

## RESOLUTION LIST

DECEMBER 3, 2013

- Res. #806 Chapter 54 and Chapter 96 Project Closures
- Res. #807 2013 Washington Avenue Culvert Budget Adjustment
- Res. #808 2013 General Town Budget Adjustment
- Res. #809 Closure of Account in Capital One
- Res. #810 Closure of Capital Accounts
- Res. #811 Office of Justice Mentoring Matters Capital Project Closure Budget Adjustment
- Res. #812 Closure of Fund 451 Bank Account in Suffolk County National Bank
- Res. #813 Declares Public Emergency Regarding Sweezy Avenue Road Condition
- Res. #814 Awards Bid on Used 2004 or Newer 35 Ton Detachable Low Bed Trailer
- Res. #815 Accepts Highway Superintendent's Personnel Report & Request for Town Board Resolution to Effectuate Personnel Request (Thomas Rogers, Jr.)
- Res. #816 Appoints a Senior Building Inspector (Brad Hammond)
- Res. #817 Reappoints a Temporary Clerk to the Tax Receiver's Office (Amy Spero)
- Res. #818 Authorization to Reject and Re-Publish Advertisement for Ford Automotive Replacement Parts
- Res. #819 Authorizes the Supervisor to Act on Behalf of the Town of Riverhead and the Community Development Agency Regarding a Site Access Agreement with National Grid Electric Services, LLC to Use Property at EPCAL to Store Vehicles and Equipment to Respond to Power Outages
- Res. #820 Authorizes the Supervisor to Act on Behalf of the Town of Riverhead and the Community Development Agency Regarding a Site Access Agreement with Keyspan Gas East Corporation D/B/A National Grid to Use Property at EPCAL to Store Vehicles and Equipment to Respond to Power Outages

- Res. #821 Authorizes the Parks and Recreation Department to Facilitate Execution of an Excursion Event Participant Terms & Conditions Agreement Regarding Town of Riverhead Sponsored Excursion Events
- Res. #822 Authorizes Town Clerk to Publish and Post Notice to Bidders for Water Service Materials
- Res. #823 Resolution Authorizing The Town Of Riverhead To Lease Property Described As SCTM# 0600-128-5-25 Known And Commonly Referred To As The Second Street Fire House To Love Shack Fancy, Subject To Permissive Referendum
- Res. #824 Ratifies Execution and Submission of Grant Application to Suffolk County for Fiscal Year 2014 Community Development Block Grant Funds
- Res. #825 Resolution Authorizing the Items Listed Below Pursuant to the Bond Acts Enacted in 1965, 1972 and 1996 and the Environmental Protection Fund, as well as Federal Grant Awards Available for Such Projects (Funding Application to NYSDEC for Round 11 2013 Water Quality Improvement Project to Support Enhanced Sewer Infrastructure at EPCAL Subdivision)
- Res. #826 Establishes Time of Regular Meetings of the Town Board
- Res. #827 Pays Bills

#### **CDA RESOLUTION LIST:**

CDA

- Res. #17 Resolution Authorizing the Items Listed Below Pursuant to the Bond Acts Enacted in 1965, 1972 and 1996 and the Environmental Protection Fund, as well as Federal Grant Awards Available for Such Projects (Funding Application to NYSDEC for Round 11 2013 Water Quality Improvement Project to Support Enhanced Sewer Infrastructure at EPCAL Subdivision)

**TOWN OF RIVERHEAD  
Community Development Agency**

**Resolution # 17**

**RESOLUTION AUTHORIZING THE ITEMS LISTED BELOW PURSUANT TO THE BOND ACTS ENACTED IN 1965, 1972 AND 1996 AND THE ENVIRONMENTAL PROTECTION FUND, AS WELL AS FEDERAL GRANT AWARDS AVAILABLE FOR SUCH PROJECTS (FUNDING APPLICATION TO NYS DEC FOR ROUND 11 2013 WATER QUALITY IMPROVEMENT PROJECT TO SUPPORT ENHANCED SEWER INFRASTRUCTURE AT EPCAL SUBDIVISION)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town of Riverhead Community Development Agency herein called the "Municipality" or "CDA", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

**WHEREAS**, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

**WHEREAS**, Governor Cuomo has announced the availability of grants for Round 11 of the Water Quality Improvement Project (WQIP) program to support municipalities through a competitive, reimbursement grant program funded primarily by the Environmental Protection Fund (EPF) and NY Works II for projects that reduce polluted runoff, improve water quality and restore habitat in New York's waterbodies; and

**WHEREAS**, the Municipality seeks to submit a funding application to develop enhanced sewer infrastructure at EPCAL to service businesses in the Town of Riverhead and Eastern Long Island that will immediately improve the water quality of the Peconic Estuary; and

**WHEREAS**, upgrade of the EPCAL sewer infrastructure will relocate the sewer outfall out of the Peconic Estuary and enhance treatment to provide for cleaner discharge to groundwater thereby improving New York State surface waters, namely the Peconic Estuary; and

**WHEREAS**, protection of the Peconic Estuary is vital sustainable job creation (1993 estimate indicated 1,100 estuarine dependent entities generating \$450,000,000 with 7,300 employees earning \$127,000,000); and

**WHEREAS**, the proposed sewer infrastructure project will implement Long Island Economic Development Regional Council goals identified in the strategic plan to develop EPCAL in an effort to create jobs, enhance tax base, and incentivize private investment in the region through smart growth development; and

**WHEREAS**, the proposed sewer infrastructure project will implement Town of Riverhead CDA goals to redevelop the Enterprise Park at Calverton in an effort to create jobs and generate tax base by supporting targeted sustainable regional growth; and

**NOW, THEREFORE, BE IT RESOLVED BY** the Town of Riverhead CDA Board:

1. That Sean Walter, Chairman, Town of Riverhead CDA, or such person's successor in office, is the representative authorized to act on behalf of the Municipality's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation; and
4. That this Resolution take effect immediately.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Town of Riverhead CDA Board authorizes the submission of a Round 11 WQIP funding proposal in the amount of \$5,100,000 to New York State on or before December 13, 2013, for funding to support development of enhanced sewer infrastructure at the Enterprise Park at Calverton that will immediately improve the water quality of the Peconic Estuary; and

**BE IT FURTHER RESOLVED**, that the Town Clerk forward copies of this resolution to the Community Development Agency, the Town of Riverhead Sewer Department, the Accounting Department and the Town Attorney; and

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

**THE VOTE**

Giglio Yes No

Gabrielsen  Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**CERTIFICATE OF RECORDING OFFICER**

That the attached Resolution is a true and correct copy of the Resolution, as regularly adopted at a legally convened meeting of the The Town of Riverhead Board duly held on the 3<sup>rd</sup> day of December, 2013 ; and further that such Resolution has been fully recorded in the \_\_\_\_\_ in my office.  
(Title of Record Book)

In witness thereof, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_ , \_\_\_\_\_ .

\_\_\_\_\_  
Signature of Recording Officer

If the Applicant has an Official Seal, Impress here.

\_\_\_\_\_  
Title of Recording Officer

12.03.13  
130806

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 806**

**CHAPTER 54 and CHAPTER 96**  
**PROJECT CLOSURES**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the following Chapter 54 and Chapter 96 Projects are complete and ready to be closed:

- Capital Project#41075–Knolls of Baiting Hollow, Chapter 54
- Capital Project #41076–77 Kay Road, Chapter 54
- Capital Project #41077–852 Roanoke Ave, Chapter 96
- Capital Project #41078–46 Dolphin Way, Chapter 96
- Capital Project #41081–852 Roanoke Ave, Chapter 96
- Capital Project #41082–852 Roanoke Ave, Chapter 96

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the Accounting Department to close the above projects and modify the budget.

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

The Resolution Was  Thereupon Duly Declared Adopted

12.03.13  
130807

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 807**

**2013 WASHINGTON AVENUE CULVERT**

**BUDGET ADJUSTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, Resolution #110 adopted 2/5/13 declared Washington Avenue a public emergency due to Super Storm Sandy and authorized the repair and reconstruction of the culvert; and

**WHEREAS**, Resolution #546 adopted 7/2/13 authorized the closure, modification and return of the residual funds to the Highway District; and

**WHEREAS**, Insurance proceeds have been received to help cover the administrative charges, repair and reconstruction costs of the culvert.

**NOW THEREFORE BE IT RESOLVED**, that the Supervisor be, and is hereby, authorized to modify the budget and complete the necessary transfer of funds back to the Highway District Drainage Account:

	<u>FROM</u>	<u>TO</u>
406.092680.466000.45118 Insurance Proceeds	42,771.23	
111.051400.541306 Drainage		37,879.47
406.051400.511500.45118 Administrative Charges		4,891.76

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

12.03.13  
130808

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 808**

**2013 GENERAL TOWN  
BUDGET ADJUSTMENT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, Year End budget adjustments are necessary for 2013.

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the attached 2013 Budget adjustments:

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

<b>FUND</b>	<b>COST_CTR</b>	<b>OBJECT</b>	<b>ACCT_TITLE</b>	<b>From</b>	<b>To</b>
001	010100	514800	HEALTH INSURANCE BUY BACK		900
001	010100	542100	MISCELLANEOUS OFFICE EXPENS		750
001	010810	413035	CONCERN FOR INDEPENDENT LIVING, INC.	15,000	
001	010810	413024	SCNB	2,250	
001	010810	413028	J WESLEY VILLAGE III	1,950	
001	010810	413034	BROWNING HOTEL PROPERTIES LLC	1,600	
001	010810	413033	RIVEREDGE LLC	1,000	
001	010810	413019	ATLANTIS HOLDING LLC	950	
001	010810	413032	CAL 81 REALTY	650	
001	010810	413015	JOHN WESLEY VILLAGE II	350	
001	010810	413027	JEJOPE, LLC	250	
001	010810	413029	R.G.R. ASSOCIATES	250	
001	010810	413026	IDI VENTURES, LLC.	200	
001	010810	413036	COUNTRY LIMOUSINE SERVICE INC	200	
001	010810	413037	EASTERN PROPERTY INVESTORS LLC	150	
001	010810	413039	MIRAH MAX LLC	150	
001	010810	413031	LENAPE	100	
001	010810	413040	PECONIC MANAGEMENT GROUP LLC	100	
001	011100	543905	PARKING AGENCY-ADMINISTRATI	-	15,000
001	011100	543960	STENOGRAPHIC SERVICES	-	5,500
001	011100	542802	SUPPLEMENTAL LAW BOOKS	-	1,500
001	011100	542114	JUSTICE MEETINGS & DUES	-	1,450
001	012200	514300	MGMT/ELECTED BUY BACK	-	18,050
001	012590	421046	PROCESSING FEE (RECREATION)	8,000	
001	013100	524000	EQUIPMENT	850	
001	013100	514300	MGMT/ELECTED BUY BACK	-	10,350
001	013100	543900	MISCELLANEOUS CONSULTANTS	-	5,000
001	013100	549000	MISCELLANEOUS EXPENSES	-	650
001	013100	543405	TRAVEL EXPENSES	-	200
001	013200	543100	CONTRACTUAL EXPENSES	23,500	
001	014100	542607	TOWN ORDINANCE CODIFICATION	4,000	
001	014200	514300	MGMT/ELECTED BUY BACK	-	28,400
001	014300	514300	MGMT/ELECTED BUY BACK	-	5,150
001	014400	543500	CONSULTANTS	20,000	
001	014400	542100	MISC. OFFICE EXPENSES	1,750	
001	014400	543401	MANAGEMENT EDUCATION TRAINI	1,600	
001	014400	542114	PROF DUES & SUBSCRIPTIONS	1,400	
001	014400	514300	MGMT/ELECTED BUY BACK	-	15,600
001	014800	524217	TELEVISION COMMUNICATION EQ	2,000	
001	014800	543900	TELEVISION CONSULTANTS	500	
001	016200	542113	POSTAGE	15,000	
001	016200	546100	TELEPHONE (727-3200)	-	5,000
001	016200	546000	LIGHTS, HEAT & WATER	-	100
001	016230	542500	SUPPLIES & SERVICES	-	1,000
001	016240	542500	SUPPLIES & SERVICE EXPENSE	-	2,700
001	016250	524000	EQUIPMENT	-	42,800
001	016800	524000	EQUIPMENT	10,000	
001	016800	543900	MISCELLANEOUS CONSULTANTS	-	16,700
001	016900	512500	OVERTIME NON-UNIFORM	-	13,900
001	016900	540000	M G CONTRACTUAL EXPENSE	-	3,500
001	019100	548300	UNALLOCATED INSURANCE	-	21,000
001	031200	524201	COMPUTERS	6,600	
001	031200	524190	BOATS - RESCUE	4,000	
001	031200	524214	RADIOS & SCANNERS	3,500	
001	031200	524227	DEFIBRILLATORS	3,400	

<b>FUND</b>	<b>COST_CTR</b>	<b>OBJECT</b>	<b>ACCT_TITLE</b>	<b>From</b>	<b>To</b>
001	031200	546100	TELEPHONE (727-4500)	3,000	
001	031200	541400	RESCUE BOAT - MAINTENANCE	2,000	
001	031200	542113	POSTAGE	1,500	
001	031200	542304	AMMUNITION	1,300	
001	031200	524409	ALCO-SENSORS EQUIPMENT	1,200	
001	031200	542405	UNIFORM REPLACEMENT	1,100	
001	031200	524217	RECORDING EQUIPMENT	1,000	
001	031200	524410	BIKE PATROL EQUIPMENT	1,000	
001	031200	549000	MISCELLANEOUS	1,000	
001	031200	542100	OFFICE SUPPLIES	600	
001	031200	542305	FLASHLIGHT BATTERIES	600	
001	031200	524222	CAMERA	500	
001	031200	541404	SOUND LEVEL EQUIP. MAINTENA	500	
001	031200	542318	K-9 EXPENSES	500	
001	031200	541426	COPY MACHINE MAINTENANCE	300	
001	031200	541427	BIKE REPAIR	200	
001	031200	512100	POLICE OVERTIME PAY	-	200,000
001	031200	514200	POLICE (SOA) BUY BACK	-	68,300
001	031200	542307	FLARES	-	2,500
001	031200	542408	BULLET PROOF VESTS	-	2,100
001	031200	545230	DEFIBRILATOR MAINTENANCE	-	1,600
001	031200	543210	DOCTOR'S FEES	-	1,150
001	031200	543401	TRAINING	-	1,000
001	031200	541401	RADIO MAINTENANCE	-	800
001	031220	524902	PECONIC RIVER BOUY LIGHT EQ	1,000	
001	031220	524214	RADIOS & SCANNERS	500	
001	031220	541545	REPAIR & LABOR _ BOAT	450	
001	031220	542504	CLEANING SUPPLIES AND SERVI	300	
001	031220	512500	OVERTIME NON-UNIFORM	-	2,650
001	031220	541530	REPAIRS & LABOR - AUTO	-	300
001	031250	524000	EQUIPMENT	250	
001	031250	542112	PROGRAMS	900	
001	031250	543405	TRAVEL	400	
001	031250	512100	OVERTIME	-	24,900
001	031560	422042	BUILDING INSPECTION FEES	58,700	
001	031560	422043	FIRE INSPECTION FEES	14,000	
001	034100	524000	EQUIPMENT	20,100	
001	034100	512500	OVERTIME NON-UNIFORM	-	15,550
001	034100	549000	MISCELLANEOUS	-	14,200
001	035100	546301	PROPANE GAS	2,000	
001	035100	541150	BUILDING REPAIRS	300	
001	035100	543220	VET CARE	-	1,700
001	035100	542251	DOG FOOD	-	650
001	036200	541500	CAR EXPENSES	3,000	
001	036200	545210	RENTS & LEASES - COPY MACHI	1,000	
001	036200	543403	CONFERENCES	400	
001	036200	514500	SICK TIME BUY BACK	-	6,900
001	036200	546000	UTILITIES	-	2,500
001	036200	542100	OFFICE EXPENSES	-	1,200
001	036200	541150	GENERAL BLDG MAINTENANCE &	-	450
001	036250	541500	MOTOR VEHICLE MAINTENANCE	1,000	

<b>FUND</b>	<b>COST_CTR</b>	<b>OBJECT</b>	<b>ACCT_TITLE</b>	<b>From</b>	<b>To</b>
001	050100	546200	ELECTRICITY	16,000	
001	050100	546300	HEAT	2,500	
001	050100	546100	TELEPHONE	1,000	
001	050100	542609	ADVERTISING	-	
001	050100	542100	OFFICE EXPENSE	600	
001	050100	524000	EQUIPMENT	300	
001	050100	514300	MGMT/ELECTED BUY BACK	-	18,800
001	050100	512500	OVERTIME NON-UNIFORM	-	13,700
001	050100	546400	WATER	-	200
001	064100	542611	SHOW MOBILE EXPENSE	-	3,050
001	067720	511510	NUTRITION PERSONNEL (4F,3 P	10,000	
001	067720	524175	Vehicles	-	15,200
001	067720	514300	MGMT/ELECTED BUY BACK	-	14,150
001	067720	524000	EQUIPMENT	-	5,800
001	067720	541150	GENERAL BLDG MAINTENANCE	-	4,500
001	067720	512500	OVERTIME NON-UNIFORM	-	8,850
001	067720	541400	EQUIPMENT REPAIR & MAINTENA	-	1,750
001	067720	541500	BUS OPERATION EXPENSES	-	1,650
001	067720	546000	UTILITIES	-	1,600
001	070200	541000	REPAIR & MAINTENANCE EXPENS	-	6,600
001	070200	514300	MGMT/ELECTED BUY BACK	-	3,600
001	070200	546100	TELEPHONE 727-1750,1004,584	-	800
001	070200	546000	UTILITIES	-	300
001	071100	542512	SIGNAGE SUPPLIES & EXPENSES	1,100	
001	071100	546000	UTILITIES	-	10,000
001	071100	541100	EPCAL GROUNDS R & M/LANDSC	-	2,000
001	071100	541000	REPAIRS & MAINTENANCE	-	500
001	071400	515605	SECURITY GUARDS (2P/T)	1,600	
001	071400	541000	REPAIR & MAINTENANCE	-	2,400
001	071800	518607	BEACH ATTENDANT	-	11,900
001	071800	541000	REPAIRS & MAINTENANCE	-	1,700
001	075100	544210	SUFFOLK COUNTY HISTORICAL S	-	600
001	075200	540000	CONTRACTUAL EXPENSES	-	5,000
001	075200	541000	REPAIRS AND MAINTENANCE	-	2,100
001	075500	544120	WINTER CELEBRATIONS	-	1,700
001	076100	511500	PERSONNEL SERVICES NON-UNIF	-	4,900
001	076110	511500	PERSONNEL SERVICES NON-UNIF	-	15,300
001	079890	511500	PERSONAL SERVICES (1F,11 P/	-	12,000
001	079891	543620	PROGRAM INSTRUCTORS	-	1,500
001	080200	514300	MGMT/ELECTED BUY BACK	-	17,350
001	080200	543950	PLANNING CONSULTANT	-	6,350
001	080200	512500	OVERTIME NON-UNIFORM	-	3,800
001	081600	546300	FUEL, OIL & GREASE	-	800
001	090100	581500	NYS RETIREMENT	130,000	
001	090400	548300	WORKERS COMP PREMIUMS	-	70,050
001	090500	548100	UNEMPLOYMENT INSURANCE CLAI	-	13,800
001	090600	584500	NON-UNIFORMED DENTAL, HOSPI	-	95,000
001	090650	584100	POLICE UNIFORM-DENTAL,HOSPI	170,000	
001	090650	584500	POLICE, NON-UNIFORM HOSPITA	14,000	
001	095031	481406	Transfer From Capital	344,000	

12.03.13  
130809

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 809**

**CLOSURE OF ACCOUNT IN CAPITAL ONE**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Financial Administrator has deemed it unnecessary for the Town of Riverhead to have a bank account titled Eight Hundred Series Capital Project Account (#3724003953) for these capital projects have been closed.

**BE IT RESOLVED**, that the Supervisor be, and hereby is, authorized to close the Eight Hundred Series Account with Capital One Bank.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

12.03.13  
130810

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 810**

**CLOSURE OF CAPITAL ACCOUNTS**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, it was recommended in the 2012 Financial Audit Statement to close all completed capital projects and transfer residual balances to its originating sources, and

**WHEREAS**, the attached Capital Projects Schedule is a list of completed projects.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the Accounting Department to close the attached list of projects, modify budgets and complete any necessary transfers; and be it further

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

## **Capital Projects Schedule**

<b><u>Project</u></b>	<b><u>Project Description</u></b>
00000	Various Closed Projects
10022	2009 Public Parking Acquisition
40058	Railroad St Urban Renewal
40117	Upper Mills Dam Repair
40120	2005 Peconic River Watershed Study
40123	2005 Street Tree Planting Program
40130	2003 LLEBG Capital Project
40133	2003 JAIBG Accountability Incentive
40141	2006 Pumpout Station Riverfront
40158	Railroad Ave Parking Field Project
40162	2008 Veterans Memorial Grant
40192	2007 Youth Bureau/Teen Programs
40195	2007 Buildings & Grounds Equipment
40198	2009 Acquisition of Pulaski Street Building
40199	2009 Senior HVAC Improvement
40204	2009 Wading River Dredging
70003	Calverton Rail Spur Capital
70805	North Spillway
80002	Landfill Reclamation
40113	Oakleigh Ave Parking Lot Drainage
41079	Chapter 54/96 - 86 Landing Ave
41080	Chapter 54/96 - 432 East Avenue
40191	2007 Highway Equipment
42502	Pulaski St Land Acquisition
45015	Pulaski St West Road Improvement
45025	2001 Sound Ave Phase I Resurfacing
45034	Connecticut Ave Culvert Replacement
45083	6th Street Jamesport Road
45086	2005 Reeves Ave Road Improvement
45088	Middle, Osborne & Horton Roundabout
45089	Middle Road Paving Phase I
45095	2005 Farm Rd Area Improvement
45096	2005 Deep Hole Road Improvement
45097	2005 Middle Road Improvement
45098	2005 Jamesport Roads Improvements
45099	2005 Harrison Ave Road Improvement
45100	2005 Pier Ave Road Improvement
45101	2005 Central Aquebogue Road Improvement
45104	2007 Townwide Road Resurfacing
45105	2006 NYS Route 25 Traffic Impact Study
70060	2008 Bus Shelter Improvement
40125	2005 Horton Ave Drainage Project
40190	2007 Sanitation Packer Rear Loader Truck
40144	2007 Street Lighting Vehicle - Bucket Truck
40193	2008 Ambulance Acquisition
40073	Hallockville ISTE A
40185	2003 Peconic Riverfront Park
42073	North Fork Preserve

12.03.13  
130811

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 811**

**OFFICE OF JUSTICE MENTORING MATTERS**  
**CAPITAL PROJECT CLOSURE**

**BUDGET ADJUSTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, Office of Justice Youth Grant Project #44016 is considered complete.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the Accounting Department to close Project #44016 and modify the budget.

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

12.03.13  
130812

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 812**

**CLOSURE OF FUND 451 BANK ACCOUNT  
IN SUFFOLK COUNTY NATIONAL BANK**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Office of the State Comptroller and the Town’s external auditors have recommended that the Town should reduce the number of bank accounts and funds utilized; and

**WHEREAS**, a bank account titled CHIPS #130000755 maintained at Suffolk County National Bank was used to account for the cash related to Fund 451.

**NOW THEREFORE BE IT RESOLVED**, that the Supervisor be, and hereby is, authorizing the Accounting Department to close bank account #130000755, CHIPS maintained at Suffolk County National Bank, and

**BE IT FURTHER, RESOLVED**, that the Accounting Department is authorized to transfer any residual equity back to the Highway Fund (111).

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

12.03.13  
130813

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 813**

**DECLARES PUBLIC EMERGENCY REGARDING  
SWEEZY AVENUE ROAD CONDITION**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the south end of Sweezy Avenue, just north of NYS Route 25, has become dangerously undermined with the potential for collapse due to three sections of rotted drainage pipe from Lincoln Avenue to NYS Route 25. The section of pipe furthest south has collapsed allowing the material beneath the road to settle with the compromised pipe creating a void beneath the road: and

**WHEREAS**, the condition of the road poses a public safety hazard for pedestrians and vehicular traffic: and

**WHEREAS**, due to the serious road conditions on Sweezy Avenue, the Engineering Department has requested three price quotes for the emergency repair of Sweezy Avenue to correct the rotted, collapsed drainage pipe and replace material beneath the road for stabilization along with road resurfacing; and

**BE IT FURTHER RESOLVED**, that two price quotes were received and reviewed by the Engineering Department and a recommendation has been forwarded to the Town Board for consideration.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board be and does hereby declare the condition of Sweezy Avenue, Riverhead to be a public emergency under General Municipal Law Section 103(4); and

**BE IT FURTHER RESOLVED**, that the Town Board be and does hereby authorize Terry Contracting and Materials, Inc. to proceed with the emergency repair of Sweezy Avenue in the amount of \$56,795.00; and

**BE IT FURTHER RESOLVED**, that the Town Board be and does hereby authorize the Engineering Department to secure a Town of Riverhead purchase order from the Purchasing Department in the above referenced amount; and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Terry Contracting and Materials, Inc., 1146 Osborn Avenue, Riverhead, NY 11901, the Engineering Department, Highway Department, Purchasing Department, and the Office of Accounting.

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

**THE VOTE**

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

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

12.03.13  
130814

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 814**

**AWARDS BID ON USED 2004 OR NEWER 35 TON  
DETACHABLE LOW BED TRAILER**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town Clerk was authorized to advertise for sealed bids on a Used 2004 or Newer 35 Ton Detachable Low Bed Trailer for the use of the Riverhead Highway Department, and

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

**WHEREAS**, one bid was received,

**NOW THEREFORE BE IT RESOLVED**, that the bid for a Used 2004 or Newer 35 Ton Detachable Low Bed Trailer be and is hereby awarded to All Island Equipment, 39 Jersey St., West Babylon, New York 11702 in the amount of \$26,500.00 and

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

12.03.13  
130815

ADOPTED

TOWN OF RIVERHEAD

Resolution # 815

**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: hire Thomas Rogers, Jr. to the position of Automotive Equipment Operator effective December 23, 2013; and

**WHEREAS**, the Highway Superintendent's report stated that said hire is necessary for the repair and maintenance of Town highways.

**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: Pending the results of a successfully completely background investigation, to hire Thomas Rogers, Jr. to the position of Automotive

Equipment Operator effective on December 23, 2013 as found on Group 6, Step P of the Operational and Technical Salary Schedule of the CSEA contract; 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  Yes  No  
Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

12.03.13  
130816

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 816**

**APPOINTS A SENIOR BUILDING INSPECTOR**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, a vacancy for a Senior Building Inspector exists in the Building Department Division of the Town Building and Planning Administrator’s Offices; and

**WHEREAS**, as no current list of Certified Eligibles for the title of Senior Building Inspector exists, the Suffolk County Department of Civil Service has issued approval to fill the position on a provisional basis until such a time when a Certified List of Eligibles for the title of Senior Building Inspector is released; and

**WHEREAS**, in accordance with the CSEA contract, this position was duly posted for, Job Posting #13, duly advertised, interviews were conducted, and pending the results of a successful background check, a recommendation of a suitable candidate has been made by the Personnel Committee.

**NOW, THEREFORE, BE IT RESOLVED**, that effective January 6, 2014, this Town Board hereby makes a provisional appointment of Brad Hammond to the position of Senior Building Inspector as found on Group 8, Step 4 of the Administrative Salary Schedule of the CSEA contract; and

**BE IT FURTHER, RESOLVED**, that all Town 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 for the office of the Town Clerk.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

12.03.13  
130817

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 817**

**REAPPOINTS A TEMPORARY CLERK TO THE TAX RECEIVER'S OFFICE**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

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

**NOW, THEREFORE, BE IT RESOLVED**, that Amy Spero be and is hereby reappointed as temporary part-time clerk effective December 16, 2013 through January 24, 2013 at the hourly rate of \$10.25.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

12.03.13  
130818

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 818**

**AUTHORIZATION TO REJECT AND RE-PUBLISH ADVERTISEMENT FOR FORD  
AUTOMOTIVE REPLACEMENT PARTS**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town Clerk is authorized to publish and post a notice to bidders for proposals for FORD AUTOMOTIVE PARTS for the Town of Riverhead and;

**WHEREAS**, one bid was received and opened on November 22, 2013.

**WHEREAS**, the Town Clerk is hereby authorized to republish and post the following public notice in the DECEMBER 12, 2013 issue of the News Review and;

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**NOTICE TO BIDDERS**

**Sealed bids for the purchase of FORD AUTOMOTIVE PARTS for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. on DECEMBER 20, 2013.**

**Bid packets, including Specifications, may be obtained on line on our website @[www.townofriverheadny.gov](http://www.townofriverheadny.gov) or at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.**

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

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

**All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation BIDS FOR FORD AUTOMOTIVE PARTS FOR THE TOWN OF RIVERHEAD.**

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

**Diane M. Wilhelm, Town Clerk**

TOWN OF RIVERHEAD

Resolution #819

**AUTHORIZES THE SUPERVISOR TO ACT ON BEHALF OF THE TOWN OF RIVERHEAD AND THE COMMUNITY DEVELOPMENT AGENCY REGARDING A SITE ACCESS AGREEMENT WITH NATIONAL GRID ELECTRIC SERVICES, LLC TO USE PROPERTY AT EPCAL TO STORE VEHICLES AND EQUIPMENT TO RESPOND TO POWER OUTAGES**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, by Resolution #653, adopted on September 1, 2011, the Town Board of the Town of Riverhead ratified the execution of a site access agreement with LIPA and National Grid to use part of the EPCAL property for storage of trucks and equipment to respond to outages and assess damage resulting from Hurricane Irene; and

**WHEREAS**, by Resolution #13, adopted on September 1, 2012, the Town Board, acting as the governing body of the Town of Riverhead Community Development Agency (CDA) ratified the execution of a site access agreement with LIPA and National Grid to use part of the EPCAL property for storage of trucks and equipment to respond to outages and assess damage resulting from Hurricane Irene; and

**WHEREAS**, by Resolution # 705, adopted on September 5, 2012, the Town Board, acting in both capacities authorized the Supervisor in his capacity as Supervisor and Chairman to sign another site access agreement with LIPA and National Grid for use of a portion of the EPCAL property to store vehicles and equipment to respond to power outage and to assess damage in the event of future hurricanes or weather emergencies; and

**WHEREAS**, National Grid Electric Services, LLC, as agent for Long Island Lighting Co. d/b/a LIPA has requested that a new site access agreement be entered with that public utility in accordance with Site Access Agreement attached; and

**WHEREAS**, the Town and CDA does wish to enter into the new Site Access Agreement in substantially the form attached.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board, in such capacity as well as the governing body of the CDA, be and hereby authorizes the Supervisor, in his capacity as Supervisor and as Chairman of the CDA to execute the attached Site

Access Agreement with National Grid Electric Services, LLC, as agent for Long Island Lighting Co. d/b/a LIPA; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Office of the Town Attorney, the Office of Accounting and to Teresa Mauro, c/o National Grid, 175 East Old Country Road, Hicksville, New York 11801.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared TABLED

TABLED

## SITE ACCESS AGREEMENT

This Site Access Agreement (the "Agreement"), made this \_\_\_\_ day of \_\_\_\_\_, 2013, by and between **Community Development for the Town of Riverhead and the Town of Riverhead** (hereinafter referred to as "Riverhead" or "Licensor") a New York corporation, duly organized under the laws of the State of New York, with principal offices at 200 Howell Avenue, Riverhead, New York 11901 and **National Grid Electric Services, LLC ("National Grid")**, with principal offices at 175 East Old Country Road, Hicksville, New York 11801, as agent for and on behalf of **Long Island Lighting Company d/b/a LIPA ("LIPA")** and the Long Island Power Authority ("the Authority") ("Licensee"), Licensor and/or Licensee are referred to herein individually as "Party" and collectively as the "Parties"

A. **GENERAL-APPROVED ACTIVITIES:** Licensee, their employees, agents, contractors and subcontractors may access the Henry Pfeifer Community Center for use of conference room, kitchen, and restrooms and 1000 feet of the north end of the 7000' runway for the purpose of parking vehicles/equipment (the "Approved Activities") all located on and within property owned by Riverhead commonly referred to as EPCAL during any: (i) forecasted and/or projected weather related events with potential to effect interruptions in gas service or potential to affect the health, safety and welfare of residents and all such residents within the County of Suffolk (ii) at all such times wherein there exist a declared federal, state or local emergency affecting the health, safety and welfare of the residents of the Town of Riverhead and al such residents within the County of Suffolk. And (iii) at such other times as may be required to address major outages (interruptions of gas service affecting a significant portion of residents and business located on the east end of Long Island Suffolk County, New York) and/or hazards which may potentially cause major outages or place at risk the health safety and welfare of the residents and business located on the east end of the Long Island, Suffolk County, New York.

B. **TERMS OF ACCESS**

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

C. **INGRESS AND EGRESS TO SITE**

Licensee, their employees, agents, contractors and subcontractors may access the Site from the North gate (State Route 25) or Grumman Boulevard.

D. **AUTHORIZATION**

Riverhead warrants and represents that they are authorized to enter into this Site Access Agreement

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

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

E. NOTIFICATION

Licensee shall notify Ken Testa, Chief Engineer Town of Riverhead at (631) 727-3200 ext 279 or David J. Hegermiller (631) 727-4500 ext 315 regarding access to the Site and subsequent vacating the Site.

F. REMEDIES

OF Third parties. No third party, except authorized subsidiaries, affiliates or assignees of Licensee shall have any rights to enforce the terms of this Agreement.

G. COMPLIANCE WITH THE LAWS

Licensee shall comply with and all applicable laws, ordinances, permits or zoning required by any Federal, State or municipal body or agency, for the use of the Site for the Approved Activities.

H. INDEMNIFICATION/INSURANCE

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

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

I. MAINTENANCE/RESTORATION

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

J. GOVERNING LAW

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

K. ENTIRE AGREEMENT

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

L. BINDING EFFECT

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

M. ASSIGNMENT

It is expressly understood that no party may assign their rights, duties and/or obligations under this Agreement without the written consent of the other party.

N. SEVERABILITY

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

M. COUNTERPARTS

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

O. WAIVER

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

O. ARTICLE

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

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

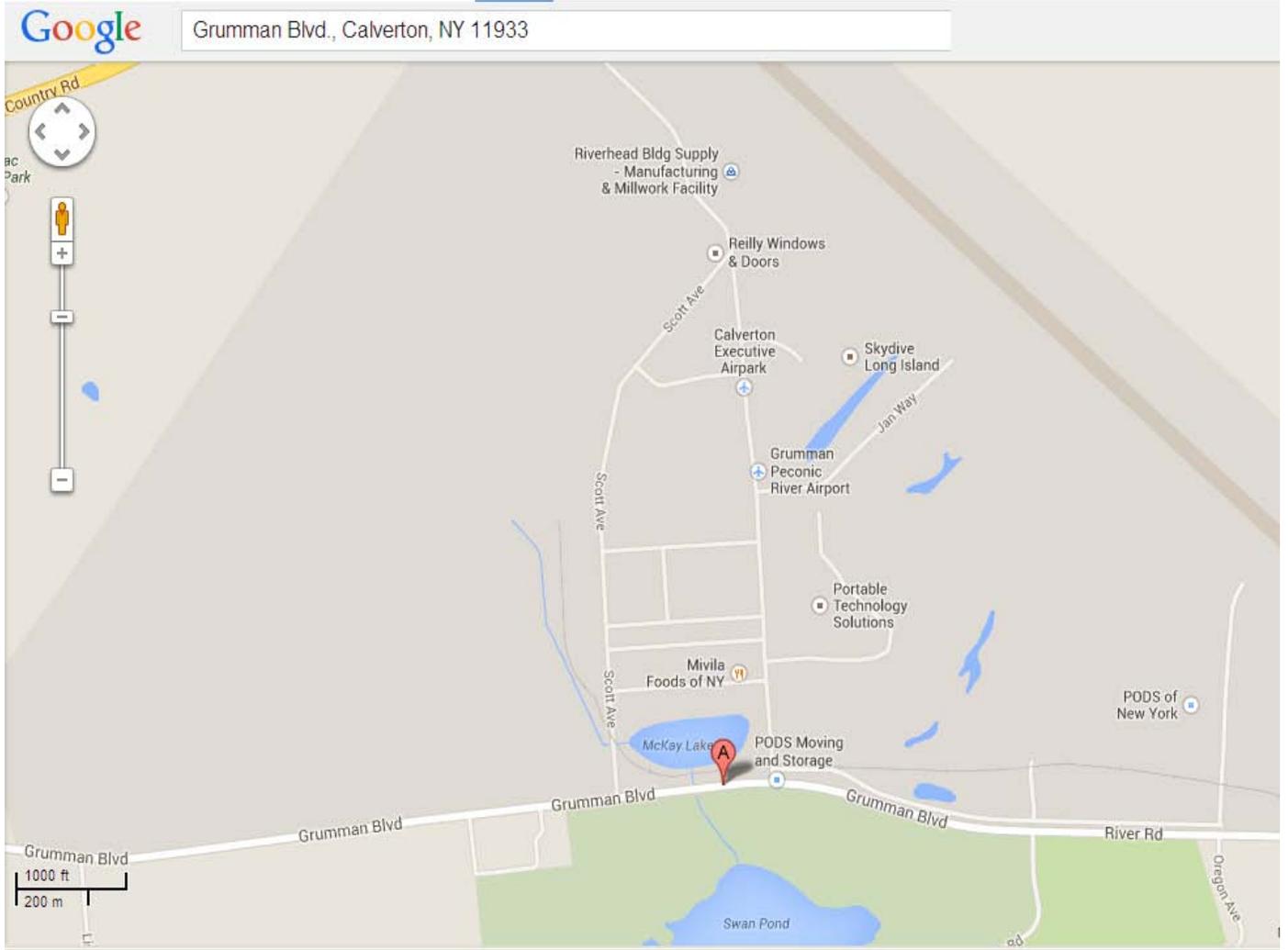
Community Development for the Town of  
Riverhead and the Town of Riverhead

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

By: \_\_\_\_\_  
Title: Supervisor

By: \_\_\_\_\_  
Title: Senior Vice President

**EXHIBIT "A"**  
[Description of site]



12.03.13  
130820

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TOWN OF RIVERHEAD

Resolution # 820

**AUTHORIZES THE SUPERVISOR TO ACT ON BEHALF OF THE TOWN OF RIVERHEAD AND THE COMMUNITY DEVELOPMENT AGENCY REGARDING A SITE ACCESS AGREEMENT WITH KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID TO USE PROPERTY AT EPCAL TO STORE VEHICLES AND EQUIPMENT TO RESPOND TO POWER OUTAGES**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, by Resolution #653, adopted on September 1, 2011, the Town Board of the Town of Riverhead ratified the execution of a site access agreement with LIPA and National Grid to use part of the EPCAL property for storage of trucks and equipment to respond to outages and assess damage resulting from Hurricane Irene; and

**WHEREAS**, by Resolution #13, adopted on September 1, 2012, the Town Board, acting as the governing body of the Town of Riverhead Community Development Agency (CDA) ratified the execution of a site access agreement with LIPA and National Grid to use part of the EPCAL property for storage of trucks and equipment to respond to outages and assess damage resulting from Hurricane Irene; and

**WHEREAS**, by Resolution # 705, adopted on September 5, 2012, the Town Board, acting in both capacities authorized the Supervisor in his capacity as Supervisor and Chairman to sign another site access agreement with LIPA and National Grid for use of a portion of the EPCAL property to store vehicles and equipment to respond to power outage and to assess damage in the event of future hurricanes or weather emergencies; and

**WHEREAS**, KeySpan Gas East Corporation d/b/a National Grid has requested that a new site access agreement be entered with that public utility in accordance with Site Access Agreement attached; and

**WHEREAS**, the Town and CDA does wish to enter into the new Site Access Agreement in substantially the form attached.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board, in such capacity as well as the governing body of the CDA, be and hereby authorizes the Supervisor, in his capacity as Supervisor and as Chairman of the CDA to execute the attached Site

TA\EPCAL\Site Access Agreement with

Access Agreement with KeySpan Gas East Corporation d/b/a National Grid; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Office of the Town Attorney, the Office of Accounting and to Teresa Mauro, c/o National Grid, 175 East Old Country Road, Hicksville, New York 11801.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared TABLED

TABLED

## SITE ACCESS AGREEMENT

This Site Access Agreement (the “Agreement”), made this \_\_\_\_ day of \_\_\_\_\_, 2013, by and between **Community Development for the Town of Riverhead and the Town of Riverhead** (hereinafter referred to as “Riverhead” or “Licensor”) a New York corporation, duly organized under the laws of the State of New York, with principal offices at 200 Howell Avenue, Riverhead, New York 11901 and **KeySpan Gas East Corporation d/b/a National Grid (“Licensee”)**, with principal offices at 175 East Old Country Road, Hicksville, New York 11801. Licensor and/or Licensee are referred to herein individually as “Party” and collectively as the “Parties”

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

B. **TERMS OF ACCESS**

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

C. **INGRESS AND EGRESS TO SITE**

National Grid, their employees, agents, contractors and subcontractors may access the Site from the North gate (State Route 25) or Grumman Boulevard.

D. **AUTHORIZATION**

Riverhead warrants and represents that they are authorized to enter into this Site Access Agreement

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

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

E. NOTIFICATION

National Grid shall notify Ken Testa, Chief Engineer Town of Riverhead at (631) 727-3200 ext 279 or David J. Hegermiller (631) 727-4500 ext 315 regarding access to the Site and subsequent vacating the Site.

F. REMEDIES

OF Third parties. No third party, except authorized subsidiaries, affiliates or assignees of National Grid shall have any rights to enforce the terms of this Agreement.

G. COMPLIANCE WITH THE LAWS

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

H. INDEMNIFICATION/INSURANCE

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

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

I. MAINTENANCE/RESTORATION

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

J. GOVERNING LAW

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

K. ENTIRE AGREEMENT

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

L. BINDING EFFECT

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

M. ASSIGNMENT

It is expressly understood that no party may assign their rights, duties and/or obligations under this Agreement without the written consent of the other party.

N. SEVERABILITY

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

M. COUNTERPARTS

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

O. WAIVER

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

O. ARTICLE

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

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

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

**KeySpan Gas East Corporation d/b/a  
National Grid**

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

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

**EXHIBIT "A"**  
[Description of site]

**CALVERTON NATIONAL CEMETERY**

MIDDLE COUNTRY ROAD (RTE 25)

**NORTH ENTRANCE**

**SHARED USE RUNWAY AREA**  
1,000 ft

BURMAN BLVD

**ACTIVE RUNWAY**

**ABANDONED RUNWAY**

**VETERANS MEMORIAL PARK**

DAVID CT

SCOTT AVE

JAN WAY

SCOTT AVE

**HENRY PFIEFER COMMUNITY CENTER**

GATE

SWAN POND RD (GRUMMAN BLVD)

BURMAN BLVD

RAILROAD SPUR

GATE

LINE RD



**TOWN OF RIVERHEAD**

200 HOWELL AVENUE

Riverhead, New York 11901

REVISIONS

no.	date	description

DATE: 12/1/2013  
SCALE: NOT TO SCALE  
DESIGN BY: RFK  
DRAWN BY: RJH

PROJECT TITLE

**ENTERPRISE PARK at CALVERTON (EPCAL)**  
formerly known as GRUMMAN AEROSPACE

SHEET TITLE

**SHARED RUNWAY AREA**

SHEET NUMBER

1 of 1

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**TOWN OF RIVERHEAD**

**Resolution # 821**

**AUTHORIZES THE PARKS AND RECREATION DEPARTMENT TO FACILITATE EXECUTION OF AN EXCURSION EVENT PARTICIPANT TERMS & CONDITIONS AGREEMENT REGARDING TOWN OF RIVERHEAD SPONSORED EXCURSION EVENTS**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the mission of the Town of Riverhead Parks & Recreation Department is to enrich the lives of residents through diverse, affordable and enjoyable programs and special events, including excursion events, for people of all ages; as well as to provide a safe environment for such activities; and

**WHEREAS**, the Parks & Recreation Department sponsors excursion events involving transportation services as part of its recreation program schedule; and

**WHEREAS**, the Parks & Recreation Department desires to provide and ensure safe and enjoyable excursion events for all participants; and

**WHEREAS**, the proposed Excursion Event Participant Terms & Conditions Agreement is designed and serves to afford and facilitate safe and enjoyable excursion events for all participants.

**NOW THEREFORE BE IT RESOLVED**, that the Superintendent of the Parks & Recreation Department is authorized to facilitate the execution of the attached Excursion Event Participant Terms & Conditions Agreement by excursion event participants and designated Parks & Recreation Department personnel regarding sponsored Town of Riverhead excursion events involving transportation services.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**Town of Riverhead Parks & Recreation Department  
Excursion Event Participant  
Terms & Conditions Agreement**

The excursion event participant agrees to the below listed terms and conditions and agrees to adhere to all applicable town code provisions and local laws which are designed to ensure an enjoyable excursion for all participants. Activities in conflict with the terms and conditions herein, or applicable town code provisions and local laws, are prohibited.

1. Alcohol, firearms, illegal substances and pets (except in designated areas) are prohibited on town property or on Town-related excursion events. Smoking is prohibited on or near any transportation vehicle. Violation of this provision may result in immediate expulsion, event cancellation, closure of the facility/building, and/or forfeiture of the security deposit or fee.
2. Children may not be left unattended or unsupervised at any time.
3. Excursion event participants may not display anything that contains obscene, foul, profane, illegal or unacceptable language, pictures, symbols, images or phrases, etc.
4. Cell phones, tablets, personal computers and other electronic or electrical devices may only be used in a manner that doesn't disturb the enjoyment of other participants.
5. Excursion event participant understands and agrees that the subject trip includes transportation arranged by the Town of Riverhead as an accommodation. In the event participant is unable to participate in the scheduled return trip due to any unforeseen circumstances not caused by the Town of Riverhead or transportation company, including but not limited to: personal injury, tardiness or illness, to themselves or a member of their family or group, participant understands and agrees that participant shall be responsible for arranging return transportation at their sole cost and expense, including expenses related to transportation, lodging and food.
6. Excursion event participant further understands and agrees that the Town of Riverhead, its Officials, Employees and Agents, and the transportation company, shall not be held liable or responsible for losses, damages or expenses incurred by participant and related to said excursion, including delays caused by accidents, breakdowns, inclement weather, road conditions, acts of God, public enemies, authority of law, quarantine, perils of navigation, traffic delays, riots, strikes, the hazards or dangers incident to a state of war and any other condition beyond the Town's or transportation company's control. Furthermore, the Town of Riverhead and transportation company cannot and does not guarantee arrival nor departure times. If any of the above conditions make the excursion inadvisable, Town and transportation company reserve the right to alter the excursion accordingly; neither the Town nor transportation company shall be held liable for same.
7. Excursion event participants may be held financially liable for physical damage to transportation vehicles and/or activity that requires excessive cleaning of same.
8. The Town of Riverhead and transportation company shall not be held liable for loss or damage to baggage or other personal property of the excursion event participant.

The excursion event participant agrees to indemnify and hold harmless the Town of Riverhead, its Officials, Employees and Agents from and against claims, damages, losses, and expense, including but not limited to attorney's fees, arising out of or resulting from the participation of the excursion event participant in the subject event including but not limited to claims, damages, losses, and expense resulting from death, bodily injury, sickness, disease and/or damage, destruction, loss or injury to tangible property; including but not limited to claims, damages, losses and expense that may arise as a result of participant's failure to be present at the agreed upon time and location for the departure of the transportation provided and/or arranged by the Town of Riverhead as part of said Parks & Recreation Department excursion.

The Excursion Event Participant further agrees to indemnify and hold harmless the Town of Riverhead from any liability, claim, action or expense arising from possession and/or use of any property owned by or in the care, custody and control of the participant.

IN CASE OF EMERGENCY CALL 631-599-1804 . The undersigned agrees to adhere to the above terms & conditions as well as all applicable town code provisions and local laws. Any violation of such code provisions and/or local laws may result in immediate expulsion, event cancellation, closure of the facility/building and/or forfeiture of security deposit or fee.

Excursion Event Participant Name (Print) \_\_\_\_\_

Excursion Event Participant Signature X \_\_\_\_\_ Date / /

Participant's Cell Number (Day of Trip) \_\_\_\_\_

Recreation Dept. Authorization: \_\_\_\_\_ Date / /

TOWN OF RIVERHEAD

Resolution # 822

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST  
NOTICE TO BIDDERS FOR WATER SERVICE MATERIALS**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town of Riverhead Water District requires a variety of parts and equipment, including but not limited to outlet thread taps, meter pit covers, yoke key valves, wedge gate valves, hydrant tee(s), hydrant extension kits, nuts and eye bolts, to maintain equipment and facilities (hereinafter described as "Water Service Materials"); and

**WHEREAS**, the Town of Riverhead Water District prepares bid specifications each year listing all items required to properly service equipment and facilities related to water services provided by the Water District.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board, acting as governing body of the Riverhead Water District, hereby authorizes the Town Clerk to publish and post the attached Notice to Bidders for Water Service Materials in the **December 12, 2013**, issue of *The News-Review*; and be it further

**BE IT FURTHER RESOLVED**, that the Town Clerk is to forward a copy of this resolution to the Information Technologies Department.

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **WATER SERVICE MATERIALS** (parts and equipment, including but not limited to, outlet thread taps, meter pit covers, yoke key valves, wedge gate valves, hydrant tee(s), hydrant extension kits, nuts and eye bolts, to maintain equipment and facilities) for use by the RIVERHEAD WATER DISTRICT will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on December 30, 2013.**

Bid Specifications and/or Plans may be examined and/or obtained at the Town Clerk's office at Town Hall Monday through Friday (except holidays) between the hours of 8:30 a.m. and 4:30 p.m. or by visiting the Town of Riverhead website at [www.townofriverheadny.org](http://www.townofriverheadny.org) or after **December 12, 2013.** Click on "Bid Requests" and follow the instructions to register.

All bids are to be submitted in a sealed envelope bearing the designation **BIDS FOR WATER SERVICE MATERIALS – BID #2013-36-RWD.** All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "**EXCEPTIONS TO THE SPECIFICATIONS**" and be attached to the bid form.

**NOTE: Bid responses must be delivered to the Office of the Town Clerk at the address above. The Town may decline to accept, deem untimely and/or reject any bid response/proposal that is not delivered to the Office of the Town Clerk.**

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

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

12.03.13  
130823

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 823**

**RESOLUTION AUTHORIZING THE TOWN OF RIVERHEAD TO LEASE PROPERTY DESCRIBED AS SCTM# 0600-128-5-25 KNOWN AND COMMONLY REFERRED TO AS THE SECOND STREET FIRE HOUSE TO LOVE SHACK FANCY, SUBJECT TO PERMISSIVE REFERENDUM**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Town of Riverhead owns a parcel of property located on Second Street, Riverhead, NY, known and commonly referred to as the Second Street Firehouse, more particularly described as SCTM# 0600-128-5-25; and

**WHEREAS**, the Town Board of the Town of Riverhead seeks to foster the continued development of Downtown Riverhead with both infrastructure and services to encourage continued economic development consistent with the Town of Riverhead Comprehensive Plan, Revitalization Plan, and the East Main Street Urban Renewal Plan; and

**WHEREAS**, Dean Isidro, a photographer and designer affiliated with Love Shack Fancy, a clothing company which launched the brand name clothing in stores on the east and west coast this past summer, contacted the Community Development Agency with a proposal to lease the Second Street Firehouse for a short duration to design and die fabrics for the 2014 Love Shack Fancy clothing collection and host a photo shoot and/or expose on Love Shack Fancy's design process; and

**WHEREAS**, the Town Engineer and Community Development Director met with Mr. Isidro to inspect the Second Street Firehouse, discuss the proposed use of the Second Street Firehouse and identify proposed improvements required for the intended use of the Second Street Firehouse; and

**WHEREAS**, the Town Engineer and Community Development Director recommended that the Town enter into this short term lease subject to the following terms and conditions: improvements be limited to installation of washer and dryer facilities to accomplish the design and dye of fabrics and all costs for purchase, installation and removal be the sole responsibility of Love Shack Fancy; Love Shack Fancy shall be responsible to pay rent in the amount of \$800.00 per month, Love Shack Fancy shall be responsible for payment of all utilities related to use and occupancy of the Second Street Fire House; and such other terms, including but not limited to, liability and property insurance, as deemed appropriate by the Office of the Town Attorney; and

**WHEREAS**, the Town Board has determined that the Town does not require use of the Second Street Firehouse during the proposed term of the lease (three to four months commencing on or about January 15, 2014) and that the proposed lease will not interfere with any town purpose; and

**WHEREAS**, pursuant to Town Law 64 (2)a Town may convey or lease real property in the name of the Town, upon a resolution subject to a permissive referendum; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board be and hereby approves a lease agreement between the Town of Riverhead and Love Shack Fancy for the Second Street Firehouse subject to and conditioned upon the following terms and conditions: term of lease shall not exceed four months; monthly rent in the amount of \$800.00; payment of utilities related to use and occupancy during term of lease; use/occupancy limited to design of fabrics and photo expose on the design process and merchandising of Love Shack Fancy clothing line and such other terms and conditions deemed appropriate by the Office of the Town Attorney; and be it further

**RESOLVED** that the Supervisor is authorized to execute a lease agreement subject to the terms and conditions set forth above; and be it further

**RESOLVED** that the Town Clerk is hereby directed to forward a copy of this resolution to the Community Development Department, the Town Engineer, the Town Attorney’s Office and Accounting Office; and be it further

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

**RESOLVED** that the Office of the Town Clerk for the Town of Riverhead shall publish and post a public notice, an abstract of which is as follows:

**PUBLIC NOTICE  
TOWN OF RIVERHEAD**

**NOTICE IS HEREBY GIVEN** that a regular meeting of the Town Board, as governing body of the Town of Riverhead, held on \_\_\_\_\_, the Town Board duly adopted a resolution, an abstract of which follows, which resolution was made subject to a permissive referendum pursuant to the provisions of Town Law and Municipal Home Rule Law:

**RESOLUTION AUTHORIZING THE TOWN OF RIVERHEAD TO LEASE PROPERTY DESCRIBED AS SCTM# 0600-128-5-25 KNOWN AND COMMONLY REFERRED TO AS THE SECOND STREET FIRE HOUSE TO LOVE SHACK FANCY, SUBJECT TO PERMISSIVE REFERENDUM**

**WHEREAS**, the Town of Riverhead owns a parcel of property located on Second Street, Riverhead, NY, known and commonly referred to as the Second Street Firehouse, more particularly described as SCTM# 0600-128-5-25; and

**WHEREAS**, the Town Board of the Town of Riverhead seeks to foster the continued development of Downtown Riverhead with both infrastructure and services to encourage continued economic development consistent with the Town of Riverhead Comprehensive Plan, Revitalization Plan, and the East Main Street Urban Renewal Plan; and

**WHEREAS**, Dean Isidro, a photographer and designer affiliated with Love Shack Fancy, a clothing company which launched the brand name clothing in stores on the east and west coast this past summer, contacted the Community Development Agency with a proposal to lease the Second Street Firehouse for a short duration to design and die fabrics for the 2014 Love Shack Fancy clothing collection and host a photo shoot and/or expose on Love Shack Fancy's design process; and

**WHEREAS**, the Town Engineer and Community Development Director met with Mr. Isidro to inspect the Second Street Firehouse, discuss the proposed use of the Second Street Firehouse and identify proposed improvements required for the intended use of the Second Street Firehouse; and

**WHEREAS**, the Town Engineer and Community Development Director recommended that the Town enter into this short term lease subject to the following terms and conditions: improvements be limited to installation of washer and dryer facilities to accomplish the design and dye of fabrics and all costs for purchase, installation and removal be the sole responsibility of Love Shack Fancy; Love Shack Fancy shall be responsible to pay rent in the amount of \$800.00 per month, Love Shack Fancy shall be responsible for payment of all utilities related to use and occupancy of the Second Street Fire House; and such other terms, including but not limited to, liability and property insurance, as deemed appropriate by the Office of the Town Attorney; and

**WHEREAS**, the Town Board has determined that the Town does not require use of the Second Street Firehouse during the proposed term of the lease (three to four months commencing on or about January 15, 2014) and that the proposed lease will not interfere with any town purpose; and

**WHEREAS**, pursuant to Town Law 64 (2)a Town may convey or lease real property in the name of the Town, upon a resolution subject to a permissive referendum; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board be and hereby approves a lease agreement between the Town of Riverhead and Love Shack Fancy for the Second Street Firehouse subject to and conditioned upon the following terms and conditions: term of lease shall not exceed four months; monthly rent in the amount of \$800.00; payment of utilities related to use and occupancy during term of lease; use/occupancy limited to design of fabrics and photo expose on the design process and

merchandising of Love Shack Fancy clothing line and such other terms and conditions deemed appropriate by the Office of the Town Attorney; and be it further

**RESOLVED** that the Supervisor is authorized to execute a lease agreement subject to the terms and conditions set forth above; and be it further

**RESOLVED** that the Town Clerk is hereby directed to forward a copy of this resolution to the Community Development Department, the Town Engineer, the Town Attorney's Office and Accounting Office; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

Please take notice that the Town Board of the Town of Riverhead adopted a resolution on December 3, 2013, authorizing a short term lease with Love Shack Fancy for the use of the Second Street Firehouse, more particularly described as Suffolk County Tax Map #0600-128-5-25. This lease is subject to permissive referendum.

Dated: Riverhead, New York  
December 3, 2013

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

**DIANE M. WILHELM, Town Clerk**

12.03.13  
130824

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 824**

**RATIFIES EXECUTION AND SUBMISSION OF GRANT APPLICATION TO SUFFOLK COUNTY FOR FISCAL YEAR 2014 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town of Riverhead participates in the Suffolk County Consortium to receive Community Development Block Grant funds from the United States Department of Housing and Urban Development for benefit to low and moderate income persons and for the prevention of slum and blight; and

**WHEREAS**, the Town of Riverhead has complied with the citizen participation requirements of the CDBG program; and

**WHEREAS**, the Town of Riverhead possesses the legal authority to make a grant application through Suffolk County and to execute a community development and housing program.

**NOW THEREFORE BE IT RESOLVED**, that the Riverhead Town Board hereby ratifies the execution and submission of a grant application to the Suffolk County Department of Community Development as grantee of Community Development Block Grant funds for FY 2014 from the United States Department of Housing and Urban Development as follows:

<b>2013 CDBG Application</b>	
Bread and More Soup Kitchen	\$ 5,000
Open Arms Soup Kitchen	\$ 5,000
Riverhead Community Awareness Program	\$ 5,000
Dominican Sisters	\$ 5,000
Maureen's Haven	\$ 5,000
Home Improvement Program	\$ 75,000
Pedestrian & Bicycle Improvements	\$ 29,000
<u>Administration</u>	<u>\$ 14,261</u>
TOTAL	\$143,261

**BE IT FURTHER RESOLVED**, that upon approval by the Grantor, the Town Board authorizes the Supervisor to execute the required agreement between Suffolk County and the Town of Riverhead and to undertake the program as approved including

entering into sub-recipient agreements subject to review and approval by the Town Attorney; and

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

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Suffolk County Community Development Director, Jill Rosen-Nikoloff-Thompson, Suffolk County Community Development, PO Box 6100, Hauppauge NY 11788-0099 and an electronic copy of the adopted resolution to the Community Development Department and the Accounting Department.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

12.03.13  
130825

ADOPTED

TOWN OF RIVERHEAD

Resolution # 825

**RESOLUTION AUTHORIZING THE ITEMS LISTED BELOW PURSUANT TO THE BOND ACTSENACTED IN 1965, 1972 AND 1996 AND THE ENVIRONMENTAL PROTECTION FUND, AS WELL AS FEDERAL GRANT AWARDS AVAILABLE FOR SUCH PROJECTS FUNDING APPLICATION TO NYS DEC FOR ROUND 11 2013 WATER QUALITY IMPROVEMENT PROJECT TO SUPPORT ENHANCED SEWER INFRASTRUCTURE AT EPCAL SUBDIVISION)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Town of Riverhead herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

**WHEREAS**, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

**WHEREAS**, Governor Cuomo has announced the availability of grants for Round 11 of the Water Quality Improvement Project (WQIP) program to support municipalities through a competitive, reimbursement grant program funded primarily by the Environmental Protection Fund (EPF) and NY Works II for projects that reduce polluted runoff, improve water quality and restore habitat in New York's waterbodies; and

**WHEREAS**, the Municipality seeks to submit a funding application to develop enhanced sewer infrastructure at EPCAL to service businesses in the Town of Riverhead and Eastern Long Island that will immediately improve the water quality of the Peconic Estuary; and

**WHEREAS**, upgrade of the EPCAL sewer infrastructure will relocate the sewer outfall out of the Peconic Estuary and enhance treatment to provide for cleaner discharge to groundwater thereby improving New York State surface waters, namely the Peconic Estuary; and

**WHEREAS**, protection of the Peconic Estuary is vital sustainable job creation (1993 estimate indicated 1,100 estuarine dependent entities generating \$450,000,000 with 7,300 employees earning \$127,000,000); and

**WHEREAS**, the proposed sewer infrastructure project will implement Long Island Economic Development Regional Council goals identified in the strategic plan to develop EPCAL in an effort to create jobs, enhance tax base, and incentivize private investment in the region through smart growth development; and

**WHEREAS**, the proposed sewer infrastructure project will implement Town of Riverhead CDA goals to redevelop the Enterprise Park at Calverton in an effort to create jobs and generate tax base by supporting targeted sustainable regional growth; and

**NOW, THEREFORE, BE IT RESOLVED BY** the Town of Riverhead Board:

1. That Sean Walter, Supervisor, Town of Riverhead, or such person's successor in office, is the representative authorized to act on behalf of the Municipality's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation; and
4. That this Resolution take effect immediately.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Town of Riverhead Board authorizes the submission of a Round 11 WQIP funding proposal in the amount of \$5,100,000 to New York State on or before December 13, 2013, for funding to support development of enhanced sewer infrastructure at the Enterprise Park at Calverton that will immediately improve the water quality of the Peconic Estuary; and

**BE IT FURTHER RESOLVED**, that the Town Clerk forward copies of this resolution to the Community Development Agency, the Town of Riverhead Sewer Department, the Accounting Department and the Town Attorney; and

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**CERTIFICATE OF RECORDING OFFICER**

That the attached Resolution is a true and correct copy of the Resolution, as regularly adopted at a legally convened meeting of the The Town of Riverhead Board duly held on the 3<sup>rd</sup> day of December, 2013 ; and further that such Resolution has been fully recorded in the \_\_\_\_\_ in my office.  
(Title of Record Book)

In witness thereof, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_ , \_\_\_\_\_ .

\_\_\_\_\_  
Signature of Recording Officer

If the Applicant has an Official Seal, Impress here.

\_\_\_\_\_  
Title of Recording Officer

12.03.13  
130826

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 826**

**ESTABLISHES TIME OF REGULAR MEETINGS OF THE TOWN BOARD**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, that during the year 2014, all regular meetings of the Town Board will be held twice monthly in Town Hall; the first to be held on the first Tuesday of the month at 2:00 p.m. and the second to be held on the third Tuesday of the month at 7:00 p.m. Exceptions include September 3, 2014 and November 5, 2014 which will be held on Wednesdays at 2:00 p.m. and January 22, 2014, February 19, 2014 and May 21, 2014 which will be held on Wednesdays at 7:00 p.m. and December 30, 2014 which will be held on Tuesday at 2:00 p.m.

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk be and is hereby directed to publish the attached notice in the December 12, 2013 issue of the News-Review Newspaper. The newspaper is hereby designated as official newspaper for this purpose, and to post same on the signboard in Town Hall; and it be further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

MEETING DATE	MEETING PLACE	MEETING TIME
January 7, 2014	Town Hall	2:00 p.m.
January 22, 2014	Town Hall	7:00 p.m.
February 4, 2014	Town Hall	2:00 p.m.
February 19, 2014	Town Hall	7:00 p.m.
March 4, 2014	Town Hall	2:00 p.m.
March 18, 2014	Town Hall	7:00 p.m.
April 1, 2014	Town Hall	2:00 p.m.
April 15, 2014	Town Hall	7:00 p.m.
May 6, 2014	Town Hall	2:00 p.m.
May 21, 2014	Town Hall	7:00 p.m.
June 3, 2014	Town Hall	2:00 p.m.
June 17, 2014	Town Hall	7:00 p.m.
July 1, 2014	Town Hall	2:00 p.m.
July 15, 2014	Town Hall	7:00 p.m.
August 5, 2014	Town Hall	2:00 p.m.
August 19, 2014	Town Hall	7:00 p.m.
September 3, 2014	Town Hall	2:00 p.m.
September 16, 2014	Town Hall	7:00 p.m.
October 7, 2014	Town Hall	2:00 p.m.
October 21, 2014	Town Hall	7:00 p.m.
November 5, 2014	Town Hall	2:00 p.m.
November 18, 2014	Town Hall	7:00 p.m.
December 2, 2014	Town Hall	2:00 p.m.
December 16, 2014	Town Hall	7:00 p.m.
December 30, 2014	Town Hall	2:00 p.m.

TOWN OF RIVERHEAD

Resolution # 827

PAYS BILLS

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

ABSTRACT #13-45 November 21, 2013 (TBM 12/3/13)			
FUND NAME		Ckrun Total	GRAND TOTALS
GENERAL FUND	1	187,385.87	187,385.87
POLICE ATHLETIC LEAGUE	4	2,185.07	2,185.07
RECREATION PROGRAM FUND	6	5,620.00	5,620.00
HIGHWAY FUND	111	1,319.59	1,319.59
WATER DISTRICT	112	20,114.03	20,114.03
RIVERHEAD SEWER DISTRICT	114	33,921.99	33,921.99
REFUSE & GARBAGE COLLECTION DISTRICT	115	208,540.04	208,540.04
STREET LIGHTING DISTRICT	116	9,670.50	9,670.50
PUBLIC PARKING DISTRICT	117	305.30	305.30
BUSINESS IMPROVEMENT DISTRICT	118	5,000.00	5,000.00
AMBULANCE DISTRICT	120	208.91	208.91
EAST CREEK DOCKING FACILITY FUND	122	1,261.21	1,261.21
CALVERTON SEWER DISTRICT	124	1,302.31	1,302.31
RIVERHEAD SCAVENGER WASTE DISTRICT	128	14,922.19	14,922.19
WORKERS' COMPENSATION FUND	173	64,893.37	64,893.37
CDBG CONSORTIUM ACCOUNT	181	78.32	78.32
GENERAL FUND DEBT SERVICE	384	4,395,205.96	4,395,205.96
TOWN HALL CAPITAL PROJECTS	406	6,381.76	6,381.76
RIVERHEAD SEWER CAPITAL PROJECTS	414	9,300.00	9,300.00
TRUST & AGENCY	735	500.00	500.00
CALVERTON PARK - C.D.A.	914	26.44	26.44
<b>TOTAL ALL FUNDS</b>		<b>4,968,142.86</b>	<b>4,968,142.86</b>

THE VOTE

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

The Resolution Was  Thereupon Duly Declared Adopted

12.03.13  
130827

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 827**

**PAYS BILLS**

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

ABSTRACT #13-46 November 27, 2013 (TBM 12/3/13)			
FUND NAME		Ckrun Total	GRAND TOTALS
GENERAL FUND	1	6,874,367.70	6,874,367.70
RECREATION PROGRAM FUND	6	19,229.64	19,229.64
HIGHWAY FUND	111	471,725.54	471,725.54
WATER DISTRICT	112	344,878.19	344,878.19
RIVERHEAD SEWER DISTRICT	114	154,798.04	154,798.04
REFUSE & GARBAGE COLLECTION DIST	115	39,873.97	39,873.97
STREET LIGHTING DISTRICT	116	41,618.32	41,618.32
EAST CREEK DOCKING FACILITY FUND	122	972.15	972.15
CALVERTON SEWER DISTRICT	124	4,708.89	4,708.89
RIVERHEAD SCAVENGER WASTE DIST	128	87,096.35	87,096.35
CDBG CONSORTIUM ACCOUNT	181	814.00	814.00
TRUST & AGENCY	735	1,824,353.84	1,824,353.84
TOTAL ALL FUNDS		9,864,436.63	9,864,436.63

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted