

RESOLUTION LIST

OCTOBER 21, 2014

- Res. #720 2014 Calverton Bocce Court Project Closure**
- Res. #721 General Fund Budget Adjustment**
- Res. #722 General Fund Unemployment Claims Budget Adjustment**
- Res. #723 General Fund Budget Adjustment**
- Res. #724 Riverhead Highway District Budget Adjustment**
- Res. #725 Recreation Program Fund Budget Adjustment**
- Res. #726 Authorizes Budget Modification to the 2013 Community Development Block Grant Program**
- Res. #727 Authorizes Town Clerk to Publish and Post Notice for Public hearing Regarding US HUD Community Development Block Grant (“CDBG”) 2015 Funds**
- Res. #728 Authorizes the Release of Foundation Permit Security of Benedek Development Group LLC (KroemerRte 25 LLC)**
- Res. #729 Appoints an Automotive Equipment Operator to the Sanitation Department**
- Res. #730 Grants Special Use Permit Petition of Lighthouse Yacht Club**
- Res. #731 Authorization to Publish Advertisement for Auto & Truck Repairs for the Town of Riverhead**
- Res. #732 Authorization to Publish Advertisement for Printing for the Town of Riverhead**
- Res. #733 Awards bid for Work Clothes**
- Res. #734 Appoints a Call-In Recreation Aide to the Recreation Department (Cassandra Markert)**
- Res. #735 Ratifies the Appointment of a Call-In Recreation Aide to the Recreation Department (Taylor Daniels)**

- Res. #736** Amends Resolution 628 and Approves Revised Stipulation with Day and Night Taxi Limo Services, Inc.
- Res. #737** Authorizes the Reduction of the Performance Security of A.J.'s Estates (F/K/A Kristi Rose Estates) Residential Subdivision
- Res. #738** Adopts a Local Law to Amend Chapter 48 Entitled, "Beaches and Recreation Areas" of the Code of the Town of Riverhead
- Res. #739** Adopts a Local Law to Amend Chapter 106 Entitled, "Waterways" of the Code of the Town of Riverhead
- Res. #740** Authorizes the Supervisor to Execute a Municipal Cooperation Agreement between the Town of Riverhead and the Riverhead Fire District for Sand and Salt Services
- Res. #741** Authorizes the Supervisor to Execute an Agreement with the Riverhead Fire District Regarding Unleaded Fuel Services
- Res. #742** Authorizes Supervisor to Execute Agreement with Riverhead Soccer Club for Training and Referee Services for Town of Riverhead Police Athletic League Girls and Boys Soccer Program for 2014 Calendar Year
- Res. #743** Authorizes Town Clerk to Publish and Post a Public Notice to Consider a Local Law to Amend Chapter 52 Entitled "Building Construction" of the Riverhead Town Code
- Res. #744** Pays Bills
- Res. #745** Authorizes H2M Architects & Engineers to Provide Professional Engineering Services for Wellhead Treatment for Perchlorate Removal at Plant 16 of the Riverhead Water District

TOWN OF RIVERHEAD

Resolution # 720

**2014 CALVERTON BOCCE COURT
PROJECT CLOSURE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the 2014 Calverton Bocce Court Project is considered complete.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Accounting Department to modify the budget, close the project and return the residual of \$2,365.49 back to its original source, Park and Recreation Special Trust Fund.

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting, Recreation 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 Yes No Gabrielsen Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 721

GENERAL FUND

BUDGET ADJUSTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, a budget adjustment is necessary for the replacement of basement windows at the George Young Community Center.

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

	<u>FROM</u>	<u>TO</u>
001.016250.541200 Repair & Maintenance - Grounds	10,000	
001.016200.541100 Repair & Maintenance - Buildings		10,000

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 722

GENERAL FUND
Unemployment Claims

BUDGET ADJUSTMENT

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Unemployment Insurance Claims Account requires a budget adjustment.

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

		<u>FROM</u>	<u>TO</u>
001.071400.515605	Security Guard	3,000	
001.071800.518606	Lifeguards	3,000	
001.019500.547100	Taxes on Town Property	9,000	
001.090500.548100	Unemployment Insurance Claims		15,000

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 723

GENERAL FUND

BUDGET ADJUSTMENT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the General Fund, Utilities-Telephone Account, requires a budget adjustment for yearend expenses.

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

	<u>FROM</u>	<u>TO</u>
001.019500.547100 Taxes on Town Property	24,000	
001.016200.546100 Utilities - Telephone		24,000

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 724

RIVERHEAD HIGHWAY DISTRICT

BUDGET ADJUSTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Superintendent of Highway is requesting a budget adjustment to cover salt expense.

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

	<u>FROM</u>	<u>TO</u>
111.051400.523000 Improvements other than Buildings	20,000	
111.051420.540000 Snow Removal		20,000

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 725

RECREATION PROGRAM FUND

BUDGET ADJUSTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Superintendent of Recreation is requesting a budget adjustment to pay program instructors.

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

		<u>FROM</u>	<u>TO</u>
006.072089.421042	Instructional Program Fees	12,000	
006.076204.543900	Miscellaneous Consultants		12,000

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 726

**AUTHORIZES BUDGET MODIFICATION TO THE
2013 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Board authorized publication of Public Notice with a 30-day comment period of a proposed budget modification to the 2013 Community Development Block Grant (“CDBG”) programs providing that \$30,409.00 of the 2013 Home Improvement budget be used for Downtown Pedestrian Safety Improvements (Street Lighting); and

WHEREAS, the Town Board authorized publication of Public Notice of such budget modification with a 30-day comment period; and

WHEREAS, Public Notice was published in the official paper with no public comments submitted during the 30-day comment period; and

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes a budget modification to the 2013 CDBG program as outlined above.

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

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 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

COUNTY OF SUFFOLK COUNTY
OFFICE OF COMMUNITY DEVELOPMENT
CONTRACT BUDGET MODIFICATION REQUEST

The program budget contained in the Agreement of 2013 between the
COUNTY OF SUFFOLK AND Town of Riverhead

Is hereby amended as follows:

LINE NO. (HEADING)	DESCRIPTION (as changed)	\$ BEFORE	\$ AFTER	\$ CHANGE + or -
060101-14A-13	Home Improvement Program	\$80,409	\$50,000	-\$30,409
New Project	Downtown Pedestrian Safety Improvement	\$0	-\$30,409	+\$30,409

NET CHANGE	0.00
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Except as set forth above, this budget modification shall not be deemed to change any conditions or provision in the said Agreement.

By: _____ By: _____

Name: Sean Walter

Name: Jill Rosen-Nikoloff-Thompson

Title: Supervisor

Title: Director

Date:

Dept.: Community Development

Municipality: Town of Riverhead

Date:

TOWN OF RIVERHEAD

Resolution # 727

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE FOR PUBLIC HEARING REGARDING US HUD COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”) 2015 FUNDS

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

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

WHEREAS, the Town of Riverhead has an ongoing CDBG Program and plans to prepare an application for CDBG Funds for Fiscal Year 2015 with an estimated allocation of approximately \$143,261.00; and

WHEREAS, the Town wishes to solicit comments from the public with regard to the development of said application; and

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes publishing and posting of the attached public notice of public hearing at 7:05 p.m. on Tuesday, November 18, 2014 as a legal advertisement in the Thursday, October 30, 2014, issue of the News Review and to post same on the signboard in Town Hall.

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

**CITIZEN'S IDEAS WANTED ON COMMUNITY DEVELOPMENT PROGRAM
ANNOUNCEMENT OF PUBLIC HEARING**

PLEASE TAKE NOTICE in April 2015 the Town of Riverhead expects to receive approximately \$143,261.00 in Federal Community Development Block Grant Funds. These funds may be used, and have been previously used for a variety of projects that benefit low and moderate income persons, aid in the prevention or elimination of slums or blight and/or meet a need having a particular urgency.

Examples of eligible activities include:

- Housing Rehabilitation
- Elimination of Physical Barriers to the Handicapped
- Public Facilities and Improvements
- Street Improvements
- Public Service Activities
- Neighborhood Improvement Programs

Town residents are invited to attend this public hearing on the 18th day of November, 2014, at 7:05 p.m. at Riverhead Town Hall, 200 Howell Avenue, New York, to express citizen views on local housing and community development needs to be met with these funds and/or submit written comments for the record to Riverhead Town Hall, Community Development Department, 200 Howell Avenue, Riverhead, New York 11901 by December 2nd, 2014.

Dated: October 21, 2014

**BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD, NEW YORK**

DIANE WILHELM, TOWN CLERK

TOWN OF RIVERHEAD

Resolution # 728

**AUTHORIZES THE RELEASE OF FOUNDATION PERMIT SECURITY OF
BENEDEK DEVELOPMENT GROUP LLC (Kroemer Rte 25 LLC)**

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

WHEREAS, Benedek Development Group LLC posted cash security in the sum of One Thousand Five Hundred (\$1,500.00) Dollars and Eight Thousand Two Hundred (\$8,200.00) Dollars representing a 10% foundation permit security for improvements to an office building and trade shop, respectively, to be made upon real property located at 1500 West Main Street, Riverhead, New York, further described as Suffolk County Tax Map #0600-119.-2-7.1, pursuant to Section 52-8.1 of the Riverhead Town Code; and

WHEREAS, it has been determined that construction has been completed to the Building Department's satisfaction resulting in the issuance of a Certificate of Occupancy for the office building and trade under Certificate of Occupancy No. 21769 and Certificate of Occupancy No. 21819.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the aforementioned foundation permit security in the sum of \$1,500.00 and \$8,200.00, or a total in the sum of \$9,700.00; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Benedek Development Group LLC, 11 Bonac Wood Road, East Hampton, New York 11937, the Building Department, the Accounting Department and the Office of the Town Attorney; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 729

**APPOINTS AN AUTOMOTIVE EQUIPMENT OPERATOR TO THE
SANITATION DEPARTMENT**

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

WHEREAS, the Section 71 termination of an employee in the Sanitation Department has necessitated the hiring of an Automotive Equipment Operator to operate vehicles requiring a Commercial Driver's License and to perform other manual work as required within the department; and

WHEREAS, in accordance with the CSEA contract, this position was duly posted for, Job Posting #8, duly advertised, interviews were conducted, and consequently, a recommendation of a suitable candidate has been made by the Personnel Committee.

NOW, THEREFORE, BE IT RESOLVED, that effective on October 22, 2014 this Town Board hereby appoints Eric Turpin to the position of Automotive Equipment Operator as found on Group 6, Step P of the Operational and Technical Salary Schedule.

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

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 730

**GRANTS SPECIAL USE PERMIT PETITION
OF SPECIAL PERMIT OF LIGHTHOUSE YACHT CLUB**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Riverhead Town Board is in receipt of a special use permit petition from Alex Galasso on behalf of the Lighthouse Yacht Club pursuant to Article XXVIA and Article XIII, Section 108-51 A. of the Riverhead Town Code to expand a non-conforming restaurant use located at Meeting House Creek Road in Aquebogue; such property more particularly described as Suffolk County Tax Lot Numbers 0600-86-2-17.2, 27, 28 and 29; and

WHEREAS, a full environmental assessment form and supporting documentation was submitted as part of the petition; and

WHEREAS, the petition was referred to the Suffolk County Planning Commission for its report and recommendation; such Planning Commission concluding the matter to be one of local determination; and

WHEREAS, the requisite public hearing was held on the matter on October 7, 2014; and

WHEREAS, the Riverhead Town Board has carefully considered the merits of the special use permit petition, the SEQRA record created to date, the report of the Riverhead Planning Department, the report of the Suffolk County Planning Commission, the testimony made at the relevant public hearing as well as all other pertinent planning, zoning and environmental information; now

THEREFORE, BE IT RESOLVED, that that in the matter of the special use permit petition of Alex Galasso on the behalf of the Lighthouse Yacht Club, the Riverhead Town Board determines that the Action be Type II pursuant to 6NYCRR Part 617.5(c)(7) as construction or expansion of a nonresidential facility by less than 4,000 sq. ft. gross floor area and not requiring a change of zone or use variance; and

BE IT FURTHER RESOLVED, that in the matter of the special use permit petition of Lighthouse Yacht Club, the Riverhead Town Board hereby makes the following findings:

- (i) That the subject real property lies within the confines of the Residential B-80 Zoning Use District;
- (ii) That the supplementary use regulations of the Town of Riverhead Zoning Ordinance (Section 108-51A) provides for the expansion of a non-conformance use by special use permit of the Town Board;
- (iii) That the lot area is considered sufficient and adequate for the proposed expansion;
- (iv) That the characteristics of the proposed use would not be unsuitably near a church, school, or recreational area;
- (v) That access facilities are adequate for the motor vehicle traffic to be generated by the proposed expansion;
- (vi) That adequate buffer yards have been provided to protect neighboring properties;
- (vii) That adequate provisions will be made for the collection and recharge of both stormwater and sanitary sewage flow;
- (viii) That adequate provisions for emergency vehicle access, off street parking and loading will be insured by the administration of the requisite site plan review;
- (ix) That the proposed use will not generate any form of environmental pollution discernable by the residents of the general vicinity; and

BE IT FURTHER RESOLVED, that based upon its findings, the Riverhead Town Board hereby grants the Special Use Permit petition of Lighthouse Yacht Club pursuant to Article XXVIA and Article XIII, Section 108-51 A. of the Riverhead Town Code to expand a non-conforming restaurant use located at Meeting House Creek Road, Aquebogue; such property more particularly described as Suffolk County Tax Lot Numbers 0600-86-2-17.2, 27, 28 and 29; subject to the following conditions:

- (i) That no site disturbance or building permit shall issue prior to a site plan approval by the Riverhead Planning Board;
- (ii) That the expanded restaurant use shall commence within two (2) years as tolled from the effective date of this resolution;

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Alex Galasso or his agent, and that that all Town Hall departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the office of the Town Clerk.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 731

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR AUTO & TRUCK REPAIRS
FOR THE TOWN OF RIVERHEAD**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for AUTO & TRUCK REPAIRS for the Town of Riverhead and;

WHEREAS, the Town Clerk is hereby authorized to publish and post the following public notice in the OCTOBER 30, 2014 issue of the News Review.

NOW, THEREFORE BE IT, 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 from the Office of the Town Clerk.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of AUTO & TRUCK REPAIRS for the use in the Town of Riverhead, Riverhead, New York will be received at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 2:05 PM on NOVEMBER 20, 2014 at which time they will be publicly opened and read aloud.

Specifications may be examined and/or obtained on OCTOBER 30,2014 on the Town of Riverhead website at www.townofriverheadny.gov, click on bid requests.

Each proposal must be submitted on the form provided in sealed envelope clearly marked AUTO & TRUCK REPAIRS. Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation 'EXCEPTIONS TO THE SPECIFICATIONS' and attached to the bid form.

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

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

Diane M. Wilhelm, Town Clerk

TOWN OF RIVERHEAD

Resolution # 732

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR PRINTING
FOR THE TOWN OF RIVERHEAD**

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 PRINTING for the Town of Riverhead and;

WHEREAS, the Town Clerk is hereby authorized to publish and post the following public notice in the OCTOBER 30, 2014 issue of the News Review.

NOW , THEREFORE BE IT, 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 from the Office of the Town Clerk.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the printing of business cards, brochures and misc. forms requested by various Town facilities will be received by the Town Clerk of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York, 11901 until 2:00 pm on NOVEMBER 20TH, 2014 at which time they will be publicly opened and read aloud.

Bid Packets including specifications may be examined and/or obtained on OCTOBER 30TH, 2014 on the Town's website at www.townofriverheadny.gov, click on bid requests.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked bids for "TOWN WIDE PRINTING 2014-15". Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation 'EXCEPTIONS TO THE SPECIFICATIONS' and attached to the bid form.

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

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

TOWN OF RIVERHEAD

Resolution # 733

AWARDS BID FOR WORK CLOTHES

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

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

WHEREAS, 4 bids were received and opened at 2:00 pm on SEPTEMBER 15, 2014 at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW THEREFORE BE IT RESOLVED, that the bid for **WORK CLOTHES** for the Town of Riverhead be and hereby is, awarded to **WOODS MENS & BOYS CLOTHING, CENTEREACH WORK & PLAY, INC., AND PROVENGO** for prices on the attached pages.

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

ITEM #	DESCRIPTION	WOODS	CENT. W&P	PROVENGO
Item #1	Trousers Poly-Cotton- & 100% cotton			
	(A) - Poly/Cotton 28-42	\$ 12.40		
	(B) - Size 44-60	\$ 14.90		
	(C) - 100% Cotton DICKIES, Size 28-42	\$ 17.25		
	(D) - 100% Cotton RED KAP, Size 44-60	\$ 20.75		
Item #2	Jeans - Dickies, Pre-washed CR393 Relaxed fit			
	(A) - Sizes 28-42	\$ 16.35		
	(A1) - Sizes 44-50	\$ 17.75		
	(A2) - Sizes 52-56	\$ 17.85		
	(B) - Dickies, Pre-washed C993 Regular Fit			
	(B1) - Sizes 28-42	\$ 15.80		
	(B2) - Sizes 44-50	\$ 17.25		
	(B3) - Sizes 52-56	\$ 17.40		
	(C) - Dickies, Relaxed fit Carpenter Jeans 1993SNB			
	(C1) - Sizes 28-42			\$ 21.70
	(C2) - Sizes 44-50			\$ 23.30
	(C3) - Sizes 52-56			\$ 25.05
	(D) - Carhartt Carpenter Jeans #74308			

	(D1) - Sizes 28-42	\$	27.75		
	(D2) - Sizes 44-50	\$	29.90		
	(D3) -Sizes 52-56	\$	29.90		
	(E) - Carhartt Relaxed fit Jeans #74307				
	(E1) - Sizes 28-42	\$	23.90		
	(E2) - Sizes 44-50	\$	26.40		
	(E3) -Sizes 52-56	\$	26.50		
Item #3	Short Sleeve Uniform shirt Dickies- Navy or Light Blue- Poly Cotton				
	(A) - Sizes S-XL	\$	8.18		
	(B) - Sizes 2XL	\$	9.70		
	(B) - Size 3XL	\$	9.70		
	(C) - Sizes 4XL	\$	9.70		
Item #4	Short Sleeve Uniform Shirts Dickies - 100% Navy or Light Blue				
	(A) - Sizes S-XL	\$	12.45		
	(B) - Sizes 2XL-3XL	\$	14.90		
	(C) - Sizes 4XL	\$	14.90		
	Tall - add amount or % to the above prices	\$	14.90		
Item #5	Long Sleeve Uniform Shirts - Poly/Cotton Blend Dickies SP20 (or equal)				
	(A) - Sizes S-XL	\$	9.70		
	(B) - Sizes 2XL-4XL	\$	11.70		
	(C) - Size 5XL	\$	11.70		

	Tall - add amount or % to the above prices	\$	11.70		
Item #6	Long Sleeve Uniform Shirts - 100% cotton				
	(A) - Sizes S-XL	\$	13.75		
	(B) - Sizes 2XL-3XL	\$	16.55		
	(C) - Size 4XL	\$	16.55		
	Tall - add amount or % to the above prices	\$	16.55		
Item #7	Short Sleeve T-Shirt, Poly/Cotton Blend - HI VIS				
	(A) - Sizes S-XL	\$	2.85		
	(B) - Sizes 2XL-3XL	\$	6.20		
	(C) - Size 4XL	\$	6.20		
	Tall - add amount or % to the above prices	60%			
Item #8	Short Sleeve T-Shirt, 100% COTTON HI VISIBILITY				
	(A) - Sizes S-XL	\$	8.80		
	(B) - Sizes 2XL-3XL	\$	10.45		
	(C) - Size 4XL	\$	12.70		
	Tall - add % to the above prices	N/B			
Item #9	Long Sleeve T-Shirt, Poly/Cotton Blend- Hi-vis				
	(A) - Sizes S-XL	\$	6.35		
	(B) - Sizes 2XL-3XL	\$	8.65		
	(C) - Size 4XL	\$	9.70		

	Tall - add amount or % to the above prices	N/A		
item #10	Long Sleeve T-Shirt, 100% Cotton - hi vis			
	(A) - Sizes S-XL	\$ 8.50		
	(B) - Sizes 2XL-3XL	\$ 10.95		
	(C) - Size 4XL	\$ 11.95		
	Tall - add amount or % to the above prices	N/A		
Item #11	Coveralls, one piece unlined - Dickies			
	(A) - Sizes 28-46		\$ 23.75	
	(B) - Sizes 48-50		\$ 28.00	
	(C) - Sizes 52-60		\$ 26.00	
Item #12	Coveralls, Insulated 20 Degrees - Dickies #2430 (or equal) 100% cotton - brown; black			
	(A) - Sizes S-XL			\$ 57.50
	(B) - Sizes 2XL-3XL			\$ 62.50
	(C) - Size 4XL & TALL			\$ 62.50
Item #13	Bib Overalls, Insulated - Dickies Duck - brown; black			
	(A) - Sizes S-XL			\$ 47.50
	(B) - Sizes 2XL-3XL			\$ 51.50
	(C) - Size 4XL & Tall			\$ 52.50
Item #14	Jacket, Lined Panel Front Spring Navy Blue			
	(A) - Sizes S-XL	\$ 26.70		

	(B) - Sizes 2XL-3XL	\$	32.80		
	(C) - Size 4XL & 5XL	\$	32.80		
	Tall - add amount or % to the above prices	\$	32.80		
Item #15	Long Sleeve Sweatshirt - Poly/Cotton Blend - hi vis				
	(A) - Sizes S-XL	\$	7.15		
	(B) - Sizes 2XL-3XL	\$	9.40		
	(C) - Size 4XL	\$	9.75		
	Tall - add amount or % to the above prices				
Item #16	Long Sleeve Hooded Zippered Sweatshirt, HI VIS				
	(A) - Sizes S-XL	\$	15.10		
	(B) - Sizes 2XL-3XL	\$	18.90		
	(C) - Size 4XL	\$	23.60		
	Tall - add amount or % to the above prices	30%			
Item #17	Long Sleeve Insulated Hooded Zippered Sweatshirt, HI Vis				
	(A) - Sizes S-XL			\$	32.50
	(B) - Sizes 2XL-3XL			\$	36.00
	(C) - Size 4XL			\$	39.50
	Tall - add amount or % to the above prices			n/a	
Item #18	Long Sleeve Insulated Hooded Zippered Sweatshirt - hi vis-stripes (lighter weight)				

	(A) - Sizes S-XL	\$ 28.90		
	(B) - Sizes 2XL-3XL	\$ 30.90		
	(C) - Size 4XL	\$ 32.90		
	Tall - add amount or % to the above prices	N/A		
Item #19	HiGH visibility Parka (scotch lite reflective mtl.) waterproof			
	(A) - Sizes S-XL		\$ 47.50	
	(B) - Sizes 2XL-3XL		plus \$3	
	(C) - Sizes 4XL		plus \$3	
	Tall - add amount or % to the above prices		n/a	
Item #20	High Visibility bomber jacket, waterproof			
	(A) Sizes S-XL	\$ 40.90		
	(B) Sizes 2xl-3xl	\$ 45.90		
	(C) - Sizes 4XL-5XL	\$ 48.90		
Item #21	High Visibility Rain Jacket Breathable-100% poly-coated rain jacket & pants		J P	
	(A) - Sizes S-XL JACKET/PANTS		51.75- 27.50	
	(B) - Sizes 2XL-3XL JACKET/PANTS		54.75 31.00	
	(C) - Size 4XL JACKET/PANTS		59.00--36.00	
	Tall - add amount or % to the above prices	N/A		

THE FOLLOWING ITEMS TO BE UTILIZED BY FIRE MARSHAL & CODE ENFORCEMENT				
	5.11 (or equal) Men's Short Sleeve PDU shirt-65%poly/35% cotton twill			
Item #22	(A) - Sizes S-XL	n/b	n/b	\$ 36.70
	(B) - Sizes 2XL-3XL	n/b	n/b	\$ 39.90
	(C) - Sizes 4XL	n/b	n/b	\$ 39.90
	5.11 Tactical men's long sleeve PDU shirts-65% poly/35% cotton			
Item #23	(A) - Sizes S-XL	n/b	n/b	\$ 38.60
	(B) - Sizes 2XL-3XL	n/b	n/b	\$ 40.60
	(C) - Sizes 4XL	n/b	n/b	\$ 40.60
			n/b	
Item #24	Blauer Cotton blend long sleeve shirt #DN8431			
	(A) - Sizes S-XL	n/b	n/b	
	(B) - Sizes 2XL-3XL	n/b	n/b	
	(C) - Sizes 4XL	n/b	n/b	
Item #25	Blauer cotton blend short sleeve shirt DN#8421			
	(A) - Sizes S-XL	N/B	n/b	
	(B) - Sizes 2XL-3XL	n/b	n/b	

	(C) - Sizes 4XL	n/b	n/b	
Item #26	Streetgear pants DN8810X		n/b	
	(A) - Sizes S-XL	\$ 45.00	n/b	
	(B) - Sizes 2XL-3XL	\$ 48.00	n/b	
	(C) - Sizes 4XL	\$ 52.00	n/b	
Item #27	TDU Poly cotton rip stop 5.11 pants dark navy #74003			
	(A) - Sizes S-XL		n/b	\$ 34.99
	(B) - Sizes 2XL-3XL		n/b	\$ 39.50
	(C) - Sizes 4XL		n/b	\$ 39.50
Item #28	UA Cold Gear mock neck black long sleeve			
	(A) - Sizes S-XL	\$ 37.90	n/b	
	(B) - Sizes 2XL-3XL	\$ 40.90	n/b	
	(C) - Sizes 4XL	\$ 42.90	n/b	
Item #29	UA gear full t-shirts black			
	(A) - Sizes S-XL	n/b	n/b	
	(B) - Sizes 2XL-3XL	n/b	n/b	
	(C) - Sizes 4XL	n/b	n/b	
Item #30	Striker II 45 GTX regular safety boots		n/b	
		\$ 219.90	n/b	\$ 107.25
Item #31	5.11 s/s collared polo shirts , navy			
	(A) - Sizes S-XL		n/b	19.4--30.20

	(B) - Sizes 2XL-3XL		n/b	23.10-34.10
	(C) - Sizes 4XL		n/b	23.10-34.10
Item #32	5.11 l/s collared polo shirts, navy		n/b	
	(A) - Sizes S-XL		n/b	22.60--33.50
	(B) - Sizes 2XL-3XL		n/b	25.60--38.50
	(C) - Sizes 4XL		n/b	25.60--38.50
Item #33	5.11 Tactical s/s Taclite-Pro shirt w/free card wallet			
	(A) - Sizes S-XL		n/b	\$ 36.70
	(B) - Sizes 2XL-3XL		n/b	\$ 39.90
	(C) - Sizes 4XL		n/b	\$ 39.90

TOWN OF RIVERHEAD

Resolution # 734

APPOINTS A CALL-IN RECREATION AIDE TO THE RECREATION DEPARTMENT

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

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

NOW THEREFORE BE IT RESOLVED, that effective October 24, 2014 this Town Board hereby appoints Cassandra Markert to the position of Call-in Recreation Aide, Level 1, to be paid the rate of \$8.00 per hour and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 735

RATIFIES THE APPOINTMENT OF A CALL-IN RECREATION AIDE TO THE RECREATION DEPARTMENT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

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

NOW THEREFORE BE IT RESOLVED, that effective October 17, 2014 this Town Board hereby appoints Taylor Daniels to the position of Call-in Recreation Aide, Level 1, to be paid the rate of \$8.00 per hour and

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 736

AMENDS RESOLUTION 628 AND APPROVES REVISED STIPULATION WITH DAY AND NIGHT TAXI LIMO SERVICES, INC.

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, by resolution number 628, adopted on September 3, 2014, the Town Board rescinded the revocation of the Taxicab Business License issued on July 9 2014 under permit No. 1019 to Day and Night Taxi Limo Services Inc. (Day & Night); and

WHEREAS, pursuant to resolution number 628, the Town of Riverhead and Day & Night entered into a Stipulation whereby Day & Night was limited to not more than three (3) operators and two cabs under permit No. 1019; and

WHEREAS, Mohammad A. Gondal, on behalf of Day & Night has asked that the Stipulation be revised to allow up to four (4) operators and four (4) taxis.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead be and hereby, amends resolution 682 of 2014 and authorizes the Supervisor's execution of an Amendment of the Stipulation between the Town of Riverhead and Day & Night to allow up to four (4) operators and four (4) taxis; and be it further

RESOLVED, that all other terms and conditions of resolution 682 of 2014 shall remain in full force and effect; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 737

AUTHORIZES THE REDUCTION OF THE PERFORMANCE SECURITY OF A.J.'S ESTATES (F/K/A KRISTI ROSE ESTATES) RESIDENTIAL SUBDIVISION

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, pursuant to Riverhead Planning Board Resolution #2012-066, adopted on October 4, 2012, the Riverhead Planning Board conditionally approved the final plat entitled "Kristi Rose Court", located on the west side of Doctors Path, Riverhead, further described as Suffolk County Tax Map #0600-65-1-4, having one of the conditions of final approval being the submission of performance security in the amount of \$290,000.00 in connection with improvements to be completed within said subdivision; and

WHEREAS, pursuant to Riverhead Planning Board Resolution #2014-0019, adopted on March 6, 2014, the Riverhead Planning Board approved the revised final plat renaming the major subdivision "Final Plat of A.J. Estates"; and

WHEREAS, by memorandum of Vincent A. Gaudiello, PE., dated September 4, 2014, it has been determined that substantial improvements have been completed within said subdivision and further recommends that the performance security be reduced from \$290,000.00 to an amount of \$115,000.00, to ensure the completion of the remaining improvements to be completed; and

WHEREAS, pursuant to Riverhead Planning Board Resolution #2014-0077, dated September 18, 2014, it has been recommended that the performance security for the realty subdivision be reduced to the amount of \$115,000.00.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the reduction of the aforementioned performance security in the sum of \$290,000.00 to an amount of \$115,000.00 in a form acceptable to the Town Attorney; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a copy of this resolution to Anthony Kaywood of Aspen Creek Estates, Ltd., 6 Arielle Court, Dix Hills, New York, 11746; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 738

ADOPTS A LOCAL LAW TO AMEND CHAPTER 48 ENTITLED, "BEACHES AND RECREATION AREAS" OF THE CODE OF THE TOWN OF RIVERHEAD

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 48, entitled "Beaches and Recreation Areas" of the Riverhead Town Code of the Code of the Town of Riverhead ("Town Code"); and

WHEREAS, a public hearing was held on the 7th day of October, 2014 at 2:10 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law amending Chapter 48 entitled, "Zoning" of the Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 48 of the Riverhead Town Code entitled, "Beaches and Recreation Areas" at its regular meeting held on October 21, 2014. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

CHAPTER 48

BEACHES AND RECREATION AREAS

§ 48-1 Definitions.

RECREATION TRAIL

An area designated by resolution of the Town Board for use as a walking trail, bicycle path, or hiking trail.

§ 48-25 Recreation trails.

- A. In areas designated by resolution of Town Board as recreation trails, all means of transportation by engine are strictly prohibited except for law enforcement officials of Town representatives supervising the recreation trails.
- B. Any operator who shall violate any provision of this section, upon conviction thereof, shall be sentenced to a fine of \$500.

Dated: Riverhead, New York
October 21, 2014

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

DIANE M. WILHELM, Town Clerk

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

TOWN OF RIVERHEAD

Resolution # 739

**ADOPTS A LOCAL LAW TO AMEND CHAPTER 106 ENTITLED,
"WATERWAYS" OF THE CODE OF THE TOWN OF RIVERHEAD**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

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

WHEREAS, a public hearing was held on the 7th day of October, 2014 at 2:15 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law amending Chapter 106 entitled, "Waterways" of the Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared **TABLED**

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 106 entitled "Waterways" of the Riverhead Town Code at its regular meeting held on October 21, 2014. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

CHAPTER 106
WATERWAYS

§ 106-3. Definitions and word usage.

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

BOAT

Every vessel propelled in any manner.

CHANNEL SYSTEM

The bed of a natural waterway with well-defined banks presenting the evidence of the flow of tidal waters and commonly or usually traversed by watercraft and, in addition, refers to man-made or stabilized waterways designed for the navigation of watercraft. For the purpose of this chapter, boat basins and bathing areas are included in the "channel system."

COMMERCIAL DOCKAGE

Any catwalk, fixed dock, floating dock, or mooring intended for use other than residential dockage, as defined in this chapter.

FLOATING HOME/CABANA

Any vessel in fact used, designed or occupied as a dwelling unit, business office or source of any occupation or for any private or social club of whatsoever nature, including but not limited to a structure constructed upon a barge or pontoons which is primarily immobile and out of navigation which functions substantially as a land structure while the same is moored or docked within the municipal limits of the Town of Riverhead, whether such vessel is self-propelled or not.

FLOATING OBJECTS

Any anchored marker, platform, raft or other floating contrivance which is not a vessel, and includes but is not limited to bathing beach markers, speed zone markers, information markers, swimming or diving floats, mooring buoys, fishing buoys and ski jumps.

HOUSEBARGE

Any vessel or craft used or designed to be used on the water surface and to provide residential accommodations with sleeping and toilet facilities, whose volume coefficient is greater than 1,500 cubic feet. Volume coefficient is the ratio of the habitable space of a vessel measured in cubic feet to the draft of

a vessel measured in feet of depth. Habitable space is any enclosed area used or designed to be used for a person to sleep, sit or eat.

MOTORBOAT

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

NAVIGABLE WATERS

Waterways used or susceptible of being used in their natural or ordinary condition as highways for commerce over which trade and travel are or may be conducted in customary modes of trade and travel on water.

OWNER

Includes the person in whose name the vessel was last registered under Article 48 of the New York State Vehicle and Traffic Law requiring registration and, in any other case, the last known person with title to a vessel.

PARASAILING

A water sport in which a person is pulled behind a vessel by a boom, cable, pole or rope attached to a parachute or other similar object suspending a person in the air over a body of water.

PERMANENT MOORING

The securing of a vessel in the water of the Town of Riverhead on a seasonal or annual basis by means of securing the vessel to a fixed anchor placed on the bottom.

PERSON

Any individual, partnership, association, firm, corporation or any and all combinations of individuals acting in concert.

PIER

A wharf portion of a wharf extending from the shoreline with water on three sides.

REGULATED WATER SPORTS

The following sports performed in any water, channel system or tidewater which include but are not limited to "waterskiing" and "parasailing" and the use of any "water propulsion device" as the terms are defined in this chapter.

RESIDENTIAL HOUSEBOAT

A vessel not designed primarily for residential dwelling units, designed primarily for pleasure craft, recreation and for independent navigation and not considered a floating home, in accordance with the definition set forth above, and which is being used or occupied for residential purposes.

RESIDENTIAL PURPOSES

The use of a houseboat, vessel or floating home as a dwelling place, residence or place of abode. The term "residential purposes" shall not be construed to prohibit the occasional overnight use of a houseboat incidental to a transient

stay by the vessel within the Town of Riverhead between April 1 and November 1 of each year.

RESIDENTIAL DOCKAGE

Any catwalk, fixed dock, floating dock, or mooring intended for use other than commercial dockage, as defined in this chapter.

SKIN DIVING

Includes swimming by any person with the intent to explore or photograph in local waters or to hunt fish therein, including any person using any self-contained underwater breathing apparatus commonly known as an "Aqualung," but shall not include bona fide salvage operations displaying proper signals.

TEMPORARY ANCHORING

The securing of a vessel in a harbor on a temporary basis by means of an anchor carried aboard the vessel.

TIDEWATERS

Waters, whether salt or fresh, wherever the ebb and flow of the tide is felt, including but not limited to coves, rivers, canals and bays.

VESSEL

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

WATERS

All surface water, whether salt or fresh, within or bordering the Town of Riverhead, including tidewaters and navigable waters.

WATERSKIING

A water sport in which a person is pulled behind a vessel by a boom, cable, pole or rope allowing said person to glide or skim over a body of water.

WATER POPULSION DEVICE

A buoyant board, or jetpack affixed or worn by a person(s) designed to vertically or horizontally lift said person(s) from a body of water, and/or operate below the surface of a body of water, which is powered by a motorized water jet or pump that supplies power by water propulsion, to force an individual(s) into the air and water (examples of such water propulsion devices include but are not limited to flyboards, Jetpacks, Jetlev's and Hoverboards).

WAKEBOARDING

See "Waterskiing"

WHARF

Any structure built or maintained for the purpose of providing a berth place for vessels.

§ 106-11. ~~Waterskiing~~-Regulated water sports.

A. No person shall operate a vessel on the navigable waters of the Town for towing a person on water skis, a surfboard or similar device unless ~~there~~there is in such vessel a person other than the operator, of at least 10 years of age, in a position to observe the person being towed.

B. No person shall ~~be towed on water skis, a surfboard or similar device or use or operate a vessel to tow a person thereon~~conduct any regulated water sport as defined in this chapter on the navigable waters of the Town during the period from sunset to one hour after sunrise.

C. No person shall operate or cause to perform any "regulated water sport" within any "channel system" as the terms are defined in this chapter or within 100 feet of any swimmer or bather, or within a 100 foot radius of any other vessel, nor shall any such person engage in any of the below mentioned regulated water sports within 500 feet of any "shoreline", "residential or commercial dockage", "pier" or "wharf", the following regulated water sports include:

1) Waterskiing;

a. Exempted from the 500 foot shoreline provision provided above, is any individual which approaches or departs perpendicular to the shoreline for the sole purposes of commencing or ending a water ski ride.

2) Operating a "water propulsion device" as defined in this chapter".

3) Parasailing.

4) Wakeboarding.

~~be towed on water skis, a surfboard or similar device or use or operate a vessel to tow a person thereon in any channel or within 150 feet of any public or semipublic dock or within 100 feet of any swimmer or bather, nor shall any such person engaged in such activities come within 500 feet of the shoreline unless he approaches or departs perpendicular to the shoreline and solely for the purpose of commencing or ending a ride.~~

D. No person shall operate or manipulate any water skis, water propulsion device or similar device without wearing a personal flotation device of Type I, II or III as specified in § **106-12** of this chapter.

E. No person shall operate or manipulate any water skis, water propulsion device, aquaplane or similar device in a reckless or negligent manner so as to endanger the life, limb or property of any person.

- Underscore indicates additions
- Overstrike indicates deletions

Dated: Riverhead, New York

October 21, 2014

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
DIANE M. WILHELM, Town Clerk

TABLED

TOWN OF RIVERHEAD

Resolution # 740

AUTHORIZES THE SUPERVISOR TO EXECUTE A MUNICIPAL COOPERATION AGREEMENT BETWEEN THE TOWN OF RIVERHEAD AND THE RIVERHEAD FIRE DISTRICT FOR SAND AND SALT SERVICES

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town of Riverhead and the Riverhead Fire District wish to enter into a Municipal Cooperation Agreement whereby the Town of Riverhead Highway Department will provide sand and salt services to the Riverhead Fire District; and

WHEREAS, the Town of Riverhead will provide this service to the following Fire District locations: Roanoke Avenue Headquarters, Hubbard Avenue, Hamilton Avenue, and Riley Avenue; and

WHEREAS, the sand and salt service will cost the Riverhead Fire District \$100.00 each time the service is provided (not per weather event); and

WHEREAS, the service only provides salt and sanding of the parking/ramp areas, not walkways or entrances, and does not include plowing.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead authorizes the Supervisor to enter into an agreement with the Riverhead Fire District, in substantially the same form as annexed hereto, for sand and salt services; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolutions to Jonathan D. Brown, Esq., 737 Roanoke Avenue, Riverhead, NY 11901; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

MUNICIPAL COOPERATION AGREEMENT entered into as of the ____ day of _____, 2014, by and between the **RIVERHEAD FIRE DISTRICT**, with offices for the transaction of business located at Roanoke Avenue, Riverhead, New York and the **TOWN OF RIVERHEAD**, with offices for the transaction of business located at 200 Howell Avenue, Riverhead, New York.

WHEREAS, the Town of Riverhead, through its Highway Department, is responsible for snow removal from Town roadways and Town property throughout the Town and, as such, the Town Highway Department has the facilities, personnel and equipment to perform snow removal and related tasks, including salt and sanding; and

WHEREAS, the Riverhead Fire District has adequate equipment and personnel required to perform snow removal, however, the District lacks adequate equipment and/or facilities for the storage of and application of sand and salt required for parking and ramp areas at the following Fire District locations: Roanoke Avenue Headquarters, Hubbard Avenue, Hamilton Avenue, and Riley Avenue; and

WHEREAS, the Riverhead Fire District finds it appropriate and cost effective to contract for salt and sanding services and requests that the Town of Riverhead Highway Department provide assistance to the Fire District limited to the application of salt and sand in the parking and ramp areas identified above; and

WHEREAS, the Riverhead Fire District and Town of Riverhead, through its Highway Department, wish to enter into an inter-municipal agreement for such services; and

WHEREAS, pursuant to Article 5-G of the General Municipal Law, the Town and Fire District are authorized to enter into a municipal cooperation agreement with respect to salt and sanding services; and

WHEREAS, the parties recognize what their respective rights and obligations will be under the agreement; and

NOW, THEREFORE, in consideration of the mutual covenants set forth above and fully set forth in the Agreement below, the parties agree as follows:

THIS AGREEMENT is made _____, 2014 by and between the Town of Riverhead, hereinafter referred as the "TOWN" and the Riverhead Fire District, hereinafter referred as the "DISTRICT", and hereinafter collectively called the "PARTIES".

IT IS HEREBY AGREED by and between the PARTIES, that the TOWN agrees to apply sand and salt, or other material on parking and ramp areas at the following DISTRICT locations: Roanoke Avenue Headquarters, Hubbard Avenue, Hamilton Avenue, and

Riley Avenue during the months of November 1 to April 1 each year that this Agreement is in effect as the Town Highway Superintendent deems it necessary or *at the request of any one of the following DISTRICT representatives:

Kevin Brooks, Ed Carey, Mark Conklin, Bill Kelly, Dennis Hamill, Frank Darrow.

The DISTRICT may alter the list of District representatives at any time. The DISTRICT will notify the Town in writing of any such change.

The DISTRICT shall provide the TOWN with notice that conditions exist such that the parking and ramp areas require the application of salt and/or sand and that DISTRICT has completed or shall complete snow plow activities within one hour from notification such that the areas described above are ready for application of sand and salt by TOWN. This notice shall be satisfied by contacting the Town of Riverhead Highway Department at 727-3200, extension 228 during regular business hours (7:00 am to 3:30 pm) or by contacting George Woodson, Highway Superintendent at 631-466-0141 during non-business hours.

The DISTRICT shall be responsible to plow all snow and ice from the parking area prior to application of salt and/or sand by TOWN and shall make every good faith effort not to plow residual snow onto Town roadways and sidewalks.

The DISTRICT shall be responsible to remove snow and ice, salt and sand all pathways, entrances, exits, means of ingress and egress be it for pedestrian or vehicle access to the buildings, offices, garage or other such structures located on or adjacent to the identified parking areas and it is understood that the TOWN shall not be responsible for or provide any such snow removal, salt or sanding services to such areas.

The Town shall perform such salt and sand application to the same extent and in the same timely fashion as the TOWN shall perform such services on its own Town highways and parking areas.

The TOWN further agrees to supply all labor, machinery, tools and equipment in the performance of the work under this Agreement.

The DISTRICT agrees to reimburse the TOWN for its costs in performing such services, according to the following procedures:

- a. The TOWN agrees to keep, during the period of this AGREEMENT, an itemized annual record of daily operations, on a form to be provided by the Town Highway Superintendent and to submit such completed form together with a certified voucher noting the date, time, location for each application of sand and/or salt ; and
- b. The DISTRICT agrees to pay a flat rate of \$100.00 per application to all four identified locations (not per location). It is understood that due to the snow event or conditions related to the snow event (wind, rain etc.), the TOWN may perform

one or more applications at any of the identified locations per day/evening and seek payment for each application.

This AGREEMENT shall be in full force and effect from and after _____ 2015 until _____ 2016, unless terminated sooner by either PARTY upon 60 days' notice in writing to the other PARTY.

The Town of Riverhead is self insured and shall maintain said self insured status during the period of this agreement. The Riverhead Fire District shall procure and maintain, at its sole cost and expense, any and all insurance necessary to protect itself from claims for which it may be legally liable arising from the activities contemplated under this Agreement. All policies shall provide for at least thirty (30) days written notice of cancellation or amendment.

Each party agrees to indemnify and hold harmless the other party, its agents and employees from and against all claims, damages, losses and expenses of a third party arising out of or resulting from the sand and salt application to the parking/ramp areas at the four locations provided that such claim, damage, loss or expense is caused in whole or in part by the negligent act or omission of the identifying party or anyone for whose acts it may be liable.

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

This Agreement may not be assigned by either party without the prior written authorization of the non-assigning party.

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

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

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

This Agreement had been mutually arrived at and shall not be construed against either party as being the drafter or causing this Agreement to be drafted.

The undersigned representative of the Town of Riverhead hereby represents and warrants that the undersigned is an officer, director or agent of the Town of Riverhead

with full legal rights, power and authority to enter into this Agreement on behalf of the Town of Riverhead and bind the Town of Riverhead with respect to the obligations enforceable against the Town of Riverhead in accordance with the terms contained herein.

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

RIVERHEAD FIRE DISTRICT

By: _____

Printed Name: _____

Date: _____

TOWN OF RIVERHEAD

By: _____
Sean M. Walter, Town Supervisor

Date: _____

TOWN OF RIVERHEAD

Resolution # 741

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

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Riverhead Fire District and the Town of Riverhead have had discussions concerning the use of the Town of Riverhead’s unleaded fuel facility by Riverhead Fire District vehicles and equipment; and

WHEREAS, it is in the interest of the taxpayers of the Town of Riverhead and the Riverhead Fire District to share resources in this undertaking for the benefit of the Riverhead Town taxpayer; and

WHEREAS, it is legally permissible to make these resources available for mutual use when it is in the public interest; and

WHEREAS, the Riverhead Fire District and the Town of Riverhead wish to enter into a Municipal Cooperation Agreement for the use of unleaded fuel services by Riverhead Fire District specifically delineated in the Agreement.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute a Municipal Cooperation Agreement with the Riverhead Fire District, in substantially the same form as annexed hereto, regarding the use of the Town of Riverhead’s unleaded fuel facility by Riverhead Fire District vehicles specifically delineated in the Agreement; and be it further

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

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

MUNICIPAL COOPERATION AGREEMENT entered into as of the day ____ of October, 2014, by and between the RIVERHEAD FIRE DISTRICT, with offices for the transaction of business located at 540 Roanoke Avenue, Riverhead, New York and the TOWN OF RIVERHEAD, with offices for the transaction of business located at 200 Howell Avenue, Riverhead, New York.

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

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

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

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

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

1. The term of this Agreement shall be for the period October 1, 2014 until September 30, 2015. However, District and Town each may unilaterally terminate this Agreement at any time and for any reason upon 30 days written notice. Town may also terminate this Agreement immediately without notice in the event a safety and/or security issue arises.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RIVERHEAD FIRE DISTRICT

TOWN OF RIVERHEAD

Sean M. Walter, Town Supervisor

Date: _____

Date: _____

SCHEDULE "A"

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

CHARGES:

A. Cost of gasoline: As per New York State contract Group 05600 Award # 22683 Contract PC 66192-Gasoline and E-85 (unleaded gasoline 87 octane), Contract Expires: 12/18/14. District acknowledges receipt of same which is hereby incorporated herein as if recited in its entirety. District acknowledges that price for unleaded gasoline may change or fluctuate based upon contract award by Town and cost/charge shall be subject to such contract award.

Diesel: Bid Award as per Resolution # 140471 adopted by the Town Board on 6/17/14.

**B. Fuel Supplier: United Metro Energy Corp.
Diesel Supplier: Quogue Sinclair Fuel, Inc.**

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

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

E.

- 1. Fuel Point Module: \$122.00 per vehicle**
- 2. T-Ring: \$ 25.00 per vehicle**

3. **OBDII Mileage Adapter \$127.00 per vehicle**
4. **Operator Key: \$20.00 (onetime leasing fee, District to return key upon contract termination).**
5. **Gas Can Key: \$20.00(one-time leasing fee, District to return key at contract end)**

F. Town Administrative Charges: \$.36 (thirty-six cents) per gallon. District agrees to pay an administrative charge to the Town equal to .32 cents per gallon of fuel that is dispensed from the Town's fuel pump. District further agrees to pay the administrative charge in addition to the cost of fuel (on a per gallon basis/rate) set forth in the fuel invoice. District agrees, acknowledges and understands that the administrative charge of .32 cents per gallon is a charge in addition to the fuel gallon rate specified in the Town's contract with Sprague Energy Corporation or such other company subject to contract/agreement with the Town. Town represents that the administrative charge shall be subject to review on an annual basis and as such may be modified and/or increased on an annual basis.

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

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

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

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

SCHEDULE B (LIST OF VEHICLES)

1. 6-2-1 2010 SEAGRAVE VIN # 1F9E228T0ACST2059
2. 6-2-2 1997 SEAGRAVE VIN # 1F9EW28T9VCST2023
3. 6-2-3 2002 AMERICAN LAFRANCE VIN # 4Z3AAACG52RJ81874
4. 6-2-4 2010 SEAGRAVE VIN # 1F9E228T7ACST2060
5. 6-2-5 1997 SEAGRAVE VIN # 1F9F828TXVCST2014
6. 6-2-6 1999 LTI VIN # 4S7AX4291XC030120
7. 6-2-7 1997 FREIGHTLINER VIN # 1FVX4LYB2VL70201
8. 6-2-8 1991 INTERNATIONAL VIN # 1HTSLNMOMH367508
9. 6-2-9 2006 SALSBERRY VIN # 4S7AU2F946C053543
10. 6-2-10 2006 DODGE VIN # WDOPD644865946224
11. 6-2-10A 2011 DODGE VIN # 3D7UT2HL6BG544428
12. 6-2-11 2007 SPARTAN VIN # 4S7BT2B927C056391
13. 6-2-12 1974 INTERNATIONAL VIN # 14672CHA42692 (gas)
14. 6-2-12A 1970 KAISER VIN # C13410341
15. 6-2-12B 1970 KAISER VIN # NL085R
16. 6-2-13 1976 SEAGRAVE VIN # PB24068F73521
17. 6-2-14 1994 SEAGRAVE VIN # 1F9EW28PORCST2062
18. 6-2-15 2003 CHEVY VIN # 1GBJC33193F186600
19. 6-2-30 2011 CHEVY TAHOE VIN # 1GNSK2E01BR345017
20. 6-2-31 2007 CHEVY SUBURBAN VIN # 3GNGK26K57G278743
21. 6-2-32 2005 CHEVY SUBURBAN VIN # 1GNFK16Z45J250785
22. 6-2-33 2008 FORD EXPEDITION VIN # 1FMFU16578LA84850

23. 6-2-90 2002 CHEVY TAHOE VIN # 1GNEK13412T280464
24. 6-2-91 2001 DODGE RAM PICK UP VIN # 1B7HF13731J521985
25. 6-3-93 2003 CHEVY TAHOE VIN # 1GNEK13Z23R176393
26. 6-2-95 2001 DODGE VIN # 3B6MF36641M510108
27. 6-2-96 2005 FORD VIN # 1FTWW33P25EC06949
28. 6-2-97 2004 FORD VIN # 1FBSS31P34HA72998

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

TOWN OF RIVERHEAD

Resolution # 742

AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT WITH RIVERHEAD SOCCER CLUB FOR TRAINING AND REFEREE SERVICES FOR TOWN OF RIVERHEAD POLICE ATHLETIC LEAGUE GIRLS AND BOYS SOCCER PROGRAM FOR 2014 CALENDAR YEAR

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

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

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

WHEREAS, the Riverhead Soccer Club has offered to provide trainers to provide instruction/training to participants in the PAL Soccer Program and provide professional officials to referee games for the 2014 Girls and Boys Soccer Programs offered to girls and boys in Riverhead that are part of and affiliated with the Town of Riverhead Police Athletic League.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to enter into an agreement with the Riverhead Soccer Club, in substantially the same form as annexed hereto, for training and referee services for the 2014 Girls and Boys Soccer Programs as part of and affiliated with the Town of Riverhead Police Athletic League in an amount not to exceed \$10,000.00; and be it further

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

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

THIS AGREEMENT made and entered into this ____day of _____, 2014, by and between the Town of Riverhead, a municipal corporation duly existing under the laws of the State of New York, (hereinafter referred to as the "Town"), with its principal place of business located at 200 Howell Avenue, Riverhead, NY and the Riverhead Soccer Club, having an address at P.O. Box 2018, Riverhead, NY 11901.

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

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

WHEREAS, the Riverhead Soccer Club has offered to provide professional trainers for instruction/training to participants in the PAL Soccer Program and provide professional officials to referee games for the 2014 Girls and Boys Soccer Programs offered to girls and boys in Riverhead that are part of and affiliated with the Town of Riverhead Police Athletic League; and

WHEREAS, by Resolution #_____ adopted on October 21, 2014, the Town Board authorized the Supervisor to enter into an agreement with Riverhead Soccer Club for training and referee services for 2014 Girls and Boys Soccer programs as part of and affiliated with the Town of Riverhead Police Athletic League in an amount not to exceed \$10,000.00.

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

SECTION 1. Purpose:

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

SECTION 2. Scope of Work:

Riverhead Soccer Club shall provide and arrange for officiating services for the 2014 Girls and Boys Soccer Programs offered to the youth of Riverhead as part of and affiliated with the Town of Riverhead Police Athletic League.

SECTION 3. Duration of Contract:

The term of this agreement shall commence on September 15, 2014 and expire at the end of the 2014 Town of Riverhead Police Athletic League Girls and Boys Soccer season.

SECTION 4. Consideration:

As consideration for the services provided, as specified in Paragraph 2, the Town will reimburse or provide *payment the Riverhead Soccer Club for a sum of money not to exceed \$10,000.00 for 2014 Girls and Boys Soccer Programs to provide and arrange for officiating services for said program(s) that are part of and affiliated with the Town of Riverhead Police Athletic League during the contract period. Riverhead Soccer Club may submit vouchers seeking payment or reimbursement for monies spent on officiating services on a biweekly or monthly basis during the contract period. *To the extent that Riverhead Soccer Club seeks payment prior to completion of officiating services, Riverhead Soccer Club shall be required to provide the Town with documentation to substantiate costs related to such services within 60 days. It is agree and understood that consideration is limited to payment or reimbursement of monies/costs related to officiating services and no additional costs, charges, or fees are permitted under this agreement.

SECTION 5. Relationship:

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

SECTION 6. Suspension, Termination, and Close Out:

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

SECTION 7. Changes, Amendment, Modifications:

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

SECTION 8. Assignability:

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

SECTION 9. Reports and Information:

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

SECTION 10. Liability and Indemnification:

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

SECTION 11. Severability:

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

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

TOWN OF RIVERHEAD:

Sean M. Walter, Supervisor

Date

Attest:

Town Clerk

Town Attorney

RIVERHEAD SOCCER CLUB

Riverhead Soccer Club President

Date

TOWN OF RIVERHEAD

Resolution # 743

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE
TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 52 ENTITLED
“BUILDING CONSTRUCTION” OF THE RIVERHEAD TOWN CODE**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice to consider a proposed local law to amend Chapter 52 entitled “Building Construction” of the Riverhead Town Code once in the October 30, 2014 issue of the News-Review, the newspaper hereby designated as the official newspaper for this purpose, and post same on the sign board at Town Hall; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 5th day of November, 2014 at 2:25 o'clock p.m. to consider a local law amending Chapter 52 entitled "Building Construction" of the Riverhead Town Code as follows:

§ 52-6. Application for building permit.

K. The development of a lot within a residential or agricultural zoning use district and/or located within 150 feet of the boundary of any state or local designated freshwater wetland or 300 feet of the boundary of any state or local designated tidal wetland shall conform to the following standards in the consideration of a building permit:

(8) In addition to the provisions set forth above and in an effort to prevent water pollution, improve water quality and protect our ecosystems, the owner or applicant seeking to perform any renovation which involves a modification of an existing floor plan or any additions which increase the square footage of living area of any one or two family dwellings, including accessory structures (e.g. pool house) located within the jurisdiction of Tidal or Freshwater Wetlands within the Town of Riverhead as defined in 52-6 (K) above the owner or applicant shall require approval by the Suffolk County Department of Health Services and Town of Riverhead Building Department prior to the issuance of a building permit. The approvals for Subsurface Sewage Treatment Systems (SSTS), or such other alternative septic system design types approved by the Suffolk County Department of Health Services and/or New York State Uniform Building Code for one and two family dwellings, shall include the calculation of the potential occupancy determined by the number of bedrooms, bathrooms and kitchen facilities, including improvements to existing kitchen facilities. Floor plans for renovations or additions must be reviewed to ensure the total number of bedrooms, potential bedrooms as described in K (8) (c), bathrooms(s) and kitchen facilities and/or kitchen improvements are the same as the original certificate of occupancy.

a. If the dwelling and/or accessory structure has a certificate of occupancy issued prior to 1973 or is eligible for a letter of preexisting use and the number of bedrooms, potential bedrooms bathrooms or kitchen facilities/improvements as described in 8 (c) below will increase, a permit from the Suffolk County Department of Health Services Wastewater Management and Town of Riverhead Building Department is required prior to the issuance of a building permit. Note, this provision is intended to make clear that the Town of Riverhead may be more restrictive than Suffolk County Department of Health Services or New York State Uniform Building Code with respect to requirement for installation or upgrade of SSTS or such other alternative septic systems approved by Suffolk County Department of Health Services or New York State Office of Planning & Development for renovations, modifications, additions to one and two family dwellings located within the jurisdiction of Tidal or Freshwater Wetlands within the Town of Riverhead, however, such upgraded system or alternative system shall not exceed the design or type of sanitary system approved for use in residential structures

and/or accessory structures by the Suffolk County Department of Health Services and/or New York State Uniform Building Code.

- b. If the dwelling and/or accessory structure has a certificate of occupancy issued after 1973 and the number of bedrooms or potential bedrooms, bathrooms, or kitchen facilities as described in 8 (c) below will increase to a number greater than 4, a permit from the Suffolk County Department of Health Services Wastewater Management and Town of Riverhead Building Department is required prior to the issuance of a building permit. Note, this provision is intended to make clear that the Town of Riverhead may be more restrictive than Suffolk County Department of Health Services or New York State Uniform Building Code with respect to permit requirements for SSTs or alternative septic systems for renovations, modifications, additions to one and two family dwellings located within the jurisdiction of Tidal or Freshwater Wetlands within the Town of Riverhead, however, such upgraded system or alternative system shall not exceed the design or type of sanitary system approved for use in residential structures and/or accessory structures by the Suffolk County Department of Health Services and/or New York State Uniform Building Code.
- c. Any room which could potentially be used as a bedroom may be considered a bedroom by the Building Department or Suffolk County Department of Health Services. An office, den, play room, study room, media room, exercise room and rooms not listed as integral to the dwelling; Integral parts of the house that will not contribute to bedroom count include one kitchen, one living room, one dining room, one family room (which may be substituted for an office, den, or study), foyers, garages, or open unfinished basements. In addition, bathrooms, second kitchens, kitchen improvements such as sinks, dishwashers, and laundry equipment which may increase potential flow to the existing septic system may be considered for the calculation of additional living space/bedrooms such that an upgraded SSTs or such other alternative septic system design type approved by the Suffolk County Department of Health Services and/or New York State Uniform Building Code may be required as set forth in the provisions above.
- d. In the event that the Suffolk County Department of Health Services requires an upgraded SSTs or other alternative septic system design type approved by the Suffolk County Department of Health Services and/or New York State Uniform Building Code, the owner or applicant must comply with all permit requirements set forth in Suffolk County Department of Health Services standards and regulations. In the alternative, in the event that the Building Department determines that installation or upgrade is required pursuant to the provisions above, the Building Department shall issue a referral and request for review/approval to the Suffolk County Department of Health Services and owner and/or applicant shall comply with all application procedures of the Suffolk County Department of Health Services, including submission of fees. In addition, the owner and/or applicant shall be responsible for all costs related to all tests wells or test borings and such other requirements required by the Suffolk County Department of Health Services.

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

Dated: Riverhead, New York
October 21, 2014

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

TOWN OF RIVERHEAD

Resolution # 744

PAYS BILLS

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

ABSTRACT #14-38 October 17, 2014 (TBM 10/21/14)			
			Grand
Fund Name	Fund #	Ckrun	Totals
GENERAL FUND	1	1,668,650.97	1,668,650.97
POLICE ATHLETIC LEAGUE	4	269.85	269.85
RECREATION PROGRAM FUND	6	6,389.00	6,389.00
RECREATION YOUTH COMMITTEED	31	60.00	60.00
HIGHWAY FUND	111	152,070.20	152,070.20
WATER DISTRICT	112	237,030.29	237,030.29
RIVERHEAD SEWER DISTRICT	114	85,524.46	85,524.46
REFUSE & GARBAGE COLLECTION DI	115	8,725.55	8,725.55
STREET LIGHTING DISTRICT	116	47,354.45	47,354.45
PUBLIC PARKING DISTRICT	117	2,340.64	2,340.64
AMBULANCE DISTRICT	120	281,974.91	281,974.91
EAST CREEK DOCKING FACILITY FU	122	1,500.08	1,500.08
CALVERTON SEWER DISTRICT	124	9,689.72	9,689.72
RIVERHEAD SCAVENGER WASTE DIST	128	42,898.79	42,898.79
WORKERS' COMPENSATION FUND	173	33,147.49	33,147.49
RISK RETENTION FUND	175	26,754.92	26,754.92
CDBG CONSORTIUM ACCOUNT	181	78.30	78.30
TOWN HALL CAPITAL PROJECTS	406	3,920.00	3,920.00
WATER DISTRICT CAPITAL PROJECT	412	4,175.00	4,175.00
RIVERHEAD SEWER CAPITAL PROJECT	414	303,312.66	303,312.66
CALVERTON SEWER CAPITAL PROJECT	424	8,668.37	8,668.37
SCAVENGER WASTE CAPITAL PROJECT	428	15,416.51	15,416.51
TRUST & AGENCY	735	1,300,501.37	1,300,501.37
CALVERTON PARK - C.D.A.	914	2,743.63	2,743.63
		4,243,197.16	4,243,197.16

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 745

AUTHORIZES H2M ARCHITECTS + ENGINEERS TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR WELLHEAD TREATMENT FOR PERCHLORATE REMOVAL AT PLANT 16 OF THE RIVERHEAD WATER DISTRICT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Town of Riverhead has a professional service agreement with H2M Architects and Engineers and had requested a proposal for professional engineering services for wellhead treatment for perchlorate removal at the Riverhead Water District's Plant 16; and

WHEREAS, H2M has submitted its proposal which has been reviewed by the Town Board of the Town of Riverhead, attached hereto.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby approves the proposal submitted by H2M Architects and Engineers; and be it further

RESOLVED, that a purchase order in the total amount of \$47,500.00 for professional services outlined in the attached proposal may be issued; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to H2M Architects and Engineers, 538 Broad Hollow Road, 4th Floor East, Melville, New York, 11747; 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.

On a motion by Councilman Wooten, seconded by Councilman Gabrielsen, resolution #745 was TAKEN OFF THE FLOOR, motion carried by unanimous vote. Immediately thereafter there was a motion to put to vote.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted



architects + engineers

538 Broad Hollow Road, 4th Floor East
Melville, NY 11747

tel 631.756.8000
fax 631.694.4122

October 17, 2014

Mr. Mark Conklin, Asst. Superintendent
Riverhead Water District
1035 Pulaski Street
Riverhead, New York 11901

**Re: Riverhead Water District
Plant No. 16 – Perchlorate Treatment
H2M Project No. RDWD 14-06**

Dear Mr. Conklin:

We understand that the Town Board at the recent work session selected H2M architects and engineers to provide engineering services associated with the installation of perchlorate treatment at Plant No. 16 in accordance with our proposal LP14-1056 dated September 11, 2014.

At this time we recommend that the Town adopts the above project budgets and that a Purchase Order in the amount of \$47,500 is issued to H2M for the engineering services.

We appreciate the opportunity to continue to provide engineering services to the Riverhead Water District and Town of Riverhead. Upon receipt of the purchase order, we will commence work on the report and design immediately.

Should you have any questions or comments, please contact our office. Thank you.

Very truly yours,

H2M architects + engineers

John R. Collins, P.E.

cc: Supt. Gary Pendzick
William J. Rothaar, Financial Admin

X:\RDWD (Riverhead Water District) - 10810\RDWD1406 - Perchlorate at Plant No. 16\00 - Administration\PO request design - Plant 16.doc



architects + engineers

538 Broad Hollow Road, 4th Floor East Melville, NY 11747
Tel: 631.756.8000 Fax: 631.694.4122

September 11, 2014

Mr. Mark Conklin
Assistant Superintendent of Water
Riverhead Water District
1065 Pulaski Street
Riverhead, New York 11901

**Re: Riverhead Water District
Proposal for Professional Engineering Services
Wellhead Treatment for Perchlorate Removal – Plant No. 16
H2M Proposal No.: LP14-1056**

Dear Asst. Supt. Conklin:

As per your request, H2M is pleased to present the Riverhead Water District with this proposal to provide professional engineering services associated with the design and construction of a new perchlorate treatment system at Plant No. 16.

We are aware that perchlorate levels in Well No. 16 have continued to rise since its construction in 2010 with a maximum level of 14.7 µg/l detected. In accordance with the requirements of the New York State Department of Health, if the perchlorate level in a well exceeds 18.0 µg/l, then the well must be removed from service. Although perchlorate detections from the well have not reached this level, due to the uncertainty of the groundwater contamination, the Town/District supervisor has determined the installation of treatment at this well is a top priority. Without perchlorate treatment at this site, the District would be at an increased risk of losing 2.3 million gallons per day or 250 million gallons annually of well production. With the current demand the District experiences during the peak pumpage season, the loss of this capacity could severely impact the ability of the District to meet its peak water demand.

The removal of perchlorate from groundwater can be accomplished using ion exchange, reverse osmosis or granular activated carbon filtration. For Well No. 16, we recommend the use of ion exchange due to the inefficiencies of GAC, the complexity of reverse osmosis and our experiences with ion exchange technology. The resins associated with the ion exchange process are sensitive to freezing and expensive and therefore need to be protected from cold weather. With this in mind, the District has two options; remove and dispose/store the resins on an annual basis or install filter vessels in a heated building/enclosure.

Recognizing the importance of minimizing costs of this project, while still providing the District with an efficient and easily operated system, we will perform value engineering evaluations throughout the design process in an effort to control project costs. As we finalize our value engineering evaluations, we will review with the District and discuss any positive or negative impact to the construction budget.

In order to assist the District with the completion of this project, H2M proposes to provide the following professional engineering services



Task 1 – Preliminary Design Report & Evaluation

- A. Perform evaluation of treatment options available to the District to assist in the decision on what will be in their best interest.
- B. Provide recommendations based on the results of this evaluation. The evaluation shall consider capital costs, annual resin replacement costs, and advantages/disadvantages of each option.
- C. Preparation of Engineering Report for submission to and approval of the Suffolk County Department of Health Services.
- D. Attendance and presentation at Town Board 202B Public Hearing.

Task 2 – Design Services

- A. Prepare detailed design documents (plans and specifications) for the purpose of publically bidding and obtaining regulatory approval of the proposed perchlorate removal system. Plans to include updated site plan, mechanical floor plan, architectural, structural and electrical drawings as required.
- B. Periodic review of design documents with District at 30 and 90 percent of design and perform any necessary revisions based on comments received in these meetings.
- C. Submit documents to the Suffolk County Department of Health Services for plan approval. Revise and resubmit plans and specifications as required to obtain approvals.

Task 3 – Bidding and Construction Services

- A. Provide electronic copies of contract documents for bidding.
- B. Prepare Addenda, as necessary, in response to contractor inquiries during the bidding period.
- C. Assist the District in receiving bids.
- D. Tabulate bids and prepare a recommendation of contract award.
- E. Provide four sets of conformed contract documents for contract signing.
- F. Review contractor shop drawings.
- G. Review and prepare partial payment applications.
- H. Office coordination with contractors and District during construction.
- I. Periodic site visits at key steps of construction to confirm conformance with plans and specifications. These services will be performed utilizing staff from H2M's Riverhead office which is scheduled to open in the coming weeks.
- J. Field coordination by Engineer with contractors and District during construction.
- K. Conduct progress meetings with contractors and District as required to complete construction.



Task 4 – System Start-Up

- A. Provide assistance of an engineer in starting up treatment systems. Engineer will coordinate with equipment vendors and District personnel in debugging equipment to assure effective start-up, including necessary training on plant operations.

We propose to complete the preliminary design report and evaluation under Task 1 within two weeks of your authorization to proceed. Task 2 design services can be completed within four weeks after approval of the design report. Based on the above we would be pleased to present engineering services associated with the installation of wellhead treatment for perchlorate removal at Well No. 16 in accordance with the following schedule:

Task	Description	Fee Type	Fee
1	Preliminary Design Report & Evaluation	Lump Sum	\$11,000
2	Design Services	Lump Sum	\$19,500
3	Bidding & Construction Services	Lump Sum	\$15,000
4	Start Up Services	Lump Sum	\$2,000
Total			\$47,500

As you are aware, H2M has been providing professional engineering services to the Riverhead Water District and Town of Riverhead for approximately 50 years. This relationship is important to us and we hope to see it continue for years to come.

We are prepared to commence work immediately upon your authorization. Should you have any questions or comments, please feel free to contact me at anytime. I appreciate the opportunity to assist you with this project and hope to continue further on this project as well as any others in the years to come.

Very truly yours,

H2M architects + engineers

John R. Collins, P.E.

cc: Supervisor Sean Walter
Councilman George Gabrielsen
Supt. Gary Pendzick