

NOVEMBER 5, 2014

CDA RESOLUTION LIST:

CDA

Res. #19 Appoints the Law Firm Smith, Finkelstein, Lundberg, Isler and Yakaboski as Special Counsel in Connection with the Re-Development of EPCAL by the Town of Riverhead Community Development Agency and Authorizes the Chairman to Execute a Retainer Agreement Regarding Same

TOWN BOARD RESOLUTION LIST:

Res. #746 Riverhead Highway District Budget Adjustment

Res. #747 Riverhead Police Athletic League Budget Adjustment

Res. #748 Public Parking District Budget Adjustment

Res. #749 Water District Meters Budget Adjustment

Res. #750 Riverhead Water District Budget Adjustment

Res. #751 Plant 16 Treatment System Improvement Project Budget Adoption

Res. #752 Authorizes Abstracts, Incorporated to Conduct a Title and Real Property Search in the Suffolk County Clerk's Office to Determine if there is a Recorded Storm Water Drainage Easement Inuring to the Benefit of the Town of Riverhead Regarding Real Property Located at 4654 Sound Avenue, Baiting Hollow, Riverhead, New York, also known as Suffolk County Tax Map Number 600-19-1-16 and Produce such Easement if Located and Further Authorizes the Accounting Department to Pay Abstracts, Incorporated a Title and Real Property Search Fee up to the Maximum Amount of \$700.00 (Seven Hundred Dollars)

Res. #753 Authorizes Artplace America Grant Application for Waterfires

Res. #754 Authorizes Town Clerk to Post and Publish the Attached Notice to Bidders for Town of Riverhead Water District Roof Replacement Contract

Res. #755 Appoints a Part-Time Police Officer (Kaley Castantine)

Res. #756 Appoints Part-Time Police Officers and Places them on a Leave of Absence (Christie L. Smith, Robert T. Sproston)

Res. #757 Grants Special Use Permit Petition of North Fork Coffee Co, Inc.

Res. #758 Authorization to Publish Advertisement for Printing of Recreation Brochures for the Town of Riverhead

Res. #759 Awards Bid for Dowflake Xtra Calcium Chloride

Res. #760 Authorization to Publish Advertisement for Paint for the Town of Riverhead

- Res. #761 Authorization to Publish Advertisement for (REBID) Propane for the Town of Riverhead**
- Res. #762 Authorizes Sewer District Employees to Attend Course**
- Res. #763 Incorporation of Certain Roads into the Town of Riverhead's Highway System Pursuant to New York State Highway Law Section 189 (Highways By Use – Flagg Hill Drive & Holly Tree Lane)**
- Res. #764 Adopts a Local Law to Amend Chapter 108 Entitled "Zoning" of the Code of the Town of Riverhead**
- Res. #765 Authorizes Co-Sponsorship of Weekly Saturday Farmer's Market from November 1, 2014, to May 16, 2015, with the Riverhead Business Improvement District Management Association, Inc.; Authorizes Approval of a License Agreement with Designated Farm Vendors; Authorizes Lease Agreement with Property Owners Regarding Real Property Located at 221 East Main Street, Riverhead**
- Res. #766 Approves Chapter 90 Application of Lions Club of Riverhead, Inc. (Annual Christmas Parade and Assembly – December 7, 2014)**
- Res. #767 Authorizes Town Clerk to Publish and Post Public Notice to Consider Incorporation of Certain Roads into the Town of Riverhead in Conjunction with Public Hearing to Amend Chapter 92 Entitled "Highways, Streets And Sidewalks" of the Riverhead Town Code**
- Res. #768 Authorizes Town Clerk to Publish and Post a Public Notice for a Local Law to Consider Amendment to Chapter 106 Entitled "Waterways" of the Riverhead Town Code**
- Res. #769 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 92 Entitled "Highways, Streets and Sidewalks" of the Riverhead Town Code**
- Res. #770 Authorizes the Supervisor to Execute Addendum to Professional Services Agreement with General Code**
- Res. #771 Authorizes the Supervisor to Execute a Second Addendum to Professional Services Agreement for Placement of Commemorative Items at Grumman Memorial Park**
- Res. #772 Authorizes the Supervisor to Execute a Retainer Agreement with Mary C. Hartill, Esq. for Legal Services for the Year 2014/2015 (Riverhead Youth Court)**
- Res. #773 Pays Bills**

**TOWN OF RIVERHEAD COMMUNITY
DEVELOPMENT AGENCY**

Resolution # 19

**APPOINTS THE LAW FIRM SMITH, FINKELSTEIN, LUNDBERG, ISLER AND
YAKABOSKI AS SPECIAL COUNSEL IN CONNECTION WITH THE RE-
DEVELOPMENT OF THE EPCAL BY THE TOWN OF RIVERHEAD COMMUNITY
DEVELOPMENT AGENCY AND AUTHORIZES THE CHAIRMAN TO
EXECUTE A RETAINER AGREEMENT REGARDING SAME**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP has been retained as special counsel to represent the Town of Riverhead Community Development Agency ("CDA") in connection with various redevelopment projects at EPCAL; and

WHEREAS, the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP has been retained as special counsel to represent the CDA in connection with the Qualified and Eligible Sponsor process regarding redevelopment projects at EPCAL; and

WHEREAS, the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP was retained as special counsel to challenge the adopted amendments to NYCCR Part 182, pertaining to the protection of endangered and threatened species; having obtained an order from the Court of Appeals which modified the lower court decisions and reinstated that action; and

WHEREAS, the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP has over the years demonstrated its expertise and familiarity with the EPCAL; and

WHEREAS, the CDA caused to be undertaken various studies to update the Comprehensive Reuse Plan for the EPCAL property, including but limited to, development of a revised land use plan and associated zoning, updated market assessment, preparation of subdivision plan; and

WHEREAS, the CDA has caused same to be subjected to the SEQRA process; and

WHEREAS, the Town Board, acting as the governing body of the CDA, has determined that it would be appropriate to appoint Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP to act as special legal counsel special counsel to assist the CDA this matter.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby retains the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP to act as special legal counsel in connection with the above mentioned redevelopment project and associated zoning, updated market assessment, preparation of subdivision plan; and be it further

RESOLVED, that the Town Board hereby authorizes Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP to represent the Community Development Agency in connection with this redevelopment project before the Planning Board, the New State Department of Conservation and such other involved agencies; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute the attached retainer agreement and the Town Clerk is hereby directed to forward a copy of this resolution and executed agreement to Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP, 456 Griffing Avenue, Riverhead, New York; 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 from the Office of the Town Clerk.

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

RETAINER AGREEMENT

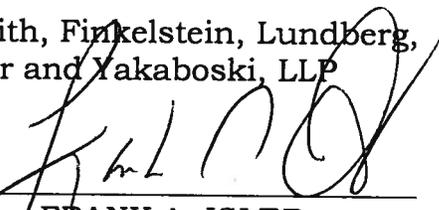
AGREEMENT made this ____ day of November, 2014, by and between the Town of Riverhead Community Development Agency, 200 Howell Avenue, Riverhead, New York (hereinafter the CDA), and Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP, 456 Griffing Avenue, Riverhead, New York 11901 (hereinafter the Firm), pursuant to Resolution # 19 of the CDA adopted on 11/5/14 as follows:

1. The CDA retains the Firm to provide the legal services described in said resolution.
2. The CDA agrees to pay the Firm at an hourly rate of \$175 an hour for partners; \$175 an hour for associates and \$85 an hour for paralegals.
3. The CDA shall reimburse the Firm for actual disbursements.

TOWN OF RIVERHEAD COMMUNITY
DEVELOPMENT AGENCY

By: _____
Sean Walter
Chairman

Smith, Finkelstein, Lundberg,
Isler and Yakaboski, LLP

By: 
FRANK A. ISLER

TOWN OF RIVERHEAD

Resolution # 746

RIVERHEAD HIGHWAY DISTRICT

BUDGET ADJUSTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Superintendent of Highway is requesting a budget adjustment to cover an early order of salt due to reports of a salt shortage along with additional funds for equipment rental.

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>
111.051400.541306 Drainage	45,000	
111.051420.540000 Snow Removal		40,000
111.051100.545200 Equipment Rental		5,000

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 Yes No Gabrielsen Yes No
Dunleavy Yes No Wooten Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 747

RIVERHEAD POLICE ATHLETIC LEAGUE

BUDGET ADJUSTMENT

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

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

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

		<u>FROM</u>	<u>TO</u>
004.073102.542400	Soccer Uniforms	4,975	
004.073102.542323	Supplies	475	
004.073103.547525	Registration Expense	750	
004.031200.543613	Football Referee Expense	1,000	
004.073102.543614	Soccer-Referee Expense		7,200

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

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

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 748

PUBLIC PARKING DISTRICT

BUDGET ADJUSTMENT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, as a result of Hurricane Sandy, FEMA approved the replacement and elevation of the electrical panels in the Public Parking District along the Peconic Riverfront.

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>
117.054089.493115 Federal Aid – FEMA Sandy	10,000	
117.056500.540000 Contractual Expenses		10,000

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

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

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 749

WATER DISTRICT METERS

BUDGET ADJUSTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Superintendent of Water is requesting a budget adjustment increasing the Water Meter Equipment Appropriation with the Water Meter monies received for the Stoneleigh Retirement Community and Kristie Court Capital projects.

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>
112.012140.421063 Water Service Fees	14,467.41	
112.083200.524451 Water Meter Equipment		14,467.41

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

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

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 750

RIVERHEAD WATER DISTRICT

BUDGET ADJUSTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Superintendent of Water is requesting another budget adjustment to cover year end Water bills at Dogwood, Meroke and Schultz Road.

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>
112.012140.421063 Water Services Fees	12,000	
112.083200.546400 Utilities - Water		12,000

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 751

**PLANT 16 TREATMENT SYSTEM
IMPROVEMENT PROJECT**

BUDGET ADOPTION

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, Resolution #745 adopted 10/21/14 authorized \$47,500.00 to H2M for professional services associated with the installation of perchlorate treatment improvement at Plant 16; and

NOW THEREFORE BE IT RESOLVED, that the Supervisor be, and is hereby, authorized to establish the following budget adoption and transfer of funds from the Water Key Repair and Maintenance Account:

	<u>FROM</u>	<u>TO</u>
412.095031.481113.30121 Transfer from Water Key Fund	47,500	
412.083200.543501.30121 Professional Services-Engineer		47,500

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 752

AUTHORIZES ABSTRACTS, INCORPORATED TO CONDUCT A TITLE AND REAL PROPERTY SEARCH IN THE SUFFOLK COUNTY CLERK’S OFFICE TO DETERMINE IF THERE IS A RECORDED STORM WATER DRAINAGE EASEMENT INURING TO THE BENEFIT OF THE TOWN OF RIVERHEAD REGARDING REAL PROPERTY LOCATED AT 4654 SOUND AVENUE, RIVERHEAD, NEW YORK, ALSO KNOWN AS SUFFOLK COUNTY TAX MAP NUMBER 600-19-1-016.000, AND PRODUCE SUCH EASEMENT IF LOCATED AND FURTHER AUTHORIZES THE ACCOUNTING DEPARTMENT TO PAY ABSTRACTS, INCORPORATED A TITLE AND REAL PROPERTY SEARCH FEE UP TO THE MAXIMUM AMOUNT OF \$700.00 (Seven Hundred Dollars)

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

RESOLVED, that Abstracts, Incorporated is authorized to conduct a title and real property search in the Suffolk County Clerk’s Office to determine if there is a recorded storm water drainage easement inuring to the benefit of the Town of Riverhead regarding real property located at 4654 Sound Avenue, Riverhead, New York, also known as Suffolk County Tax Map Number 600-19-1-016.000 and produce such easement if located; and be it further

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

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 753

AUTHORIZES ARTPLACE AMERICA GRANT APPLICATION FOR WATERFIRES

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, ArtPlace America provides support for projects that lead through the arts/artists, integrate with a community's economic development and revitalization strategies, and have the potential to attract additional; and

WHEREAS, WaterFire is a non-profit cultural initiative present in various cities around the United States and abroad, celebrating its 20th year of activity and is a premier example of 'creative placemaking' created by Barnaby Evans who has received numerous awards and grants from major organizations and foundations; and

WHEREAS, Barnaby Evans seeks to work with the community to create a sustainable WaterFire installation on the Peconic River as the core of a project to enhance community vibrancy through civic, social, artistic and economic development in the towns of Riverhead and Southampton bordering the river; and

WHEREAS, the Town of Riverhead Comprehensive Plan, Revitalization Plan, East Main Street Urban Renewal Plan, the Peconic Estuary Comprehensive Conservation and Management Plan, the New York State Open Space Plan and the Town of Riverhead Priority Acquisition List for Open Space supported acquisition of fee title to lands, waters or structures for park, recreation, conservation or preservation purposes along the Peconic River to enhance a sense of place and accentuate this federally designated Estuary of National Significance; and

WHEREAS, the Town of Riverhead Comprehensive Plan, Revitalization Plan, and East Main Street Urban Renewal Plan emphasis arts and culture along with the agricultural heritage of Riverhead as revitalization tools; and

WHEREAS, the ArtPlace America grant is an effort to invest in creative place making, through which public and private partners strategically plan to shape the social, physical and economic character of a neighborhood or town around the arts and cultural activities; and

WHEREAS, the grant application will seek a portion of funding to install 80 brassiers in the Peconic River to form the basis of regular Waterfire festivals an effort to invest in creative place making that enhances the social, physical and economic character of Downtown Riverhead along Main Street stretching from the SCHS and Riverhead Free Library through downtown to the Long Island Aquarium taking into consideration a "River Walk" to follow the same path along the Peconic Riverfront; and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby supports the ArtPlace America Grant application for \$350,000 in an effort to invest in creative place making that enhances the social, physical and economic character of Downtown Riverhead around development of a "Waterfires" installation and festival along Main Street stretching from the SCHS and Riverhead Free Library through downtown to the

Long Island Aquarium taking into consideration a "River Walk" to follow the same path along the Peconic Riverfront, the grant application to be matched by the work to be completed under the NYS DOS BOA grant and authorizes the Community Development Department to assist with applications or documents to support the ArtPlace grant application; 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.

BE IT FURTHER RESOLVED, that the Town Clerk shall provide notification of this resolution to CDD.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 754

**AUTHORIZES TOWN CLERK TO POST AND PUBLISH THE ATTACHED NOTICE
TO BIDDERS FOR TOWN OF RIVERHEAD WATER DISTRICT ROOF
REPLACEMENT CONTRACT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached Notice to Bidders for the Town of Riverhead Water District Roof Replacement Contract located at 1035 Pulaski Street, Riverhead, NY 11901 in the November 13, 2014 issue of the official Town newspaper; and

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

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

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the Town of Riverhead Water District Roof Replacement Contract will be received by the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 4:00 pm on November 24, 2014 and will be publicly opened and read aloud at 11:00 am on November 25, 2014 in the Office of the Town Clerk.

Plans and specifications may be examined and/or obtained on or about November 13, 2014 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website: www.townofriverheadny.gov and click on Bid Requests.

Each proposal must be submitted on the form provided and must be in a sealed envelope clearly marked, "Town of Riverhead Water District Roof Replacement".

Please take further notice, that the Town Board reserves the right to reject in whole or in part any or all bids, waive any informality in the bids and accept the bid which is deemed most favorable in the interest of the Town of Riverhead. The Town Board will use its discretion to make judgmental determination as to its best estimate of the lowest bidder. Note: Bid responses must be delivered to Office of the Town Clerk at the address above. The Town may decline to accept, deem untimely and/or reject any bid response/proposal that is not delivered to the Office of the Town Clerk.

BY ORDER OF THE RIVERHEAD TOWN BOARD
DIANE M. WILHELM, TOWN CLERK
Riverhead, NY 11901

Dated: November 5, 2014

TOWN OF RIVERHEAD

Resolution # 755

APPOINTS A PART-TIME POLICE OFFICER

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the need exists for Part-time Police Officers in the Riverhead Police Department; and

WHEREAS, Chief David Hegermiller has received an application from Kaley Castantine for said position; and

WHEREAS, Ms. Castantine did successfully complete her required training at the Suffolk County Police Academy on May 23, 2014.

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby appoints Kaley Castantine to the position of Part-time Police Officer, effective November 6, 2014, at an hourly rate of pay of \$21.00; and

BE IT FURTHER RESOLVED, that this appointment is contingent upon the candidate successfully passing required pre-employment drug and alcohol testing administered by the Town of Riverhead; 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 from the Office of the Town Clerk.

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 756

APPOINTS PART-TIME POLICE OFFICERS AND PLACES THEM ON A LEAVE OF ABSENCE

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, on February 27, 2014, the Town of Riverhead posted an advertisement seeking candidates to attend the Suffolk County Police Academy for the purpose of serving as part-time police officers with the Riverhead Police Department; and

WHEREAS, extensive background investigations and personal interviews were conducted by the Suffolk County and Riverhead Town Police Departments to establish 2 (two) individuals eligible to attend the Police Academy; and

WHEREAS, the Town of Riverhead agrees to sponsor their attendance at the Police Academy and provide them with the proper uniforms and equipment as required by the Suffolk County Police Academy staff.

NOW, THEREFORE, BE IT RESOLVED, effective December 1, 2014, the Town Board hereby appoints Christie L. Smith and Robert T. Sproston to the position of Part-time Police Officer; and

BE IT FURTHER RESOLVED, that this appointment is contingent upon the candidates successfully passing required pre-employment drug and alcohol testing administered by the Town of Riverhead; and

BE IT FURTHER RESOLVED, that the above-named individuals are hereby placed on a leave of absence until they complete the necessary training at the Police Academy; and

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

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 757

**GRANTS SPECIAL USE PERMIT PETITION
OF NORTH FORK COFFEE CO., INC.**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Jason Belkin, Vice President of North Fork Coffee Co., Inc. pursuant to Article XXVIA and Article LII, Section 108-282 B.(4) of the Riverhead Town Code to convert an existing 963 sq. ft. retail building for use as a café, bistro with offsite preparation, to relocate an existing 135 sq. ft. storage building and to place parking and other related improvements in support of the use; such property more particularly described as SCTM 0600-85-2-7, 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 September 16, 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 Jason Belkin on the behalf of the North Fork Coffee Co., Inc., 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 the North Fork Coffee Co., Inc., the Riverhead Town Board hereby makes the following findings:

- (i) That the subject real property lies within the confines of the Rural Corridor Zoning Use District;

- (ii) That the supplementary use regulations of the Town of Riverhead Zoning Ordinance (Section 108-282 B (4) provides for the conversion of a retail building for special permitted use as a café/bistro;
- (iii) That the lot area is considered sufficient and adequate for the proposed use;
- (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 use;
- (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 North Fork Coffee Co., Inc. pursuant to Article XXVIA and Article LII, Section 108-282 B.(4) of the Riverhead Town Code to convert an existing 963 sq. ft. retail building for use as a café, bistro with offsite preparation, to relocate an existing 135 sq. ft. storage building and to place parking and other related improvements in support of the use; such property more particularly described as SCTM 0600-85-2-7, 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 café/bistro 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 Jason Belkin 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
Dunleavy Yes No Wooten Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 758

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

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for PRINTING OF RECREATION BROCHURES for the Town of Riverhead and;

WHEREAS, the Town Clerk is hereby authorized to publish and post the following public notice in the NOVEMBER 13, 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

Dunleavy Yes No

Wooten Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the purpose of printing the recreation brochures for the Recreation Department will be received by the Town Clerk of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York, 11901 until 2:05 pm on DECEMBER 12, 2014 at which time they will be publicly opened and read aloud.

Bid Packets including specifications may be examined and/or obtained on NOVEMBER 13, 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 "RECREATION BROCHURES 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 # 759

AWARDS BID FOR DOWFLAKE XTRA CALCIUM CHLORIDE

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

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

WHEREAS, 3 bids were received and opened at 2:05 am on OCTOBER 16, 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 **DOWFLAKE XTRA CALCIUM CHLORIDE** for the Town of Riverhead be and hereby is, awarded to; **LONG ISLAND CAULIFLOWER ASSOCIATION** for **\$15.75 per 50# bag**.

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

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 760

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR PAINT
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 PAINT for the Town of Riverhead and;

WHEREAS, the Town Clerk is hereby authorized to publish and post the following public notice in the NOVEMBER 13, 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
Dunleavy Yes No Wooten Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the purchase of PAINT for the use in the Town of Riverhead, Riverhead, New York will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 2:05 pm on NOVEMBER 25, 2014 at which time they will be publicly opened and read aloud.

Bid packets including specifications may be examined and/or obtained on NOVEMBER 13, 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 PAINT. 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 # 761

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR (REBID) PROPANE
FOR THE TOWN OF RIVERHEAD**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, one bid for Propane was received and opened on OCTOBER 14, 2014; and

WHEREAS, it would be in the best interest of the Town to rebid; and

WHEREAS, Town Clerk is authorized to publish and post a notice to bidders for proposals for REBID OF PROPANE for the Town of Riverhead; and

WHEREAS, the Town Clerk is hereby authorized to publish and post the following public notice in the NOVEMBER 13, 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
Dunleavy Yes No Wooten Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of (REBID) PROPANE 2014-15 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 2:00 PM on NOVEMBER 25, 2014 at which time they will be publicly opened and read aloud.

Specifications may be examined and/or obtained on NOVEMBER 13, 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 (REBID) PROPANE 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 # 762

AUTHORIZES SEWER DISTRICT EMPLOYEES TO ATTEND COURSE

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, Hofstra University is sponsoring Wastewater Treatment Operators Certification Courses having a specific courses entitled, "Basic Operations", "Activated Sludge" and "Basic Laboratory" to be held from November 13, 2014 through October 30, 2015; and

WHEREAS, it is the desire of Michael Reichel, Sewer District Superintendent, that three (3) Sewer District employees attend such course.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes three (3) Sewer District employees to attend the aforementioned course to be held at the Cedar Creek Wastewater Treatment Plant in Wantagh, New York during the aforementioned time period and that a Town vehicle will be provided for transportation; and be it

RESOLVED, that all related, receipted, expenses incurred by the Sewer District Employees, not to exceed a total cost of \$2,100.00 per employee shall be reimbursed upon the submission of an invoice and Town of Riverhead claim voucher; and be it further

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

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 763

**INCORPORATION OF CERTAIN ROADS INTO THE TOWN OF
RIVERHEAD'S HIGHWAY SYSTEM PURSUANT TO NEW YORK STATE
HIGHWAY LAW SECTION 189
(Highways By Use – Flagg Hill Drive & Holly Tree Lane)**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, pursuant to New York State Highway Law §189 - Highways by Use, roads that have been used by the public as a highway for a period of ten years or more and which roads have been maintained, repaired and controlled by the Town for ten years or more as if said roads were dedicated or otherwise Town Highways shall be a public highway with the same force and effect as if it had been laid out and recorded as a public highway; and

WHEREAS, where a roadway becomes incorporated into the Town Highway pursuant to New York State Highway Law §189, the applicable case law and applicable opinions of the New York State Attorney General provide that the width of these public highways shall be determined by the extent of the traveled portion of the individual roadway; and

WHEREAS, The Riverhead Town Board held a public hearing on November 3, 2004 whereby it was established, through expert testimony of the Town of Riverhead Deputy Highway Superintendent, that in addition to the 74 roads listed in Exhibit "A" as part of that public hearing, that Flagg Hill Drive in Baiting may be eligible to become a town highway pursuant New York State Highway Law §189; and

WHEREAS, The Riverhead Town Board held a public hearing on July 17, 2004 whereby it was established, through testimony that Holly Tree Lane in Jamesport was maintained and just repaved by the Town of Riverhead and, thus eligible to become a town highway pursuant New York State Highway Law §189; and

WHEREAS, upon review of Town of Riverhead records, neither Flagg Hill Drive nor Holly Tree Lane were incorporated into town highways pursuant to New York State Highway Law §189 - Highways by Use.

NOW THEREFORE BE IT RESOLVED, the Town Board, be and hereby incorporates Flagg Hill Drive and Holly Tree Lane into the Town of Riverhead's highway system pursuant to New York State Highway Law § 189 - Highways by Use as if they had been duly laid out and recorded as a town highway; and be it further

RESOLVED, that pursuant to New York State Highway Law § 189 Highways by Use, applicable case law and applicable opinions of the New York State Attorney General the Town' Highway Superintendent shall not be required to open each of these public highways to 3 rods in width. The width of these public highways shall be determined by the extent of the traveled portion of-the individual roadway; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to; the Highway Department; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office; the Town Supervisor's Office; the Building Department; the Zoning Board of Appeals and the Town Attorney's Office.

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

11/03/2004minutes

Supervisor Cardinale: "Okay."

Sean Walter: "-- and the reason we held the public hearing was a public service to the town residents who come in to tell us things like Dunlookin Lane and some other roads and then establish the questions of fact before the Board where the public had an opportunity to question any individual- "

Supervisor Cardinale: "So any affirmation or affidavit would do for that purpose?"

Sean Walter: "That's correct. So Flag- I wrote it down, that could be incorporated at this particular time if we, I think we probably did establish through the testimony that it has been opened and maintained by the public- opened for 10 years and continuously maintained by the town for a 10 year period where we exercised dominion and control over it."

Supervisor Cardinale: "Has that been- is that the case, Mark?"

Sean Walter: "I think we would need Ron to answer that question."

Supervisor Cardinale: "Ron. If that's the case and if there's no objection, maybe we can just wrap up that road now. Ron, one second. We'll hear from Ron and then I want to hear from you. Ron- you want to ask that question, please, Sean? Ask that question of Ron in regard to this road."

Sean Walter: "Ron, Flag Hill Drive, are you familiar with this road in Baiting Hollow?"

Ron Caffrey: "Yes."

Sean Walter: "Has this road been opened to the public continuously and uninterrupted for a period of 10 years or more?"

Ron Caffrey: "Yes."

Sean Walter: "Has the Town of Riverhead exercised dominion and control over the road through snow plowing, road repair, paving, erection of town signs, drainage improvements when necessary?"

Ron Caffrey: "Yes."

Adopted

June 19, 2007

TOWN OF RIVERHEAD

Resolution # 627

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE INCORPORATION OF CERTAIN PRIVATE ROAD INTO THE TOWN OF RIVERHEAD'S HIGHWAY SYSTEM PURSUANT TO NEW YORK STATE HIGHWAY LAW SECTION 189 HIGHWAYS BY USE.

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

WHEREAS, pursuant to New York State Highway Law §189 Highways by Use, all lands/roads that have been used by the public as a highway for a period of ten years or more and which lands/roads have been maintained, repaired and controlled by the Town for ten years or more shall be a public highway with the same force and effect as if it had been laid out and recorded as a public highway; and

WHEREAS, there exists in the Town of Riverhead a road, Holly Tree Lane, which may be eligible to become a public road pursuant to New York State Highway Law §189 Highways by Use.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the full version of the attached notice to consider the incorporation of Holly Tree Lane located in Riverhead into the Town of Riverhead's highway system pursuant to New York State Highway Law §189 Highways by Use, once in the June 28, 2007 issue of the News Review the official newspaper designated for these purposes, and also to cause a copy of the Notice of Public Hearing for the proposed incorporation of Holly Tree Lane into the Town of Riverhead's highway system be posted on the sign board of the Town in the Office of the Town Clerk; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to; the Highway Department; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office; the Town Supervisor's Office; the Building Department; the Zoning Board of Appeals and the Town Attorney's Office.

Z:\Annemarie Prudenti\RESOLUTIONS\Roads Holly Tree Lane public hearing.doc

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on 17th at July, 2007, 7:25 p.m o'clock, at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider the incorporation of the following private road, to wit: Holly Tree Lane Riverhead New York, into the Town of Riverhead's highway system pursuant to New York State Highway Law §189 Highways by Use.

Dated: Riverhead, New York
June 19, 2007

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

THE VOTE
Dunleavy yes ___ no Bartunek yes ___ no
Blass yes ___ no Densleski yes ___ no
Cardinale yes ___ no
THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

7/17/2007 minutes

at least can come up and state that and then I want to say something about the highway superintendent who is not here, we'll have to get something I think from him as well. Go ahead, please."

Tom Elling: "Yes, Mr. Supervisor and other members of the town board. My name is Tom Elling. I have with me tonight my wife Laura. I have my neighbor across the street, Sue King, and I have my neighbor- next door neighbor, Lou Corwin, who by the way is a lifetime resident of Riverhead, many of you probably know him.

It's been a long time. As you can see the smile on my face, it's been a long time. But we're very, very happy. We're very pleased with the new road that's been put in and between those of us who are here, we have spoken to I imagine every resident on the street and everyone is completely ecstatic about it and we're just here to say thank you very much and we hope that it is accepted. Thank you very much."

Supervisor Cardinale: "Thank you. The superintendent of highways would generally submit and will submit I am sure if he hasn't done so already an affidavit establishing that he's maintained the road for at least 10 years. Obviously he's maintained it but not only that, we've just repaved it. So with that and the public hearing testimony, we should be able to take action on this at the first meeting in August.

If there's any other comment, I'll take it. Otherwise, I'll leave it open as we have all the other hearings for 10 days to July 27th at 4:30 p.m., close of business. And that concludes at two minutes of nine the final hearing."

Public hearing closed: 8:58 p.m.
Left open for 10 days to July 27,
2007 for written comment

Supervisor Cardinale: "The 7:30, 7:35 and 7:40 hearings are being re-noticed to correct an error and will be heard I believe in two - at the August 7th meeting.

We have this evening also one CDA resolution and something like 27 town board resolutions and we take comment from anyone that wants to make comment on any one of those resolutions. We'll then consider those resolutions and then take general comment. So if there's anyone that wants to make comment on the resolutions come forth. Not seeing anyone come forth, we'll have them called."

Barbara Grattan: "You want to close the regular town board meeting for the CDA?"

7/17/2007 minutes

This proposal adds agricultural use to this district because we believe that it has traditionally been consistent with residential districts and was deleted though not included initially."

Unidentified: "Is your mike on?"

Supervisor Cardinale: "Is it now? Thank you. This 7:20 hearing considers a local law to amend Hamlet Residential zoning use district by which is added to it as a permitted use agricultural production including field crops, fruits, vegetables, horticultural specialties, livestock, and Christmas trees which is our traditional definition of-- and commercial horse sporting operations.

So is there anybody that feels that that is worthy of comment, I'd like you to come forward. Charles."

Charles Cuddy: "Good evening. Charles Cuddy. I'll be brief. I endorse this on behalf of a farmer and farmers because it promotes the very thing that Riverhead is talking about and that is adding farming to areas actually that are farms at this point but aren't agriculturally permitted because the ordinance doesn't include them.

And what this does, is it allows that farmer who now has a farm to not be non-conforming but to conform and to go ahead hopefully to prosper and stay here. And on behalf of one farmer, in particular Councilwoman Blass, we thank you for bringing this to everybody's attention because it not only serves the farmer, but I think it serves the community and I am very hopeful that you will promptly adopt it. Thank you."

Supervisor Cardinale: "Thank you. Is there any other comment? If there is no other comment, I will keep it open for verbal- for written comment through 4:30 p.m. on the 27th, and call the hearing that began and 8 of 9 closed at 5 of 9 for verbal testimony.

Public hearing closed: 8:56 p.m.
Left open for 10 days to July 27,
2007 for written comment

Public hearing opened: 8:56 p.m.

Supervisor Cardinale: "As to the next hearing and final hearing of the evening, the 7:25 hearing, it considers incorporation of the following private roads into the Riverhead highway system pursuant to New York State Highway Law Sec. 189 Highways by Use, Holly Tree Lane.

We have some Holly Tree Lane residents here and I believe they are in favor of this happening. If that is the case, maybe one of you

TOWN OF RIVERHEAD

Resolution # 764

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108
ENTITLED "ZONING" 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 108, entitled "Zoning" of the Town Code of the Code of the Town of Riverhead ("Town Code"); and

WHEREAS, a public hearing was held on the 21st day of October, 2014 at 7:15 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

WHEREAS, the Riverhead Planning Department has reviewed the submission and recommended it be considered a Type II action pursuant to 6NYCRR Part 617.5(c) (20) & (27) as routine or continuing administration and management and the adoption of policies in connection therewith; and

WHEREAS, pursuant to 617.3(f), 617.5(a) and 617.6(a) (1) (i), agency SEQR responsibilities end with this designation with no significance determination being necessary, and

NOW THEREFORE BE IT RESOLVED, that the Town Board declares itself to be the lead agency for purposes of amending Chapter 108 entitled, "Zoning" of the Town Code and hereby classifies same to be a Type II action for purposes of SEQR compliance; and be it further

RESOLVED, that the Town Board be and hereby, adopts the local law amending Chapter 108 entitled, "Zoning" of the Town Code 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

Dunleavy Yes No

Wooten Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled "Zoning" of the Riverhead Town Code at its regular meeting held on November 5, 2014.

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

CHAPTER 108

ZONING

§ 108- 131 Application procedure; fees.

D. Further processing.

(3) Inactive site plan applications. Site plan applications which remain incomplete and/or for which the applicant initiates no activity for a period in excess of one year may be deemed withdrawn by the Planning Director, or his designee, provided that at least thirty (30) days prior written notice is given to the applicant informing said applicant of the Planning Director's intent to deem the application withdrawn. If an application is inactive for more than two (2) years, it shall be deemed withdrawn.

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

Dated: Riverhead, New York
November 5, 2014

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 765

AUTHORIZES CO-SPONSORSHIP OF WEEKLY SATURDAY FARMER'S MARKET FROM NOVEMBER 1, 2014, TO MAY 16, 2015, WITH THE RIVERHEAD BUSINESS IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION, INC; AUTHORIZES APPROVAL OF A LICENSE AGREEMENT WITH DESIGNATED FARM VENDORS; AUTHORIZES LEASE AGREEMENT WITH PROPERTY OWNERS REGARDING REAL PROPERTY LOCATED AT 221 EAST MAIN STREET, RIVERHEAD

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town of Riverhead enacted a local law pursuant to Town Board Resolution no. 222 of 1991 thereby establishing the Town of Riverhead Business Improvement District which is governed by the Riverhead Town Board; and

WHEREAS, upon the unanimous recommendation of the Riverhead Business Improvement District Management Association, Inc. (BIDMA), the Town of Riverhead Business Improvement District wishes to co-sponsor a weekly Saturday Farmer's Market commencing on successive Saturdays from November 1, 2014, and ending on Saturday, May 16, 2015, unless terminated sooner, from 10:00 a.m. to 2:00 p.m., at 221 East Main Street, Riverhead; and

WHEREAS, the Riverhead Business Improvement District Management Association, Inc., pursuant to contract, needs the consent and approval of the Town of Riverhead Business Improvement District to facilitate Town of Riverhead Business Improvement District-related events.

WHEREAS, the BIDMA is requesting approval to expend up to \$3,000.00 regarding site improvements and/or advertising or promotion.

NOW THEREFORE BE IT RESOLVED, that the Town of Riverhead Business Improvement District shall co-sponsor with the Riverhead Business Improvement District Management Association, Inc., a weekly Saturday Farmer's Market commencing on successive Saturdays from November 1, 2014, and ending on Saturday, May 16, 2015, from 10 a.m. to 2:00 p.m., at 221 East Main Street, Riverhead, **subject to the following conditions:**

- 1. Prior to occupancy, the subject real property site improvements shall meet or exceed all New York State and town building code requirements, including but not limited to fire, electrical, plumbing, and mechanical requirements as approved by the Riverhead Town Building Department and/or Fire Marshal.**

2. Each participating vendor shall execute a license agreement as well as a participating vendor application in a form to be approved by the Town Attorney's Office.
3. In general, Priority of Participation shall be as follows: 1. Riverhead Business Improvement District Members, 2. Previously-participating Summer 2014 Farmer's Market Vendors, 3. East-End Farm Vendors with locally produced inventory, 4. Other Farm Vendors
4. Each participating vendor shall procure an insurance policy for the subject activity naming the Town of Riverhead Business Improvement District, Town of Riverhead, Riverhead Business Improvement Management Association, Inc., and Robert Knotoff and Nancy Knotoff as "additional insureds" with policy limits and coverage amounts deemed acceptable to the Town Attorney's Office.
5. BIDMA shall be authorized to expend up to \$3,000.00 regarding site improvements and/or advertising or promotion related to the subject event subject to production of a BIDMA resolution approving same, inclusive of authorization to co-sponsor the farmer's market.
6. The Town Supervisor shall be authorized to execute a license agreement with designated farm vendors in a form to be approved by the Town Attorney's Office.
7. The Town Supervisor shall be authorized to execute a lease agreement with the property owners of 221 East Main Street upon terms to be approved by the Town Attorney's Office.

RESOLVED, that the Riverhead Business Improvement District Management Association, Inc., shall provide all documentation regarding valid and proper expenditures for this event, to the Riverhead Town Accounting Department; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Raymond Pickersgill, President, Riverhead Business Improvement District Management Association, Inc., 49 East Main Street, Riverhead, New York 11901; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 766

**APPROVES CHAPTER 90 APPLICATION OF LIONS CLUB OF RIVERHEAD, INC.
(Annual Christmas Parade and Assembly – December 7, 2014)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, on October 22, 2014, the Lions Club of Riverhead, Inc. submitted a Chapter 90 Application for the purpose of conducting their annual “Christmas Parade and Assembly”, said parade to begin on Osborne Avenue continuing onto Main Street and McDermott Avenue and ending at the Peconic Riverfront parking lot, to be held on Sunday, December 7, 2014 between the hours of 1:00 p.m. and 3:00 p.m., having a rain date of Sunday, December 14, 2014; and

WHEREAS, the Lions Club of Riverhead, Inc. has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 61; and

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

WHEREAS, the Lions Club of Riverhead, Inc. has requested the Chapter 90 Application Fee be waived due to its not-for-profit status; and

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

WHEREAS, the Town Attorney has reviewed all documents regarding said application.

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

RESOLVED, that the Chapter 90 Application of the Lions Club of Riverhead, Inc. for the purpose of conducting their annual “Christmas Parade and Assembly”, said parade to begin on Osborne Avenue continuing onto Main Street and McDermott Avenue and ending at the Peconic Riverfront parking lot, to be held on Sunday, December 7, 2014 between the hours of 1:00 p.m. and 3:00 p.m., having a rain date of Sunday, December 14, 2014, is hereby approved; and be it further

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

RESOLVED, that any necessary tent permit(s) must be obtained and the tent installation and all electric shall comply with the applicable requirements of the NFPA Life Safety Code (NFPA 101), the NFPA Temporary Membrane Structures/Tents (NFPA 102) and the Fire Code of New York State and the Building Code of New York State; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Lions Club of Riverhead, Inc., P.O. Box 846, Riverhead, New York, 11901; and be it further

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

THE VOTE

Giglio Yes No

Gabrielsen Yes No

Dunleavy Yes No

Wooten Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 767

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER INCORPORATION OF CERTAIN ROADS INTO THE TOWN OF RIVERHEAD IN CONJUNCTION WITH PUBLIC HEARING TO AMEND CHAPTER 92 ENTITLED "HIGHWAYS, STREETS AND SIDEWALKS" OF THE RIVERHEAD TOWN CODE

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Board, authorized the Town Clerk to publish and post a public notice to consider a local law to amend Chapter 92 entitled, "Highways, Streets and Sidewalks" of the Riverhead Town Code to add an new Article VI to be known as "Highways by Use"; and

WHEREAS, there exists certain roads which may be eligible for being designated as "Town of Riverhead 189 Highways" under the aforementioned "Highways by Use" local law.

RESOLVED, the Town Clerk is hereby authorized to publish and post the full and complete version of the attached notice and list of roads once in the November 13, 2014 issue of the News-Review Newspaper; and be it further

RESOLVED, that the roads added to those designated as designated as "Town of Riverhead 189 Highways" will be dependent upon receipt of proof that same meet the criteria for addition and, as a result the further amendment of the list of certain roads shall not affect the validity of this resolution; and be it

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

THE VOTE

Giglio Yes No

Wooten Yes No

Gabrielsen Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC
HEARING**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town at Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 2nd day of December 2014 at 2:10 o'clock p.m. to hear all interested parties concerning the addition of the following roads within the Town of Riverhead as "Town of Riverhead 189 Highways attached hereto as Exhibit "A" in conjunction with the proposed local law to amend Chapter 92, entitled "Highways, Streets and Sidewalks" of the Riverhead Town Code.

Dated: Riverhead, New York
November 5, 2014

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

DIANE M. WILHELM, Town Clerk

	Street Name	Hamlet
	Bay Ave.	Jamesport
	Bayberry La.	Jamesport
	Bay Harbor Rd.	Aquebogue
	Bayside Ave.	Jamesport
	Beach Rd.	Laurel
	Beach Club La.	Wading River
	Bell Avenue	Aquebogue
	Benjamim St.	Wading River
	Breezy Point Rd.	Wading River
	Brookside Ave.	Jamesport
	Caroline Ct.	Aquebogue
	Cedar Ct.	Laurel
	Centre St.	Jamesport
	Delores Ave.	Riverhead
	Downs Blvd./Pie La.	Jamesport
	East La.	Wading River
	East St.	Jamesport
	Emmetts La.	Wading River
	Fern Rd.	Baiting Hollow
	Freds La.	Jamesport
	Front St.	Wading River
	Hobson Dr.	Aquebogue
	Laural Hollow Ct.	Wading River
	Laurel La.	Wading River
	Leafy Way	Aquebogue
	Lockitt Dr.	Jamesport
	Locust St.	Aquebogue
	Lovers La.	Aquebogue
	Maple La.	Laurel
	Meadow Dr.	Baiting Hollow
	Morningside Ave.	Morningside Ave.
	Oak Dr.	Baiting Hollow
	Oak Dr.	Jamesport
	Oak La.	Wading River
	Oak St.	Jamesport
	Red Fox Path	Wading River
	Redleaf Ct.	Riverhead
	Scallop La.	Jamesport
	Seaman Rd.	Jamesport
	Shady La.	Wading River

TOWN OF RIVERHEAD

Resolution # 768

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE FOR A LOCAL LAW TO CONSIDER AMENDMENT TO CHAPTER 106 ENTITLED "WATERWAYS" OF THE RIVERHEAD TOWN CODE

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the November 13, 2014 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law amending Chapter 106 entitled "Waterways" of the Riverhead Town Code, to be posted on the sign board of the Town; and be it further

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

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**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 11901, on the 2nd day of December, 2014 at 2:05 o'clock p.m. to consider a local law amending Chapter 106 entitled "Waterways" of the Riverhead Town Code as follows:

CHAPTER 106
WATERWAYS

Article III Anchoring and Abandoned Vessels

§ 106-8. Operation; speed; reckless operation; areas restricted to electric motor.

- I. No person shall use a boat equipped or operated with ~~an outboard~~ any gasoline motor ~~in excess of 10 horsepower~~ on the Peconic River, west of the dam in Grangebél Park.
- J. No person shall use a boat equipped or operated with any electric motor in excess of 10-horsepower on the Peconic River, west of the dam in Grangebél Park.
- J. K. No person shall operate (start/run) or permit to be operated a motorboat, other than an electric motor to propel a motorboat, on the Peconic River, including water areas in and/or on the waters designated as the Peconic Lake (formerly known as "Forge including water areas in and/or on the waters designated as the Peconic Lake (formerly known as "Forge Pond") and extending to the Grangebél Dam (westerly side of Peconic Avenue). This restriction shall not apply to emergency personnel in the performance of emergency activities that are necessary to protect the public health, safety and welfare and in furtherance of activities pursuant to a lawfully issued permit.
- ~~K.~~ L The area described ~~immediately~~ in subsections I, J and K above shall be marked with signs and/or buoys.

- Underscore indicates additions
- Overstrike indicates deletions

Dated: Riverhead, New York
November 05, 2014

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

TOWN OF RIVERHEAD

Resolution # 769

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 92 ENTITLED "HIGHWAYS, STREETS AND SIDEWALKS" OF THE RIVERHEAD TOWN CODE

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 92 entitled, "Highways, Streets and Sidewalks" of the Riverhead Town Code once in the November 13, 2014 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC
HEARING**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town at Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 2nd day of December, 2014 at 2:10 o'clock p.m. to amend Chapter 92, entitled "Highways, Streets and Sidewalks" of the Riverhead Town Code.

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

CHAPTER 92

Highways, Streets and Sidewalks

Article VI: Severability and When Effective

~~§ 92-20 Severability.~~

~~If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this chapter.~~

~~§ 92-21. When effective.~~

~~This chapter shall take effect after the filing with the Secretary of State.~~

Article VI. Highways by Use (Highway Law § 189)

§ 92-20. Legislative intent.

A. Since the founding of the Town of Riverhead in 1792, various highways have been created and constructed. Many of the original highways began as dirt paths over which the public traversed. In the 1800s, the New York State Legislature established a provision in Highway Law, which has been carried forward and is now contained in § 189 of the New York State Highway Law, "Highways by Use."

B. The Legislature has determined that any highway that has been utilized by the public for a period of 10 years or more and over which the local authority has exercised some degree of control in the form of maintenance, that that highway shall be deemed a highway by use under the provisions of § 189 of the Highway Law. Once determined to be a § 189 Highway, the right of the public to traverse the area is made permanent. The local municipality acquires a surface easement for the length and width of the existing highway, which has been utilized in the manner set forth above.

C. Within the past 10 years, the Town Board of the Town of Riverhead has determined by resolution certain highways to be Town Highways. Approximately ten (10) years ago, the Town Board commissioned a staff study of all the remaining highways in the Town that were not formally dedicated Town highways, not previously determined to be § 189

Highways, but upon which the Town performed any maintenance services. The staff presented their study to the Town Board and in December 2004, 74 roads were made part of the Town Highway System.

D. The Town Board has been provided information that additional roads within the Town of Riverhead have received Town maintenance services consisting of plowing snow and sanding but these roads have not yet been determined to be § 189 Highways. The staff also determined that these 41 highways met the criteria to be declared a § 189 Highway under this chapter.

E. It is with the purpose in mind of clarifying the rights, obligations and duties of all owners of property and of the Town with respect to highways, which have been acquired by use, that Town Board enacts this article.

§ 92-21. § 189 Highway.

In accordance with the authority vested in the Town Board by the State Legislature, the Town Board shall, by resolution, determine those highways, which meet the criteria for § 189 Highway. These highways shall have been used by the public for a period of 10 years or longer and the Town shall have performed certain maintenance thereof in the form of patching or plowing or sanding during a period of at least 10 years.

§ 92-22. Rights acquired.

On any highway determined to be a § 189 Highway, the public shall have the right to traverse said highway as if it were constructed and laid out as a dedicated public highway. The rights of access shall include the right to drive an automobile or bike on it, traverse it on foot and conduct any other lawful activity on the highway as if it were a fully dedicated Town highway. The Town shall have been deemed to have acquired a surface easement for said highway and appurtenances for the width and the length of the highway as determined by the Town Board upon the adoption of a resolution declaring said highway to be a § 189 Highway.

§ 92-23. Town obligations continued.

Once a highway has been determined to be a § 189 Highway, the Town shall continue to keep the existing traveled way for the width and the length, as determined by the Town over which a surface easement has been acquired, in a condition for the public to be able to access and traverse said highway and for emergency service access. Nothing herein shall obligate the Town to expend any funds to widen the road or to acquire any subsurface easements to allow any drainage facilities to be installed or replaced. If determined by the Town Board to be necessary, said improvements shall be performed in accordance with the provisions of law. Nothing herein shall require the Town to pave or otherwise improve the existing surface of the § 189 Highway to any level beyond keeping it open in order to allow safe passage and emergency service access.

§ 92-24. Adoption of highways.

The Town Board shall, following the effective date of this article, adopt a resolution formally certifying all § 189 Highways within the Town of Riverhead. A list shall contain

an inventory of all highways previously determined to be § 189 Highways updating their names and dimensions thereon and shall also contain the additional highways, which have been determined by the study commissioned by the Town Board to be § 189 Highways but which have not yet been formally declared.

§ 92-25. Prohibition for services on private highways.

In accordance with the provisions of the State Constitution and state laws it is hereby declared to be illegal within the Town of Riverhead for any municipal official to provide services to a private road, lane or driveway except in times of a state of emergency duly declared by the appropriate executive official for the needs of the public's health, welfare and safety. It is hereby declared to be the intent of this article that no further roads be accepted as § 189 Highways within the Town of Riverhead except as provided for herein.

Article VII. Severability

§ 92-26. Severability.

If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this chapter.

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

Dated: Riverhead, New York
November 5, 2014

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 770

AUTHORIZES THE SUPERVISOR TO EXECUTE ADDENDUM TO PROFESSIONAL SERVICES AGREEMENT WITH GENERAL CODE

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, pursuant to resolution #963 adopted by the Town Board on December 27, 2011, the Town Board authorized the Supervisor to execute a professional services agreement with General Code for codification and editing services of the Town Code of the Town of Riverhead; and

WHEREAS, the maximum payment allowable pursuant to the original agreement was \$15,000.00; and

WHEREAS, the Town has requested additional work to wit: a Final Draft of the entire Town Code to review prior to publication; and

WHEREAS, General Code has agreed to submit the Final Draft of the Town Code within 100 days of receipt of executed Addendum for a fee of \$350.00.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is authorized to execute an Addendum to the General Code professional services agreement allowing an additional total of \$350.00 payment to General Code upon receipt of the Final Draft of the entire Town Code; and be it further

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

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

ADDENDUM TO PROFESSIONAL SERVICES AGREEMENT
between
General Code
and
Town of Riverhead

WHEREAS, pursuant to Resolution #963 adopted by the Town Board on December 27, 2011, the Town Board authorized the Supervisor to execute a professional services agreement with General Code for codification and editing services of the Town Code of the Town of Riverhead, and

WHEREAS, the aforementioned agreement was executed by the parties; and

WHEREAS, the maximum payment allowable pursuant to the original agreement was Fifteen Thousand (\$15,000.00) dollars, and

WHEREAS, the Town has requested additional work to wit: a Final Draft of the entire Town Code to review prior to publication; and

WHEREAS, General Code has agreed to submit the Final Draft of the Town Code within 100 days of receipt of executed Addendum for a fee of \$350.00.

NOW THEREFORE BE IT AGREED AS FOLLOWS:

1. General Code will submit the Final Draft of the entire Town Code of the Town of Riverhead within 100 days of receipt of executed Addendum for a fee of \$350.00.
2. Each and every provision of the original professional services agreement shall remain in full force and effect.

Town of Riverhead

General Code

Sean M. Walter, Supervisor

TOWN OF RIVERHEAD

Resolution # 771

AUTHORIZES THE SUPERVISOR TO EXECUTE A SECOND ADDENDUM TO PROFESSIONAL SERVICES AGREEMENT FOR PLACEMENT OF COMMEMORATIVE ITEMS AT GRUMMAN MEMORIAL PARK

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, on August 3, 2010, the Town Board of the Town of Riverhead adopted Resolution #640 authorizing the Supervisor to execute an agreement with Grumman Memorial Park c/o Pat Van de Wetering to provide management services related to the placement of commemorative items at Grumman Memorial Park ; and

WHEREAS, pursuant to the terms and conditions set forth in the Professional Services Agreement dated August 1, 2010 and executed on or about August 5, 2010, the duration of such agreement was for two (2) years terminating on August 1, 2012; and

WHEREAS, pursuant to the terms and conditions set forth in the Addendum to Professional Services Agreement executed on February 12, 2013, the duration of such addendum was for two (2) years terminating on August 1, 2014; and

WHEREAS, since August 1, 2014 Pat Van de Wetering has continued to provide the services set forth in the Professional Services Agreement dated and entered into on or about August 1, 2010; and

WHEREAS, Pat Van de Wetering has expressed her willingness to continue to perform services related to Grumman Memorial Park, i.e. ordering commemorative bricks, benches, certificates of appreciation and correspond with interested donors regarding purchase of commemorative items and companies designated by her to provide bricks/benches; and

WHEREAS, the Town Board acknowledges her efforts and dedication to Grumman Memorial Park and seeks to extend the Addendum Agreement dated February 1, 2013 for an additional two (2) years beginning on August 1, 2014, such that she will be entitled to receive compensation for the period of time from August 1, 2014 to the present, with an expiration date of August 1, 2016; and

WHEREAS, it is mutually agreed by and between the Town of Riverhead and Grumman Memorial Park that the Professional Services Agreement originally dated August 1, 2010 and the Addendum Agreement extending the contract until August 1, 2014 is hereby extended for two (2) years and ratified such that the effective date shall be deemed to commence on August 1, 2014 and shall expire on August 1, 2016 and such terms are amended only to make clear that Consultant shall be entitled to compensation not only for services related to ordering bricks and other commemorative

items but correspondence related to donations for Grumman Memorial Park with all such other terms identical to the original Professional Services Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to execute a Second Addendum to Professional Services Agreement in substantially the same form as annexed hereto and subject to review and recommendation by the Office of the Town Attorney; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Grumman Memorial Park c/o Pat Van de Wetering, P.O. Box 147, Calverton, NY 11933; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

SECOND ADDENDUM TO PROFESSIONAL SERVICES AGREEMENT FOR PLACEMENT OF COMMEMORATIVE ITEMS AT GRUMMAN MEMORIAL PARK

This Agreement dated the _____ day of _____, 2014 between the TOWN OF RIVERHEAD, a municipal corporation organized and existing under the laws of New York, with its office located at 200 Howell Avenue, Riverhead, New York 11901 (hereinafter referred to as the "Town") and GRUMMAN MEMORIAL PARK, c/o Pat Van de Wetering, P.O. Box 147, Calverton, New York 11933 (hereinafter referred to as "Consultant").

WHEREAS, the Town of Riverhead and Grumman Memorial Park c/o Pat Van de Wetering entered into a Professional Services Agreement on August 1, 2010; and

WHEREAS, pursuant to the terms and conditions set forth in the Professional Services Agreement dated August 1, 2010, the duration of such agreement was for two (2) years terminating on August 1, 2012; and

WHEREAS, pursuant to the terms and conditions set forth in the Addendum to Professional Services Agreement dated February 12, 2013, the duration of such agreement was for two (2) years terminating on August 1, 2014; and

WHEREAS, since August 1, 2014 Pat Van de Wetering has continued to provide the services set forth in the Professional Services Agreement dated and entered into on or about August 1, 2010; and

WHEREAS, Pat Van de Wetering has expressed her willingness to continue to perform services related to Grumman Memorial Park, i.e. ordering commemorative bricks, benches, certificates of appreciation and correspond with interested donors regarding purchase of commemorative items and companies designated by her to provide bricks/benches; and

WHEREAS, the Town Board acknowledges her efforts and dedication to Grumman Memorial Park and seeks to extend the Addendum Agreement dated February 12, 2013 for an additional two (2) years beginning on August 1, 2014, such that she will be entitled to receive compensation for the period of time from August 1, 2014 to the present, with an expiration date of August 1, 2016.

NOW THEREFORE be it mutually agreed by and between the Town of Riverhead and Grumman Memorial Park that the Addendum to Professional Services Agreement dated February 12, 2013 is hereby extended for two (2) years such that the effective date shall be deemed to commence on August 1, 2014 and shall expire on August 1, 2016 and such terms are amended only to make clear that Consultant shall be entitled to compensation not to exceed \$100.00 per month or \$1200.00 per year and not only for services related to ordering bricks and other commemorative items but correspondence related to donations for Grumman Memorial Park with all such other terms identical to the original Professional Services Agreement.

TOWN OF RIVERHEAD

GRUMMAN MEMORIAL PARK

Sean Walter, Supervisor

Pat Van de Wetering

TOWN OF RIVERHEAD

Resolution # 772

**AUTHORIZES THE SUPERVISOR TO EXECUTE A RETAINER AGREEMENT WITH
MARY C. HARTILL, ESQ. FOR LEGAL SERVICES FOR THE YEAR 2014/2015
(RIVERHEAD YOUTH COURT)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Mary C, Hartill, Esq. had submitted a proposal to the Town Board to enter into a one (1) year agreement with the Town of Riverhead in connection with her services as Legal Consultant for the Riverhead Youth Court Program.

NOW THEREFORE BE IT HEREBY RESOLVED, that Mary C, Hartill, Esq. is hereby appointed to act as Legal Consultant for the Riverhead Youth Court Program; and be it further

RESOLVED, that the Riverhead Town Board hereby approves the attached Retainer Agreement from the Mary C. Hartill, Esq.; and be it further

RESOLVED, that the Riverhead Town Board hereby authorizes the Supervisor to execute the attached Retainer Agreement; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Mary C. Hartill, Esq., 224 Griffing Avenue, Riverhead, New York, 11901, the Police Chief David Hegermiller and the Office of the Town Attorney.

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
Dunleavy Yes No Wooten Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

RETAINER AGREEMENT

This writing will memorialize the understanding between the Town of Riverhead and Mary C. Hartill, PLLC, Attorney at Law, hereinafter referred to as "the law firm," confirming that you have retained this firm to represent you in the matter of Legal Consultant for Youth Court Training.

It is agreed that the Town of Riverhead will pay the firm a fee of \$160.00, per hour for training and lectures for the Riverhead Youth Court Program not to exceed 15 hours.

You acknowledge that the hourly rates apply to all time expended on your matter, including, but not limited to, training sessions, trials, critique of members, office meetings and conferences, telephone calls and conferences, either placed by or to you, or otherwise made or had on your behalf or related to your matter, preparation, review and revision of correspondence, attendance at ceremonies, preparing letters of reference or any other documents, memoranda, or papers relative to your matter, legal research, court appearances, conferences, file review, preparation time, travel time, and any other time expended on your behalf.

The term of this retainer shall be for one year, commencing on October 1, 2014 and continuing through and including September 30, 2015.

Kindly indicate your understanding and acceptance of the above by signing this document below where indicated.

You acknowledge receiving a duly executed duplicate original of this agreement. I look forward to being of service to you in connection with this matter.

DATE: _____

Mary C. Hartill
Mary C. Hartill, PLLC, Attorney at Law

Sean Walter, Supervisor
Town of Riverhead

TOWN OF RIVERHEAD

Resolution # 773

PAYS BILLS

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

ABSTRACT #14-39 October 30, 2014 (TBM 11/05/14)			
			Grand
Fund Name	Fund #	Ckrun	Totals
GENERAL FUND	1	997,208.95	997,208.95
POLICE ATHLETIC LEAGUE	4	508.00	508.00
RECREATION PROGRAM FUND	6	21,771.79	21,771.79
HIGHWAY FUND	111	132,226.49	132,226.49
WATER DISTRICT	112	474,780.15	474,780.15
RIVERHEAD SEWER DISTRICT	114	63,876.94	63,876.94
REFUSE & GARBAGE COLLECTION DI	115	6,853.39	6,853.39
STREET LIGHTING DISTRICT	116	8,702.09	8,702.09
PUBLIC PARKING DISTRICT	117	535.04	535.04
AMBULANCE DISTRICT	120	4,909.47	4,909.47
EAST CREEK DOCKING FACILITY FU	122	1,582.24	1,582.24
CALVERTON SEWER DISTRICT	124	1,585.50	1,585.50
RIVERHEAD SCAVENGER WASTE DIST	128	46,135.21	46,135.21
WORKERS' COMPENSATION FUND	173	17,179.40	17,179.40
RISK RETENTION FUND	175	31,119.32	31,119.32
MAIN STREET REHAB P;OGRAM	177	350.00	350.00
GENERAL FUND DEBT SERVICE	384	1,274,165.23	1,274,165.23
TOWN HALL CAPITAL PROJECTS	406	71,394.66	71,394.66
WATER DISTRICT CAPITAL PROJECT	412	57,354.15	57,354.15
TRUST & AGENCY	735	1,011,978.56	1,011,978.56
CALVERTON PARK - C.D.A.	914	565.00	565.00
		4,224,781.58	4,224,781.58

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted