTY OF SUFFOLK



Steven Bellone  
COUNTY EXECUTIVE

OFFICE FOR THE AGING  
Holly S. Rhodes-Teague  
DIRECTOR

GOOGLE TABLET USAGE REPORT

Town \_\_\_\_\_ Number of Tablets Received \_\_\_\_\_

Quarter \_\_\_\_\_

Contact Person \_\_\_\_\_ Phone # \_\_\_\_\_

Number of CLIENTS using Tablets \_\_\_\_\_

Number of HOURS of Tablet usage \_\_\_\_\_

Location(s) where tablets are used: \_\_\_\_\_

Tablets will be used to instruct older residents on many applications that are available on tablets. Senior Center staff will offer classes on email, research, skype, benefit programs, mapquest and recreational games. Staff also plan to look into inter-generational programming with local high school students assisting residents with the use of the tablets.

TOWN OF RIVERHEAD

Resolution # 726

**AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT WITH RIVERHEAD SOCCER CLUB FOR TRAINING AND REFEREE SERVICES FOR TOWN OF RIVERHEAD POLICE ATHLETIC LEAGUE GIRLS AND BOYS SOCCER PROGRAM FOR 2013 CALENDAR YEAR**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town of Riverhead Police Athletic League is a non-profit organization that provides organized sports programs, activities, and education for children ages 5-13 designed with the intent of giving children healthy social and behavioral skills and the goal to reduce their susceptibility to gang involvement, alcohol and drug use and delinquency; and

**WHEREAS**, the Riverhead Soccer Club provides professional officials and trainers to provide instruction and to referee games; and,

**WHEREAS**, the Riverhead Soccer Club has offered to provide trainers to provide instruction/training to participants in the PAL Soccer Program and provide professional officials to referee games for the 2013 Girls and Boys Soccer Programs offered to girls and boys in Riverhead that are part of and affiliated with the Town of Riverhead Police Athletic League.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Supervisor to enter into an agreement with the Riverhead Soccer Club, in substantially the same form as annexed hereto, for training and referee services for the 2013 Girls and Boys Soccer Programs as part of and affiliated with the Town of Riverhead Police Athletic League in an amount not to exceed \$10,000.00; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the Office of Accounting; 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 ABSENT

Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

**AGREEMENT BETWEEN TOWN OF RIVERHEAD ON BEHALF OF  
TOWN OF RIVERHEAD POLICE ATHLETIC LEAGUE AND  
RIVERHEAD SOCCER CLUB**

**THIS AGREEMENT** made and entered into this \_\_\_\_day of October, 2013, by and between the Town of Riverhead, a municipal corporation duly existing under the laws of the State of New York, (hereinafter referred to as the "Town"), with its principal place of business located at 200 Howell Avenue, Riverhead, NY and the Riverhead Soccer Club, having an address at P.O. Box 2018, Riverhead, NY 11901.

**WHEREAS**, the Town of Riverhead Police Athletic League is a non-profit organization that provides organized sports programs, activities, and education for children ages 5-13 designed with the intent of giving children healthy social and behavioral skills and the goal to reduce their susceptibility to gang involvement, alcohol and drug use and delinquency; and

**WHEREAS**, the Riverhead Soccer Club provides professional officials and trainers to provide instruction and to referee games; and,

**WHEREAS**, the Riverhead Soccer Club has offered to provide professional trainers for instruction/training to participants in the PAL Soccer Program and provide professional officials to referee games for the 2013 Girls and Boys Soccer Programs offered to girls and boys in Riverhead that are part of and affiliated with the Town of Riverhead Police Athletic League; and

**WHEREAS**, by Resolution #\_\_\_\_ adopted on October 16, 2013, the Town Board authorized the Supervisor to enter into an agreement with Riverhead Soccer Club for training and referee services for 2013 Girls and Boys Soccer programs as part of and affiliated with the Town of Riverhead Police Athletic League in an amount not to exceed \$10,000.00.

**NOW THEREFORE**, in consideration of the mutual covenants and agreements herein, the parties agree as follows:

**SECTION 1. Purpose:**

The purpose of this Agreement is to contract with Riverhead Soccer Club to provide and arrange for officiating services for the girls and boys soccer programs offered as part of and affiliated with the Town of Riverhead Police Athletic League to increase the public health, safety, and quality of life for the youth of the Town of Riverhead. The extent of the Town's payment for services hereunder to Riverhead Soccer Club is intended to provide social and recreational programs and services that enable youth, especially from poor or otherwise disadvantaged family backgrounds, to participate in these healthy and productive programs to reduce crime and increase youth opportunities for productive activities within the community.

**SECTION 2. Scope of Work:**

Riverhead Soccer Club shall provide and arrange for officiating services for the 2013 Girls and Boys Soccer Programs offered to the youth of Riverhead as part of and affiliated with the Town of Riverhead Police Athletic League.

### SECTION 3. Duration of Contract:

The term of this agreement shall commence on September 9, 2013 and expire at the end of the 2013 Town of Riverhead Police Athletic League Girls and Boys Soccer season.

### SECTION 4. Consideration:

As consideration for the services provided, as specified in Paragraph 2, the Town will reimburse or provide \*payment the Riverhead Soccer Club for a sum of money not to exceed \$10,000.00 for 2013 Girls and Boys Soccer Programs to provide and arrange for officiating services for said program(s) that are part of and affiliated with the Town of Riverhead Police Athletic League during the contract period. Riverhead Soccer Club may submit vouchers seeking payment or reimbursement for monies spent on officiating services on a biweekly or monthly basis during the contract period. \*To the extent that Riverhead Soccer Club seeks payment prior to completion of officiating services, Riverhead Soccer Club shall be required to provide the Town with documentation to substantiate costs related to such services within 60 days. It is agree and understood that consideration is limited to payment or reimbursement of monies/costs related to officiating services and no additional costs, charges, or fees are permitted under this agreement.

### SECTION 5. Relationship:

The Town and Riverhead Soccer Club intend that an independent contractual relationship be created by this contract. The Riverhead Soccer Club is not considered to be an employee of the Town for any purpose and neither the Riverhead Soccer Club nor any employee of the Riverhead Soccer Club shall be entitled to any of the benefits the Town provides for the Town's employees, including, but no limited to, health insurance, sick or annual leave, or workers compensation. The Riverhead Soccer Club specifically represents and stipulates that the Riverhead Soccer Club is engaged in the business of providing the services set forth in this contract, whether or not for profit, and that the Riverhead Soccer Club is fully registered and legally authorized to conduct such business, and pays all necessary taxes and assessments levied against such business. The terms of this agreement are not intended to create any duties, obligations or liabilities to any third parties. Neither party intends this agreement to create any third-party beneficiaries to this agreement.

### SECTION 6. Suspension, Termination, and Close Out:

If the Riverhead Soccer Club fails to comply with the terms and conditions of this contract, the Town may pursue such remedies as are legally available, including, but not limited to, the suspension or termination of this contract.

### SECTION 7. Changes, Amendment, Modifications:

The Town and Riverhead Soccer Club may, agree from time to time, to change or modify the Scope of Work to be performed hereunder. Any such change, amendment or modification shall be in writing and signed by all parties.

### SECTION 8. Assignability:

The Riverhead Soccer Club shall not assign any interest on this contract and shall not transfer any interest on the contract without prior written consent of the Town.

SECTION 9. Reports and Information:

The Riverhead Soccer Club, at such times as and in such form as the Town may require, shall furnish the Town such periodic reports, including an accounting for the expenditures of Town funds, as it may request pertaining to the work of services undertaken pursuant to the contract, the costs and obligations incurred or to be incurred in connection therewith, and any other matters covered by this contract.

SECTION 10. Liability and Indemnification:

The Riverhead Soccer Club agrees to hold the Town harmless and shall indemnify and defend all claims, demands, or suits of law or equity arising from the negligent or intentionally wrongful actions or omissions of the Riverhead Soccer Club or the Riverhead Soccer Club officials or agents in providing the services called for under this agreement.

SECTION 11. Severability:

If any portion of this Agreement is held to be invalid or unenforceable for any reason, such holding shall not affect the validity or enforceability of any of the remaining portion.

**IN WITNESS WHEREOF**, the Town and the Riverhead Soccer Club have executed this contract agreement as of the date and year last written below:

TOWN OF RIVERHEAD:

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

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Attorney

RIVERHEAD SOCCER CLUB

\_\_\_\_\_  
Riverhead Soccer Club President

\_\_\_\_\_  
Date

10.16.13  
130727

ADOPTED

TOWN OF RIVERHEAD

Resolution # 727

**AUTHORIZES THE SUPERVISOR TO EXECUTE A PROPERTY ACCESS AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION REGARDING REPLACEMENT OF AN EXISTING STORM WATER DRAINAGE PIPE AT WEEPING WILLOW TOWN PARK, SCTM No. 600-124-4-5**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town of Riverhead, in the interest of storm water management, wishes to abate flooding conditions in the Weeping Willow Town Park caused by an adjacent dilapidated storm water drainage system maintained by the New York State Department of Transportation; and

**WHEREAS**, the New York State Department of Transportation has agreed to replace a State-installed and failing storm water drainage pipe traversing the subject property at the State's sole cost and expense with the intent of maintaining the drainage pipe in perpetuity; and

**WHEREAS**, the Town Engineering Department deems replacement of the subject storm water drainage pipe as warranted and necessary to abate storm water flooding conditions at Weeping Willow Town Park.

**NOW THEREFORE BE IT RESOLVED**, that the Supervisor is hereby authorized to execute the attached property access agreement with the New York State Department of Transportation for the purpose of abating storm water flooding conditions at Weeping Willow Town Park; 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 ABSENT  
Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

**NEW YORK STATE DEPARTMENT OF TRANSPORTATION**

**PERMISSION TO:** Replace Existing 18" Drainage Pipe

**Contract: D** 261914      **Route No.** 25      **County of** Suffolk

The undersigned owner(s) of private lands that are located on the Right side of the highway  
**From Station:** 1086+00    **To Station:** 1088+00 and being further identified as:

Weeping Willow Town Park, SCTM No. 600-124-4-5

hereby grant permission and give consent to the Commissioner of the New York State Department of Transportation his/her agents or contractors, to enter onto the property identified above in connection with the above referenced contract for the purpose(s) identified above. This permission is granted with the understanding that such work shall be limited to an area within 200 Feet of the highway right of way line, at the State of New York's sole cost and expense, and as more fully delineated in the attached drainage map.

The undersigned agree that the State of New York shall be liable for the maintenance of such improvement and liable for damages in connection with the completion of the work. It is the intent of both parties that the State of New York shall map and acquire the necessary rights for such improvement and that the Town of Riverhead will grant these rights for a dollar payment waived.

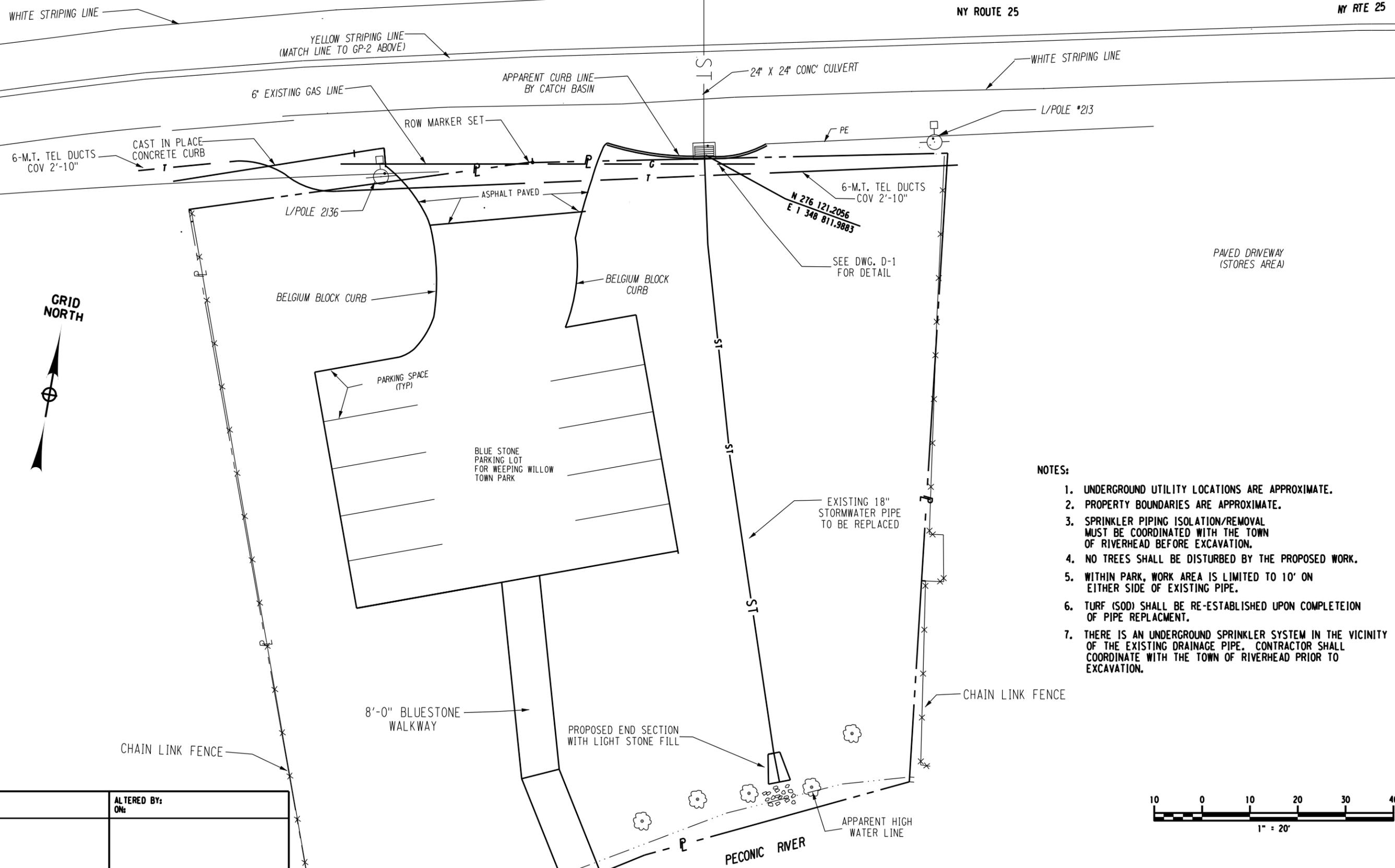
Owner(s):

\_\_\_\_\_  
Sean M. Walter, Town Supervisor      \_\_\_\_\_  
Date

\_\_\_\_\_  
By:      \_\_\_\_\_  
Date

Title:

New York State Department of Transportation



- NOTES:**
1. UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE.
  2. PROPERTY BOUNDARIES ARE APPROXIMATE.
  3. SPRINKLER PIPING ISOLATION/REMOVAL MUST BE COORDINATED WITH THE TOWN OF RIVERHEAD BEFORE EXCAVATION.
  4. NO TREES SHALL BE DISTURBED BY THE PROPOSED WORK.
  5. WITHIN PARK, WORK AREA IS LIMITED TO 10' ON EITHER SIDE OF EXISTING PIPE.
  6. TURF (SOD) SHALL BE RE-ESTABLISHED UPON COMPLETION OF PIPE REPLACEMENT.
  7. THERE IS AN UNDERGROUND SPRINKLER SYSTEM IN THE VICINITY OF THE EXISTING DRAINAGE PIPE. CONTRACTOR SHALL COORDINATE WITH THE TOWN OF RIVERHEAD PRIOR TO EXCAVATION.

PROJECT MANAGER  
 CHECK  
 DRAFTING  
 CHECK  
 DESIGN  
 JOB MANAGER  
 DESIGN SUPERVISOR

FILE NAME : 080898\_cph.env.14E1...2.dgn  
 DATE/TIME : 08/21/2012 12:46:56  
 USER : DGN\USER\NAME

AFFIX SEAL: ON:	ALTERED BY: ON:

AS-BUILT REVISIONS DESCRIPTION OF ALTERATIONS:

COUNTY:	PIN 080898	BRIDGES	CULVERTS	ALL DIMENSIONS IN ft UNLESS OTHERWISE NOTED	CONTRACT NUMBER
				STORMWATER PIPE REPLACEMENT AT WEEPING WILLOW TOWN PARK	
					DRAWING NO.
					SHEET NO.

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE STAMP OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

NEW YORK STATE DEPARTMENT OF TRANSPORTATION REGION 10  
DOCUMENT NAME: 080898\_cph.env.14E1...2.dgn

10.16.13  
130728

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 728**

**APPROVES THE CHAPTER 90 APPLICATION OF  
ABATE OF NY LONG ISLAND CHAPTER  
(St. Mary's Food and Toy Run – November 3, 2013)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, on September 16, 2013, Abate of NY Long Island Chapter submitted a Chapter 90 Application for the purpose of conducting a motorcycle run entitled "St. Mary's Food and Toy Run", said run to commence at the Riverhead Elks Lodge located on 1239 East Main Street, Riverhead, New York and to end at the St. Mary's Church located on Ponquogue Avenue, Hampton Bays, New York, on Sunday, November 3, 2013; and

**WHEREAS**, Abate of NY Long Island Chapter has advised that all donated toys, food, and monetary contributions shall be given to St. Mary's Church for their distribution of same to the less fortunate families upon the upcoming Christmas season; and

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

**WHEREAS**, Abate of NY Long Island Chapter has submitted and completed a Short Form Chapter 90 Application together with a Short Environmental Assessment Form pursuant to 6 NYCRR Part 617 identifying the potential adverse environmental impacts of the event; and

**WHEREAS**, Abate of NY Long Island Chapter has requested the Chapter 90 Application fee for this event be waived due to their not-for-profit status; and

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

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

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

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

**RESOLVED** that the Chapter 90 Application of Abate of NY Long Island Chapter for the purpose of conducting a motorcycle run entitled "St. Mary's Food and Toy Run", said run to commence at the Riverhead Elks Lodge located on 1239 East Main Street, Riverhead, New York and to end at the St. Mary's Church located on Ponquogue Avenue, Hampton Bays, New York, on Sunday, November 3, 2013 is hereby approved subject to the conditions set forth herein; and be it further

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

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

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

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

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

**RESOLVED**, that this approval is subject to Riverhead Town Code Chapter 81 entitled, "Noise Control" and that applicant shall not exceed the noise limits as defined in Section 81-5 Prohibited Acts.; and be it further

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

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130729

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 729**

**RATIFIES THE ATTENDANCE OF TWO POLICE DEPARTMENT EMPLOYEES TO  
THE NATIONAL ACADEMY OF EMERGENCY DISPATCH TRAINING**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of two police department employees to attend the National Academy of Emergency Dispatch Training, and,

**WHEREAS**, the training was held in East Setauket, New York from October 2 – October 4, 2013.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby ratifies the attendance of two police department employees at the aforementioned training; 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

Wooten  Yes  No

Walter  Yes  No

Gabrielsen  Yes  No

Dunleavy ABSENT

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130730

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 730**

**RATIFIES A LEAVE OF ABSENCE FOR A POLICE OFFICER**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, Police Officer Timothy McAllister is a Reservist of the United States Air National Guard; and

**WHEREAS**, Police Officer McAllister had military orders calling him to active duty under the authority of Title 10, U.S. Code Section 12302; and

**WHEREAS**, Police Officer McAllister made application to the Chief of Police and the Riverhead Town Board for an unpaid military leave of absence beginning on September 20, 2013 and continuing through September 13, 2014.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the Uniformed Services Employment and Reemployment Rights Act, Title 38, this Town Board hereby ratifies and approves the application for the aforementioned leave of absence for Police Officer McAllister.

**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 ABSENT

Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 731**

**APPROVES CHAPTER 90 APPLICATION OF RICK WARNER HEATING & AIR  
CONDITIONING, INC.  
(Motorcycle Swap Meet at Polish Hall - Saturday, October 26, 2013)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, on September 20, 2013, Rick Warner Heating & Air Conditioning, Inc. ("Warner") submitted a Chapter 90 Application for the purpose of conducting an event entitled "Yahbomoto Motorcycle Swap Meet", to include sale of memorabilia, motorcycle parts, and accessories, to be held on the grounds of the Riverhead Polish Hall located at 214 Marcy Avenue, Riverhead, New York, on Saturday, October 26, 2013, between the hours of 8:00 a.m. and 4:00 p.m.; and

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

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

**WHEREAS**, the applicant has paid the requisite Chapter 90 Application fee; and

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

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

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

**RESOLVED**, that the Chapter 90 application of Rick Warner Heating & Air Conditioning, Inc., for the purpose of conducting an event entitled "Yahbomoto Motorcycle Swap Meet", to include sale of memorabilia, motorcycle parts, and accessories, to be held on the grounds of the Riverhead Polish Hall located at 214

Marcy Avenue, Riverhead, New York, on Saturday, October 26, 2013, between the hours of 8:00 a.m. and 4:00 p.m., is approved; and be it further

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

**RESOLVED**, that any tent installations, including the obtainment of any necessary tent permits, and any all electric shall comply with the applicable provisions of the Building and Fire Code of New York State, the National Electrical Code and National Fire Protection Agency 102 (Tents & Membrane Structures); and be it further

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

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Rick Warner Heating & Air Conditioning, Inc., P.O. Box 489, Westhampton Beach, NY, 11978; 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 ABSENT  
Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130732

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 732**

**DETERMINES THAT BID FOR REPLACEMENT OF TENSION MEMBRANES  
FOR SALT STORAGE BUILDINGS IS INELIGIBLE FOR AWARD**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town Board has solicited bids for the Replacement of Tension Membranes for Salt Storage Buildings; and

**WHEREAS**, the Town of Riverhead, has received bids, which bids were opened on September 27, 2013 at about 11:05 a.m., the time and date advertised, including among others, a bid from Clear Span Fabric Structures International Inc. (Clear Span); and

**WHEREAS**, by resolution number 715, adopted on September 21, 2010, the Town Board awarded a bid for the construction of the salt storage buildings; and

**WHEREAS**, Clear Span had provided the tension membranes for the construction of the salt storage buildings that was awarded by resolution 715 of 2010; and

**WHEREAS**, the construction of the salt storage buildings was completed on or about March 2011; and

**WHEREAS**, Certificates of Warranty were issued by Clear Span on or about March 2, 2011; and

**WHEREAS**, the tension membranes failed during the warranty period, a claim under warranty was made by the Town of Riverhead and by email from Clear Span dated February 27, 2013 Clear Span advised it would not honor the warranty and stated that the damage was not covered by warranty; and

**WHEREAS**, the Town of Riverhead has commenced litigation against Clear Span due to the failure of the tension membranes; and

**WHEREAS**, by correspondence dated October 3, 2013, the Town of Riverhead notified Clear Span that it considered Clear Span not to be the lowest responsible bidder and advised Clear Span to set forth in writing not later than October 8, 2013 reasons to refute such; and

**WHEREAS**, by correspondence dated October 7, 2013, Clear Span informed the Town of Riverhead that it rejected the Town's refusal to consider its bid, and citing the aforementioned litigation, refused to set forth reasons to refute the Town's findings.

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby determines that the bid submitted by Replacement of Tension Membranes for Salt Storage Buildings is not eligible for award for the reasons stated above; and it is further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Clear Span Fabric Structures International, 1395 John Fitch Blvd., South Windsor, CT 06074; and be it further

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

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

**THE VOTE**

Giglio  Yes  No

Gabrielsen  Yes  No

Wooten  Yes  No

Dunleavy ABSENT

Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130733

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 733**

**AWARDS BID FOR REPLACEMENT OF TENSION MEMBRANES  
FOR SALT STORAGE BUILDINGS**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town Clerk was authorized to publish and post a notice to bidders for the Replacement of Tension Membranes for Salt Storage Buildings for the Riverhead Highway Department; and

**WHEREAS**, pursuant to the Notice to Bidders, each proposal must comply with the instructions contained therein and required that all proposals be submitted on or before 11:05 am on September 27, 2013; and

**WHEREAS**, two (2) responses to the Notice to Bidders were received, opened and read aloud on September 27, 2013 at 11:05 am in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, NY 11901; and

**WHEREAS**, the Town of Riverhead did review all proposals and, after serious consideration and evaluation, it was determined that Heller Construction was the lowest responsible bidder and recommend that the bid be awarded to Heller Construction.

**NOW THEREFORE BE IT RESOLVED**, that the bid for the Replacement of Tension Membranes for Salt Storage Buildings for the Riverhead Highway Department be and is hereby awarded to Heller Construction, 1015 East Main Street, Riverhead, NY 11901, in the amount of \$69,917.36; and be it further

**RESOLVED**, that the Town Clerk, be and is hereby directed to forward a copy of this resolution to Heller Construction, Attn. Robert Heller, 1015 East Main Street, Riverhead, NY 11901, the Riverhead Highway Department, the Town Engineering Department, the Town Accounting Department and the Town Purchasing Department; and be it further

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

**THE VOTE**

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

10.16.13  
130734

ADOPTED

TOWN OF RIVERHEAD

Resolution # 734

**AUTHORIZATION TO PUBLISH ADVERTISEMENT OF A REQUEST FOR PROPOSALS FOR LANDFILL RENEWABLE ENERGY PROJECT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, The Town of Riverhead seeks proposals to develop, construct, install, operate and maintain a Renewable Energy Project (“Solar Photovoltaic Energy System” or “Systems”) at the Town’s Landfill located at Youngs Avenue, Riverhead, NY.

**WHEREAS**, the intention of the Town is to enter into a lease agreement with a qualified firm that will develop a Solar Photovoltaic Energy System at the landfill site; and

**WHEREAS**, the Town of Riverhead seeks authorization to publish and post a notice to bidders for proposals for Landfill Renewable Energy Project at the Town’s landfill located at Youngs Avenue, Riverhead, NY.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the issuance of the attached Request for Proposals for Landfill Renewable Energy Project; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to publish and post the following public notice in the October 24, 2013 issue of the News-Review; and be it further

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

**THE VOTE**

Giglio  Yes  No

Gabrielsen  Yes  No

Wooten  Yes  No

Dunleavy ABSENT

Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

## NOTICE TO BIDDERS

**TAKE NOTICE**, that sealed proposals will be received by the Office of the Town Clerk at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on or before **December 2, 2013 at 11:00 o'clock am**, prevailing time, for:

### REQUEST FOR PROPOSALS

The Town of Riverhead is seeking proposals for **LANDFILL RENEWABLE ENERGY PROJECT**.

Specifications and guidelines for submission of proposals are available on the Town website at [www.townofriverheadny.gov](http://www.townofriverheadny.gov), click on bids, or at the Office of the Town Clerk and may be picked up between the hours of 8:30 am and 4:30 pm, Monday through Friday, beginning **October 24, 2013**.

Due to the scope of work for this Lease/Contract, the Town is scheduling a **Mandatory Pre-Bid Meeting and Inspection for November 13, 2013 at 9:30 am** at the Riverhead Town Hall, Town Board Meeting Room, 200 Howell Avenue, Riverhead, New York. Site visit to follow at the Town Landfill, Youngs Avenue, Riverhead, New York. Proposals will be considered only from bidders who, for themselves or for intended and stated subcontractors, can show recent experience in the performance of similar work of equal difficulty and magnitude. The failure to attend the Mandatory Pre-Bid Meeting & Inspection will result in disqualification of the bidder

Each proposal must be submitted in a sealed envelope clearly marked "**LANDFILL RENEWABLE ENERGY PROJECT**". Proposals must be received by the Office of the Town Clerk by no later than **11:00 am on December 2, 2013**.

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

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

**DIANE M. WILHELM, TOWN CLERK**

10.16.13  
130735

ADOPTED

TOWN OF RIVERHEAD

Resolution # 735

**AUTHORIZES SUBMISSION OF HAZARD MITIGATION GRANT APPLICATION FOR FUNDS TO MITIGATE INFLOW AND INFILTRATION FOR THE RIVERHEAD SEWER DISTRICT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, FEDERAL GRANT FUNDING IS AVAILABLE THROUGH THE New York State Office of Emergency Management (FEMA Region II) through the Hazard Mitigation Grant Program (HMGP) to provide mitigation projects that reduce or eliminate long-term risk to people and property from natural hazards and their effects; and

**WHEREAS**, the Town of Riverhead wishes to apply for HMGP funds of approximately \$6,500,000.00 towards funding an inflow and infiltration mitigation project to eliminate extraneous flow from storm events which impact the collection and conveyance of wastewater to the treatment plant; and

**WHEREAS**, the HMGP funds 75% of total project costs and requires applicants to provide a 25% funding match that may be through in kind services such as design, labor and other staff time; and

**NOW THEREFORE BE IT RESOLVED**, that the Riverhead Town Board hereby authorizes submission of the grant application to HMGP for \$6,500,000.00 with a 25% in kind match by the Town of Riverhead, and further authorizes the Town Supervisor to execute the attached maintenance agreement and other grant application documents and contracts if awarded.

**BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a notification of this resolution to Sewer, Community Development, Town Police Department and the Accounting Department.

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130736

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 736**

**AWARDS BID FOR PROPANE FUEL 2013**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town Clerk was authorized to publish and post a notice for sealed bids for PROPANE FUEL for the Town of Riverhead and;

**WHEREAS**, 2 bids were received and opened at 11:00 a.m. on OCTOBER 11, 2013 at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

**NOW THEREFORE BE IT RESOLVED**, that the bid for PROPANE FUEL be and hereby is, awarded to PECONIC PROPANE for the following delivered price. Margin over posting plus +.40/per gallon.

**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 ABSENT

Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130737

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 737**

**ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE TOWN CODE OF THE TOWN OF RIVERHEAD ENTITLED, "ZONING" (Non-disturbed transitional yards and screening.)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

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

**WHEREAS**, a public hearing was held on the 1st day of October, 2013 at 2:15 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that a local law to amend Chapter 108 of the Town Code of the Town of Riverhead entitled, "Zoning" is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

**THE VOTE**

Giglio  Yes  No

Gabrielsen  Yes  No

Wooten  Yes  No

Dunleavy ABSENT

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 to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on October 16, 2013. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 108  
ZONING

**Article XLVI  
Destination Retail Center (DRC) Zoning Use District**

**§108-259. Lot, yard, bulk and height requirements.**

- A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.
- B. No individual retail store shall have a floor area of less than 10,000 square feet, excepting that 10% of the total floor area may be improved with retail stores of less than 10,000 square feet with a minimum size per retail store of 3,500 square feet.
- C. In order to maintain the Town's scenic and rural quality, properties shall provide a contiguous landscaped area equal to at least 20% of the lot area. Such open space area shall be landscaped with shrubs, flowers, rock gardens, ornamental grasses, or other plantings rather than grass lawns.
- D. The following minimum required non-disturbed transitional yards and screening shall be provided within nonresidential districts in order to assure orderly and compatible relationships along certain boundary lines:

(1) Adjoining residential districts and uses.

(a) The minimum required non-disturbed transitional side and rear yards shall be 50 feet. When buildings are less than 5,000 square feet in size, the required side and rear transition yards shall be 25 feet adjacent to the residential district.

(b) The minimum required screening within such non-disturbed transitional side and rear yards shall be a six-foot-high stockade-type fence or equal and landscape plantings to be erected and maintained by the nonresidential property owner along the side and rear property lines; provided, however, that the Planning Board may modify these requirements for screening where the same screening effect is accomplished by the natural terrain or foliage.

(c) The minimum required non-disturbed transitional side and rear yards provided for in

this section may be modified by the Planning Board as part of site plan review where the subject premises is a single lot which lies across district boundaries or where natural, physical or other existing features are present and the goals of this section will be accomplished.

(d) Where a site does not have existing vegetation within the required non-disturbed transitional yard sufficient to screen the proposed development from the adjacent residential zone or use, a landscaping plan shall be submitted to the Planning Board. In addition to the existing vegetation in the required non-disturbed transitional yard, the landscaping plan shall include plantings, berms and/or fencing in this area to visually screen and reduce noise impacts of the proposed development.

## **Article XLVII** **Shopping Center (SC) Zoning Use District**

### **§ 108-263. Lot, yard, bulk and height requirements.**

- A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.
- B. In order to maintain the Town's scenic and rural quality, properties shall provide a contiguous landscaped area equal to at least 5% of the lot area. Such open space area shall be landscaped with shrubs, flowers, rock gardens, ornamental grasses, or other plantings rather than grass lawns.
- C. The following minimum required non-disturbed transitional yards and screening shall be provided within nonresidential districts in order to assure orderly and compatible relationships along certain boundary lines:
- (1) Adjoining residential districts and uses.
- (a) The minimum required non-disturbed transitional side and rear yards shall be 50 feet. When buildings are less than 5,000 square feet in size, the required side and rear transition yards shall be 25 feet adjacent to the residential district.
- (b) The minimum required screening within such non-disturbed transitional side and rear yards shall be a six-foot-high stockade-type fence or equal and landscape plantings to be erected and maintained by the nonresidential property owner along the side and rear property lines; provided, however, that the Planning Board may modify these requirements for screening where the same screening effect is accomplished by the natural terrain or foliage.

(c) The minimum required non-disturbed transitional side and rear yards provided for in this section may be modified by the Planning Board as part of site plan review where the subject premises is a single lot which lies across district boundaries or where natural, physical or other existing features are present and the goals of this section will be accomplished.

(d) Where a site does not have existing vegetation within the required non-disturbed transitional yard sufficient to screen the proposed development from the adjacent residential zone or use, a landscaping plan shall be submitted to the Planning Board. In addition to the existing vegetation in the required non-disturbed transitional yard, the landscaping plan shall include plantings, berms and/or fencing in this area to visually screen and reduce noise impacts of the proposed development.

## **Article XLVIII** **Business Center (BC) Zoning Use District**

### **§ 108-267. Lot, yard, bulk and height requirements.**

- A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.
- B. In order to maintain the Town's scenic and rural quality, properties shall provide a contiguous landscaped area equal to at least 5% of the lot area. Such open space area shall be landscaped with shrubs, flowers, rock gardens, ornamental grasses, or other plantings rather than grass lawns.
- C. The following minimum required non-disturbed transitional yards and screening shall be provided within nonresidential districts in order to assure orderly and compatible relationships along certain boundary lines:

(1) Adjoining residential districts and uses.

(a) The minimum required non-disturbed transitional side and rear yards shall be 50 feet. When buildings are less than 5,000 square feet in size, the required side and rear transition yards shall be 25 feet adjacent to the residential district.

(b) The minimum required screening within such non-disturbed transitional side and rear yards shall be a six-foot-high stockade-type fence or equal and landscape plantings to be erected and maintained by the nonresidential property owner along the side and rear property lines; provided, however, that the Planning Board may modify these requirements for screening where the same screening effect is accomplished by the natural terrain or foliage.

(c) The minimum required non-disturbed transitional side and rear yards provided for in this section may be modified by the Planning Board as part of site plan review where the subject premises is a single lot which lies across district boundaries or where natural, physical or other existing features are present and the goals of this section will be accomplished.

(d) Where a site does not have existing vegetation within the required non-disturbed transitional yard sufficient to screen the proposed development from the adjacent residential zone or use, a landscaping plan shall be submitted to the Planning Board. In addition to the existing vegetation in the required non-disturbed transitional yard, the landscaping plan shall include plantings, berms and/or fencing in this area to visually screen and reduce noise impacts of the proposed development.

## **Article L** **Industrial A (IA) Zoning Use District**

### **§ 108-275. Lot, yard, bulk and height requirements.**

- A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.
- B. In order to preserve the Town's scenic and rural quality, properties shall provide attractively landscaped contiguous open space area(s) equal to at least 15% of the lot area. Preference is given to preservation of existing habitat (such as meadows or forests) rather than clearance and creation of new habitat. The open space should serve to provide on-site stormwater management.
- C. The following minimum required non-disturbed transitional yards and screening shall be provided within nonresidential districts in order to assure orderly and compatible relationships along certain boundary lines:

(1) Adjoining residential districts and uses.

(a) The minimum required non-disturbed transitional side and rear yards shall be 50 feet. When buildings are less than 5,000 square feet in size, the required side and rear transition yards shall be 25 feet adjacent to the residential district.

(b) The minimum required screening within such non-disturbed transitional side and rear yards shall be a six-foot-high stockade-type fence or equal and landscape plantings to be erected and maintained by the nonresidential property owner along the side and rear property lines; provided, however, that the Planning Board may modify these requirements for screening where the same screening effect is accomplished by

the natural terrain or foliage.

(c) The minimum required non-disturbed transitional side and rear yards provided for in this section may be modified by the Planning Board as part of site plan review where the subject premises is a single lot which lies across district boundaries or where natural, physical or other existing features are present and the goals of this section will be accomplished.

(d) Where a site does not have existing vegetation within the required non-disturbed transitional yard sufficient to screen the proposed development from the adjacent residential zone or use, a landscaping plan shall be submitted to the Planning Board. In addition to the existing vegetation in the required non-disturbed transitional yard, the landscaping plan shall include plantings, berms and/or fencing in this area to visually screen and reduce noise impacts of the proposed development.

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

Dated: Riverhead, New York  
October 16, 2013

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

**DIANE M. WILHELM, Town Clerk**

**TOWN OF RIVERHEAD**

**Resolution # 738**

**PAYS BILLS**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

ABSTRACT #13-38 October 3, 2013 (TBM 10/16/13)			
FUND NAME		Ckrun Total	GRAND TOTALS
GENERAL FUND	1	904,211.56	904,211.56
POLICE ATHLETIC LEAGUE	4	9,395.10	9,395.10
RECREATION PROGRAM FUND	6	12,378.44	12,378.44
HIGHWAY FUND	111	127,174.87	127,174.87
WATER DISTRICT	112	52,172.96	52,172.96
RIVERHEAD SEWER DISTRICT	114	54,978.96	54,978.96
REFUSE & GARBAGE COLLECTION DI	115	6,517.99	6,517.99
STREET LIGHTING DISTRICT	116	13,112.39	13,112.39
PUBLIC PARKING DISTRICT	117	230.45	230.45
EAST CREEK DOCKING FACILITY FU	122	2,490.12	2,490.12
CALVERTON SEWER DISTRICT	124	2,570.89	2,570.89
RIVERHEAD SCAVENGER WASTE DIST	128	28,308.63	28,308.63
CDBG CONSORTIUM ACCOUNT	181	861.45	861.45
WATER DISTRICT CAPITAL PROJECT	412	34,121.62	34,121.62
RIVERHEAD SEWER CAPITAL PROJEC	414	14,565.85	14,565.85
CALVERTON SEWER CAPITAL PROJEC	424	2,912.00	2,912.00
SCAVENGER WASTE CAPITAL PROJEC	428	900.00	900.00
TRUST & AGENCY	735	1,024,057.55	1,024,057.55
CALVERTON PARK - C.D.A.	914	556.00	556.00
<b>TOTAL ALL FUNDS</b>		<b>2,291,516.83</b>	<b>2,291,516.83</b>

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 738**

**PAYS BILLS**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

ABSTRACT #13-39 October 10, 2013 (TBM 10/16/13)			
FUND NAME		Ckrun Total	GRAND TOTALS
GENERAL FUND	1	811,369.73	811,369.73
RECREATION PROGRAM FUND	6	3,915.21	3,915.21
CHILD CARE CENTER BUILDING FUN	9	53.93	53.93
HIGHWAY FUND	111	98,823.40	98,823.40
WATER DISTRICT	112	219,723.13	219,723.13
RIVERHEAD SEWER DISTRICT	114	74,208.52	74,208.52
REFUSE & GARBAGE COLLECTION DI	115	37,663.40	37,663.40
STREET LIGHTING DISTRICT	116	53,302.06	53,302.06
PUBLIC PARKING DISTRICT	117	3,094.98	3,094.98
AMBULANCE DISTRICT	120	2,852.15	2,852.15
EAST CREEK DOCKING FACILITY FU	122	443.39	443.39
CALVERTON SEWER DISTRICT	124	3,888.39	3,888.39
RIVERHEAD SCAVENGER WASTE DIST	128	23,795.37	23,795.37
RISK RETENTION FUND	175	0.00	0.00
TRUST & AGENCY	735	82,397.31	82,397.31
CALVERTON PARK - C.D.A.	914	26.51	26.51
<b>TOTAL ALL FUNDS</b>		<b>1,415,557.48</b>	<b>1,415,557.48</b>

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

10.16.13  
130739

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 739**

**852 ROANOKE AVE CHAPTER 96**

**BUDGET ADJUSTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, a budget adjustment is necessary due to additional expenses for the Chapter 96 clean-up at 852 Roanoke Avenue in Riverhead.

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
406.010010.411000.41082	Real Property Taxes	2,000	
406.086660.540000.41082	Contractual Expenses		2,000

**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.

There was a motion to consider resolution #739 by Councilman Wooten, seconded by Councilman Gabrielsen. Motion carried by unanimous vote.

Immediately thereafter there was a motion to put to vote.

**THE VOTE**

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

10.16.13  
130740

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 740**

**PARKING DISTRICT REPAIR**

**BUDGET ADOPTION**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, drainage and paving repairs are needed to the Riverhead Parking District.

**NOW THEREFORE BE IT RESOLVED**, that the Supervisor be, and is hereby, authorized to complete the following transfer from the Parking District Fund Balance:

		<b><u>FROM</u></b>	<b><u>TO</u></b>
117.000000.499999	Fund Balance	66,363.20	
117.056500.540000	Contractual Expenses		66,363.20

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

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

There was a motion to consider resolution #740 by Councilman Wooten, seconded by Councilman Gabrielsen. Motion carried by unanimous vote.

Immediately thereafter there was a motion to put to vote.

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy - Absent  
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted