

SEPTEMBER 16, 2015

CDA RESOLUTION LIST:

CDA

Res. #12 Ratifies Execution of a License Agreement with Princess Productions LTD

TOWN BOARD RESOLUTION LIST:

Res. #651 Riverhead Sewer District Budget Adjustment

Res. #652 Authorization to Publish Advertisement for Collection and Recycling of Electronic Waste

Res. #653 Authorization to Publish Advertisement for Removal of Household Hazardous Waste

Res. #654 Declares Certain Highway Department Vehicles/Equipment Obsolete/Surplus Property and Authorizes Town Clerk to Publish Advertisement for Sale of Obsolete/Surplus Highway Department Vehicles/Equipment

Res. #655 Adopts a Local Law to Amend Chapter 108 Entitled "Zoning" of the Code of the Town of Riverhead (§108-51 Nonconforming Buildings and Uses)

Res. #656 Approves Chapter 90 Application of Darkside Productions Inc. (Haunted House Walk through – October 2nd, 2015 – November 1st, 2015)

Res. #657 Approves the Chapter 90 Application of East End Rowing Institute Ltd (Sunday, November 8, 2015)

Res. #658 Approves Chapter 90 Application of Railroad Museum of Long Island (Wooden Toy Train Play Days - October 10th and 11th, 2015)

Res. #659 Approves the Chapter 90 Application of Costco Wholesale #785 (Retail Sale of Christmas Trees to Warehouse Members)

Res. #660 Authorizes Town Clerk to Publish and Post the Attached Notice to Bidders for 162 Founders Path, Baiting Hollow, Demolition and Reconstruction Project

- Res. #661** Authorizes Town Clerk to Reject Bids and Re-Post and Re-Publish the Attached Notice to Bidders for Highway Department Exterior Office Improvements
- Res. #662** Rescinds Resolution #629 (Accepts Highway Superintendent's Personnel Report & Request for Town Board Resolution to Effectuate Personnel Request (Timothy Barget)
- Res. #663** Authorizes Publication of Help Wanted Advertisement for a Junior Civil Engineer
- Res. #664** Authorizes the Supervisor to Execute Stipulation with Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #852
- Res. #665** Promotes a Wastewater Treatment Plant Operator II (Douglas Attridge)
- Res. #666** Accepts the Resignation of the Assistant Senior Citizens Center Manager (Donna Trojanowski)
- Res. #667** Accepts the Resignation of a Police Officer (Thomas W. Condzella)
- Res. #668** Awards Bid for 2015 Fertilizer & Lawn Chemicals
- Res. #669** Extends Bid Contract for Truck Parts with Long Island Truck Parts, Inc.
- Res. #670** Authorizes Bow Hunting for Deer on Town Property at Enterprise Park at Calverton (SCTM No. 600-135-1-7.33, et al.); 1751 Sound Avenue, Calverton (SCTM No. 600-60-1-2); 437 Youngs Avenue, Riverhead (SCTM No. 600-80-2-6.1); Middle Road, Riverhead (SCTM No. 600-80-2-10.1), from October 5, 2015, to December 6, 2015, Inclusive, Sunrise to Sunset
- Res. #671** Incorporation of Additional Roads into the Town of Riverhead Pursuant to Amend Chapter 92 Entitled "Highways, Streets, and Sidewalks" of the Riverhead Town Code (Town of Riverhead 189 Roads)
- Res. #672** Authorizes Town Clerk to Publish and Post Pubic Notice to Consider a Local Law to Amend Chapter 101 Entitled "Vehicles and Traffic" of the Riverhead Town Code
- Res. #673** Authorizes the Supervisor to Execute a Retainer Agreement

- Res. #674 Approves Employee Request for Accumulation of Sick Leave (Mark Conklin)**
- Res. #675 Authorization to Discard Fixed Assets (Computer Towers, Monitors, Laptops, Peripherals)**
- Res. #676 Grants Excavation/Exportation Permit as Provided by Chapter 62 “Excavations” of Riverhead Town Code to TRW Properties LLC**
- Res. #677 Grants Excavation/Exportation Permit as Provided by Chapter 62 “Excavations” of the Riverhead Town Code to 1044 Parkway St. LLC**
- Res. #678 Rescinds Resolution #458 of 2015 Authorizing Sale of 542 East Main Street (SCTM #600-129-3-35.2) Known as East Lawn Building to “I’m a Ruralpolitan Inc.”**
- Res. #679 Authorizes the Retention of the Law Firm of Siegel & Sitler PLLC to Institute Legal Action by or Against the Owners of the Property Described as SCTM #600-113-2-60**
- Res. #680 Authorizes the Attendance of the Riverhead Town Attorney and Deputy Town Attorney’s to Attend a Touro Law Center Program**
- Res. #681 Authorizes Town Clerk to Advertise for Bids Project No.: RDWD 15-51, Installation of Water Main & Appurtenances Stoneleigh Woods – Phase 4 Riverhead Water District**
- Res. #682 Awards Bid – Installation of Water Mains & Appurtenances – Extensions No. 77 & 86 – Middle Country Road Riverhead Water District**
- Res. #683 Authorizes the Town Supervisor to Execute a Professional Service Agreement with Robert Hubbs**
- Res. #684 Pays Bills**
- Res. #685 Authorizes the Sale of Police Department Impounded/Junk Vehicles**

**TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY**

Resolution # 12

**RATIFIES EXECUTION OF A LICENSE AGREEMENT WITH PRINCESS
PRODUCTIONS LTD**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

NOW THEREFORE BE IT RESOLVED that the Board of the Town of Riverhead Community Development Agency hereby ratifies the execution of a License Agreement (copy attached herewith) between the Town of Riverhead Community Development Agency and Princess Productions Ltd. in connection with the utilization of the Western Runway at the Enterprise Park at Calverton (EPCAL) for videotaping; 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 AGREEMENT

This Contract is made and entered into as of this ____ day of September, 2015, by and between **Princess Productions Ltd.**, having a principal place of business at 3rd Floor Whiteleys Centre, 151 Queensway, London W24YN (“Princess”) and the **Town of Riverhead Community Development Agency**, an urban renewal agency, with offices located at 200 Howell Avenue, Town of Riverhead, County of Suffolk and State of New York:

WHEREAS, Princess wishes to utilize the western runway (also referred to as the “licensed premises”) at the Enterprise Park at Calverton owned by the Town of Riverhead Community Development Agency for the purposes of filming a video of not more than three (3) automobiles (the “Event”).

WHEREAS, the Town of Riverhead Community Development Agency has agreed to permit the utilization for said production at the western runway at the Enterprise Park at Calverton; and

WHEREAS, Princess has agreed to terms under which it will be granted the use of said location.

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

1. Use of Property: The Town of Riverhead Community Development Agency hereby grants Princess permission to utilize the aforementioned location on September 12, 2015 from 7:00 am to sunset for the aforementioned purposes. In addition, attached hereto as Schedule A is Location Release, which terms and conditions are deemed part hereof. To the extent the terms are inconsistent with this Agreement, the terms and conditions of this Agreement shall control.

2. Cleanup: Princess agrees to provide cleanup and removal of any debris or props deposited by reason of its actions in connection with the Agreement.

3. Compliance With Laws: Princess agrees at all times to comply with all applicable federal, state, county and municipal laws, regulations, ordinances, codes and restrictions, including, without limitation, compliance with Article 28 of the New York State Tax Law and applicable regulations thereunder, and will secure any and all permits or licenses required for its activities and operations carried out at the locations.

4. Compensation: In exchange for License set forth above for the use of the aforementioned Town of Riverhead Community Development Agency locations, Princess will pay the Town of Riverhead Community Development Agency a license fee in the amount of \$1,000.00, which sum shall be paid at the same time that Princess signs this Agreement.

5. Responsibilities of Gentile: Subject to the terms of this Agreement, Princess will be responsible for carrying out and shall have exclusive control of all operations associated with the Event and related activities, including without limitation, and shall diligently and continuously engage in such cleanup efforts so that the cleanup will be accomplished as soon as reasonably practicable (but in no event later than two days thereafter). All locations will be restored to the condition that existed prior to the Event (hereafter, the "restoration") and be completely clean and free of clutter and debris.

6. Insurance and Indemnification: Princess will be responsible for providing comprehensive general liability insurance in the amount of not less than \$2,000,000 and automobile liability insurance coverage of not less than \$2,000,000.00 with a company or companies reasonably satisfactory

to the Town of Riverhead Community Development Agency prior to the use of the licensed premises. Princess shall provide a certificate or certificates of the foregoing insurance, showing the Town of Riverhead Community Development Agency as an additional insured to the extent of its interest. Finally, Princess agrees to indemnify and hold harmless the Town of Riverhead, the Town of Riverhead Community Development Agency and their respective officers, employees, agents, representatives and officials from any and all loss or liability associated with the Events and related activities described herein, including liability for damages to property or for injuries or death to persons which may directly arise from, or be attributable or incident directly caused by Princess and its employees, agents, representatives and concessionaires, of the aforementioned. With respect to any suit or claim by the Town of Riverhead and/or the Town of Riverhead Community Development Agency, whether under this indemnification provision or otherwise, for itself, its agents, employees and representatives, hereby expressly waives any defense which might preclude or limit either enforcement of this indemnification clause or any reasonable attorney's fees incurred by the Town of Riverhead and/or Town of Riverhead Community Development Agency securing compliance with the provision of this indemnification agreement.

7. Successors and Assigns. This agreement shall be binding upon and inure to the benefit of the respective successors and assigns of the parties; provided, however, that nothing herein shall be deemed to permit the assignment of this Agreement by either party without the express written consent of the other party.

8. Entire Agreement. This contract constitutes the entire agreement between the parties and no further agreement, express or implied, written

or oral, exists with respect to the subject matter of this document.

9. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

IN WITNESS WHEREOF, **Princess Productions Ltd.** has caused this instrument to be signed in its name and the **Town of Riverhead Community Development Agency** has caused this instrument to be signed in its name as an urban renewal agency, hereunto duly authorized, as of the day and the year first above written.

PRINCESS PRODUCTIONS LTD.

By: _____
Nicola Griffiths

TOWN OF RIVERHEAD COMMUNITY
DEVELOPMENT AGENCY

By: _____
Sean M. Walter, Chairman

TOWN OF RIVERHEAD

Resolution # 651

RIVERHEAD SEWER DISTRICT

BUDGET ADJUSTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Superintendent of Sewer is requesting a budget adjustment for an emergency repair to a crushed pipe on East Main Street.

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>
114.081300.523011 Plant Improvement - Sewer	8,000	
114.081300.541103 Pump Station Maintenance		8,000

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

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 652

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR COLLECTION AND RECYCLING OF ELECTRONIC WASTE

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for **COLLECTION AND RECYCLING OF ELECTRONIC WASTE**.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk is hereby authorized to publish and post the following public notice in the September 24, 2015 issue of the News-Review; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for **COLLECTION AND RECYCLING OF ELECTRONIC WASTE** will be received by the Office of the Town Clerk at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on or before **11:00 am on October 8, 2015**, at which time they will be publicly opened and read aloud.

Specifications and guidelines for submission of bids are available on the Town website at www.townofriverheadny.gov, click on "Bid Requests" beginning **September 24, 2015**.

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

All bids must be submitted to the Town Clerk's Office, at the address stated above, in a sealed envelope clearly marked "**COLLECTION AND RECYCLING OF ELECTRONIC WASTE**". Proposals must be received by the Office of the Town Clerk by no later than **11:00 am on October 8, 2015**.

Please take 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 the Office of the Town Clerk at the address above. The Town may decline to accept, deem untimely, and/or reject any bid response/proposal that is not delivered to the Office of the Town Clerk.

**BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
Diane M. Wilhelm, TOWN CLERK**

TOWN OF RIVERHEAD

Resolution # 653

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR
REMOVAL OF HOUSEHOLD HAZARDOUS WASTE**

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 **REMOVAL OF HOUSEHOLD HAZARDOUS WASTE**.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk is hereby authorized to publish and post the following public notice in the September 24, 2015 issue of the News-Review; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for **REMOVAL OF HOUSEHOLD HAZARDOUS WASTE** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York until **11:00 am on October 20, 2015** at which time they will be publicly opened and read aloud.

Specifications and guidelines for submission of bids are available on the Town website at www.townofriverheadny.gov and click on "Bid Requests beginning" **September 24, 2015**.

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

All bids are to be submitted to the Town Clerk's Office, at the address stated above, in a sealed envelope bearing the designation "**REMOVAL OF HOUSEHOLD HAZARDOUS WASTE**". Proposals must be received by the Office of the Town Clerk by no later than **11:00 am on October 20, 2015**.

Please take 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 the Office of the Town Clerk at the address above. The Town may decline to accept, deem untimely, and/or reject any bid response/proposal that is not delivered to the Office of the Town Clerk.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

TOWN OF RIVERHEAD

Resolution # 654

**DECLARES CERTAIN HIGHWAY DEPARTMENT VEHICLES/EQUIPMENT
OBSOLETE/SURPLUS PROPERTY AND AUTHORIZES TOWN CLERK TO PUBLISH
ADVERTISEMENT FOR SALE OF OBSOLETE/SURPLUS HIGHWAY DEPARTMENT
VEHICLES/EQUIPMENT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town of Riverhead Highway Department is the owner of certain vehicles/equipment deemed to be no longer useful to the Town of Riverhead Highway Department; and

WHEREAS, the Town of Riverhead Highway Department seeks to declare certain vehicles/equipment obsolete/surplus and dispose of by sale; and

WHEREAS, the Town of Riverhead Procurement Policy, which was amended by Resolution #198 adopted by the Town Board on March 15, 2011, authorizes the Town to dispose of personal property; and

WHEREAS, pursuant to Guideline 8 of the Town's Procurement Policy the Town is authorized to dispose of surplus/obsolete property based upon an evaluation by the Town Financial Administrator, with the assistance of the department head, regarding estimated surplus value and, thereafter, recommendation of Financial Administrator to the Town Board regarding disposal or sale; and

WHEREAS, the Highway Department Superintendent and the Financial Administrator agree that the vehicles/equipment be deemed obsolete and the Highway Department offer certain vehicles/equipment for sale "As IS" by competitive bid.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the sale of obsolete/surplus Highway Department vehicles/equipment; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish and post the following public notice in the September 24, 2015 issue of the News-Review; and be it further

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

THE VOTE

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

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for **SALE OF OBSOLETE/SURPLUS HIGHWAY DEPARTMENT VEHICLES/EQUIPMENT "AS IS" CONDITION** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York until **11:00 a.m. on October 15, 2015** at which time they will be publicly opened and read aloud.

Bid specifications and guidelines for bid submission may be obtained on the Town website at <http://townofriverheadny.gov>, click on "Bid Requests" beginning **September 24, 2015**.

Any and all exceptions to the specifications must be listed on the sheet provided in the Bid Specification at "**EXCEPTIONS TO SPECIFICATIONS**" and attached to the bid form.

Each bid must be submitted on the form provided and must be in a sealed envelope clearly marked **SALE OF OBSOLETE/SURPLUS HIGHWAY DEPARTMENT VEHICLES/EQUIPMENT "AS IS" CONDITION**. Bids must be received by the Office of the Town Clerk by no later than **11:00 am on October 15, 2015**.

Please take 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 the Office of the Town Clerk at the address above. The Town may decline to accept, deem untimely, and/or reject any bid response/proposal that is not delivered to the Office of the Town Clerk.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

**SALE OF OBSOLETE/SURPLUS HIGHWAY DEPARTMENT
VEHICLES/EQUIPMENT**

BID OPENING DATE: October 15, 2015 - 11:00 A.M.

**Town of Riverhead - 200 Howell Avenue
Riverhead, New York 11901**

**BIDDERS ARE URGED TO INSPECT VEHICLE(S) PRIOR TO BIDDING
LOCATED AT: 1177 YOUNGS AVENUE, RIVERHEAD, NEW YORK 11901**

BID DUE DATE: 11:00 a.m. October 15, 2015

INSPECTION: Inspection of this item is by appointment only, and is to be scheduled by calling Mark Gajowski, Deputy Highway Superintendent (631) 727-3200, ext. 351.

INDICATE WHICH ITEM YOU ARE BIDDING UPON:

1. INTERNATIONAL 10 WHEEL DUMP

2. MACK 10 WHEEL SANDER

3. INTERNATIONAL 6 WHEEL DUMP (1)

4. INTERNATIONAL 6 WHEEL DUMP (2)

5. MOBILE SWEEPER

6. ROLLER

7. LOW-BOY TRAILER

8. CHIPPER (1)

9. CHIPPER (2)

10. Tanker

11. INTERNATIONAL TRACTOR TRUCK (MANDATORY MINIMUM BID \$7,000.00)

The Town of Riverhead ("Town") is offering for sale and removal "As Is" and "Where Is", surplus, obsolete, **Highway Department Vehicles/Equipment**. The item nor the description thereof, is guaranteed by the Town, and the Town reserves the right to reject any and all bids or to accept them in whole or in part, which in its opinion will best serve its interests and to waive defects in proposals.

TOWN OF RIVERHEAD

Resolution # 655

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED "ZONING" OF THE CODE OF THE TOWN OF RIVERHEAD (\$108-51 Nonconforming buildings and uses)

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 108, entitled "Zoning," of the Code of the Town of Riverhead; and

WHEREAS, the Planning Department has reviewed the proposed amendment and recommended that the adoption be considered a Type II action; and

WHEREAS, a public hearing was held before the Town Board at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 18th day of August, 2015 at 7:05 o'clock p.m. to amend Chapter 108, entitled "Zoning" of the Riverhead Town Code.

NOW THEREFORE BE IT RESOLVED, that the Town Board be and hereby declares the amendment of Chapter 108 to be a Type II action for the purposes of SEQR compliance; and be it further

RESOLVED, that the local law amending Chapter 108, entitled "Zoning," is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish the attached notice of adoption once in the News-Review Newspaper and to post the same on the signboard at Town Hall; 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
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town at Riverhead adopted a local law amending Chapter 108, entitled "Zoning," of the Riverhead Town Code at its meeting held on September 16, 2015. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

CHAPTER 108. Zoning

Article XIII: Supplemental Use Regulations
§ 108-51 Nonconforming buildings and uses.

A. Any building, structure or use existing on the effective date of this chapter, or any amendment thereto, may be continued on the same lot held in single and separate ownership, although such building, structure or use does not thereafter conform to the regulations of the district in which it is located, and may thereafter be expanded or extended on the same lot by special permit of the Town Board. If the extent of the change is 10% or less, the public hearing requirement may be waived by the Town Board. An application seeking to extend a single-family residence shall be exempt from the requirement of a special permit, ~~provided that any extension thereof maintains existing residential use, existing lot areas, lot setbacks and lot coverage that were required at the time the residence was issued a certificate of occupancy or letter of preexisting use.~~

E. Alteration or enlargement of nonconforming structures, generally. A lawfully preexisting nonconforming building or structure or a building or structure which lawfully exists on a nonconforming lot may be enlarged, altered, reconstructed or repaired, provided that the degree of nonconformity is not thereby increased. For the purposes of this subsection, an increase in the degree of nonconformity shall include any increase in the amount of a nonconforming building's or structure's gross floor area which is located within a required setback area, or an increase in any portion of a building or structure located above the maximum height permitted. An application seeking to expand or extend a single-family residence shall be exempt from this subsection, provided that any extension thereof maintains existing residential use, existing lot areas, lot setbacks and lot coverage that were required at the time the residence was issued a certificate of occupancy or letter of preexisting use.

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

Dated: Riverhead, New York
September 16, 2015

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

DIANE M. WILHELM, TOWN CLERK

TOWN OF RIVERHEAD

Resolution # 656

**APPROVES CHAPTER 90 APPLICATION OF DARKSIDE PRODUCTIONS INC.
(Haunted House Walk-Through – October 2nd, 2015 – November 1st, 2015)**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, on September 2, 2015, Michael Meola, on behalf of Darkside Productions Inc., submitted a Chapter 90 Application for the purpose of conducting a haunted house walk-through to be held at 5184 Rte. 25A, Wading River, New York, on Friday, October 2, 2015 through Sunday, November 1, 2015, between the hours of 12:00 noon and 12:00 midnight; and

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

WHEREAS, the applicable Chapter 90 Application fee has been paid; 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 Chapter 90 Application of Darkside Productions, Inc. for the purpose of conducting a haunted house walk-through to be held at 5184 Rte. 25A, Wading River, New York, on Friday, October 2, 2015 through Sunday, November 1, 2015, between the hours of 12:00 noon and 12:00 midnight, is hereby approved; and be it further

RESOLVED, that any necessary tent permits 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), the Fire Code of New York State and the Building Code of New York

State; and be it further

RESOLVED, that this approval is subject to the obtaining of any permits as may be required by the New York State Department of Labor and the Suffolk County Department of Health; 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 it further

RESOLVED, that an Outdoor Public Safety Plan must be submitted to the Riverhead Fire Marshal **no later than September 25, 2015**; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Darkside Productions, Inc., 4 Olive Street, Rocky Point, New York, 11778; 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 # 657

**APPROVES THE CHAPTER 90 APPLICATION OF
EAST END ROWING INSTITUTE LTD.
(Sunday, November 8, 2015)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, on August 28, 2015, William S. Hale, on behalf of East End Rowing Institute Ltd., submitted a Chapter 90 Application for the purpose of conducting a Snowflake Rowing Regatta (High School and Masters Rowing Race), said regatta to commence at the Peconic riverfront parking lot (school and parents viewing area), proceeding to Indian Island Park and continuing back to the riverfront parking lot, Riverhead, New York, on Sunday, November 8, 2015, between the hours of 6:00 a.m. and 6:00 p.m.; and

WHEREAS, East End Rowing Institute Ltd. 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, due to its not-for-profit status, the applicant has requested the Chapter 90 application fee be waived; and

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

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

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

RESOLVED, that the Chapter 90 Application of the East End Rowing Institute Ltd. for the purpose of conducting a Snowflake Regatta (High School and Masters Rowing Race) to be held at the aforementioned location, date and times is hereby approved; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the

Chapter 90 Application fee; and be it further

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

RESOLVED, that this approval is subject to the provisions of Riverhead Town Code Chapter 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 an Outdoor Safety Plan must be submitted to the Riverhead Fire Marshal **no later than September 30, 2015**; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the East End Rowing Institute Ltd., P.O. Box 1192, Riverhead, New York, 11901; and be it further

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 658

**APPROVES CHAPTER 90 APPLICATION OF RAILROAD MUSEUM
OF LONG ISLAND (Wooden Toy Train Play Days)
(October 10th and 11th, 2015)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, on September 4, 2015, the Railroad Museum of Long Island submitted a Chapter 90 application for the purpose of conducting an event entitled, "Wooden Toy Train Play Days", which includes young child oriented activities, a pumpkin patch, railroad related arts and crafts vendors and displays. This event is to be located upon their property at 416 Griffing Avenue, Riverhead, New York, on Saturday, October 10th, 2015 and Sunday, October 11th, 2015 between the hours of 11:00 a.m. and 3:00 p.m.; and

WHEREAS, the Railroad Museum of Long Island has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

WHEREAS, the applicant has requested the Chapter 90 Application fee be waived due to its 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 Chapter 90 Application of Railroad Museum of Long Island for the purpose of conducting an event entitled, "Wooden Toy Train Play Days" to be located upon their property at 416 Griffing Avenue, Riverhead, New York on the aforementioned dates and times is hereby approved; and be it further

RESOLVED, that due to the Railroad Museum of Long Island's not-for-profit status, the Town Board of the Town of Riverhead hereby waives the Chapter 90 application fee for this event; and be it further

RESOLVED, that any necessary tents permits must be obtained and all tent installations and electric 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 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 approval for this event shall be subject to the following:

- Receipt of required Suffolk County Department of Health Vendors Temporary Food Service Permit;
- Receipt of required Suffolk County Department of Labor Permit;
- Receipt of required Emergency Medical Services (EMS) information;

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Railroad Museum of Long Island, P.O. Box 726, Greenport, New York, 11944-0726; 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 # 659

**APPROVES THE CHAPTER 90 APPLICATION OF
COSTCO WHOLESALE #785
(Retail Sale of Christmas Trees to Warehouse Members)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, on August 25, 2015, Gail E. Tusboi, on behalf of Costco Wholesale #785, submitted a Chapter 90 Application for the purpose of conducting a retail sale of Christmas trees to warehouse members, to be held on their property located at 1768 Old Country Road, Riverhead, New York, commencing on Sunday, November 1, 2015 and ending on Sunday, December 27, 2015, on the following days and times:

10:00 a.m. and 8:30 p.m., Monday through Friday

9:30 a.m. and 6:00 p.m., Saturday

10:00 a.m. and 6:00 p.m., Sunday; and

WHEREAS, Costco Wholesale #785 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, a certificate of insurance has been received naming the Town of Riverhead as an additional insured; and

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

WHEREAS, the applicable Chapter 90 Application fee has been paid.

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 Costco Wholesale #785 for the purpose of conducting a retail sale of Christmas trees to warehouse members to be held on their property located at 1768 Old Country Road, Riverhead, New York, commencing on Sunday, November 1, 2015 and ending on Sunday, December 27, 2015, on the aforementioned days and times, is hereby approved; and be it further

RESOLVED, should tent(s) be utilized, that the necessary tent permit 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 this approval is subject to receipt of a certificate of insurance acceptable to the Town Attorney **no later than October 1, 2015**; and be it further

RESOLVED, that this approval is subject to the obtaining of any permits as may be required by the New York State Department of Labor and the Suffolk County Department of Health; and be it further

RESOLVED, that an Outdoor Public Safety Plan shall be submitted to the Fire Marshal's office **no later than October 1, 2015**; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Costco Wholesale #785, P.O. Box 35005, Seattle, WA, 98124, Attn: Licensing; 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 # 660

AUTHORIZES TOWN CLERK TO PUBLISH AND POST THE ATTACHED NOTICE TO BIDDERS FOR 162 FOUNDERS PATH, BAITING HOLLOW, DEMOLITION AND RECONSTRUCTION PROJECT

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, a public hearing was conducted on February 18, 2015 and continued on March 3, 2015 for the purpose of determining the structural integrity of the structure located at 162 Founders Path, Baiting Hollow; and

WHEREAS, on April 27, 2015, the Town Board did adopt resolution No. 245 entitled, "Orders the Town Engineering Department to facilitate the Removal of an Unsafe Structure Located at 162 Founders Path, Baiting Hollow. Also Known As Suffolk County Tax Map No. 600-39-6-16 and to Assess Removal Costs Against the Subject Property".

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders for demolition and reconstruction of the delineated unsafe structure discussed at the aforementioned public hearings and outlined in Resolution No. 245 in the September 24, 2015 issue of the official Town newspaper; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy to Engineering, Office of the Town Attorney, Purchasing Department, IT Department 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 certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed proposals for 162 Founders Path, Baiting Hollow, NY Demolition and Reconstruction Project will be received by the Office of the Town Clerk, 200 Howell Avenue, Riverhead, NY until 4:00 pm on October 22, 2015 and will be publicly opened and read aloud on October 23, 2015 at 11:00 am in the Office of the Town Clerk.

Specifications may be examined and/or obtained on or about September 24, 2015 by visiting the Town of Riverhead website: www.townofriverheadny.gov and click on Bid Requests.

Each proposal must be submitted on the Bid Form provided and in a sealed envelope clearly marked, "162 Founders Path, Baiting Hollow, NY Demolition and Reconstruction Project".

There is a mandatory pre-bid meeting on Friday, October 2, 2015 at the site of 162 Founders Path, Baiting Hollow, NY at 10 am. Site inspection required. Site inspection shall be from exterior only. Structure being removed pursuant to court order and Town Board resolution. Prospective bidders SHALL NOT approach home or attempt contact with owner/occupants.

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 inter 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 the Office of the Town Clerk at the address above. The Town may decline to accept, deem untimely and/or reject any bid response/proposal that is not delivered to the Office of the Town Clerk.

Comments and/or questions from prospective bidders must be submitted in writing to testa@townofriverheadny.gov no later than 4:00 pm est, October 6, 2015.

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

Dated: September 16, 2015

TOWN OF RIVERHEAD

Resolution # 661

AUTHORIZES TOWN CLERK TO REJECT BIDS AND RE-POST AND RE-PUBLISH THE ATTACHED NOTICE TO BIDDERS FOR HIGHWAY DEPARTMENT EXTERIOR OFFICE IMPROVEMENTS

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town Clerk did publish and post a Notice to Bidders for the Highway Department Exterior Office Improvements in the July 30, 2015 issue of the official Town newspaper; and

WHEREAS, two bids were received, opened and read aloud in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, NY 1190; and

WHEREAS, the Engineering Department is recommending that the bids received be rejected and the project rebid due to clarifications needed in the technical scope of work.

NOW, THEREFORE BE IT RESOLVED, that the Town Board be and does hereby reject any and all bids received in connection with the aforementioned bid; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the September 24, 2015 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
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the Highway Department Exterior Office Improvements must be submitted to the Office of the Town Clerk at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York no later than 4:00 pm on October 8, 2015 and will be publicly opened and read aloud on October 9, 2015 at 11:00 am in the Office of the Town Clerk.

Specifications may be examined and/or obtained on or about September 24, 2015 by visiting the Town of Riverhead website: www.townofriverheadny.gov and click on Bid Requests.

Each proposal must be submitted on the Bid Form provided and in a sealed envelope clearly marked, "Highway Department Exterior Office Improvements". Prices for four items only must be provided on the form with a total cost as well.

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

Comments and/or questions from prospective bidders must be submitted in writing to dillingham@townofriverheadny.gov no later than 4:00 pm est, October 6, 2015.

"Exterior Office" as used throughout these contract documents shall mean the entire outside of the Highway Department Building including the office, shop and garage.

The Town of Riverhead will remove and replace all electronic equipment and wiring which is located on the exterior of the office and within the work limits.

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

Dated: September 16, 2015

TOWN OF RIVERHEAD

Resolution # 662

RESCINDS RESOLUTION #629

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Resolution #629 was adopted on September 1, 2015 appointing an Automotive Equipment Operator to fill a vacancy in the Highway Department effective September 14, 2015; and

WHEREAS, prior to the effective start date, said appointee declined the appointment such that the position of Automotive Equipment Operator in the Highway Department was not filled and remains vacant; and

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby rescinds Resolution #629.

RESOLVED, 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 # 663

**AUTHORIZES PUBLICATION OF HELP WANTED ADVERTISEMENT FOR
A JUNIOR CIVIL ENGINEER**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

BE IT RESOLVED, that the Town Clerk is hereby authorized to publish the attached Help Wanted Advertisement for a Junior Civil Engineer in the September 24, 2015 issue of the News Review.

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

ADVERTISEMENT TO BE PLACED IN NEWS REVIEW

Junior Civil Engineer - The Town of Riverhead is seeking a Junior Civil Engineer. Annual salary is \$64,109.43. **G.I.S. and/or MS4 experience is a big plus.**

Qualifications: Graduation from a college with a Bachelor's Degree in Civil or Sanitary Engineering; and, either (A) a Master's Degree in Engineering Technology or Civil or Sanitary Engineering; or, (B) One (1) year of experience as a civil or sanitary engineer or civil or sanitary engineer trainee in a state or municipal department; or, (C) Two (2) years of experience as a civil engineer, sanitary engineer or civil or sanitary engineer trainee in a private organization. Candidates should also possess a thorough knowledge of construction specifications and of their application to public works projects; thorough knowledge of the principles, practices and instruments used in engineering drafting; thorough knowledge of mathematics, including trigonometry, and its application to field surveying and engineering computation; knowledge of scientific computing languages, such as FORTRAN and BASIC; good knowledge of the principles and practices of civil engineering as well as federal, state and local pollution control laws; skill in the use of engineering instruments and equipment; ability to perform difficult technical computations, to make estimates and tests, and to compile engineering data and statistics; ability to make difficult and technical engineering drawings; ability to read and interpret construction plans and to gain compliance with specifications in a tactful and impartial manner; ability to supervise personnel in a manner conducive to full performance and high morale; ability to establish and maintain effective working relationships with contractors and the general public; physical condition commensurate with the demands of the position.

Resumes Due: October 9, 2015
Town of Riverhead-Personnel Department
200 Howell Avenue, Riverhead, NY 11901

ADVERTISEMENT TO BE PLACED IN NEWSDAY

Junior Civil Engineer - TOWN OF RIVERHEAD is seeking a Junior Civil Engineer.
Please go to www.townofriverheadny.gov for qualifications, duties and responsibilities.
Resumes Due: October 9, 2015
Town of Riverhead-Personnel Department
200 Howell Avenue, Riverhead, NY 11901

TOWN OF RIVERHEAD

Resolution # 664

**AUTHORIZES THE SUPERVISOR TO EXECUTE STIPULATION
WITH LOCAL 1000, AFSCME, AFL-CIO, RIVERHEAD UNIT
OF THE SUFFOLK LOCAL # 852**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, a Sewer District employee is being considered for a promotion from his current title of Wastewater Treatment Plant Operator II, having a Group and Step of 14/12A under the Collective Bargaining Agreement (the "CBA") to the title of Senior Wastewater Treatment Plant Operator IIIA with a proposed Group and Step of 18/; and

WHEREAS, due to said employee having passed necessary tests and having certifications, it is the recommendation of the Department head that the employee receive the promotion; and

WHEREAS, the CBA, under Article 15 provides that "Employees will be guaranteed at least a 3% increase in salary as a result of the promotion and assignment to salary schedule; and

WHEREAS, the title of Senior Wastewater Treatment Plant Operator IIIA is proposed to be placed on the salary schedule such that it will be less than 3%; and

WHEREAS, the parties have reached a resolution of the matter and wish to enter into a formal stipulation reflecting their agreement.

NOW THEREFORE BE IT RESOLVED, that the Town Board be and hereby ratifies the stipulation in substantially the form proposed and authorizes the Supervisor to execute same; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Personnel Director, CSEA Unit President, the Superintendent of the Riverhead Sewer District, the Town Attorney's Office and the Financial Administrator; and

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

THE VOTE

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

TOWN OF RIVERHEAD

Resolution # 665

PROMOTES A WASTEWATER TREATMENT PLANT OPERATOR II

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, Wastewater Treatment Plant Operator II Douglas Attridge has been employed by the Riverhead Sewer District since June 19, 2000; and

WHEREAS, Mr. Attridge has recently acquired the certifications necessary to be promoted to Senior Wastewater Treatment Plant Operator IIIA, and has taken and passed the appropriate civil service exam needed to be appointed as such; and

WHEREAS, as per the CSEA contract, the position of Senior Wastewater Treatment Plant Operator IIIA, was duly posted, Job Posting #16, and a recommendation has been made by the Sewer District Superintendent to appoint Douglas Attridge to same.

NOW, THEREFORE, BE IT RESOLVED, that effective September 2, 2015, this Town Board hereby appoints and promotes Douglas Attridge to the position of Senior Wastewater Treatment Plant Operator IIIA as found in Group 18, Step 10 of the Operational and Technical Salary Schedule.

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 666

**ACCEPTS THE RESIGNATION OF THE ASSISTANT SENIOR CITIZENS CENTER
MANAGER**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Assistant Senior Citizens Center Manager Donna Trojanowski has submitted a letter of resignation to the Senior Citizens Program Director tendering her resignation effective September 8, 2015.

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

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Donna Trojanowski, the Senior Citizens Program Director, 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 <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 # 667

ACCEPTS THE RESIGNATION OF A POLICE OFFICER

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, Chief of Police David J. Hegermiller has received a letter of resignation from Thomas W. Condzella stating he is resigning from his position of Police Officer with the Riverhead Police Department, effective September 27, 2015.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby accepts the letter of resignation submitted by Thomas W. Condzella; 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
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 668

AWARDS BID FOR 2015 FERTILIZER & LAWN CHEMICALS

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 **2015 FERTILIZER & LAWN CHEMICALS** for the Town of Riverhead and;

WHEREAS, 5 bids were received and opened at 2:00 pm on JULY 9, 2015 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 **2015 FERTILIZER & LAWN CHEMICALS** for the Town of Riverhead be and hereby is, awarded to **ALL PRO HORTICULTURE; JOHN DEERE LANDSCAPES; LONG ISLAND CAULIFLOWER ASSOCIATION; NASSAU SUFFOLK TURF & BISSETT NURSERY** for prices on the attached pages.

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

ITEM	DESCRIPTION	ALL PRO	JOHN DEERE	LI CAULI	NASSAU SUFFOLK	BISSETT
1	GRASS SEED 30% FINE FESCUE, 40% PENTUM P. RYE, 30% GOLDRUSH, KTY BLUE/50# BAGS	1.67#	1.72#	N/B	1.59#	1.98#
2	RAZOR PRO-GAL 2X2.5 GAL CASE**	80.00	99.90	86.50	119.24/5 GAL CS	N/B
3	ROUNDUP – GAL – 2X2.5 GAL CASE**	112.00	99.90	N/B	N/B	38.65/GAL
4	BAYLETON 1% G-11.25 LB BAG	39.00/25#	42.50	N/B	47.22/15# BAG	\$49.75
5	PELLETIZED LIME 40 LB BAG	4.70	4.99	4.70/50# BAG	6.39 50#	\$4.20
6	PEAT MOSS 3.8 CU FT. BALE	11.95	12.20	11.25/3.8 CF	N/B	\$10.65
7	SCOTTS 19-0-7 26% SCU .9% PENDIMETHALIN CRABGRASS CONTROL 40 LB BAG **	17.40/50#	18.50	18.65/4-#	18.49/50# BAG	N/B
8	SCOTTS 18-0-9 29% SCU WEED & FEED 48 LB BAG **	19.50/40#	23.25/50#	N/B	18.45/40# BAG	18.65/48#
9	ANDERSONS 15-0-5 W/ 2% MERIT 50# BAG	29.00	23.75	25.95/50#	28.42/50# BAG	\$28.25
10	24-0-11 40% PSCU 50 LB BAG	15.90	17.50	N/B	\$19.32	N/B
11	4-2-3 BIOBASIC ORGANIC 50 LB BAG	N/B	N/B	N/B	N/B	N/B
12	ROOTS 15-3-8 ORGANIC 50 LB BAG	45.00	29.75	N/B	\$42.89	\$44.65
13	STARTER 10-20-10 50 LB BAG	20.00	18.00	N/B	\$19.31	\$21.65
14	ACCLAIM EXTRA 2.5 GAL CONTAINER **	\$550/GA	563.88	499.25/GAL	547.05/GA	N/B
15	WATER SOLUBLE 20-20-20 25 LB BAG	33.00	38.00	N/B	\$29.41	\$31.65
16	OSMACOTE 15-9-12 5-6 MONTHS -40# BAG		22.30			
16	OSMACOTE 15-9-12 5-6 MONTHS	68.00/50#	28.50	N/B	N/B	\$64.50
17	TURFACE PRO LEAGUE SOIL CONDITIONER (REC. DEPT.)	13.90	16.50	10.25/50#	\$11.98	\$13.75
18	GUIDE LIME IN 50# BAGS (REC.)	5.25	5.82	4.95	\$5.77	\$5.45
19	MOUND CLAY BLOCKS (304/PALLET)	548.00	627.00	515.00	N/B	N/B
20	TURFACE RED MOUND CLAY (50#BAG)	17.25	15.00	N/B	N/B	N/B
21	PHC TERRA SORB MED.GRADE HYDROGEL 1# JAR	\$11.50#				
21	PHC TERRA SORB MED. GRADE HYDROGEL 1# JAR	\$11.50#	N/B	N/B	326.50 10#	N/B
22	THIS ROW INTENTIONALLY LEFT BLANK					
23	TREFLAN WEED PREVENTION 25# BAGS	30.00/40#	26.00/40# bags	29.15/40#	28.41/40#	33.75/40#
24	HOLGANIX 10-3-2 50# BAGS				\$27.45	

TOWN OF RIVERHEAD

Resolution # 669

**EXTENDS BID CONTRACT FOR TRUCK PARTS WITH
LONG ISLAND TRUCK PARTS, INC.**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Purchasing Department has requested that the contract with LONG ISLAND TRUCK PARTS, INC., originally awarded by Resolution #140648 adopted SEPTEMBER 16, 2014 be extended for one year until SEPTEMBER 16, 2016.

WHEREAS, this will be the first extension of an allowable 3 one year extensions.

WHEREAS, the above named vendor has agreed to extend the contract until SEPTEMBER 16, 2016 for the original bid amounts.

WHEREAS, the Town Board has reviewed said request.

NOW THEREFORE BE IT RESOLVED, that the bid contract for TRUCK PARTS be and is hereby extended to SEPTEMBER 16, 2016; and be it further

RESOLVED, that the Town Clerk be directed to forward a certified copy of this resolution to LONG ISLAND TRUCK PARTS, INC.

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

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 # 670

AUTHORIZES BOW HUNTING FOR DEER ON TOWN PROPERTY AT ENTERPRISE PARK AT CALVERTON (SCTM No. 600-135-1-7.33, et al.); 1751 SOUND AVENUE, CALVERTON (SCTM No. 600-60-1-2); 437 YOUNGS AVENUE, RIVERHEAD (SCTM No. 600-80-2-6.1); MIDDLE ROAD, RIVERHEAD (SCTM No. 600-80-2-10.1), FROM OCTOBER 5, 2015, to DECEMBER 6, 2015, inclusive, sunrise to sunset

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Town of Riverhead residents and Town of Riverhead real property owners have requested permission to engage in bow hunting for deer only on Town property at Enterprise Park at Calverton, SCTM No. District 600, Section 135, Block 1, Lot 7.33, et al., (hereinafter referred to as "EPCAL"); 1751 Sound Avenue, Calverton, District 600, Section 60, Block 1, Lot 2, (hereinafter referred to as "SOUND"); 437 Youngs Avenue, Riverhead, SCTM No. 600-80-2-6.1 (hereinafter referred to as "YOUNGS"); Middle Road, Riverhead, SCTM No. 600-80-2-10.1 (hereinafter referred to as "MIDDLE") from October 5, 2015, to November 8, 2015, inclusive, sunrise to sunset; and

WHEREAS, upon the amended request and recommendation of the Wildlife Management Advisory Committee, the Town Board of the Town of Riverhead wishes to provide bow hunting for deer only to Town of Riverhead residents and Town of Riverhead real property owners on Town property at EPCAL, SOUND, YOUNGS and MIDDLE and amend the previously authorized hunting period from October 5, 2015, to November 8, 2015, inclusive, sunrise to sunset (Town Board Resolution Number 637; September 1, 2015) **to an amended hunting period from October 5, 2015, to December 6, 2015, inclusive, sunrise to sunset;** and

WHEREAS, deer hunting by bow in New York State is a regulated activity by New York State and is subject to the laws, rules and regulations of New York State as enforced in whole or in part by the New York State Department of Environmental Conservation; and

WHEREAS, Town of Riverhead residents and Town of Riverhead real property owners who wish to engage in hunting activity in New York State are bound by applicable laws, rules and regulations of New York State.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead authorizes the Wildlife Management Advisory Committee (WMAC) to conduct a lottery on September 17, 2015, at 7:00 p.m., in the town hall board meeting room, to establish a list of those qualified hunters who are either residents of the Town of Riverhead or Town of Riverhead real property owners who shall be permitted to hunt for deer only by bow in EPCAL, SOUND, YOUNGS and MIDDLE in designated sections

and at designated time periods as determined by the WMAC, in conformance with applicable New York State law, rules and regulations.

BE IT FURTHER RESOLVED THAT, all designated and qualified hunters must possess a valid New York State deer hunting license, big game tag, bowhunter education certificate, landowner's endorsement as well as all other attendant-required documentation and shall abide by the laws, rules and regulations of New York State regarding deer hunting as well as the directives of the Wildlife Management Advisory Committee and/or Town officials and employees, failure of which to abide by shall subject the hunter to immediate revocation of the non-transferable hunting privilege.

BE IT FURTHER RESOLVED THAT, designated and qualified hunters shall only hunt in areas as designated and delineated in the above-referenced tax map numbers, **from October 5, 2015, to December 6, 2015**, inclusive, sunrise to sunset, in one-week time slots or as amended by and as per the directives of the Wildlife Management Advisory Committee and/or Town officials and employees.

BE IT FURTHER RESOLVED THAT, designated and qualified hunters shall be required to review and execute a revocable license agreement in a form approved by the Town Attorney at the time they are selected as a designated hunter in the lottery system.

BE IT FURTHER RESOLVED THAT the Town Supervisor is authorized to sign the respective landowner's endorsement and revocable license agreement on behalf of the Town Board.

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 # 671

**INCORPORATION OF ADDITIONAL ROADS INTO THE TOWN OF RIVERHEAD
PURSUANT TO AMEND CHAPTER 92 ENTITLED "HIGHWAYS, STREETS AND
SIDEWALKS" OF THE RIVERHEAD TOWN CODE (Town of Riverhead 189 Roads)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, by resolution 584, adopted on August 4, 2015, the Town Board adopted a local law which amended Chapter 92 to add a new Article VI entitled "Highways by Use"; and

WHEREAS, by resolutions 585, adopted on August 4, 2015, the Town Board incorporated certain roads into the Town as Town of Riverhead 189 Highways; and

WHEREAS, after further deliberation, the Town Board wishes to add Glen Road East, Harper Road, Laurel Lane, and Park Place as Town of Riverhead 189 Highways.

NOW THEREFORE BE IT RESOLVED, that pursuant to Chapter 92, as amended, the Town Board hereby incorporates Glen Road East, Harper Road, Laurel Lane, and Park Place as "Town of Riverhead 189 Highways"; and be it further

RESOLVED, that pursuant to Town Code Chapter 92, as amended, the Highway Superintendent shall not be required to pave, to open up these Town of Riverhead 189 Highways to three (3) rods in width, install drainage or otherwise improve the existing surface of the Town of Riverhead § 189 Highway to any level beyond keeping it open in order to allow safe passage and emergency service access; and be it further

RESOLVED, that 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 September 24, 2015 issue of the News-Review Newspaper; ; 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
Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that pursuant to Town Code Chapter 92, as amended, the Town Board of the Town of Riverhead adopted and incorporated certain roads hereto as Town of Riverhead 189 Highways as more fully set forth in Exhibit "A" attached hereto.

Dated: Riverhead, New York
September 16, 2015

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

DIANE M. WILHELM, Town Clerk

EXHIBIT "A" -TOWN OF RIVERHEAD 189 ROADS

<u>Street Name</u>	<u>Hamlet</u>
Glen Road East	Baiting Hollow
Harper Road	Baiting Hollow
Laurel Lane	Baiting Hollow
Park Place	Baiting Hollow

TOWN OF RIVERHEAD

Resolution # 672

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 101 ENTITLED "VEHICLES AND TRAFFIC" OF THE RIVERHEAD TOWN CODE

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

RESOLVED, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider a local law to amend Chapter 101 entitled, "Vehicles and Traffic" of the Riverhead Town Code once in the September 24, 2015 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 in Town Hall; 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
Wooten 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 on the 6th day of October, 2015 at 2:10 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider a local law to amend Chapter 101 entitled, "Vehicles and Traffic" of the Town Code as follows:

**Chapter 101
Vehicles and Traffic
Article V. Parking, Standing and Stopping**

§ 101-10.2. No parking certain hours.

Street	Side	Hours	Location
<u>Municipal Parking Lot Located between Union and Maple Avenues</u>	<u>Both</u>	<u>1:00 am to 6:00 am</u>	<u>Municipal Parking Lot Located between Union and Maple Avenues</u>

§ 101.13. Parking time limited.

E. Two hours. The parking of vehicles for a period of longer than two hours is prohibited in the following locations between the hours of 9:00 a.m. and 5:30 p.m., except Sundays and holidays:

Street	Side	Location
<u>Municipal Parking Lot Located between Union Maple Avenues</u>	<u>Both</u>	<u>Municipal Parking Lot Located between Union and Maple Avenues</u>

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

Dated: Riverhead, New York
September 16, 2015

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

DIANE M. WILHELM, TOWN CLERK

TOWN OF RIVERHEAD

Resolution # 673

**AUTHORIZES THE SUPERVISOR TO
EXECUTE A RETAINER AGREEMENT**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town of Riverhead requires the assistance of legal counsel with regards to labor matters, and

WHEREAS, Richard Zuckerman, Esq. and the firm of Lamb and Barnosky, LLP have represented the Town well for many years in this area.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached retainer agreement, and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Richard Zuckerman, Esq. at Lamb & Barnosky, LLP, P.O. Box 9034, Melville, NY 11747; the Town Attorney's Office, the Office of Accounting and the Personnel Director; 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
Wooten Yes No

Gabrielsen Yes No
Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

LAMB & BARNOSKY, LLP
ATTORNEYS AT LAW

EUGENE R. BARNOSKY
SHARON N. BERLIN*
ROBERT H. COHEN
MICHELLE S. FELDMAN
MARCIA L. FINKELSTEIN
STEVEN GODSBERG
MICHAEL J. HELLER**
SCOTT M. KARSON
P.L. LAMB
JOEL M. MARKOWITZ
ALYSON MATHEWS
JEFFREY A. ZANKEL
RICHARD K. ZUCKERMAN

COUNSEL
PATRICIA C. DELANEY
MARA N. HARVEY
DOUGLAS E. LIBBY
DIANE J. MOFFET
JEFFREY MONGELLI
HON. MICHAEL F. MULLEN
RICHARD A. SHANE
RITA FISHMAN SHEENA

534 BROADHOLLOW ROAD, SUITE 210

PO Box 9034

MELVILLE, NY 11747-9034

631.694.2300 • FAX: 631.694.2309

INTERNET: WWW.LAMBBARNOSKY.COM

EMAIL: ATTORNEY'S INITIALS @ LAMBBARNOSKY.COM

SERVICE BY E-MAIL, FAX OR OTHER FORMS OF
ELECTRONIC COMMUNICATION NOT ACCEPTED

OF COUNSEL
LLOYD K. CHANIN
GARY HOLMAN
ARTHUR A. LANE
THOMAS A. O'ROURKE

ASSOCIATES
JACOB CHASE**
LINDSAY TOWNSEND CROCKER
GREGORY A. GILLEN**
CANDACE J. GOMEZ
MATTHEW J. MEHNERT
LAUREN SCHNITZER**
ALYSSA L. ZUCKERMAN

* ALSO ADMITTED IN CT
** ALSO ADMITTED IN NJ

July 21, 2015

Sean Walter
Town Supervisor
Town of Riverhead
200 Howell Avenue
Riverhead, NY 11901

Re: Town of Riverhead

Dear Supervisor Walter:

Thank you for your and the Town's interest in continuing our retention as the Town's labor counsel. This letter will reconfirm the scope and terms of our representation and will ensure that we have a clear understanding of these matters from the outset.

1. **Scope of Engagement**

The scope of this representation will continue to include serving as the Town's special counsel for all labor and employment matters for the period June 1, 2015 through May 31, 2018.

2. **Responsibility and Team Members**

I will continue to be the partner primarily responsible for your representation. As appropriate, the Firm will continue to draw upon the talent and expertise of other attorneys in the Firm and may also assign legal assistants as appropriate.

3. **Keeping You Informed**

The Firm continues to be committed to keeping the Town informed about our work on the Town's behalf. This includes letting you know who is working on each

matter, updating the Town on progress, advising the Town of any potential problems or delays, and keeping the Town notified of costs. To this end, the Firm will provide the Town with a report on the status of each matter as regularly as the Town requires. In the event the Town needs to reach one of our attorneys and the person sought is unavailable, please leave a message describing the nature and urgency of the inquiry. It is the Firm's policy to promptly respond to all inquiries.

4. **Fees, Expenses and Billings**

(a) **Legal Fees**

Our fees for services will continue to be based upon a variety of facts, including the time and labor involved; the difficulty of the questions and the skill required to perform those services properly; time limitations imposed either by the Town or by the circumstances; the nature and length of the professional relationship between us; and the experience of the lawyers assigned to do the work. The hourly billing rates for attorneys and paralegals in our Firm vary and are re-adjusted periodically.

Notwithstanding this fee schedule, we have agreed to a retainer arrangement that will continue to include our professional services on all labor and employment matters on which we are consulted, including one round of collective bargaining negotiations with each of the CSEA, PBA and SOA units, but exclusive of administrative hearings, arbitrations and other litigation, personnel matters involving individual employees, personnel investigations and collective bargaining with any newly established units not listed above.

The fee for this retainer for the period June 1, 2015-May 31, 2018 will remain unchanged from the retainer fee for the period June 1, 2014-May 31, 2015. Specifically, the fee will be \$42,000 for the period June 1, 2015-May 31, 2016; \$42,000 for the period June 1, 2016-May 31, 2017; and \$42,000 for the period June 1, 2017-May 31, 2018; payable in equal advance monthly installments.

If requested to represent the Town in matters outside of the scope of this retainer, we have agreed to continue to cap our hourly rates at a special discounted rate of, for Richard K. Zuckerman, Esq.: \$280 per hour for the period June 1, 2015-May 31, 2016, \$285 per hour for the period June 1, 2016-May 31, 2017 and \$290 per hour for the period June 1, 2017-May 31, 2018; for other partners' and counsels' time: \$255 per hour for the period June 1, 2015-May 31, 2016, \$260 per hour for the period June 1, 2016-May 31, 2017 and \$265 per hour for the period June 1, 2017-May 31, 2018; for senior associate (more than four years following admission to the Bar) attorneys' time: \$230 per hour for the period June 1, 2015-May 31, 2016, \$235 per hour for the period June 1, 2016-May 31, 2017 and \$240 per hour for the period June 1, 2017-May 31, 2018; for other associate attorneys' time: \$205 per hour for the period June 1, 2015-May 31, 2016, \$210 per hour for the period June 1, 2016-May 31, 2017 and \$215 per hour for the period June 1, 2017-May 31, 2018; and not more than \$150 per hour for the time of recent law graduates,

legal interns, summer associates and paralegal assistants. These rates are subject to periodic adjustment. In the case of partners and counsel, adjustment usually occurs in January of each year; in the case of associates, adjustment usually occurs when they step up to the next level of seniority. We will provide not less than 60 calendar days' notice of proposed changes to these rates. Hourly billing will continue to be in 15-minute units (four to the hour) for time spent on the matter. These rates do not include any amounts which may be added to a particular invoice for disbursements and charges. The Town agrees that these fees and rates continue to be reasonable.

Depending upon the complexity of the matter, the specialized expertise brought to it, the extent to which the matter requires urgent attention or the deferral of other matters, and the results achieved, the Firm's fees may exceed our normal hourly rates, subject to the Town's approval.

(b) Disbursements and Charges

Beyond hourly fees, certain other costs and expenses may continue to be incurred in this representation. These disbursements might continue to include travel and mileage expenses, computerized legal research, process and subpoena service fees, filing fees, overnight mail fees and similar items. These costs and expenses will be billed in the same manner as our fees or we may ask the Town to make direct payment to the party making the charge. We will not charge for photocopying expenses, fax charges or non-conference call-type telephone expenses.

(c) Billing Arrangements

Statements of fees, disbursements and charges will be sent to the Town by the Firm on a monthly basis, with payment to be made within 30 days of receipt of the invoice. Please note that the Firm reserves the right to impose a late charge at the rate of 12 percent per annum on past due accounts. If the Town anticipates that payment will be delayed, please discuss this delay with us at the earliest possible opportunity. If the Town has any questions regarding an invoice, please contact us so that we may try to answer them promptly.

5. Communication Technology

We continue to be mindful of our obligation to safeguard our clients' proprietary, sensitive, or otherwise confidential information. To this end it is important that we continue to agree on the kinds of communication technology which will be employed in the course of this engagement. If there are particular forms of communication technology that the Town does not wish us to use, or if there are other specific safeguards that the Town would like us to put in place, please promptly advise us. If the Town does not so advise us, we will presume that the Town has continued to give its consent to, and accepted any risks attendant upon, the use of any means of communication that we deem to be appropriate (including cell phones, electronic mail and facsimiles.)

6. **Files**

The Firm generally retains clients' files for at least seven years after conclusion of the matter for which representation was provided. However, once the matter has been concluded, the Town may take possession of the files at any time by delivering a written and signed request to the Firm. If, upon the expiration of seven years after conclusion of the matter, no request has been received, the Firm reserves the right to destroy the files without further notice to the Town.

7. **Questions and Termination**

The Firm has procedures to address any issue that the Town would like to raise, and we encourage the Town to inform us if at any time our services do not meet the Town's expectations. We will strive to promptly address any problem and in a professional manner.

The Town may end this relationship at any time by giving the Firm written notice, subject to the Town's obligation to pay us according to the terms of this Agreement and the legal doctrine of *quantum meruit*. The Firm, in turn, may withdraw from the representation upon written notice in the event that the Town fails to cooperate with us in any way that we may reasonably request, the Town fails to pay our invoices in full as submitted, or we determine in our reasonable discretion that it would be improper pursuant to the New York Code of Professional Conduct or impractical to continue our relationship.

8. **Resolution of Disputes – Mediation and Arbitration**

Although we do not expect that differences will arise between us, we recognize that disagreements can happen and it is, therefore, wise to agree upon a procedure for fairly and expeditiously resolving them. Accordingly, if collection efforts made by the Firm including, without limitation, collection efforts made by our attorneys or staff, or by any outside agency retained by the Firm, are unsuccessful, then any dispute, controversy or claim arising out of or relating to our rendering of professional services to the Town, or our billed fees, disbursements and charges, will be submitted to private, confidential non-binding mediation with a mediator jointly selected by the Town and the Firm. If resolution through mediation is not possible, the dispute, controversy or claim will be finally resolved by private, confidential binding arbitration as follows: (a) to the extent that the New York Fee Dispute Resolution Program (Part 137 of 22 NYCRR), which provides for the informal and expeditious resolution of fee disputes between attorneys and clients, applies to the dispute, controversy or claim, then resolution will be in accordance with the rules and procedures of the Fee Dispute Resolution Program (a copy is available upon request); or (b) if the Fee Dispute Resolution Program does not apply to the dispute, controversy or claim, then the arbitration will be conducted in Suffolk County in accordance with the Commercial Arbitration Rules of the American

Arbitration Association, and any decision or award issued in that arbitration shall be final and binding and non-appealable.

9. **Entire Agreement**

This letter represents the entire agreement between us concerning the terms and conditions of this continued engagement. By signing below, the Town acknowledges that this letter has been reviewed and understood and that the Town agrees to be bound by its terms and conditions. No change or waiver of any of the provisions of this letter will be binding on either the Town or the Firm unless the change is in writing and signed by the Town and us.

If the Town is in agreement with all of these terms and conditions, please sign and date where indicated below, and return the enclosed copy of this letter to us.

Once again, we thank you for continuing to engage Lamb & Barnosky, LLP as your labor counsel. We very much look forward to continuing to work with you!

Very truly yours,


Richard K. Zuckerman 

RKZ:sr

AGREED:

Dated: _____

TOWN OF RIVERHEAD

Resolution # 674

APPROVES EMPLOYEE REQUEST FOR ACCUMULATION OF SICK LEAVE

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Town of Riverhead Water District Superintendent, Mark Conklin, has requested that the Town Board approve the accumulation of sick leave (sick time) in an amount over the 300 day accrual limit set forth in the provisions of his employment contract; and

WHEREAS, pursuant to the provisions of his employment contract, Article V "Sick Leave"(1).. " [a]fter three hundred (300) days, additional paid sick leave (sick time) may be granted in the sole discretion of the Town Board"...;and

WHEREAS, the Town Board seeks to grant this request subject to and limited to the following: nunc pro tunc approval of accumulation of sick leave (sick time) over 300 days for the year 2015 only subject to all such other provisions and procedures set forth in the original term of his employment contract; and

NOW THEREFORE BE IT RESOLVED, that the Town Board approves, nunc pro tunc, Mark Conklin's request for approval to accumulate sick leave (sick time) over the 300 day limit set forth in his contract of employment for the year 2015 only such that he may exercise sick leave absence or exercise buyout election during 2015 subject to all such other provisions and procedures set forth in the original term of his employment contract including rate of accumulation, approval of sick leave and, as of January 1, 2016, any sick leave in excess of the 300 day limit shall be forfeited; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Mark Conklin, Water District Superintendent; 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 # 675

AUTHORIZATION TO DISCARD FIXED ASSETS
(Computer Towers, Monitors, Laptops, Peripherals)

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, various computer towers, monitors, laptops, parts and peripherals are broken equipment that has been salvaged for parts and is no longer usable; and

WHEREAS, after careful consideration by the IT and the Accounting Department that this equipment has no residual value and should be discarded; and

WHEREAS, the Accounting Department hereby requests that the Town Board excess this property so that it may be removed from the records; and

WHEREAS, ecoTech Management has submitted a proposal to accept the salvage computer parts and pay unit price for that equipment.

NOW, THEREFORE BE IT RESOLVED that the Accounting Department is hereby authorized to discard all the items as set forth in the attached Excel spreadsheet to ecoTech Management at the unit prices as set forth in the proposal from ecoTech Management; 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

FIXED ASSETS TO BE DISCARDED				
TOR NUMBER	MAKE	DESCRIPTION	COLOR	OK TO DISCARD
20149		DESK	GRAY	
28323		SWIVEL DESK CHAIR - 5 PRONG BASE	BLACK	
27104		RECEPTION CHAIR	GREEN	
27105		RECEPTION CHAIR	GREEN	
20124		RECEPTION ARMCHAIR	RED	
7082		RECEPTION ARMCHAIR	RED	
27009		SWIVEL DESK CHAIR - 5 PRONG BASE	GRAY	
27042		RECEPTION ARMCHAIR	RED	
24708	SMITH CORONA	TYPEWRITER		
29197	SAMSUNG	FAX/COPY		
28024	SAMSUNG	FAX		
SUFF CO #117270	UNYSIS	ELECTRIC ITEM - can not define		
SUFF CO #117279	UNYSIS	ELECTRIC ITEM - can not define		
21918		upright file organizer		
1273	TAN	metal shelving unit - 3 shelves		

30160 KB 29500 KB
 27040 KB 29503 KB
 26066 KB 29302 KB
 25855 KB 27489 KB
 27870 KB 27493 KB
 30561 KB 29293 KB
 29676 KB 29534 KB
 29005 KB 29540 KB
 28880 KB 29299 KB
 23462 KB 29296 KB
 29673 KB 29290 KB
 21481 KB 28922 KB
 29628 KB 28931 KB
 28991 KB 28895 KB
 29625 KB 29551 KB
 28907 KB 29554 KB
 29520 KB 29557 KB
 27924 KB 29489 mouse
 27860 KB 28869 mouse
 27865 KB 29128 mouse
 29537 KB 29119 mouse
 24803 KB 29614 mouse
 27666 KB 29121 KB
 29572 KB 28916 KB
 27485 KB 29118 KB
 28940 KB 27528 KB
 28934 KB 29703 KB
 29629 mouse 28299 KB
 28896 mouse 29682 KB
 29626 mouse 30132 KB
 29300 mouse 28868 KB
 29504 mouse 29622 KB
 29291 mouse 28913 KB

27522	mouse	29677	mouse	27529	monitor	28894	PC	23037	SERVER	26001	PC	29470	kb	28432	
28866	mouse	29674	mouse	25419	monitor	29587	PC	29667	SERVER	27509	mouse	29471	mouse	27535	
29513	mouse	21482	mouse	26962	monitor	30382	PC	29668	SERVER	30140	kb	29481	kb	27537	
29701	mouse	25147	mouse	28302	monitor	28872	PC	27511	SERVER	27510	pc	29563	kb	27532	
29285	mouse	27861	mouse	28493	monitor	29621	PC	28416	SERVER	30141	mouse	29564	mouse	27534	
29680	mouse	25061	mouse	26161	monitor	29117	PC	28110	monitor	21806	mouse	29569	kb	25451	
29686	mouse	25302	mouse	27484	monitor	28912	PC	30106	pc/server	22881	kb	29564	mouse	22894	
29288	mouse	28381	mouse	27500	monitor	29612	PC	29283	SERVER	25194	monitor	29569	kb	28305	
28300	mouse	28490	mouse	24767	monitor	29556	PC	26977	SERVER	25198	monitor	29570	mouse	24533	
29770	mouse	27925	mouse	28488	monitor	28921	PC	26978	SERVER	25598	monitor	29573	mouse	23098	
29592	mouse	29689	mouse	25894	monitor	29550	PC	29608	SERVER	25825	monitor	29575	kb	27242	
28893	mouse	28908	mouse	29760	monitor	29120	PC	26226	SERVER	25926	monitor	29763	monitor	27564	
28463	mouse	30137	mouse	28114	monitor	29533	PC	29679	SERVER	26237	monitor	1027	file cab	23566	
28781	mouse	29507	mouse	27383	monitor	29536	PC	23288	printer	26713	spkr	25950	monitor	26159	
25992	mouse	28881	mouse	28112	monitor	29298	PC	28436	battery	26714	spkr	24755	monitor	26151	
26239	mouse	29581	mouse	28423	monitor	29672	PC	26827	dvd player	26715	spkr	24819	monitor	26167	
26766	mouse	28795	mouse	26149	monitor	28990	PC	28631	write	26850	pc	25946	monitor	26827	
24963	mouse	28377	KB	23401	monitor	28879	PC	29539	hard drive	26951	spkr	24800	pc	28631	
29692	mouse	27527	KB	28129	monitor	29292	PC	28496	mount	26952	spkr	24835	monitor	21435	
28458	mouse	29485	KB	24751	monitor	28882	PC	26141	monitor	28285	pc	26111	monitor	21596	
29704	mouse	28892	KB	25286	monitor	28876	PC	25926	monitor	28287	kb	26845	monitor	24917	
28854	mouse	29691	KB	24697	monitor	28870	PC	24839	monitor	28297	pc	26233	monitor	20415	
29567	mouse	29706	KB	24827	monitor	28930	PC	25598	monitor	28856	kb	26258	monitor	30443	
28917	mouse	27526	KB	26223	monitor	29553	PC	25825	monitor	28857	mouse	27431	monitor	25858	
26737	SPKR	29685	KB	24778	monitor	29123	PC	25426	monitor	29130	kb	28465	monitor	26123	
27322	SPKR	29697	KB	24873	monitor	29295	PC	27567	printer	28779	monitor	21182	saw	21438	
27329	SPKR	29688	KB	25296	monitor	28927	PC	28446	monitor	25962	monitor	22608	drill	21593	
27335	SPKR	28865	KB	28431	monitor	28924	PC	26004	mouse	25817	monitor	20034	sander	7674	
27330	SPKR	29580	KB	24759	monitor	28906	PC	26595	copier	25223	monitor	30837	drill	21595	
27331	SPKR	25803	ac Adapt	29761	monitor	29624	PC	28485	bu	24701	monitor	22184	radio	20085	
28826	SPKR	23032	ac Adapt	27504	monitor	28864	PC	29771	kb	26202	monitor	25620	radio	26116	
26739	SPKR	27455	ac Adapt	26241	monitor	29289	PC	29578	kb	26214	monitor	25616	radio	25627	
26738	SPKR	23031	mouse	24865	monitor	29559	PC	28413	dvr	26210	monitor	25611	radio	27400	

printer	22249	mouse	29484	PC		
printer	30175	mouse	29505	PC		
printer	39558	mouse	29499	PC		
printer	29555	mouse	26160	PC		
printer	29541	mouse	27499	PC		
printer	29552	mouse	28445	PC		
printer	27494	mouse	28450	PC		
printer	28932	mouse	27507	PC		
printer	29131	mouse	27491	PC		
file cab	29501	mouse	27479	PC		
printer	27490	mouse	26838	PC		
printer	27277	SPKR	22316	bu		
printer	27344	SPKR	26476	bu		
mouse	27289	SPKR	29445	shelf		
mouse	27295	SPKR	2011	mouse		
mouse	27298	SPKR	28805	mouse		
dvd	27280	SPKR	27503	pc		
dvd	29294	mouse	27483	pc		
charger	29492	mouse	25977	pc		
charger	29303	mouse	25901	pc		
tv	27324	spkr	27466	pc		
camera	27281	spkr	23024	mouse		
camera	27278	spkr	27533	copier		
camera	27285	spkr	25381	kb		
radio	27279	spkr	25867	kb		
radio	27297	spkr	25327	kb		
radio	27314	spkr	28452	kb		
radio	27291	spkr	25146	kb		
radio	27296	spkr	28756	kb		
radio	27302	spkr	24355	cleaner		
radio	27348	spkr	25609	radio		
radio	30560	monitor	28301	pc		
wireless	27864	monitor	371	monitor		

recorder	29669	monitor	27496	monitor		
recorder	26844	PC	25886	monitor		
recorder	26248	PC	27468	kb		
jet direct	25981	PC	30363	kb		
router	27858	PC	26949	kb		
router						
print						
cd			31401	old Code printer in (FA) room		
ac Adapt						
PC						
PC						
PC						
PC						

Town of Riverhead

FIXED ASSETS TO BE DISCARDED				9-11-15
TOR NUMBER	MAKE	DESCRIPTION	COLOR	OK TO DISCARD
4290	HON	4 DRAWER FILE CABINET	GRAY	X
7016	STEELMASTER	2 DRAWER DESKTOP FILE CABINET	GRAY	X
7030	STEELMASTER	2 DRAWER DESKTOP FILE CABINET	GRAY	X
230	ARTSTEEL	4 DRAWER FILE CABINET	GRAY	X
24743	HON	4 DRAWER FILE CABINET	TAN	X
no number	HON	4 DRAWER FILE CABINET	GRAY	
3552	ARTSTEEL	4 DRAWER FILE CABINET	GRAY	X
no number		LARGE STEEL CABINET 24 CUBBIES FOR MAPS	GRAY	
5115	HON	4 DRAWER FILE CABINET	GRAY	X
1205	MODERN STEELCRAFT	2 DRAWER FILE CABINET	GRAY	X
1808	STEELMASTER	4 DRAWER FILE CABINET	GRAY	X
1472	COLE	4 DRAWER FILE CABINET	GRAY	X
3051	ARTSTEEL	4 DRAWER FILE CABINET	TAN	X
486		6' TALL STORAGE CABINET 2 SWING OPEN DOORS	GRAY	X
244	COLE	9 DRAWER FILE CABINET - NARROW	GRAY	X
20149		DESK	GRAY	
104		6' TALL STORAGE CABINET 2 SWING OPEN DOORS	TAN	X
487		6' TALL STORAGE CABINET 2 SWING OPEN DOORS	GRAY	X
1108		LARGE DESKTOP - ROLODEX	TAN	X
1109		LARGE DESKTOP - ROLODEX	TAN	X
no number		DESK RETURN	GRAY	
28323		SWIVEL DESK CHAIR - 5 PRONG BASE	BLACK	
27104		RECEPTION CHAIR	GREEN	
27105		RECEPTION CHAIR	GREEN	
6109		SWIVEL DESK CHAIR - 5 PRONG BASE	GRAY	X
1324		RECEPTION CHAIR	ORAN	X
20124		RECEPTION ARMCHAIR	RED	
7082		RECEPTION ARMCHAIR	RED	
27009		SWIVEL DESK CHAIR - 5 PRONG BASE	GRAY	
27042		RECEPTION ARMCHAIR	RED	

8674		SWIVEL DESK CHAIR - 5 PRONG BASE	TAN	X
29830	SAMSUNG	FAX		X
2076	MARTIN YALE	ELECTRIC ITEM - can not define		X
20298		DESK LAMP WITH EXTENDER ARM		X
8049		DESK ORGANIZER		X
no number	BROTHER	FAX		
24915	PANASONIC	TV		X
28626	BROTHER	TYPEWRITER		X
5384	IBM	TYPEWRITER		X
24708	SMITH CORONA	TYPEWRITER		
22906	SMITH CORONA	TYPEWRITER		X
29197	SAMSUNG	FAX/COPY		
25569	IBICO	ELECTRIC ITEM - can not define		X
25148	SYN OPTICS	ELECTRIC ITEM - can not define		X
23200	SYN OPTICS	ELECTRIC ITEM - can not define		X
23320	SYN OPTICS	ELECTRIC ITEM - can not define		X
23189	BAY NETWORKS	ELECTRIC ITEM - can not define		X
25087	DELL	ELECTRIC ITEM - can not define		X
24503	EPSON	SCANNER		X
5419	SHARP	CALCULATOR		X
28024	SAMSUNG	FAX		
no number	IDENTITY GUARD	SHREDDER		
no number		MUGSHOT CAMERA IN SUITCASE		
SUFF CO #117270	UNYSIS	ELECTRIC ITEM - can not define		
SUFF CO #117279	UNYSIS	ELECTRIC ITEM - can not define		

TOWN OF RIVERHEAD

Resolution # 676

**GRANTS EXCAVATION/EXPORTATION PERMIT AS PROVIDED BY CHAPTER 62
“EXCAVATIONS” OF RIVERHEAD TOWN CODE TO TRW PROPERTIES LLC**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, TRW Properties, LLC is the owner of the subject property located at 1800 Old Country Road, Riverhead, New York, further described as Suffolk County Tax Map Number 600-119-01-005.05; and

WHEREAS, TRW Properties, LLC has petitioned for an excavation/exportation permit pursuant to Chapter 62 of the Code of the Town of Riverhead for the exportation of 13,810 cubic yard of soils for vehicle storage as depicted on the Site Plan dated June 19, 2014 prepared by Howard Young, LS and Doug Adams, PE of Young & Young; and

WHEREAS, the applicant received Site Plan approval by Planning Board Resolution #2014-0050, dated July 3, 2014; and

WHEREAS, the applicant has received approval from consulting engineers Dvirka and Bartilucci, dated September 3, 2015, of a Storm Water Pollution Prevention Plan (SWPPP) for the land disturbance associated with the approved site plan; and

WHEREAS, Doug Adams, PE, has submitted a signed and sealed earthwork plan, dated July 10, 2015, that is in accordance with the approved Site Plan and SWPPP; and

WHEREAS, the applicant, in applying for a permit from the Suffolk County Department of Public Works for the reconstruction of the site entrance along County Road 58 in association with the approved site plan, has received acknowledgement that CR 58 will be used for the aforesaid exportation; and

WHEREAS, the Town Board has reviewed and considered the application for the aforementioned excavation permit.

NOW THEREFORE BE IT RESOLVED, that based upon the forgoing, the Town Board hereby grants the grading permit requested by the applicant, such grading permit to authorize the exportation of not more than 13,810 cubic yards of soils in accordance with the application and calculations of Doug Adams, PE, and in accordance with necessary approvals and permits; and be it further

RESOLVED, the Building Department is hereby authorized to accept and collect all permit fees, in the amount of \$27,720 dollars, representing \$2.00 per cubic yard for the exportation of said soils, in addition to a permit fee of \$100.00; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to TRW Properties LLC, 1800 Old Country Road, Riverhead, New York, 11776; 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 be obtained for the Office of the Town Clerk.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 677

**GRANTS EXCAVATION/EXPORTATION PERMIT AS PROVIDED BY CHAPTER 62
“EXCAVATIONS” OF RIVERHEAD TOWN CODE TO 1044 PARKWAY ST LLC**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, 1044 Parkway St, LLC is the owner of the subject property located at 1044 Parkway St, Riverhead, New York, further described as Suffolk County Tax Map Number 600-125-01-010.01; and

WHEREAS, 1044 Parkway St, LLC has petitioned for an excavation/exportation permit pursuant to Chapter 62 of the Code of the Town of Riverhead for the exportation of 121 cubic yard of soils for site development as depicted on the Site Plan dated April 27, 2006 prepared by Howard Young, LS and Thomas Wolpert, PE of Young & Young; and

WHEREAS, the applicant received Site Plan approval by Town Board Resolution #442, dated May 16, 2006; and

WHEREAS, Thomas Wolpert, PE, has submitted a signed and sealed earthwork plan, dated September 1, 2015, that is in accordance with the approved Site Plan; and

WHEREAS, the Town Board has reviewed and considered the application for the aforementioned excavation permit.

NOW THEREFORE BE IT RESOLVED, that based upon the forgoing, the Town Board hereby grants the grading permit requested by the applicant, such grading permit to authorize the exportation of not more than 121 cubic yards of soils in accordance with the application and calculations of Thomas Wolpert, PE, and in accordance with necessary approvals and permits; and be it further

RESOLVED, the Building Department is hereby authorized to accept and collect all permit fees, in the amount of \$342 dollars, representing \$2.00 per cubic yard for the exportation of said soils, in addition to a permit fee of \$100.00; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to 1044 Parkway St, LLC, 4330 Westphalia Rd Mattituck, New York, 11952; 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 be obtained for the Office of the Town Clerk.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 678

RESCINDS RESOLUTION #458 OF 2015 AUTHORIZING SALE OF 542 EAST MAIN STREET (SCTM #600-129-3-35.2) KNOWN AS EAST LAWN BUILDING TO I'M A RURALPOLITAN INC.

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town of Riverhead owns property located at 542 East Main Street, Riverhead, NY, SCTM #600-129-3-35.2 ("subject property"); and

WHEREAS, by Resolution #658 adopted on September 4, 2013, the Town authorized the Town Clerk to publish and post a request for proposals for sale and/or sale with option for Town to lease real property located at 542 East Main Street; and

WHEREAS, four (4) responses to the Request for Proposals were received, opened and read aloud on October 22, 2013; and

WHEREAS, by Resolution #697 adopted on October 7, 2014, the Town authorized the Town Clerk to publish and post a second request for proposals for sale of property located at 542 East Main Street; and

WHEREAS, two (2) responses to the Request for Proposals were received, opened and read aloud on December 9, 2014; and

WHEREAS, after the deadline for submission of proposals for each of the request for proposals, the Town did receive other offers to purchase the property; and

WHEREAS, the Town did consider and evaluate all submissions, including the timely responses to the first and second request for proposals and those proposals received after the submission deadline for purchase price; planned use of the property, including possible lease to existing tenants; proposed renovation of the structure and grounds to preserve the historic character of the structure; consistency with zoning, Downtown Urban Renewal Plan and the Town's revitalization efforts for the Downtown Business District; the Town desires to have a taxable use of the subject property; and the individuals/entities demonstration of the financial resources to purchase and complete the renovation of the subject property within a short but reasonable amount of time; and

WHEREAS, due to the buildings depreciating condition and required investment of Town monies and labor to maintain the building and the Town's desire to eliminate and/or remediate inadequate and inefficient buildings, together with the desire of the tenants to relocate to a space that better meets their respective needs, the Town, by Resolution #184 adopted on March 18, 2015 subject to permissive referendum, authorized the Office of the Town Attorney to proceed with the sale of 542 East Main

Street, Riverhead, NY, SCTM# 600-129-3-35.2 to Castle Restoration and Construction;
and

WHEREAS, the Town Board authorized the Office of the Town Attorney to proceed with negotiation and preparation of documents to effectuate the sale subject to certain terms and conditions to Castle Restoration and Construction; and

WHEREAS, prior to the completion of negotiations, Castle Restoration and Construction informed the Town Board that it no longer intended to purchase the subject property; and

WHEREAS, I'm A Ruralpolitan Inc., submitted the second bid received in response to the October 2014 Request for Proposals and expressed a desire to purchase the property under similar terms and conditions; and

WHEREAS, the Town Board, by Resolution #458 adopted on June 16, 2015 subject to permissive referendum, authorized the sale of 542 East Main Street subject to certain terms and conditions to I'm A Ruralpolitan Inc.; and

WHEREAS, during contract negotiations, the Town and I'm A Ruralpolitan Inc. did not reach an agreement as to the terms of the contract and the Town rejects the terms set forth in a written communication dated August 18, 2015 by I'm A Ruralpolitan.

NOW, THEREFORE, BE IT RESOLVED that the Town Board rescinds Resolution #184 of 2015 authorizing the sale of 542 East Main Street, Riverhead, NY to I'm A Ruralpolitan Inc.; 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 # 679

**AUTHORIZES THE RETENTION OF THE LAW FIRM OF
SIEGEL & SITLER PLLC TO INSTITUTE LEGAL ACTION BY OR AGAINST THE
OWNERS OF THE PROPERTY DESCRIBED AS SCTM # 0600-113-2-60**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen,

WHEREAS, the Town Board has determined that the property located at 10 Meetinghouse Creek Road, Aquebogue, New York; also known as SCTM # 0600-113-2-60 is being used and occupied in violation of various sections of the Code of the Town of Riverhead; and

WHEREAS, it is determined that the Law Firm of Siegel & Sitrler, PLLC be retained to initiate legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the property located at 10 Meetinghouse Creek Road, Aquebogue, New York.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes legal action against the owners, tenants, occupants and mortgagee of the property located at 10 Meetinghouse Creek Road, Aquebogue, New York Main Road, Jamesport, New York; and be it further

RESOLVED, that the law firm of Siegel & Sitrler, PLLC be retained as special counsel for the purpose of instituting legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the property located at 10 Meetinghouse Creek Road, Aquebogue, New York; also known as SCTM # 0600-113-2-60, in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property; and be it further

RESOLVED, that the Riverhead Town Board hereby approves the Supervisor executing a Retainer Agreement with Siegel & Sitrler, PLLC in a form satisfactory to the Town Attorney and subject to the terms and conditions of this resolution; and be it further

RESOLVED, that Siegel & Sitrler, PLLC be compensated at the rate of \$175.00 per hour, and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Siegel & Sitrler, PLLC, 150 Motor Parkway, Suite 401, Hauppauge, New York 11788, Town Attorney, and the Accounting Department; and be it further;

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

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

RETAINER AGREEMENT

AGREEMENT made this ____ day of September, 2015, by and between the Town of Riverhead, 200 Howell Avenue, Riverhead, New York (hereinafter “the Town”), and Siegel & Sitler, PLLC, 150 Motor Parkway, Suite 401, Hauppauge, New York 11788 (hereinafter “the Firm”), pursuant to Resolution # _____ of the Town Board of the Town of Riverhead, adopted on September ____, 2015 as follows:

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

TOWN OF RIVERHEAD

By: _____
Sean Walter
Town Supervisor

SIEGEL & SITLER, PLLC

By: _____
Philip Siegel

TOWN OF RIVERHEAD

Resolution # 680

AUTHORIZES THE ATTENDANCE OF THE RIVERHEAD TOWN ATTORNEY AND DEPUTY TOWN ATTORNEYS TO ATTEND A TOURO LAW CENTER PROGRAM

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, Touro Law Center is hosting their 27th Annual Leon D. Lazer Supreme Court Review Program, to be held at the Center located at 225 Eastview Drive, Central Islip, New York on Friday, October 2, 2015, between the hours of 8:30 a.m. and 4:00 p.m.; and

WHEREAS, it is the desire of Robert F. Kozakiewicz, Annemarie Prudenti and Daniel P. McCormick, of the Office of the Town Attorney, to attend said conference.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Riverhead Town Attorney and the aforesaid Deputy Town Attorneys to attend the aforementioned program to be held on Friday, October 2, 2015 at the Touro Law Center; and be it further

RESOLVED, that all related expenses incurred by the attendees will be fully receipted upon their return, not to exceed a total cost of \$65.00 per attendee and thereafter reimbursed by the Accounting Department; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a 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 # 681

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
PROJECT NO.: RDWD 15-51,
Installation of Water Main & Appurtenances
Stoneleigh Woods – Phase 4
RIVERHEAD WATER DISTRICT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, plans and specifications have been prepared by H2M, consulting engineers to the Riverhead Water District, regarding installation of water main and appurtenances of the Riverhead Water District at Stoneleigh Woods – Phase 4.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the September 24, 2015 edition of The News Review, with regard to receiving bids for the installation of water main and appurtenances of the Riverhead Water District at Stoneleigh Woods – Phase 4, and be it further

RESOLVED, that the Town Clerk shall publicly open and read aloud the submitted bids on the date as advertised in the Notice to Bidders; 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

NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for the **“Installation of Water Mains and Appurtenances - Stoneleigh Woods - Phase 4”** for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until **3:00 P.M.**, on **Thursday, October 8, 2015** at which time and place all bids will be publicly opened and read aloud for:

PROJECT NO.: RDWD 15-51
Installation of Water Main & Appurtenances
Stoneleigh Woods – Phase 4

Plans and specifications may be examined on or after *Thursday, September 24, 2015* at the Office of the Town Clerk between the hours of 8:30 A.M. and 4:30 P.M. weekdays, except holidays or by visiting the Town of Riverhead website: <http://townofriverheadny.gov> and click on “Bid Requests”. Plans and specifications are available in electronic format only from the aforementioned website.

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informality, and to accept the lowest responsible bid.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER DISTRICT

TOWN CLERK, TOWN OF RIVERHEAD

DATED: September 24, 2015

TOWN OF RIVERHEAD

Resolution # 682

**AWARDS BID – INSTALLATION OF WATER MAINS & APPURTENANCES –
EXTENSIONS NO. 77 & 86 – MIDDLE COUNTRY ROAD
RIVERHEAD WATER DISTRICT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, this Town Board did authorize the advertisement for bids for project known as installation of water mains and appurtenances for both Extension 77 and Extension 86 – Middle Country Road of 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 August 28, 2015 did recommend that the bid for project known as installation of water mains and appurtenances for Extension No. 77 and Extension No. 86 – Middle Country Road, of the Riverhead Water District be awarded to Elmore Associates, Inc. at the total bid price of \$126,271.70.

NOW, THEREFORE, BE IT RESOLVED, that the bid for project known as installation of water mains and appurtenances for Extension No. 77 and Extension No. 86 – Middle Country Road, of the Riverhead Water District, be and is hereby awarded to:

Elmore Associates, Inc.
Medford, New York
In the bid amount of \$126,271.70

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 the Town Supervisor be and is hereby authorized to execute a contract with Elmore Associates, Inc. for this project, 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



water

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

August 28, 2015

Mrs. Diane Wilhelm, Town Clerk
Town of Riverhead
200 Howell Avenue
Riverhead, New York 11901

**Re: Riverhead Water District
Installation of Water Mains
Middle Country Road (Ext. 77 & 86)
H2M Project No.: RDWD 15-52/15-53**

Dear Mrs. Wilhelm:

On August 25, 2015, the Town of Riverhead received bids for the installation of water mains and appurtenances for the above referenced projects. Four (4) contractors submitted bids, with the low total bid submitted by Elmore Associates, Inc. of Medford, New York in the amount of \$126,271.70. Included below is a summary of the bids received by the Town:

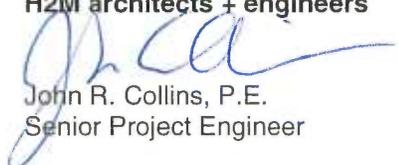
Contractor	Total Bid
Elmore Associates, Inc.	\$126,271.70
Bancker Construction Corp.	\$127,085.00
Alessio Pipe & Construction	\$194,130.00
Merrick Utility Associates, Inc.	\$207,020.00

Elmore Associates, Inc. has successfully completed similar projects for various water utilities over the past few years, including several for the Riverhead Water District. It is our opinion that Elmore Associates, Inc. is qualified and his bid prices are fair and reasonable. Based on this, we recommend that the Town Board award both of the bids for the water main installation project to Elmore Associates, Inc. at a total bid price of \$126,271.70.

The low bid submitted includes the work required under the extension of water mains for both Ext. 77 – Charter School and Ext. 86 – STR Systems. The total bid falls below the budget amount previously approved by the Town Board for both projects. We understand that the owners have already deposited the full amount with the Town; therefore no additional deposits are required. It should be noted that the entire cost of each project is to be borne by the respective developer. Should you have any questions regarding this recommendation, please feel free to contact our office.

Very truly yours,

H2M architects + engineers


John R. Collins, P.E.
Senior Project Engineer

cc: Supt. Mark Conklin
Richard Ehlers, Esq.
William J. Rothaar, Financial Administrator

TOWN OF RIVERHEAD

Resolution # 683

AUTHORIZES THE TOWN SUPERVISOR TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH ROBERT HUBBS

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, the Engineering Department is desirous of retaining the services of Robert Hubbs to perform GIS and AutoCAD remote services in connection with various Engineering and Town projects; and

WHEREAS, Robert Hubbs is ready, willing and able to provide such services as desired by the Town of Riverhead pursuant to the attached proposed agreement.

NOW, THEREFORE BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute the attached Professional Services Agreement with Robert Hubbs for GIS and AutoCAD remote services and activities pursuant to a \$60.00/hour fee delineated in the attached proposed agreement from September 8, 2015 through to December 31, 2015 with a 50-hour cap for services rendered; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Robert Hubbs, 42 Marvin Street, Patchogue, NY 11772, Engineering Department, 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 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 _____ day 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, and Robert Hubbs, with a principal place of business at 42 Marvin St., Patchogue, NY 11772, ("Consultant Address").

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 professional GIS services to include preparation of maps and plans, and assignment of addresses, and shall furnish CAD services in assistance with preparing engineering drawings. 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 commence on September 8, 2015 and terminate on December 31, 2015 with a cap of 50 hours for services rendered.

3. PAYMENT

For these services Town of Riverhead will pay Consultant a fee \$60/hour for services provided. Note, the Town may require the submission of documentation, including time records for performance based contracts solely for the purposes of verification of completion of the project or a portion of the project and the request that consultant provide same shall not convert the performance contract to an hourly rate contract. The Town shall not have any liability for any other expenses or costs incurred by Consultant. 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." 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 to assign 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 document, 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. 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.

8. 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.

9. 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: Drew Dillingham, 200 Howell Avenue, Riverhead, NY 11901; or (ii) to Consultant if mailed by certified mail, postage prepaid to Rob Hubbs, 42 Marvin St., Patchogue, NY 11772.

10. 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. 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 or technical discipline.

11. 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.

12. 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.

13. 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) terminate this agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

by:

Town Of Riverhead
200 Howell Avenue
Riverhead, New York

by:

Robert Hubbs
42 Marvin St.
Patchogue, New York

TOWN OF RIVERHEAD

Resolution # 684

PAYS BILLS

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

ABSTRACT #15-20 September 2, 2015 (TBM 09/16/15)			
			Grand
Fund Name	Fund #	Ckrun	Totals
GENERAL FUND	1	1,581,654.73	1,581,654.73
POLICE ATHLETIC LEAGUE	4	7,862.43	7,862.43
RECREATION PROGRAM FUND	6	34,799.09	34,799.09
HIGHWAY FUND	111	175,411.23	175,411.23
WATER DISTRICT	112	131,195.82	131,195.82
RIVERHEAD SEWER DISTRICT	114	49,561.12	49,561.12
REFUSE & GARBAGE COLLECTION DI	115	214,870.76	214,870.76
STREET LIGHTING DISTRICT	116	15,736.31	15,736.31
PUBLIC PARKING DISTRICT	117	322.87	322.87
AMBULANCE DISTRICT	120	237,901.04	237,901.04
EAST CREEK DOCKING FACILITY FUND	122	4,276.17	4,276.17
CALVERTON SEWER DISTRICT	124	8,042.95	8,042.95
RIVERHEAD SCAVENGER WASTE DIST	128	30,221.73	30,221.73
WORKERS' COMPENSATION FUND	173	22,365.34	22,365.34
CDBG CONSORTIUM ACCOUNT	181	79.99	79.99
TOWN HALL CAPITAL PROJECT	406	1,123.35	1,123.35
WATER DISTRICT CAPITAL PROJECT	412	169,104.33	169,104.33
CALVERTON SEWER CAPITAL PROJECT	424	3,084.33	3,084.33
TRUST & AGENCY	735	659,590.69	659,590.69
CALVERTON PARK - C.D.A.	914	993.75	993.75
		3,348,198.03	3,348,198.03

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 # 684

PAYS BILLS

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

ABSTRACT #15-21 September 16, 2015 (TBM 09/16/15)			
			Grand
Fund Name	Fund #	Ckrun	Totals
GENERAL FUND	1	1,132,094.84	1,132,094.84
POLICE ATHLETIC LEAGUE	4	1,725.00	1,725.00
RECREATION PROGRAM FUND	6	11,364.86	11,364.86
HIGHWAY FUND	111	1,472,788.02	1,472,788.02
WATER DISTRICT	112	260,464.38	260,464.38
RIVERHEAD SEWER DISTRICT	114	258,579.72	258,579.72
REFUSE & GARBAGE COLLECTION DI	115	3,056.44	3,056.44
STREET LIGHTING DISTRICT	116	35,710.59	35,710.59
PUBLIC PARKING DISTRICT	117	1,898.19	1,898.19
AMBULANCE DISTRICT	120	2,729.14	2,729.14
EAST CREEK DOCKING FACILITY FU	122	2,748.82	2,748.82
CALVERTON SEWER DISTRICT	124	4,110.55	4,110.55
RIVERHEAD SCAVENGER WASTE DIST	128	29,757.39	29,757.39
WORKERS' COMPENSATION FUND	173	8,160.40	8,160.40
CDBG CONSORTIUM ACCOUNT	181	88.32	88.32
TOWN HALL CAPITAL PROJECTS	406	31,357.13	31,357.13
WATER DISTRICT CAPITAL PROJECT	412	17,395.57	17,395.57
RIVERHEAD SEWER CAPITAL PROJEC	414	1,473,979.07	1,473,979.07
TRUST & AGENCY	735	679,669.42	679,669.42
COMMUNITY PRESERVATION FUND	737	2,100.00	2,100.00
CALVERTON PARK - C.D.A.	914	26.26	26.26
TOTAL ALL FUNDS		5,429,804.11	5,429,804.11

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 # 685

**AUTHORIZES THE SALE OF POLICE DEPARTMENT
IMPOUNDED/JUNK VEHICLES**

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 for sealed bids for the sale of junk and abandoned vehicles; and

WHEREAS, one bid was received, opened and read aloud on the 30th day of May, 2014 at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders, however, no bid was awarded; and

WHEREAS, the Police Department seeks to dispose of nearly three dozen impounded vehicles, with impound dates from as early as 2011 to early 2015, that have been stored by the Police Department; and

WHEREAS, the Police Department has examined the vehicles and determined that the best method/value is to dispose/sell the vehicles for salvage value; and

WHEREAS, the Police Department obtained three quotes and the Police Department, together with the Purchasing Director, reviewed each quote and recommends that Medford Auto Wrecking be deemed the most responsible bidder (fee of \$155.51 paid per vehicle (including pick-up and disposal); and

WHEREAS, the Town of Riverhead Procurement Policy authorizes the Town to dispose of personal property; and

WHEREAS, the Police Department has reviewed and confirmed that the Police Department has all the proper documents for the disposal of the vehicles including a Salvage Certificate and Title for the vehicles.

NOW THEREFORE BE IT RESOLVED, that the Town Board approves the disposal of impounded and junk vehicles as listed in the attached document to Medford Auto Wrecking for a fee to be paid to the Town in the amount of \$155.51 per vehicle (including pick-up and disposal); and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Medford Auto Wrecking, 171 Peconic Ave, Medford, NY 11763; Town of Riverhead Police Department and the Office of Accounting; 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.

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution #685 was TAKEN OFF THE FLOOR, motion carried by unanimous vote. Immediately thereafter a motion to put to vote.

THE VOTE

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

The Resolution Was Thereupon Duly Declared Adopted

DATE	YEAR	MAKE	VIN	CC#	STATUS
2/4/2015	2001	Ford	1FAFP34331W195267	15002487	Armory/TOT RPD 02/13/15/Interior damage mold/JUNK
11/7/2014	2001	Jeep	1J4GW48581C591277	14023529	Armory/ Abandoned/ 12/2/14 notification sent/Interior damage mold/ JUNK
10/30/2014	2001	Kawasaki	JKAEXMFFH1A081Z17	14022981	Recovered-stolen veh/12/5/15 letter sent; veh-TOT-RPD-1/12/15/Key/Damage/JUNK
8/16/2014	2003	Toyota	5TDBT44A33S164743	14017445	MVA LS/ Owner notified removed belongings 09/21/14; No key/Damage/JUNK
7/19/2014	1990	Volvo	YV1FA8846L2411175	14015106	Junk/ Letter sent to owner 07/24/14/ No key/Poor Cond/JUNK
7/13/2014	2005	Chevy	1GNDV03EX5D127422	14014701	Safety/ TOT RPD 08/12/14/Damage/JUNK
6/18/2014	2000	Honda	JHMC6691Y0C027007	14012478	Abandoned/Junk/ Owner removed property 07/08/14/Poor Cond/JUNK
5/30/2014	2000	Kia	KNAB1218Y5876536	14010975	Abandoned/Junk/ Unable to notify owner/Poor Cond/JUNK
5/26/2014	1997	Ford	1FMDU34E5VUB23754	14010611	MVA /Junk/ Owner notified /Damage/JUNK
4/11/2014	2000	Nissan	JN1CA31A3YT032277	14009341	MVA/Junk/Owner notified and removed plates/Damage/JUNK
12/16/2013	1991	Toyota	4zt15V22E1MU382967	13026166	Abandoned/ letter sent to owner 12/17/13/ Interior damage mold/JUNK
10/18/2013	1993	Accura	JH4KA7678PC020247	13021838	MVA/TOT RPD Junk/Damage/JUNK
9/29/2013	1999	Ford	1FMDV34X9XZA66191	13020431	DWI/ May be released/Key/Poor cond/JUNK
9/28/2013	1995	Toyota	JT3VN39W150218763	13020260	MVA LS/ Unable to contact owner/previous lein holder SCNB veh paid off no lein/damage/JUNK
8/24/2013	1997	Ford	1FMFU18L2VLC04867	13017597	May be released/ letter mailed to owner/Interior damage/JUNK
8/6/2013	2001	Hyundai	KMHDN45D514174304	13016185	Abandoned/ may be released, owner retrieved items 09/10/13/Damage/JUNK
8/2/2013	2001	Mazda	JM1BJ225010401530	13015872	Abandoned/ May be released/Owner retrieved property 08/20/13/Interior damage/JUNK
8/1/2013	2012	Nissan	3N1AB6AP6CL708731	1315753	DWI/ May be released 02/19/14, must pat fees/Key/Damage/JUNK
6/25/2013	1997	Mitsubi	4A3AK44Y5VE0511474	13012677	Abandoned/ unable to contact owner/ letter sent 6/26/13/damage/JUNK
5/13/2013	1995	Mercury	1MELM6246SH619323	13009252	VTL 1224.3 May be released/No key/not worth \$500./JUNK
4/12/2013	1996	Honda	1HGCD5638TA061614	13007074	Abandoned/ owner notified 05/15/13/No key/Poor cond/JUNK
1/2/2013	1996	Honda	1HGCD569XTA253055	13000122	MVA/ Safety check/ May be released/ unable to contact owner/ No key/damage/JUNK
8/31/2012	1995	Acura	JH4KA7663SC004652	12017713	EVD/ May be released/ personal items released 09/13/13/poor cond/JUNK
7/28/2012	1991	Toyota	JT3VN39WXM8028254	12015033	MVA/ May be released/ Unk owner/Junk/Key/poor cond/JUNK
6/20/2012	1997	Honda	1HGCD5608VA122176	12011962	MVA/ May be released/ Unk. Owner/ Heavy damage/JUNK
6/17/2012	1995	Honda	1HGE8653SL022712	12011692	MVA LS/ may be released/LTO sold veh does not want it/Damage/JUNK
5/19/2012	2001	Chevy	1NXB802E9TZ408811	12009588	TOT RPD 06/18/12/No Key/Poor cond/JUNK
4/20/2012	2001	Chevy	2G1WF52E919308248	12007685	Safety check/Owner does not wish veh. Can't find title 02/05/2013/Damage/JUNK
4/12/2012	1996	Nissan	1N4BU31D2TC101906	12007183	MVA LS/ May be released/ Unable to contact owner/LKO sold veh/Damage/JUNK
2/27/2012	2001	Kia	KNADC123016051502	12003947	Abandoned/May be released/ letter sent 02/28/2012/No key/Damage/JUNK
1/13/2012	1999	Hyundai	KMHJF25F8XU788018	12000873	TOT RPD 01/20/12/Damage/JUNK
11/18/2011	1984	Caddy	1G6AW698XE9007171	11022899	TOT RPD 11/21/11/No key/Poor cond/JUNK
10/11/2011	2001	Ford	1FAH955241A245245	11020265	Abandoned/ Unk. Owner/Poor Cond/JUNK

IMPOUNDS TO BE JUNKED

25 x 20 x 10 x 10

32 VOL 1170