

MARCH 3, 2015

TOWN BOARD RESOLUTION LIST:

- Res. #148 Riverhead Scavenger Waste Budget Adjustment
- Res. #149 Awards Bid – Annual Distribution Maintenance, Installation and Emergency Services Contract – Contract D – Distribution, Riverhead Water District
- Res. #150 Appoints Members to the Riverhead Industrial Development Agency (Elias Kalogeras, Thomas Cruso)
- Res. #151 Accepts the Resignation of a Part-Time Police Officer (Luigi Luigini)
- Res. #152 Appoints a Temporary Tax Receiver (Melissa Messina)
- Res. #153 Amends Resolution 706-2014 and Authorizes the Supervisor to Issue an Amended Letter to the Suffolk County Department of Health Services
- Res. #154 Approve Extension of Security Posted by Campo Brothers in Connection with the Subdivision Entitled ‘Birchwood at Wading River – Section 3’ (Road and Drainage Improvements)
- Res. #155 Authorizes the Supervisor to Execute an Agreement with Sterling Infosystems, Inc. to Provide Pre-Employment Background Screening and Drug Testing
- Res. #156 Authorizes Supervisor to Execute Agreement with Land Use Ecological Services, Inc. for Services Related to application to New York State Department of Environmental Conservation for WSRR Variance Approval Related to Town Animal Shelter and Accepts Donation from North Fork Welfare Animal League in the Amount of \$1750.00 for Services Related to WSRR Variance
- Res. #157 Designates the EPCAL Bike Trail as a Recreation Trail Pursuant to Chapter 48 Entitled “Beaches and Recreation Areas” of the code of the town of Riverhead
- Res. #158 Extends Bid Contract with Charles Greenblatt, Inc. for Police Uniforms
- Res. #159 Authorizes the Supervisor to Execute a License Agreement with AEROS Cultured Oyster Company to Allow the Installation of Floating Upweller Systems (FLUPSY) in East Creek
- Res. #160 Appoints Interpreter for Police Department and Justice Court (Diego Casanueva)
- Res. #161 Approves Chapter 90 Application of Riverhead MTAS Inc. (9th Annual Hogs and Hot Rods Fundraiser – Sunday, April 12, 2015)

- Res. #162 Waives the Showmobile Application Fee for Riverhead MTAS Inc. (Hogs and Hot Rods Rock the Shelter)
- Res. #163 Appoints a Detective Sergeant (Edward Frost)
- Res. #164 Appoints Hearing Officer
- Res. #165 Increase to Hourly Rate of EISEP Employee (Elizabeth Dobrolski)
- Res. #166 Pays Bills

TOWN OF RIVERHEAD

Resolution # 148

RIVERHEAD SCAVENGER WASTE

BUDGET ADJUSTMENT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Superintendent of Sewer is requesting a budget adjustment for the purchase of a golf cart at the Scavenger Waste plant.

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

	<u>FROM</u>	<u>TO</u>
128.081890.547504 Sanitation Disposal – Scavenger Waste	3,350	
128.081890.524900 Miscellaneous Equipment – Scavenger Waste		3,350

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

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

THE VOTE

Giglio <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Gabrielsen <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Wooten <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dunleavy <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 # 149

**AWARDS BID – ANNUAL DISTRIBUTION MAINTENANCE,
INSTALLATION AND EMERGENCY SERVICES CONTRACT –
CONTRACT D – DISTRIBUTION
RIVERHEAD WATER DISTRICT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, this Town Board did authorize the advertisement for bids for annual distribution maintenance, installation and emergency services, Contract D – Distribution for the Riverhead Water District, and

WHEREAS, all bids received were opened and read aloud on the date and time advertised in the notice, and

WHEREAS, H2M Group, consulting engineers to the Riverhead Water District, by attached letter dated February 16, 2015 did recommend that the bid be awarded to Bancker Construction Corp. for the 2015 calendar year.

NOW, THEREFORE, BE IT RESOLVED, that the bid for annual distribution maintenance, installation and emergency services, Contract D, for services on an as-needed basis at the request of the Water District Superintendent be awarded to Bancker Construction Corp. for the 2015 calendar year, and be it further

RESOLVED, that the Town Board reserves the right to award additional years in its discretion as provided by the bid, and be it further

RESOLVED, that the Town Clerk forward certified copy of this resolution to the above named contractor, and be it further

RESOLVED, that the Town Clerk is hereby authorized to return to all unsuccessful bidders their respective bid security, and be it further

RESOLVED, that pursuant to this bid award, the Town Supervisor be and is hereby authorized to execute a contract with Bancker Construction Corp., and be it further

RESOLVED, that upon completion of fully executed contracts and the filing of said contract with the Town Clerk, the Town Clerk is hereby authorized to release to the successful bidder the bidder's bid security.

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



538 Broad Hollow Road, 4th Floor East tel 631.756.8000
 Melville, NY 11747 fax 631.694.4122

February 16, 2015

Supervisor Sean Walter
 Town of Riverhead
 200 Howell Avenue
 Riverhead, New York 11901

**Re: Riverhead Water District
 Maintenance, Installation and Emergency Services – RE-BID
 Contract D - Distribution
 H2M Project No.: RDWD 14-05**

Dear Supervisor Walter:

On Thursday, February 12, 2015, the Riverhead Water District received bids for their annual distribution maintenance, installation and emergency services contract. Three contractors submitted bids, with the low bid being submitted by Bancker Construction Corp. of Islandia, New York. A summary of the bids received is shown below:

Contractor	2015 Bid	2016 Bid	2017 Bid
Bancker Construction Corp.	\$347,265.00	\$357,613.30	\$368,235.15
Elmore Associates, Inc.	\$378,121.25	\$387,243.00	4397,025.75
Roadwork Construction Corp.	\$385,479.01	\$402,835.76	\$420,461.90

Bancker Construction Corp. has successfully completed similar work for various water utilities over the past few years including the Riverhead Water District. Additionally, the bid prices submitted by them compare to projects similar in size and nature. It is our opinion that Bancker Construction Corp. is qualified and their bid prices are fair and reasonable.

It should be noted that this contract is for system maintenance and emergency services. The total bid amounts were used as means of selecting a low bidder. The actual construction value is unknown at this time and will depend on the number of emergency and maintenance situations that occur during the year. Based on this, we recommend that the Town/District award the contract to Bancker Construction Corp. for the 2015 calendar year based on the unit prices submitted in their proposal. The award for the years 2016 and 2017 shall be made separately prior to the start of the respective year if the extension of the contract is deemed to be in the best interest of the District.

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

Very truly yours,

H2M architects + engineers

John Collins

John R. Collins, P.E.

cc: Town Board
 Richard Ehlers, Esq.
 Supt. Mark Conklin
 Town Clerk

TOWN OF RIVERHEAD

Resolution # 150

**APPOINTS MEMBERS TO THE
RIVERHEAD INDUSTRIAL DEVELOPMENT AGENCY**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, by Town Board resolution # 805, adopted on October 19, 2010, the Town Board appointed Carl Gabrielsen and Elias Kalogeras as members of the RIDA Board of Directors; and

WHEREAS, by Town Board resolution # 837, adopted on November 3, 2010, the Town Board appointed Thomas Cruso as a member of the RIDA Board of Directors; and

WHEREAS, the terms for Thomas Cruso, Carl Gabrielsen and Elias Kalogeras on the RIDA Board of Directors expire on December 31, 2014; and

WHEREAS, the Thomas Cruso and Elias Kalogeras have stated that they desire to continue their service on the RIDA Board of Directors.

NOW THEREFORE BE IT RESOLVED that the Town Board be and hereby appoints Elias Kalogeras and Tom Cruso to the RIDA Board of Directors for a term commencing on January 1, 2015 and ending on December 31, 2018; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Elias Kalogeras and Tom Cruso; 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 # 151

ACCEPTS THE RESIGNATION OF A PART-TIME POLICE OFFICER

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town has received notification from Luigi Luigini, a Part-Time Police Officer in the Riverhead Town Police Department, indicating his intent to resign effective February 25, 2015.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the resignation of Luigi Luigini.

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Luigi Luigini, the Chief of Police, the Personnel Officer and the Financial Administrator. 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 can 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 # 152

APPOINTS A TEMPORARY DEPUTY TAX RECEIVER

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, due to a leave of absence, a temporary vacancy exists in the Tax Receiver's Office for a Deputy Tax Receiver.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby appoints Melissa Messina to the position of Deputy Tax Receiver effective March 30, 2015 through October 6, 2015 at the hourly rate of \$22.00; and

BE IT FURTHER RESOLVED, that Ms. Messina shall be entitled to holiday pay for the holidays that occur during the time she is appointed to this temporary position.

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 # 153

AMENDS RESOLUTION 706-2014 AND AUTHORIZES THE SUPERVISOR TO ISSUE AN AMENDED LETTER TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, by resolution # 706, adopted on October 7, 2104, the Town Board authorizes the use of 6.0 Pine Barrens credits originating from property located in the Town of Riverhead by LKG Port Jefferson, LLC to increase the available sanitary density for premises in the Town of Brookhaven; and

WHEREAS, Keith Archer, Esq., as agent has notified the Town that it requires one (1) additional Pine Barrens credit; and

WHEREAS, the Town of Brookhaven has authorized said transfer.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to issue an amended letter in substantially the same form as attached to the Suffolk County Department of Health Services approving the use of 7.0 credits under said Riverhead Pine Barrens credit(s) on premises located at NYS Route 347, Port Jefferson, New York, further described as Suffolk County Tax Map No. 0200-182.00-03.00-001.000; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to Keith Archer, Esq., Harras Bloom & Archer LLP, 445 Broadhollow Road, Suite 127, Melville, New York 11747; the Planning Department and the Office of the Town Attorney.

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

Sean M. Walter, Town Supervisor

200 Howell Avenue, Riverhead, NY 11901
Tel: (631) 727-3200 / Fax: (631) 727-6712
www.townofriverheadny.gov

March 3, 2015

Suffolk County Department of Health Services
Office of Wastewater Management
360 Yaphank Avenue, Suite 2C
Yaphank, New York 11980

Attn: Walter Hilbert, P.E., Principal Public Health Engineer

Re: LKG Port Jefferson, LLC
NYS Route 347, Port Jefferson, New York
Suffolk County Tax Map #0200-182.00-03.00-001.000

Dear Mr. Hilbert:

This letter supersedes prior correspondence dated October 8, 2014, which confirmed that the Town Board of the Town of Riverhead consented to the use of not more than 6.0 Town of Riverhead Pine Barrens Credits (PBC Certificate #0600-107) to enhance the available sanitary density on properties known as NYS Route 347, Port Jefferson, New York and bearing Suffolk County Tax Map Nos. 0200-182.00-03.00-001.000 of which Nassau County Council Boy Scouts of America, Incorporated are the certificate holder.

Keith H. Archer, Esq., as agent for LKG Port Jefferson, LLC, has advised that it has been determined that seven (7.0) Pine Barrens Credits will be required to enhance the available sanitary density on properties known as NYS Route 347, Port Jefferson, New York and proof has been supplied to show that the agreement has been amended with the Nassau County Boy Scouts of America, Incorporated to permit the use of 7.0 Town of Riverhead Pine Barrens Credits. This shall confirm that the Town Board of the Town of Riverhead amends prior authorization and consents to the use of not more than 7.0 Town of Riverhead Pine Barrens Credits.

Kindly contact this office with any questions you may have.

Very truly yours,

Sean M. Walter
Supervisor

TOWN OF RIVERHEAD

Resolution # 154

APPROVES EXTENSION OF SECURITY POSTED BY CAMPO BROTHERS IN CONNECTION WITH THE SUBDIVISION ENTITLED "BIRCHWOOD AT WADING RIVER – SECTION 3"
(ROAD AND DRAINAGE IMPROVEMENTS)

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Riverhead Town Board, by Resolution #136 adopted on February 18, 2004, did accept subdivision security in the amount of \$501,000.00 representing road and drainage improvements to be completed in the subdivision entitled, "Birchwood at Wading River – Section 3" (29 lot residential subdivision located on the east side of Wading River Manorville Rd., Wading River); and

WHEREAS, the Riverhead Town Board, by Resolution #914, adopted on October 21, 2008, did grant a two-year extension for the security posted representing the road and drainage improvements to be completed within the subdivision to December 1, 2008; and

WHEREAS, the Riverhead Town Board, by Resolution #369, adopted on April 21, 2009, did grant a two-year extension for the security posted representing the road and drainage improvements to be completed within the subdivision to December 1, 2010; and

WHEREAS, the Riverhead Town Board, by Resolution #935, adopted on December 20, 2011, did grant a two-year extension for the security posted representing the road and drainage improvements to be completed within the subdivision to December 1, 2012; and

WHEREAS, pursuant to Subdivision Inspection Memo dated February 13, 2012, John J. Raynor, P.E., had determined that a substantial portion of the road and drainage improvements have been completed and further recommended that the performance security be reduced to the amount of \$205,000.00; and

WHEREAS, the Riverhead Town Board, by Resolution #446 adopted on June 5, 2012, did authorize the reduction of the performance security to the amount of \$205,000.00; and

WHEREAS, the Riverhead Town Board, by Resolution #888, adopted on November 20, 2012, did grant a two-year extension for the security posted representing the road and drainage improvements to be completed within the subdivision to December 1, 2014; and

WHEREAS, by letter from Michael R. Strauss, Esq., dated February 3, 2015, it has been requested that an extension be granted for the performance security posted representing the road and drainage improvements to be completed within the subdivision; and

WHEREAS, in furtherance of Riverhead Planning Board Resolution #2015-0014, dated February 19, 2015, it is recommended that the performance security be extended for an additional two-year period to December 1, 2016; and

WHEREAS, Water Key Money in the amount of \$72,500.00 and Park and Recreation Fees in the amount of \$87,000.00, have been paid.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby approves the extension of time for the performance security posted representing the road and drainage improvements to be completed within the subdivision for an additional two-year period as provided by Riverhead Town Code Chapter 108-97 A. (4); and be it further

RESOLVED, that the Town Board hereby accepts the \$2,000.00 fee associated with such extension approval; and be it further

RESOLVED, that this extension shall extend the performance security posted representing the road and drainage improvements to be completed within the subdivision to December 1, 2016; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Michael R. Strauss, Esq., 907 Main Street, Port Jefferson, New York, 11777; 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 # 155

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH STERLING INFOSYSTEMS, INC. TO PROVIDE PRE-EMPLOYMENT BACKGROUND SCREENING AND DRUG TESTING

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, The Town of Riverhead wishes to ensure that prospective Town of Riverhead employees are qualified and well-suited for respective vacant positions and/or titles within the Town of Riverhead regarding their pre-employment background and history; and

WHEREAS, Sterling Infosystems, Inc., has the qualifications, experience and resources to provide pre-employment background screening and drug testing regarding prospective Town of Riverhead employees; and

WHEREAS, the Town of Riverhead wishes to utilize the qualifications, experience and resources of Sterling Infosystems, Inc. regarding pre-employment background screening and drug testing regarding prospective Town of Riverhead employees.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to execute an agreement with Sterling Infosystems, Inc. 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 Sterling Infosystems, Inc., One State Street, 24th Floor, New York, NY 10004; 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

CONSULTANT/PROFESSIONAL SERVICES AGREEMENT

This Agreement made the _____ of _____, 2015, 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 STERLING INFOSYSTEMS, INC., a corporation with a principal place of business at One State Street, 24th Floor, New York, New York 10004 (hereinafter referred to as "Consultant").

In consideration of the mutual promises herein contained, Town of Riverhead and Consultant agree as follows:

1. SCOPE OF SERVICES

During the term of this Agreement, Consultant shall furnish the services set forth in Schedule A attached hereto and made a part hereof. In the event of a conflict between the terms of the attached Schedule A and this professional services agreement the terms of the professional services agreement shall control. These services are to be rendered by Consultant as an independent contractor and not as an employee of Town.

2. TERM OF AGREEMENT

The Agreement shall be deemed to have commenced on August 2, 2013, and terminate on December 31, 2015.

3. PAYMENT

For these services, Town will pay Consultant at the rates set forth in the attached Schedule A. The Town shall not have any liability for any other expenses or costs incurred by Consultant except for expenses expressly provided for in the attached schedule. Consultant shall not incur any expenses in Town's behalf except for those items expressly provided for in the attached schedule. Invoices for services and reimbursable expenses shall contain the following statement signed by Consultant, or if this Agreement is with a firm, an officer or authorized representative of the firm: "I hereby certify, to the best of my knowledge and belief, that this invoice is correct, and that all items invoiced are based upon actual costs incurred or services rendered consistent with the terms of the professional services agreement." Each invoice for reimbursable expenses shall be supported by: (a) an itemized description of expenses claimed; (b) pertinent information relative to the expenses; and (c) attached receipts. Invoices shall reference this Agreement or otherwise be identified in such a manner as Town may reasonably require.

4. RIGHTS TO DOCUMENTS OR DATA

All information and data, regardless of form, generated in the performance of, or delivered under this Agreement, as well as any information provided to Consultant by Town, shall be and remain the sole property of Town. Consultant shall keep all such information and data in confidence and not disclose or use it for any purpose other than in performing this Agreement, except with Town's prior written approval. In the event that the legal right in any data and information generated in the performance of this Agreement does not vest in Town by law, Consultant hereby

agrees and assigns to Town such legal rights in all such data and information. Final payment shall not be due hereunder until after receipt by Town of such complete document and data file, or a certification that there is no such information created by the services performed under this Agreement, and receipt of all information and data which is the property of Town. These obligations shall survive the termination of this Agreement.

5. PUBLICITY

Consultant shall not, without the prior written consent of Town, in any manner advertise or publish the fact that Town has entered into this Agreement with Consultant. Consultant shall not, without the prior written consent of the Town, provide, release or make available for inspection any documents, data, written material of any kind without the prior written consent of at least three members of the Town board or by resolution of the Town Board.

6. ASSIGNMENT AND SUBCONTRACTING

Performance of any part of this Agreement may not be subcontracted nor assigned without, in each case, the prior written consent of at least three members of the Town Board or by resolution of the Town Board.

7. TERMINATION

This Agreement may be terminated at any time for any reason by either party upon 30 days written notice to the other party. In the event of such termination, Town shall have no further obligation to Consultant except to make any payments which may have become due under this Agreement for actual services rendered.

8. RECORDS

Consultant shall keep accurate records of the time spent in the performance of services hereunder. The Town shall, until the expiration of seven years after final payment under this Agreement, have access to and the right to examine any directly pertinent books, documents, papers and records of Consultant involving transactions related to this Agreement.

9. CHANGES

The Town, by resolution of the Town Board or written request by at least three members of the Town Board, within the general scope of this Agreement, may, at any time by written notice to Consultant, issue additional instructions, require additional services or direct the omission of services covered by this Agreement. In such event, there will be made an equitable adjustment in price and time of performance, but any claim for such an adjustment must be made within 15 days of the receipt of such written notice. In the event that the Consultant determines that a change order is required, Consultant shall obtain written approval of the Town, by resolution or written consent of at least three members of the Town Board, and if the change shall require the payment of additional compensation, Consultant must obtain the written approval of three members of the Town Board or resolution of the Town Board for the additional compensation prior to commencement of work regarding the change order. It is agreed and understood that no oral agreement, conversation, or understanding between the Consultant and the Town, its departments, officers, agents and employees shall effect or modify any of the terms or obligations of this Agreement or schedules annexed hereto and made a part hereof.

10. NOTICES

Any notice shall be considered as having been given: (i) to Town of Riverhead if mailed by certified mail, postage prepaid to Town of Riverhead, Attention: Daniel P. McCormick, 200 Howell Avenue, Riverhead, New York 11901; or (ii) to Consultant if mailed by certified mail, postage prepaid to Attention: Legal Department, Sterling InfoSystems, Inc., One State Street, 24th Floor, New York, New York 10004.

11. COMPLIANCE WITH LAWS

Consultant shall comply with all applicable federal, state and local laws and ordinances and regulations in the performance of its services under this Agreement. Consultant will notify Town immediately if Consultant's work for Town becomes the subject of a government audit or investigation. Consultant will promptly notify Town if Consultant is indicted, suspended or debarred. Consultant represents that Consultant has not been convicted of fraud or any other felony arising out of a contract with any local, state or federal agency. In carrying out the work required hereunder, Consultant agrees not to make any communication to or appearance before any person in the executive or legislative branches of the local, state or federal government for the purpose of influencing or attempting to influence any such persons in connection with the award, extension, continuation, renewal, amendment or modification of any contract or agreement. Consultant may perform professional or technical services that are rendered directly in the preparation, submission or negotiation activities preceding award of a Town agreement/contract or to meet requirements imposed by law as a condition for receiving the award but only to the extent specifically detailed in the statement of work. Professional and technical services are limited to advice and analysis directly applying Consultant's professional and technical discipline.

12. INSURANCE, INDEMNITY AND LIABILITY

Consultant shall carry Comprehensive General Liability Insurance and, if applicable, worker's compensation insurance. Consultant hereby indemnifies and holds the Town, its departments, officers, agents and employees, harmless against any and all claims, actions or demands against Town, its departments, officers, agents and employees and against any and all damages, liabilities or expenses, including counsel fees, arising out of the acts or omissions of Consultant under this Agreement.

13. CONFLICT OF INTEREST

Consultant hereby represents and covenants that neither it nor any of its employees or representatives has or shall have, directly or indirectly, any agreement or arrangement with any official, employee or representative of the Town of Riverhead which any such official, employee, representative shall receive either directly or indirectly anything of value whether monetary or otherwise as the result of or in connection with any actual or contemplated application before any department of the Town, contract with the Town for sale of any product or service. Consultant further represents and covenants that neither it nor any of its employees or representatives has offered or shall offer any gratuity to the Town, its officers, employees, agents or representatives with a view toward obtaining this Agreement or securing favorable treatment

with respect thereto. Consultant further represents that it will not engage in any activity which presents a conflict of interest in light of its relationship with Town.

14. DISCLOSURE

The Town shall have the right, in its discretion, to disclose the terms and conditions of this Agreement (as it may be amended from time to time), including but not limited to amounts paid pursuant hereto, to agencies of the local, state and federal government.

15. DISPUTES

If Consultant fails to perform any of its obligations hereunder in accordance with the terms hereof, then after reasonable notice to Consultant not to exceed thirty (30) days, and an opportunity for Consultant to cure such failure (except in case of emergency), the Town may (but shall not be obligated to) cure such failure at the expense of the Consultant, and the amount incurred by the Town on demand. Notwithstanding the above, any dispute arising under this Agreement which is not settled by Agreement of the parties may be settled by appropriate legal proceedings. Pending any decision, appeal or judgment in such proceedings or the settlement of any dispute arising under this Agreement, Consultant shall proceed diligently with the performance of this Agreement in accordance with its terms.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the last date indicated below.

TOWN OF RIVERHEAD

STERLING INFOSYSTEMS, INC.

By: Sean M. Walter, Town Supervisor

By: Jayme Newkirk, Director
Client Service & Support

Date: _____

Date: _____

TOWN OF RIVERHEAD

Resolution # 156

AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT WITH LAND USE ECOLOGICAL SERVICES, INC. FOR SERVICES RELATED TO APPLICATION TO NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR WSRR VARIANCE APPROVAL RELATED TO TOWN ANIMAL SHELTER AND ACCEPTS DONATION FROM NORTH FORK WELFARE ANIMAL LEAGUE IN THE AMOUNT OF \$1750.00 FOR SERVICES RELATED TO WSRR VARIANCE

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, for some time, the Town of Riverhead expressed its desire to relocate the Town's animal shelter from its present location on Youngs Avenue, to a property better suited and capable to serve the needs of the animal shelter; and

WHEREAS, the Town's goal has been and continues to be to relocate the animal shelter to a location that would better meet the needs of dogs and such other animals plus accommodate staff and outside experts performing services related to the welfare of the animals sheltered at the animal shelter; and

WHEREAS, by Resolution # 957 adopted on December 18, 2012 and Agreement dated January 24, 2013, the Town entered into an Agreement with the North Fork Animal Welfare League to provide animal shelter and dog control officer services. The Agreement between the Town and North Fork Animal Welfare League included the use and occupancy of the Town's animal shelter located on Youngs Avenue, Riverhead, NY; and

WHEREAS, in furtherance of the Town's goal to relocate the animal shelter described above and after adoption of Resolution #336 on May 6, 2014; public hearing held on June 3, 2014; and and adoption of Resolution #451 on June 17, 2014, the Town Board, as governing body of the Community Development Agency, did declare North Fork Animal Welfare League a qualified and approved sponsor pursuant to the requirements set forth in General Municipal Law Articles 15 and 15A and approve a lease such that the North Fork Animal Welfare League would not only utilize the property known as the Henry Pfeifer Community Center as the Town's animal shelter but construct improvements on the real property wherein the Henry Pfeifer Community Center is located; and

WHEREAS, the improvements proposed and described in the lease agreement between the Town and North Fork Animal Welfare League require the North Fork Welfare Animal League to construct a kennel and offices adjacent to the existing Henry Pfeifer Community Center and, as such, the Town, as owner of the subject property, is required to make application to the New York State Department of Environmental Conservation to seek a WSRR variance approval before the North Fork Animal Welfare League can proceed with the terms of the lease, including time parameters regarding

construction; and

WHEREAS, Land Use Ecological Services, Inc. has the requisite expertise to perform the services related to WSRR boundary and variance applications and Land Use Ecological Services, Inc. represented that the costs for such services shall not exceed \$3500.00 and

WHEREAS, North Fork Animal Welfare League has offered to donate \$1750.00 to the Town with the condition that such monies be applied to contract with Land Use Ecological Services, Inc. for completion of tasks necessary and related to application to New York State Department of Environmental Conservation for a WSRR variance described above.

NOW THEREFORE BE IT RESOLVED, the Supervisor is hereby authorized to execute an agreement with Land Use Ecological Services, Inc. for services related to application to NYSDEC for variance approval related to Town animal shelter in an amount not to exceed \$3500.00; and be it further

RESOLVED, that the Town Board hereby accepts the donation of \$1750.00 from the North Fork Animal Welfare League to be applied to contract with Land Use Ecological Services, Inc. for tasks necessary and related to application and completion of New York State Department of Environmental Conservation WSRR variance described above; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Patrick R. Tierney, Esq., 1 Chase Manhattan Plaza, New York, NY 10005 and North Fork Animal Welfare League, 165 Peconic Lane, Peconic, NY 11958, Land Use Ecological Services, Inc., 570 Expressway Drive South, Suite 2F, Medford, NY 11763; 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 # 157

**DESIGNATES THE EPCAL BIKE TRAIL AS A RECREATION TRAIL
PURSUANT TO CHAPTER 48 ENTITLED, "BEACHES AND RECREATION AREAS"
OF THE CODE OF THE TOWN OF RIVERHEAD**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law 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; and

WHEREAS, by Resolution number 738, adopted on October 21, 2014, the Town Board adopted a Local Law which amended Chapter 48 to include a definition of "Recreation Trail" as "[a]n area designated by resolution of the Town Board for use as a walking trail, bicycle path, or hiking trail" and upon designation as a Recreation Trail such area would be restricted such that all means of transportation by engine are strictly prohibited except for law enforcement officials of Town representatives supervising the recreation trails; and

WHEREAS, the EPCAL Trail is used for walking and biking; and

WHEREAS, the Town Board, be and hereby, designates the EPCAL Bike Trail as depicted in the Attached Exhibit a "Recreation Trail".

NOW THEREFORE BE IT RESOLVED, the Town Board, be and hereby, designates the EPCAL Bike Trail as depicted in the Attached Exhibit entitled "Map of Non-Motorized Recreation Path at Calverton, N.Y." dated 11/18 2014; 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

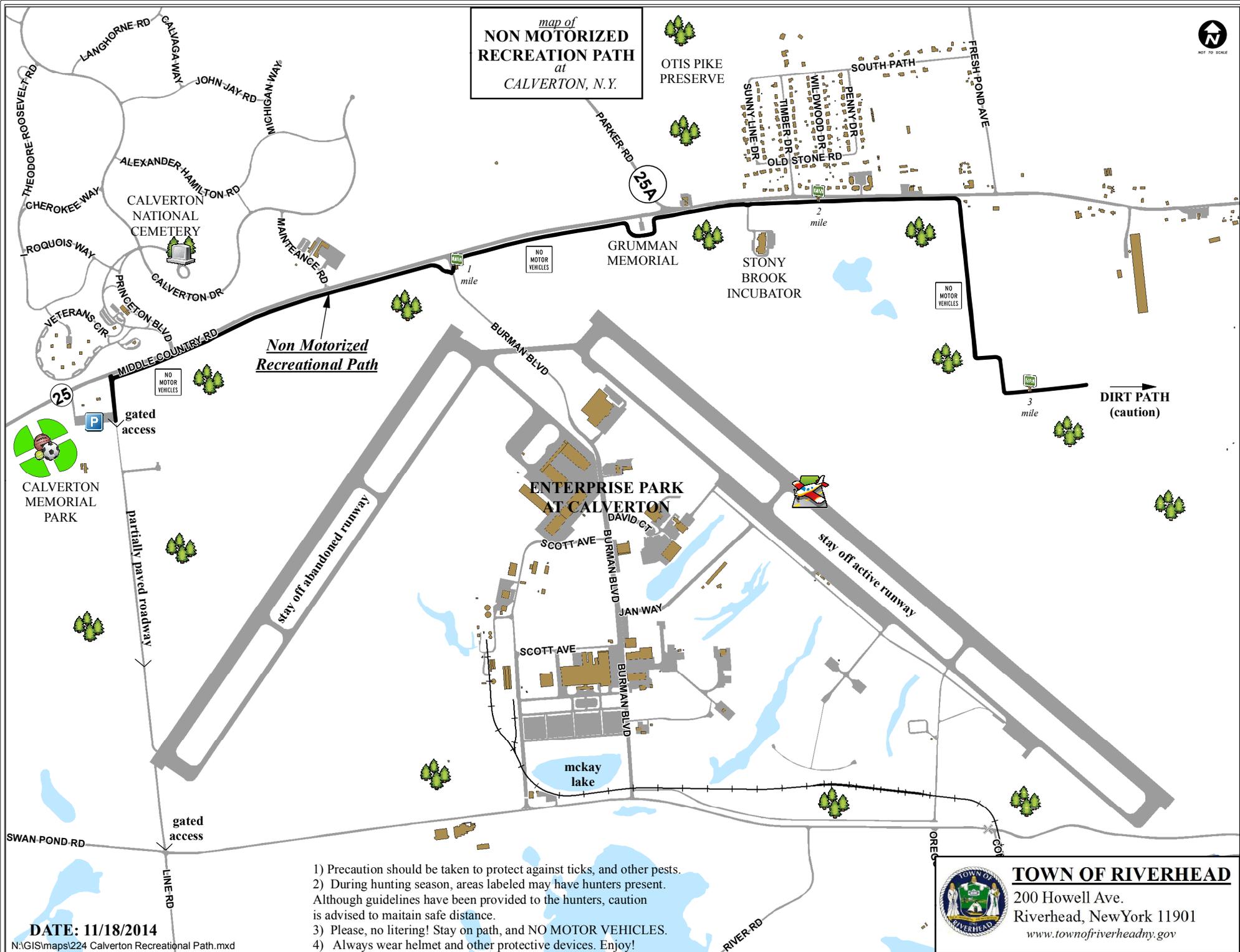
Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

map of
**NON MOTORIZED
 RECREATION PATH**
 at
 CALVERTON, N.Y.



*Non Motorized
 Recreational Path*

**ENTERPRISE PARK
 AT CALVERTON**

mckay lake

**DIRT PATH
 (caution)**

- 1) Precaution should be taken to protect against ticks, and other pests.
- 2) During hunting season, areas labeled may have hunters present. Although guidelines have been provided to the hunters, caution is advised to maintain safe distance.
- 3) Please, no littering! Stay on path, and NO MOTOR VEHICLES.
- 4) Always wear helmet and other protective devices. Enjoy!

DATE: 11/18/2014

N:\GIS\maps\224 Calverton Recreational Path.mxd



TOWN OF RIVERHEAD
 200 Howell Ave.
 Riverhead, New York 11901
www.townofriverheadny.gov

TOWN OF RIVERHEAD

Resolution # 158

**EXTENDS BID CONTRACT WITH CHARLES GREENBLATT, INC.
FOR POLICE UNIFORMS**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Board of the Town of Riverhead, by Resolution # 95 adopted on February 4, 2014, awarded the bid for police uniforms to Charles Greenblatt, Inc.; and

WHEREAS, the term of the contract with Charles Greenblatt, Inc. was for one year from date of award and permitted that the contract be extended (not to exceed two extensions) for a total of three year contract; and

WHEREAS, the Town of Riverhead Chief of Police requested that the bid contract with Charles Greenblatt, Inc. for police uniforms be extended for one year from February 2015 to February 2016;

WHEREAS, Charles Greenblatt, Inc. has agreed to extend the contract from February 2015 to February 2016 for the same pricing, terms and conditions set forth in the original contract; and

NOW THEREFORE BE IT RESOLVED, that the Town Board approves a one year extension of the contract with Charles Greenblatt, Inc. under the identical terms and conditions as the original contract retroactive from February 4, 2015 to February 4, 2016; and be it further

RESOLVED, that the Town Clerk shall mail a copy of this resolution to the Charles Greenblatt, Inc., 34-36 Cain Drive, Brentwood, NY 11717; 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 the 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 # 159

AUTHORIZES THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH AEROS CULTURED OYSTER COMPANY TO ALLOW THE INSTALLATION OF FLOATING UPWELLER SYSTEMS (FLUPSY) IN EAST CREEK

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

WHEREAS, the Peconic Estuary Management Conference has identified six priority management issues facing the estuary, one of which is the threat to habitat and living resources; and

WHEREAS, the Peconic watershed contains a large variety of natural communities, all of which are important to the ecology and productivity of the ecosystem; and

WHEREAS, Aeros Cultured Oyster Company is in the business of cultivating oysters, scallops and hard clams for the purpose of providing cultivated shellfish to entities wishing to aid in the proliferation of shellfish; and

WHEREAS, Aeros Cultured Oyster Company wishes to install four (4) Floating Upweller Systems in East Creek for the purposes of cultivating shellfish; and

WHEREAS, it is in the best interests of the residents of the Town of Riverhead to encourage such environmental companies to locate within the Township; and

WHEREAS, Aeros Cultured Oyster Company has agreed to provide monthly tours of its East Creek facility.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached License Agreement with Aeros Cultured Oyster Company; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Aeros Cultured Oyster Company, P.O. Box 964, Southold, NY 11971, the Office of the Town Attorney and 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 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

LICENSE

License ("License"), made as of the day of March, 2015, by and between the Town of Riverhead, ("Licensor") having an address at 200 Howell Avenue, Riverhead, New York and Aeros Cultured Oyster Company ("Licensee"), having an address at P.O. Box 964, Southold, New York 11971, a not- for-profit corporation.

W I T N E S S E T H

WHEREAS, Aeros Cultured Oyster Company wishes to utilize Floating Upweller Systems (FLUPSY) to be located at the northerly terminus of East Creek, in Jamesport, for the purpose of culturing seed hard clams, bay scallops and oysters set forth in the contract between the parties, and

WHEREAS, the Town of Riverhead wishes to grant the Licensor the right to install and utilize up to four (4) FLUPSY tanks at the aforementioned location.

NOW, THEREFORE, in consideration of the mutual agreements herein contained, Licensor and Licensee, for themselves and their successors, hereby agree as follows:

1. Licensing: Upon the terms and conditions hereinafter set forth, Licensor hereby licenses to Licensee the right to use the licensed premises, a copy of which is annexed hereto as Exhibit A.

2. Term of the License. The term of this License (the "term") shall commence on March 1, 2015 and shall end on December 31, 2015.

3. Condition of the License Properties. Licensee is familiar with the licensed premises, has examined same and is aware of defects, if any, in it. Notwithstanding the foregoing, Licensee agrees to accept the licensed properties “as is”.

4. License Fee. Licensee shall pay to Licensor, upon the execution of this agreement the License fee of \$50.00 per month for each FLUPSY installed at the Town’s site for the term of the License, in full. In addition, Licensee agrees to pay metered electric and water charges related to use of the site.

a) The License fee and any other monies payable by the Licensee shall be paid by check made payable to the Town of Riverhead and delivered to William Rothaar, Financial Administrator, at 1295 Pulaski Street, Riverhead, New York, 11901.

5. Use of License Property. Licensee agrees to utilize the licensed properties exclusively for the purpose of operating the FLUPSY and to provide educational tours of the facility. The Town of Riverhead shall issue to the Licensee four (4) temporary parking permits to enable Licensee, its employees and agents to gain access to the East Creek Marina for the sole purpose of accessing the FLUPSY dock and tanks located at the northern terminus of the creek. The temporary parking permits shall be limited to the duration of this License Agreement.

6. Repair, Maintenance and Inventory of License Properties.

a) Licensee agrees to maintain the licensed area free of trash and debris.

b) The Licensee shall not be permitted to alter the licensed property without the prior permission of the Licensor.

7. Damage to Property on Premises. Licensee agrees that all property of every kind and description kept, stored or placed in or on the licensed premises shall be at Licensee's sole risk and hazard and that Licensor shall not be responsible for any loss or damage to any of such property resulting from the elements, electric or fire, whether or not originating in the premises, caused by or from leaks or defects in or breakdown of plumbing, piping, wiring, or any other facility, equipment or fixtures or any other cause or act and whether or not resulting from the negligence of Licensor or other tenants of Licensor or anyone for whom Licensor may be responsible.

8. Damage by Casualty. In case the licensed premises shall be destroyed or shall be so damaged by fire or other casualty as to become untenable, then, in such event, at the option of Licensor, this Licensee shall terminate from the date of such damage or destruction and Licensee shall immediately surrender such premises and all interest in the premises to Licensor, and Licensee shall pay rent only to the time of such surrender. Licensor shall exercise such option to terminate this License by notice in writing, delivered to Lessee within 10 days after such damage or destruction. In case Licensor shall not elect to terminate this License in such event, this

License shall continue in full force and effect and Licensor shall repair the licensed premises with all reasonable promptness, placing the same in as good a condition as they were at the time of the damage or destruction and for that purpose may enter such premises, and rent shall abate in proportion to the extent and duration of un-tenantability. In either event, Licensee shall remove all rubbish, debris, equipment and other personal property within five days after the request of Licensor. If the licensed premises shall be only slightly injured by fire or the elements, so as not to render the same un-tenantable and unfit for the use described above, then Licensor shall repair the same with all reasonable promptness, and in that case the rent shall not abate. No compensation or claim shall be made by or allowed to Licensee by reason of any inconvenience or annoyance arising from the necessity of repairing any portion of the bulkhead, dock or the licensed premises, however the necessity may occur.

9. Insurance. Aeros Cultured Oyster Company further agrees to carry General Liability Insurance and in an amount not less than \$1,000,000.00 combined single limit covering bodily injury and property damage per occurrence in a company(ies) acceptable to the Town of Riverhead, in which policy the Town of Riverhead shall be named as additional insured. Aeros Cultured Oyster Company shall furnish satisfactory evidence that such insurance is in effect and will not be canceled during the term of this Agreement without thirty (30) days prior written notice of such cancellation to Licensor.

10. Indemnity: In addition to the Comprehensive General Liability Coverage set forth in paragraph 9, if applicable Licensee shall carry worker's compensation insurance. Licensee shall indemnify and hold the Licensor, its departments, officers, agents and employees harmless against any and all claims, actions, liabilities, losses (including, without limitation, consequential and special damages), costs and expenses (including, without limitation, court costs and reasonable attorney fees and expenses), arising from or in connection with the acts, omissions, or use of the licensed property by Licensee, its employees, agents, or invitees.

11. Assignment. Notwithstanding anything to the contrary contained in the License, Licensee shall not assign this License or otherwise transfer the rights set forth in this License, in whole or in part, or permit Licensee's interest to be vested in any other party other than Licensee by operation of law or otherwise. A transfer of more than fifty (50%) percent at any one time, or in the aggregate from time to time, of the stock, partnership or other ownership interests in Licensee, direct or indirectly shall be deemed to be an assignment of this License.

12. Compliance with Laws. Licensee shall comply with all laws and ordinances and other public requirements now or later affecting the premises or the use of the premises, and save Licensor harmless from expense or damage resulting from failure to do so.

13. Notices: Any notices to be given under this License shall be in writing and shall be sent by registered or certified mail, return receipt

requested. If such notice is directed to Licensor, it shall be addressed to the attention of the Riverhead Town Supervisor at 200 Howell Avenue, Riverhead, New York, 11901. If such notice is directed at the Licensee, it shall be addressed to P.O. Box 664, Southold, New York, 11971.

14. Miscellaneous: Merger. All prior understandings and agreements between the parties with respect to the subject matter hereof are merged within this agreement, which alone, fully and completely sets forth the understanding of the parties with respect to the subject matter hereof. This License may not be changed or terminated orally, or in any manner, other than in writing signed by the party against whom enforcement is sought.

15. Cross Default. To the extent that the Licensor and Licensee are parties to related agreements, any default under the related agreements shall be deemed to be a default under this License, and any default under this License shall be deemed a default under such similar agreements.

16. Approval by Town Board. This License is not effective until it is approved by Resolution of the Town Board of the Town of Riverhead.

IN WITNESS WHEREOF, Licensor and Licensee do hereby execute this License as of the date and year first above written.

TOWN OF RIVERHEAD

By: _____
Sean M. Walter, Supervisor

AEROS CULTURED OYSTER COMPANY

By: _____
Karen Rivara, President

TOWN OF RIVERHEAD

Resolution # 160

APPOINTS INTERPRETER FOR POLICE DEPARTMENT AND JUSTICE COURT

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town, in connection with its municipal operations, requires services consisting of the following: Language Translation; and

WHEREAS, Diego Casanueva, Contractor, is willing to provide the following services to the Town:

Description of Services: Language Translation – Spanish
Date(s) and Hours of Service: On – call, Flexible

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute the attached Agreement in connection with interpreter services of the aforementioned individual; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Diego Casanueva, 519 1st St., Greenport, New York, 11944; 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 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, **THE TOWN OF RIVERHEAD**, a municipal corporation with offices at 200 Howell Avenue, Riverhead, New York, hereinafter referred to as "**TOWN**" and **DIEGO CASANUEVA**, residing at 519 1ST St., Greenport, New York, 11944, hereinafter referred to as "**CONTRACTOR**".

W I T N E S S E T H

WHEREAS, the Town, in connection with its municipal operations, requires services consisting of the following: Language Translation; and

WHEREAS, the contractor is willing to provide the following services to the Town:

Description of Services: Language Translation – Spanish
Date(s) and Hours of Services: On-call, Flexible

IT IS HEREBY AGREED, by the Town and Contractor as follows:

- 1. That Contractor shall provide and fully perform to the Town's satisfaction the aforementioned services to the Town on the date(s) and times(s) stated above.
- 2. In return for Contractor's services, the Town shall pay Contractor as follows: The sum of Fifty (\$50.00) Dollars for the first (1st) hour of service, or part thereof, and Thirty-Five (\$35.) Dollars for each hour, or part thereof, thereafter. That sum shall be payable after the Contractor performs the services described for the Town and after contractor has filed with the Town of Riverhead, vouchers and any other documents reasonably required for payment; and

WHEREAS, either party may terminate this agreement upon 30 days prior written notice; and

WHEREAS, any previously executed agreements are hereby determined to be null and void; and

WHEREAS, this agreement is effective March 1, 2015.

Dated: Riverhead, New York
March , 2015

TOWN OF RIVERHEAD

By: _____
SEAN M. WALTER
Town Supervisor

DIEGO CASANUEVA

TOWN OF RIVERHEAD

Resolution # 161

**APPROVES CHAPTER 90 APPLICATION OF RIVERHEAD MTAS INC.
(4th Annual Hogs and Hot Rods Fundraiser – Sunday, April 12, 2015)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, on February 12, 2015, Riverhead MTAS Inc. submitted a Chapter 90 Application for the purpose of conducting a fundraiser event entitled “Hogs and Hot Rods Fundraiser” (car and motorcycle show) to be held at Splish Splash Water Park located at 2549 Splish Splash Drive, Calverton, New York, to be held on Sunday, April 12, 2015, between the hours of 12:00 noon and 5:00 p.m.; and

WHEREAS, Riverhead MTAS Inc. has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

WHEREAS, Riverhead MTAS Inc. has requested the Chapter 90 Application fee for this event be waived due to their not-for-profit status; and

WHEREAS, the Town Attorney of the Town of Riverhead 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 application of Riverhead MTAS Inc. for the purpose of conducting a fundraiser event entitled “Hogs and Hot Rods Fundraiser” (car and motorcycle show) to be held at Splish Splash Water Park located at 2549 Splish Splash Drive, Calverton, New York, to be held on Sunday, April 12, 2015, between the hours of 12:00 noon and 5:00 p.m., is hereby approved; and be it further

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

RESOLVED, that this approval is subject to:

- Receipt of a certificate of insurance evidencing acceptable limits, naming the Town of Riverhead as an additional insured in a form acceptable to the Town Attorney;

- A fully executed Chapter 90 Application Owners Endorsement and Inspection Authorization;
- Receipt of an Outdoor Safety Plan to be submitted to the Riverhead Fire Marshal ;
- The obtainment of any permits as may be required by the New York State Department of Labor and/or the Suffolk County Department of Health; and be it further
- All of the above to be received **no later than March 16, 2015**; and be it **further**

RESOLVED, that this approval is subject to receipt of a fully executed license agreement, together with the requisite license fee as stated in said license agreement, for purposes of the utilization of Police personnel and patrol vehicles, **no later than March 16, 2015**; and be it further

RESOLVED, that this approval is subject to the provisions of Riverhead Town Code Chapter 81 - "Noise Control", Chapter 108-56 - "Signs" and any other section of the Riverhead Town Code that may pertain to this event; and be further

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

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

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

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Riverhead MTAS Inc., P.O. Box 635, 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

TOWN OF RIVERHEAD

Resolution # 162

**WAIVES THE SHOWMOBILE APPLICATION FEE FOR RIVERHEAD MTAS INC
(HOGS AND HOT RODS ROCK THE SHELTER)**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, Riverhead MTAS Inc. has requested the use of the Riverhead Showmobile in conjunction with their Hogs and Hot Rods Rock the Shelter to be held at Splish Splash Water Park on Sunday, April 12, 2015, with no rain date set; and

WHEREAS, Riverhead MTAS Inc. has requested the fee for the use of the Riverhead Showmobile to be waived.

NOW, THEREFORE, BE IT RESOLVED, that it is the desire of the Town Board to waive the application fee for the use of the Riverhead Showmobile in conjunction with the Hogs and Hot Rods Rock the Shelter sponsored by the Riverhead MTAS Inc. to be held on Sunday, April 12, 2015; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Riverhead MTAS Inc., PO Box 635, Riverhead, New York, 11901, Attn: Denise Lucas; 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 # 163

APPOINTS A DETECTIVE SERGEANT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, a vacancy exists in the Riverhead Police Department for a Detective Sergeant; and

WHEREAS, it is the recommendation of the Chief of Police to fill the existing vacancy and that Sergeant Edward Frost be appointed to that position.

NOW, THEREFORE, BE IT RESOLVED, that Sergeant Edward Frost be and is hereby appointed to the position of Detective Sergeant in the Riverhead Police Department effective March 3, 2015.

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

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 164

APPOINTS HEARING OFFICER

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, that the Town Board authorizes the appointment of Dr. Jeffrey D. Smith as the hearing officer to conduct a hearing and make appropriate recommendations with respect to disciplinary charges that have been filed against an employee.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the suspension without pay of the employee effective March 3, 2015, pending the determination of those charges; 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 ABSTAIN

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 165

INCREASE TO HOURLY RATE OF EISEP EMPLOYEE

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, in accordance with the Suffolk County Living Wage Law, effective today, March 3, 2015, this Town Board hereby increases the hourly rate of the following Homemaker in the Riverhead Town EISEP (Expanded In-Home Services for the Elderly Program):

Elizabeth Dobrolski	P/T Homemaker	\$13.5600
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BE IT FURTHER RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

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

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 166

PAYS BILLS

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

ABSTRACT #15-04 February 19, 2015 (TBM 03/03/15)			
			Grand
Fund Name	Fund #	Ckrun	Totals
GENERAL FUND	1	2,926,770.61	2,926,770.61
POLICE ATHLETIC LEAGUE	4	80.00	80.00
RECREATION PROGRAM FUND	6	11,222.56	11,222.56
HIGHWAY FUND	111	130,061.18	130,061.18
WATER DISTRICT	112	226,628.53	226,628.53
RIVERHEAD SEWER DISTRICT	114	134,157.89	134,157.89
REFUSE & GARBAGE COLLECTION DI	115	2,242.74	2,242.74
STREET LIGHTING DISTRICT	116	62,099.11	62,099.11
PUBLIC PARKING DISTRICT	117	3,731.08	3,731.08
AMBULANCE DISTRICT	120	2,820.93	2,820.93
EAST CREEK DOCKING FACILITY FUND	122	1,695.27	1,695.27
CALVERTON SEWER DISTRICT	124	20,760.14	20,760.14
RIVERHEAD SCAVENGER WASTE DIST	128	51,513.41	51,513.41
WORKERS' COMPENSATION FUND	173	22,004.00	22,004.00
RISK RETENTION FUND	175	1,126.38	1,126.38
CDBG CONSORTIUM ACCOUNT	181	78.43	78.43
TOWN HALL CAPITAL PROJECT	406	5,889.01	5,889.01
SEWER CAPITAL PROJECT	414	1,341,346.58	1,341,346.58
CALVERTON SEWER CAPITAL PROJECT	424	569.05	569.05
TRUST & AGENCY	735	1,470,366.75	1,470,366.75
CALVERTON PARK - C.D.A.	914	376.24	376.24
		6,415,539.89	6,415,539.89

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted