

RESOLUTION LIST

DECEMBER 20, 2016

- Res. #903 Capital Project Closure #30136**
- Res. #904 Sewer Budget Adjustment**
- Res. #905 Town Attorney Budget Adjustment**
- Res. #906 Appoints a Student Intern in the Building/Planning Department (Daniel Hubbard)**
- Res. #907 Authorizes Town Clerk to Publish and Post the Attached Notice to Bidders for Highway Department Metal Storage Building**
- Res. #908 Authorizes Amendment to Deed of Conservation Easement for Demchuk Estates**
- Res. #909 Ratifies the Acceptance of a Security for J. Petrocelli Contracting, Inc. (Preston House Foundation)**
- Res. #910 Authorizes Filing of Formal Notice of Claim for Payment of Assessment and Tax Stabilization Funds from the County of Suffolk for 2016 and 2017 Pursuant to Tax Law Section 1210-A**
- Res. #911 Amends and Corrects Resolution #899 Adopted on December 6, 2016 Awarding Bid for Installation of Standby Generator and Transfer Switch at Plant No. 15 of the Riverhead Water District**
- Res. #912 Authorization to Publish Advertisement for Engineering Department Removal/Grinding of Town Yard Waste On-Site at North Side Young's Avenue Yard Waste Facility**
- Res. #913 Authorizes Town Clerk to Publish and Post a Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 289 Entitled, "Vehicles, Traffic and Parking Regulations" of the Riverhead Town Code (§289-10. Parking prohibited. – Second Street)**
- Res. #914 Authorizes the Town Supervisor to Execute a Professional Service Agreement with Robert Hubbs**
- Res. #915 Approves the Chapter 255 Application of Race Awesome, Inc. (Jamesport Triathlon – July 8th & 9th 2017)**

- Res. #916** Authorizes the Supervisor to Issue a Letter to the Suffolk Department of Health Services Allowing the Use of Pine Barrens Credits Originated from Property Located in Riverhead (Jake Watral)
- Res. #917** Reappoints Members to Parking District Advisory Committee
- Res. #918** Appoints Members to Parking District Advisory Committee
- Res. #919** Authorizes the Supervisor to Execute an Agreement with Arleen Bobal for Transcription of Town Meetings
- Res. #920** Authorizes the Supervisor to Execute an Agreement with Flynn Stenography & Transcription Services for Transcription of Town Meetings
- Res. #921** Reappoints Marriage Officer (Diane Wilhelm)
- Res. #922** Reappoints Marriage Officer (James Wooten)
- Res. #923** Corrects Bid Price for Water Service Materials
- Res. #924** Grants Excavation/Exportation Permit as Provided by Chapter 229 to J. Kings Realty, Inc. (Grapes & Greens)
- Res. #925** Resolution Authorizing Supervisor to Enter into and Execute an Agreement to Enter into and/or Amend Terms and Conditions of Employment for all Contract and Non-Contract Department Heads, Management and Such Other Employees Not Provided Under CSEA, PBA and SOA Contracts
- Res. #926** Pays Bills
- Res. #927** Extends Contract with Arthur J. Gallagher & Co. Risk Management Services for the Implementation of the Insurance Program for 2017
- Res. #928** Authorizes Appointment of Third Party Administrator Processing and Payment of General Liability Claims and Workers Compensation Claims and Related Medical Claims for 2017

TOWN OF RIVERHEAD

Resolution # 903

CAPITAL PROJECT CLOSURE #30136

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Capital Project #30136, Hallock State Park & Preserve is considered complete; and

RESOLVED, that the Developer, Hartcorn Plumbing & Heating, Inc., is due a refund of \$1050.56 of unspent installation costs.

RESOLVED, that the Town Board hereby authorizes the Accounting Department to close Capital Project #30136, modify the budget and return the unspent money of \$1050.56 to Hartcorn Plumbing & Heating, Inc., 850 S. 2nd Street, Ronkonkma, NY 11779.

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

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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 904

SEWER

BUDGET ADJUSTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Sewer Department requests a budget adjustment for payment of the SPDES Fee.

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

| | <u>FROM</u> | <u>TO</u> |
|--|--------------------|------------------|
| 114.081300.541500 Truck & Car Repair | 3,000 | |
| 114.081300.542900 Fuel-Gas & Diesel | 6,000 | |
| 114.081300.543320 Professional Services-Atty | 3,000 | |
| 114.081300.546200 Utilities-Electric | 6,000 | |
| 114.081300.546511 SPDES-Fees | | 18,000 |

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

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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 905

TOWN ATTORNEY

BUDGET ADJUSTMENT

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town Attorney’s Office requests a budget adjustment for litigation and appraisals.

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

| | <u>FROM</u> | <u>TO</u> |
|--|--------------------|------------------|
| 001.090100.581500 NYS Retirement | 47,400. | |
| 001.090150.581100 NYS Retirement – Police | 25,800. | |
| 001.090500.548100 Unemployment Insurance Claim | 20,000. | |
| 001.019100.548300 Unallocated Insurance | 9,400. | |
| 001.090400.548300 Workers Comp Premiums | 5,100. | |
| | | |
| 001.014200.543301 Litigation, Appraisal & Rec | | 107,700.00 |

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

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

| | |
|---|--|
| Hubbard <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Giglio <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 # 906

APPOINTS A STUDENT INTERN IN THE BUILDING/PLANNING DEPARTMENT

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the need for Student Interns exist in the Town's Building and Planning Department; and

WHEREAS, a recommendation of a suitable candidate has been received by the Personnel Committee.

RESOLVED, that effective today, December 20, 2016 and continuing through January 27, 2017, this Town Board hereby appoints Daniel Hubbard to the position of Student Intern I at an hourly rate of \$10.50.

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

Hubbard - ABSTAIN
Wooten Yes No

Giglio Yes No
Dunleavy Yes No

Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 907

AUTHORIZES TOWN CLERK TO PUBLISH AND POST THE ATTACHED NOTICE TO BIDDERS FOR HIGHWAY DEPARTMENT METAL STORAGE BUILDING

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the December 29, 2016 issue of the official Town newspaper for the Highway Department Metal Storage Building; and

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

THE VOTE

Hubbard Yes No Giglio 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 Metal Storage Building will be received by the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 4:00 pm on January 26, 2017 and will be publicly opened and read aloud at 11:00 am on Friday, January 27, 2017 in the Office of the Town Clerk.

Plans and specifications may be examined and/or obtained on or about December 29, 2016 by visiting the Town of Riverhead website: www.townofriverheadny.gov and click on bid requests.

Each proposal must be submitted on the form provided and must be in a sealed envelope clearly marked, "Highway Department Metal Storage Building" and must be accompanied by a bid surety as stated in the Instructions to Bidders.

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.

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

Dated: December 20, 2016

TOWN OF RIVERHEAD

Resolution # 908

**AUTHORIZES AMENDMENT TO DEED OF CONSERVATION EASEMENT
FOR DEMCHUK ESTATES**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the major subdivision of Demchuk Estates requires the filing of a Conservation Easement, which deed was filed with the Clerk of Suffolk County on June 17, 2007 at Liber D00012509 page 141, and

WHEREAS, after the development of the subdivision, application was made to the Planning Board and the Town of Riverhead Farmland Committee to determine whether the language of the recorded Easement permitted the agricultural use of greenhouses in conjunction with the other uses permitted by the Easement, and

WHEREAS, after due deliberation and consideration the Riverhead Planning Board adopted resolution number 2016-0064 on July 7, 2016 which permitted an amendment to the Easement to clarify the permitted agricultural uses as set forth in the attached Amendment to Deed of Conservation Easement, and

WHEREAS, such Amendment has been approved by the Riverhead Farmland Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be, and hereby is authorized to execute the attached Amendment to Deed of Conservation Easement and necessary recording documents, 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared TABLED

AMENDMENT TO DEED OF CONSERVATION EASEMENT

THIS AMENDMENT TO DEED OF CONSERVATION EASEMENT is made on the day of _____, 2016, at Riverhead, New York. The parties are Soon Deok Kwon with an address of 31-19 Higgins Street, Flushing, New York 11354 (herein called "Grantor"), and the Town of Riverhead, a municipal corporation having a principal office at 200 Howell Avenue, Riverhead, New York 11901 (herein called "Grantee").

WHEREAS, a certain Deed of Conservation Easement dated June 7, 2007, was recorded with the Suffolk County Clerk on June 17, 2007 at Liber D00012509 page 141.

WHEREAS, the real property affected by the Deed of Conservation Easement is a 15+/- acre site located between Twomey Avenue and Riley Avenue at Calverton, Suffolk County, New York (SCTM#0600-79-01-009.005);

WHEREAS, the Grantor is the owner of the above site and has requested that the Deed of Conservation Easement be amended;

WHEREAS, pursuant to a Resolution No. 2016-0064 of the Riverhead Town Planning Board adopted on July 7, 2016, the Deed of Conservation Easement is amended in part by deleting the paragraph at page 7 which starts "Not Withstanding Anything to the Contrary" and concludes "As Approved by the Riverhead Planning Board" and inserting in its place the following paragraph:

"NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED HEREIN, NO STRUCTURES MAY BE ERECTED OR MAINTAINED ON THE PROPERTY DESCRIBED IN SCHEDULE "A" EXCEPT AS PERMITTED BY THIS PARAGRAPH:

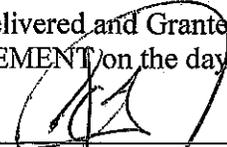
1. DEER FENCING ALONG PERIMETER BOUNDARIES AND EXISTING POTATO BARN TOGETHER WITH TRANSFORMER BOX AND PANEL BOX FOR ELECTRICITY.
2. ONE POLE BARN AS DESCRIBED IN BUILDING PERMIT APPLICATION NO. 77 DATED FEBRUARY 9, 2016 NOT TO EXCEED 40 FEET BY 100 FEET.
3. SIX (6) GREENHOUSES EACH NO LARGER THAN 30 FEET BY 150 FEET AS DEPICTED UPON A SURVEY TO BE FILED WITH THE PLANNING BOARD BEARING THE SIGNATURE OF THE CHAIRMAN OF THE BOARD AND DATE OF APPROVAL.
4. UPON THE COMPLETE REMOVAL OF ALL OF THE GREENHOUSES A SINGLE FAMILY RESIDENCE AND ACCESSORY STRUCTURES MAY BE CONSTRUCTED AND MAINTAINED SUBJECT TO THE FOLLOWING LIMITATIONS AND CONDITIONS: THE SQUARE FOOTAGE MAY NOT EXCEED A TOTAL OF 3000 SQUARE FEET FOR THE SINGLE FAMILY RESIDENCE AND ACCESSORY STRUCTURE(S); COMPLIANCE WITH THE THEN CURRENT LOT YARD DIMENSIONAL REQUIREMENTS; APPROVAL OF SITING ALL SUCH RESIDENTIAL IMPROVEMENTS BY THE PLANNING BOARD; AND RESTORATION OF THAT PORTION OF PROPERTY WHEREIN THE GREENHOUSES WERE LOCATED TO CROP PRODUCTION OR GRAZING LAND FREE OF ANY STRUCTURES OR EQUIPMENTS,

TEMPORARY OR PERMANENT.

- 5. NO OTHER STRUCTURE OR EQUIPMENT, TEMPORARY OR PERMANENT, FOR ANY PURPOSE SHALL BE ERRECTED AT THE PROPERTY. MARKETING OR RETAIL SALES SHALL BE PROHIBITED;

Except for the above amendment no other part of the Deed of Conservation Easement dated June 7, 2007, and recorded with the Suffolk County Clerk on June 17, 2007 at Liber D00012509 page 141 is amended, and, as amended the Deed of Conservation Easement remains in full force and effect.

IN WITNESS WHEREOF, Grantor has executed and delivered and Grantee has accepted and received this AMENDMENT TO CONSERVATION EASEMENT on the day and year set forth above.

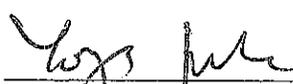


 Soon Deok Kwon, Grantor

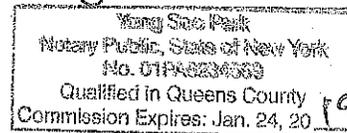
Town of Riverhead, Grantee

STATE OF NEW YORK)
)ss.:
 COUNTY OF SUFFOLK)

On the 18th day of Nov, 2016 before me, the undersigned, personally appeared Soon Deok Kwon personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.



 Notary Public



STATE OF NEW YORK)
)ss.:
 COUNTY OF SUFFOLK)

On the _____ day of _____, 2016 before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

 Notary Public

TOWN OF RIVERHEAD

Resolution # 909

**RATIFIES THE ACCEPTANCE OF A SECURITY FOR
J. PETROCELLI CONTRACTING, INC.
(PRESTON HOUSE FOUNDATION)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, by Town Board Resolution No. 859, dated November 17, 2016, this Board did approve the site plan application of J Petrocelli Contracting, Inc, to allow the construction to convert an existing two-story building for use as a restaurant with a bar, having a seating capacity of 206 seats and to construct a separate five (5) story hotel with 20 units located to the rear of the restaurant/bar facility, all upon real property known and designated as 428 East Main Street, Riverhead, further described as Suffolk County Tax Map No. 600-129-03-13; and

WHEREAS, J. Petrocelli Contracting, Inc. has petitioned for a foundation only construction permit pursuant to §217-9 of the Code of the Town of Riverhead as depicted on the submitted plan, dated November 17, 2016, prepared by Andrew Vincent Giambertone, RA.

NOW THEREFORE BE IT RESOLVED that based upon the forgoing the Town Board hereby authorizes the acceptance of the required security; and be it further

RESOLVED, the Building Department is hereby authorized to accept and collect the sum of Thirty Thousand Dollars (\$30,000); and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to J. Petrocelli Contracting, Inc, 100 Comac St, Ronkonkoma, New York 11779, Eric J. Russo, Esq, Van Brunt, Juzwiak & Russo, PC, 140 Main Street, Sayville, New York 11782.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 910

AUTHORIZES FILING OF FORMAL NOTICE OF CLAIM FOR PAYMENT OF ASSESSMENT AND TAX STABILIZATION FUNDS FROM THE COUNTY OF SUFFOLK FOR 2016 AND 2017 PURSUANT TO TAX LAW SECTION 1210-A

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Riverhead Town Board is the governing body of the Riverhead Sewer District, which is a municipal sewer district located wholly within Suffolk County, New York which provides sewer collection and treatment for the Suffolk County Center and Correctional Facility complex, downtown Riverhead and the commercial area of County Route 58, and

WHEREAS, Suffolk County was instrumental in the preparation of a study pursuant to Section 303(d) of the Federal Clean Water Act which was published September 2007 entitled "Total Maximum Daily Load for Nitrogen in the Peconic Estuary Program Study Area, Including Waterbodies Currently Impaired Due to Low Dissolved Oxygen: the Lower Peconic River and Tidal Tributaries; Western Flanders Bay and Lower Saw Mill Creek; and Meetinghouse Creek, Terrys Creek and Tributaries" which determined the combined pollutant load called the Total Daily Maximum Load or "TMDL" for the effluent from the Riverhead Sewer Treatment Plant located at Riverside Drive in Riverhead, and

WHEREAS, in response to the County TMDL study the New York Department of Environmental Conservation amended the operative State Pollution Discharge Elimination System Discharge Permit ("SPDES Permit") which regulates the parameters of operation and function of the Riverhead Sewer Treatment Plant to require state of the art treatment mandated by a Compliance Action schedule, and

WHEREAS, the Riverhead Town Board authorized and directed H2M consulting engineers to prepare a Facility Plan engineered to meet the TMDL design performance requirements, which plan was prepared and approved by New York State DEC, and

WHEREAS, detailed plans and specifications suitable for public bidding were prepared by H2M, the project was bid, has been constructed, and meets all current SPDES permit requirements, and

WHEREAS, the payment of debt service and operation and maintenance associated with the Advanced Wastewater Treatment Facility has caused an increase in the expenses of the Riverhead Sewer District, and

WHEREAS, the Advanced Wastewater Treatment Facility provides treated effluent for irrigation of the Indian Island Golf Course which is a Suffolk County Park, and

WHEREAS, the Advanced Wastewater Treatment Facility treats sewage from the Suffolk County Sewer District that encompasses the Riverhead Suffolk County Center at 100 Center Drive from a County sewer district pump station which would otherwise require the ownership and operation of a County owned sewer district.

NOW, THEREFORE BE IT RESOLVED that the Riverhead Town Board, as governing body of the Riverhead Sewer District, based upon the above referenced facts makes the following findings and determinations:

That Tax Law section 1210-A of the State of New York provides for the collection of state sales and compensating use tax in the County of Suffolk of one quarter of one percent (.25%) within the territorial limits of the County of Suffolk for distribution to the towns and villages which have established sewer districts to stabilize the assessments or taxes within such districts.

That the Town of Riverhead established the Riverhead Sewer District in 1936 which sewer district is a sewer district within the meaning of Tax Law section 1210-A.

That the monies collected by such sales tax are paid over by New York State to Suffolk County for distribution by the County to the duly established town sewer districts located within the territorial limits of Suffolk County.

That Suffolk County has not promulgated any process or rules or regulations for the administration of the funds collected through 1210-A for distribution to town and village sewer districts to provide assessment and rate stabilization for such districts.

That the Legislature of Suffolk County has determined that the amount of money necessary to stabilize the assessment or tax of sewer districts within Suffolk County is that amount paid from the tax imposed by 1210-A as shall cause the annual increase of the assessment or tax of a sewer district to not increase more than three percent (3%).

That since 1987 the County of Suffolk has determined that the Riverhead Sewer District should receive monies from the tax collected pursuant to 1210-A paid monies to the Riverhead Sewer district.

That due to the construction of the Advanced Wastewater Treatment Facility required by the County TMDL, the Riverhead Sewer District advised the County of Suffolk that the amount necessary to stabilize the assessment or tax of the resident users of the Riverhead Sewer District at the three percent (3%) level for 2016 would be \$681,828.

That the County has not promulgated an application form or method of application for towns and villages to request 1210-A monies for sewer assessment and rate stabilization and therefor the Riverhead Sewer District wrote a letter of application to the County Executive dated November 1, 2015, a copy of which is attached hereto and incorporated herein as if fully set forth, requesting 1210-A assessment and rate stabilization in the amount of \$681,828 for 2016.

That in response to this letter application, additional financial information was requested by Suffolk County, which was provided by the Riverhead Sewer District. However, no formal decision has been made by the County of Suffolk.

That the County of Suffolk paid the Riverhead Sewer District \$144,688 on or about March 1, 2016 from monies collected pursuant to 1210-A leaving a shortfall of \$537,140 in the amount properly due and owing from the funds on hand with the County of Suffolk necessary to stabilize the assessment or tax for the Riverhead Sewer District.

That the final closing with the New York State Environmental Facilities Corporation has fixed the long term debt incurred for the above mentioned Advanced Wastewater Treatment Facility at \$12,788,359.

That based upon the debt service for the EFC permanent financing and the increased costs associated with the operation of the Advanced Wastewater Treatment Facility, the amount payable by the County of Suffolk to stabilize the assessment or tax for the Riverhead Sewer District at the County determined increase of three percent (3%) for 2017 is \$1,466,712.

That under the standard of due process of law, the Suffolk County Legislature should have allocated and paid \$681,828 for 2016, leaving a balance due and owing of \$537,140.

That under the standards of equal protection of law, the assessment and taxes paid by users of the Riverhead Sewer District should have been stabilized at the rate of increase not exceeding three percent (3%) for 2016 requiring the payment of \$537,140.

That under the standard of due process of law, the Suffolk County Legislature should have allocated and paid \$1,466,712 for 2017.

That under the standards of equal protection of law, the assessment and taxes paid by users of the Riverhead Sewer District should have been stabilized at the rate of increase not exceeding three percent for 2017 requiring the payment of \$1,466,712.

That the County of Suffolk has sufficient monies on hand of at least \$100,000,000 that is available for distribution to stabilize assessments and taxes for the Riverhead Sewer District.

That such funds actually on hand may be used for no other purpose by the County of Suffolk other than to stabilize the assessment and taxes of sewer districts within the County.

That the payment to stabilize the assessment and taxes of the Riverhead Sewer District from the funds of 1210-A will not be paid from the general tax revenue or general fund balance of the County of Suffolk, and

BE IT FURTHER RESOLVED, that the Town Supervisor, acting on behalf of the Riverhead Sewer District and the users thereof, be and hereby is authorized to file a formal Notice of Claim with this resolution and supporting documentation and take such other action as necessary to compel the payment from the County of Suffolk of

\$537,140 for 2016 and \$1,466,712 for 2017 pursuant to Tax Law section 1210-A, the statutes made and provided, and the local laws of the County of Suffolk, 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 911

**AMENDS AND CORRECTS RESOLUTION #899 ADOPTED ON
DECEMBER 6, 2016 AWARDED BID FOR INSTALLATION OF STANDBY
GENERATOR AND TRANSFER SWITCH AT PLANT NO. 15 OF THE
RIVERHEAD WATER DISTRICT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, by Resolution #899 adopted on December 6, 2016, the Town Board, at the recommendation of H2M Group, consulting engineers to the Riverhead Water District, awarded the bid for Installation of Standby Generator and Transfer Switch at Plant No. 15 of the Riverhead Water District located at Tuthills Lane, Jamesport, New York to Commander Electric; and

WHEREAS, Resolution #899 of 2016 contained an error that incorrectly stated the bid amount as \$166,600.00, not the actual bid of \$166,666.00, which remains the lowest responsible bid; and

NOW, THEREFORE, BE IT RESOLVED, that Resolution #899 is hereby amended to correct the bid amount to \$166,666.00; 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 912

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR ENGINEERING DEPARTMENT REMOVAL/GRINDING OF TOWN YARD WASTE ON-SITE AT NORTH SIDE YOUNG'S AVENUE YARD WASTE FACILITY

Councilman Wooten 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 **ENGINEERING DEPARTMENT REMOVAL/GRINDING OF TOWN YARD WASTE ON-SITE AT NORTH SIDE YOUNG'S AVENUE YARD WASTE FACILITY**.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish and post the following public notice in the December 29, 2016 issue of the News-Review; 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

TAKE NOTICE that sealed bids for **ENGINEERING DEPARTMENT REMOVAL/
GRINDING OF TOWN YARD WASTE ON-SITE AT NORTH SIDE YOUNG'S AVENUE
YARD WASTE FACILITY** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, **until 11:00 a.m. on
January 31, 2017.**

Bid packets, including Specifications, may be examined and/or obtained by visiting the Town of Riverhead website at www.townofriverheadny.gov and click on Bid Requests beginning **December 29, 2016.**

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 in a sealed envelope bearing the designation **ENGINEERING DEPARTMENT REMOVAL/GRINDING OF TOWN YARD
WASTE ON-SITE AT NORTH SIDE YOUNG'S AVENUE YARD WASTE
FACILITY.** Bids must be received by the Office of the Town Clerk by no later than **11:00 a.m. on January 31, 2017.**

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.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

TOWN OF RIVERHEAD

Resolution # 913

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 289 ENTITLED, "VEHICLES, TRAFFIC AND PARKING REGULATIONS" OF THE RIVERHEAD TOWN CODE
(§289-10. Parking prohibited. – Second Street)

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

RESOLVED, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider a proposed local law for the amendment of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the December 29, 2016 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 18th day of January, 2017 at 7:05 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

Chapter 289
VEHICLES, TRAFFIC AND PARKING REGULATIONS
ARTICLE IV
Parking, Standing and Stopping

§ 289-10. Parking prohibited.

The parking of vehicles is hereby prohibited in the locations as follows:

| Name of Street | Side | Location |
|--------------------------|------------------|--|
| Second Street | South | Immediately across from the Riverhead Fire Department |

- Overstrike represents deletion(s)

Dated: Riverhead, New York
December 20, 2016

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 914

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

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

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 January 1, 2017 through to April 30, 2017 with a 100-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

Hubbard Yes No Giglio 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 _____, 2017 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 January 1, 2017 and terminate on April 30, 2017 with a cap of 100 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: Sean M. Walter, Supervisor
Town of Riverhead
200 Howell Avenue
Riverhead, NY 11901

by: Robert Hubbs
42 Marvin Street
Patchogue, NY 11772

TOWN OF RIVERHEAD

Resolution # 915

APPROVES THE CHAPTER 255 APPLICATION OF
RACE AWESOME, INC.
(Jamesport Triathlon – July 8th & 9th 2017)

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, on July 7, 2016, Corey Roberts, on behalf of Race Awesome, Inc., submitted a Chapter 255 Application for the purpose of conducting a triathlon event entitled “Jamesport Triathlon”, to raise donations for a local charity, namely, the Daniella Maria Arturi Foundation. Said triathlon to include swim, bike and run events, which will commence and terminate at South Jamesport Beach and encompass various roads within the Town of Riverhead, on Saturday, July 8, 2017 between the hours of 12:00 noon and 5:00 p.m. (set up) and on Sunday, July 9, 2017, between the hours of 4:30 a.m. and 12:30 p.m. (race day); and

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

WHEREAS, the applicable Chapter 255 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 255 Application of Race Awesome, Inc. for the purpose of conducting a triathlon event entitled “Jamesport Triathlon” at the aforementioned locations and times 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 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 receipt of a fully executed license agreement, together with the requisite license fee as stated in said license agreement, for purposes of the utilization of Police personnel and patrol vehicles, **no later than May 2, 2017**; and be it further

RESOLVED, that this approval is subject to receipt of written confirmation from the Riverhead Volunteer Ambulance Corp. that they have been contacted and will be available to provide their services at the event on the specified dates and times; and be it further

RESOLVED, that this approval is subject to receipt of an Outdoor Public Safety Plan, to be submitted to the Fire Marshal's office **no later than May 2, 2017**; 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 301-249 - "Signs" and any other section of the Riverhead Town Code that may pertain to this event; 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 916

AUTHORIZES THE SUPERVISOR TO ISSUE A LETTER TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES ALLOWING THE USE OF PINE BARRENS CREDITS ORIGINATED FROM PROPERTY LOCATED IN RIVERHEAD (JAKE WATRAL)

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, Pine Barrens credits issued by the Central Pine Barrens Joint Planning and Policy Commission from properties within the Towns of Brookhaven, Riverhead and Southampton may be used interchangeably within the Towns provided that both Towns authorize said use; and

WHEREAS, Jake Watral wishes to increase the available sanitary density for premises in the Town of Islip by using 0.554 credits under Pine Barrens Certificate #600-120 which certificate is originating from properties located in the Town of Riverhead (Suffolk County Tax Map #0600-142.00-02.00-001.001 and 0600-143.00-01.00-008.001, 013.001 & 015.000); and

WHEREAS, the Town of Islip has authorized said transfer.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to issue a letter in substantially the same form as attached to the Suffolk County Department of Health Services approving the use of said Riverhead Pine Barrens credit(s) on premises located at west side of 1018 Suffolk Avenue, Brentwood, Town of Islip, New York, further described as Suffolk County Tax Map No. 0500-117.00-03.00-090.001; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to Christopher E. Kent, Esq., Farrell Fritz, P.C., 100 Motor Parkway, Suite 138, Hauppauge, New York 11778; the Planning Department and the Office of the Town Attorney.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted



TOWN OF RIVERHEAD

Sean M. Walter, Town Supervisor

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

December 21, 2016

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

Re: 1018 Suffolk Avenue, Brentwood, Town of Islip, New York
SCTM # 0500-117.00-03.00-090.001

Dear Sir or Madam:

This shall confirm that the Town Board of the Town of Riverhead consents to the use of an additional 0.554 credits under Pine Barrens Certificate # 600-120, a Town of Riverhead Pine Barrens Credit to enhance the available sanitary density on properties known as 1018 Suffolk Avenue, Brentwood, Town of Islip, New York, further described as Suffolk County Tax Map No. 0500-117.00-03.00-090.001.

Kindly contact this office with any questions you may have.

Very truly yours,

Sean M. Walter,
Supervisor

TOWN OF RIVERHEAD

Resolution # 917

REAPPOINTS MEMBERS TO PARKING DISTRICT ADVISORY COMMITTEE

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the Town Board, pursuant to Resolution # 432 adopted on June 7, 1994, created a liaison group to serve at the pleasure of the Town Board, now referred to as the "Parking District Advisory Committee," to act as trustees of the Parking District for the purpose of advising and reporting to the Town Board on such matters related to the Parking District, including but not limited to, maintenance and future development within the Parking District; and

WHEREAS, after receipt of recommendations to expand membership and representation of community interests from the members of the Parking District Advisory Committee and landowners and tenants within the Parking District, the Town Board, pursuant to Resolution # 166 adopted on March 7, 1995, expanded the Parking District Advisory Committee; and

WHEREAS, Resolution #763 of August 2, 2005 adopted guidelines for Town Board Advisory Committees; and

WHEREAS, guideline # 1 states that each committee will consist of no less than seven and no more than nine members who will serve a term no longer than two years subject to reappointment; and

WHEREAS, Timothy Griffing, John Mantzopoulos, and Ed Tuccio have served on the Parking District Advisory Committee and choose to be reappointed members.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby appoints Timothy Griffing, John Mantzopoulos, and Ed Tuccio, to the Parking District Advisory Committee with terms set to expire December 2017; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Timothy Griffing, John Mantzopoulos, and Ed Tuccio; 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

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

TOWN OF RIVERHEAD

Resolution # 918

APPOINTS MEMBERS TO PARKING DISTRICT ADVISORY COMMITTEE

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town Board, pursuant to Resolution # 432 adopted on June 7, 1994, created a liaison group to serve at the pleasure of the Town Board, now referred to as the "Parking District Advisory Committee," to act as trustees of the Parking District for the purpose of advising and reporting to the Town Board on such matters related to the Parking District, including but not limited to, maintenance and future development within the Parking District; and

WHEREAS, after receipt of recommendations to expand membership and representation of community interests from the members of the Parking District Advisory Committee and landowners and tenants within the Parking District, the Town Board, pursuant to Resolution # 166 adopted on March 7, 1995, expanded the Parking District Advisory Committee; and

WHEREAS, Resolution #763 of August 2, 2005 adopted guidelines for Town Board Advisory Committees; and

WHEREAS, guideline # 1 states that each committee will consist of no less than seven and no more than nine members who will serve a term no longer than two years subject to reappointment; and

WHEREAS, vacancies exist on the Parking District Advisory Committee; and

WHEREAS, Isaac Israel, Keith Kouris, and Robert Hartmann have expressed interest in volunteering on the Parking District Advisory Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby appoints Isaac Israel, Keith Kouris, and Robert Hartmann to the Parking District Advisory Committee with terms set to expire December 2018; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Isaac Israel, Keith Kouris, and Robert Hartmann; 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 919

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH
ARLEEN BOBAL FOR TRANSCRIPTION OF TOWN MEETINGS**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town Board is desirous of contracting with Arleen Bobal, to perform transcription services for the minutes of various boards within the Town of Riverhead at a rate not to exceed \$4.00 per page and within such time parameters determined appropriate by the Town Clerk for the period January 1, 2017 through December 31, 2017 services; and

NOW THEREFORE BE IT RESOLVED, that the Town board of the Town of Riverhead hereby authorizes the Town Supervisor to enter into an agreement with Arleen Bobal for the performance of transcribing the minutes of various boards within the Town of Riverhead at a rate not to exceed \$4.00 per page and within the time parameters determined appropriate by the Town Clerk for a period effective January 1, 2017 through December 31, 2017; and be it further;

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution and attached agreement to Arleen Bobal, 43 Daffodil Lane, Wantagh, NY 11793; 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**AGREEMENT
TOWN OF RIVERHEAD AND ARLEEN BOBAL
FOR TRANSCRIPTION SERVICES**

THE PARTIES HERETO AGREE AS FOLLOWS:

THIS AGREEMENT ENTERED INTO THE 1st day of January, 2017 by and between the Town of Riverhead, a municipal corporation with its principal place of business at 200 Howell Avenue, Riverhead, New York 11901 (Hereinafter referred to as the party of the first part) and Arleen Bobal, 43 Daffodil Lane, Wantagh, NY 11793

WITNESSETH:

The parties hereto agree as follows:

WHEREAS, the Town of Riverhead wishes to engage the services of Ms. Bobal for the performance of transcribing the minutes of various boards within the Town of Riverhead at a rate not to exceed \$4.00 per page effective January 1, 2017 through December 31, 2017 within the time parameters determined appropriate by the Town Clerk; and

NOW THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS: Arleen Bobal shall perform transcribing services for the minutes of the Town Board Meetings, Grievances and Special Town Board Meetings at the rate not to exceed \$4.00 per page within the time parameters set forth and determined appropriate by the Town Clerk and supply the Town of Riverhead with an e-mailed copy of the typed minutes of each meeting.

The terms of agreement shall be from January 1, 2017 through December 31, 2017.

IN WITNESS WHEREOF, the parties hereto have executed this agreement of the day of and year first above written.

TOWN OF RIVERHEAD

BY: _____ **Date:** _____
Sean Walter
Town Supervisor

BY: _____ **Date:** _____
Arleen Bobal

TOWN OF RIVERHEAD

Resolution # 920

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH
FLYNN STENOGRAPHY & TRANSCRIPTION SERVICES FOR
TRANSCRIPTION OF TOWN MEETINGS**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Board, by Resolution # 919 adopted on December 20, 2016, authorized the Supervisor to execute a contract with Arleen Bobal for the performance of transcribing the minutes of various boards within the Town of Riverhead, effective January 1, 2017 through December 31,2017; and

WHEREAS, the Town Board is desirous of contracting with a second firm, Flynn Stenography & Transcription Services, to perform said transcribing services in the event that Ms. Bobal is unable to perform the services within the time parameters determined appropriate by the Town Clerk; and

NOW THEREFORE BE IT RESOLVED, that the Town board of the Town of Riverhead hereby authorizes the Town Supervisor to enter into an agreement with Flynn Stenography & Transcription Services for the performance of transcribing the minutes of various boards within the Town of Riverhead at a rate not to exceed \$5.25 per page effective January 1, 2017 through December 31, 2017 and limited to those instances/occasions wherein Ms. Bobal is unable to perform the services within the time parameters determined appropriate by the Town Clerk; and be it further;

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution and attached agreement to Flynn Stenography & Transcription Services, 193 Griffing Avenue, Riverhead, NY 11901; and be it further

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

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

AGREEMENT
TOWN OF RIVERHEAD AND FLYNN STENOGRAPHY & TRANSCRIPTION
SERVICES FOR TRANSCRIPTION SERVICES

THE PARTIES HERETO AGREE AS FOLLOWS:

THIS AGREEMENT ENTERED INTO THE 1st day of January, 2017 by and between the Town of Riverhead, a municipal corporation with its principal place of business at 200 Howell Avenue, Riverhead, New York 11901 (Hereinafter referred to as the party of the first part) and Flynn Stenography & Transcription Services, 193 Griffing Avenue, Riverhead, NY 11901

WITNESSETH:

The parties hereto agree as follows:

WHEREAS, the Town of Riverhead wishes to engage the services of Flynn Stenography & Transcription Services for the performance of transcribing the minutes of various boards within the Town of Riverhead at a rate not to exceed \$5.25 per page effective January 1, 2017 through December 31, 2017 limited to those instances/ occasions wherein Ms. Bobal is unable to perform the services within the time parameters determined appropriate by the Town Clerk; and

NOW THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS: Flynn Stenography & Transcription Services shall perform transcribing services for the minutes of the Town Board Meetings, Grievances and Special Town Board Meetings at the rate not to exceed \$5.25 per page within the time parameters set forth and determined appropriate by the Town Clerk and supply the Town of Riverhead with an e-mailed copy of the typed minutes of each meeting.

The terms of agreement shall be from January 1, 2017 through December 31, 2017.

IN WITNESS WHEREOF, the parties hereto have executed this agreement of the day of and year first above written.

TOWN OF RIVERHEAD

BY: _____

Sean Walter
Town Supervisor

BY: _____, Title _____

Flynn Stenography
& Transcription Services

TOWN OF RIVERHEAD

Resolution # 921

REAPPOINTS MARRIAGE OFFICER

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby reappoints Town Clerk Diane M. Wilhelm as Marriage Officer for the Town of Riverhead effective January 1, 2017; 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 922

REAPPOINTS MARRIAGE OFFICER

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, pursuant to New York State Domestic Relations Law, Article Three, § 11-C(1), the Town Board of the Town of Riverhead is authorized to appoint one or more marriage officers who shall have the authority to solemnize a marriage and which marriage shall be valid if performed in accordance with other provisions of the Domestic Relations Law; and

WHEREAS, pursuant to New York State Domestic Relations Law, Article Three, § 11-C(2) and (4), the Town Board of the Town of Riverhead shall determine the number of such marriage officers appointed for the Town and term of office of each marriage officer; and

WHEREAS, Councilman James Wooten currently serves as Marriage Officer vested with the authority to solemnize marriages within the Town of Riverhead.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby appoints James Wooten, Councilman of the Town of Riverhead, as Marriage Officer for a term effective January 1, 2017 and set to expire on December 31, 2017; and be it further

RESOLVED, that the Town Clerk shall forward a copy of this resolution to Councilman James Wooten; 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

Hubbard Yes No Giglio Yes No
Wooten - ABSTAIN Dunleavy - ABSTAIN
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 923

CORRECTS BID PRICE FOR WATER SERVICE MATERIALS

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town Board adopted resolution #160901 on December 6, 2016, awarding part of a bid for water service materials for use by the Riverhead Water District; and

WHEREAS, prices for Item #16 and Item #17 are incorrectly listed on the award summary.

NOW THEREFORE BE IT RESOLVED, that Item #16 for 24" bottom ID x 21" ID top x 48"-long thermoplastic meter pit be corrected to \$152.67 and that Item #17 for 36" bottom ID x 36" ID top x 48"-long thermoplastic meter pit be corrected to \$390.50; and be it further

RESOLVED, that a copy of this resolution be forwarded to Blackman Plumbing Supply, Attention: Michael Fair, 900 Sylvan Avenue, Bayport, New York, 11705; 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

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 924

**GRANTS EXCAVATION/EXPORTATION PERMIT AS PROVIDED BY CHAPTER 229
TO J. KINGS REALTY, INC.
(GRAPES & GREENS)**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, by Planning Board Resolution No. 2016-0024, dated April 7, 2016, this Board did approve the site plan application of J. Kings Realty, Inc, to undertake multiple uses, including storage and processing of apples along with accessory hard cider tasting and retail sales, within portions of an existing 108,178 square foot building and related external improvements and alterations upon real property located at 2711 Sound Avenue, Baiting Hollow, further described as Suffolk County Tax Map No. 600-041-02-003.01; and

WHEREAS, J. Kings Realty, Inc. has petitioned the Town Board for a excavation permit pursuant to Chapter 229 of the Riverhead Town Code to excavate and export of 925 cubic yards of earthen material from this parcel for the development; and

WHEREAS, Gary Bruno, RA, has submitted a signed and sealed earthwork plan, dated December 14, 2016, that is in accordance with the approved Site Plan; and

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

NOW THEREFORE BE IT RESOLVED that based upon the forgoing the Town Board hereby grants the excavation permit requested by the applicant, such permit to authorize the exportation of not more than 925 cubic yards of soils in accordance with the application and calculations of Gary Bruno, RA, and in accordance with necessary approvals and permits; and be it further

RESOLVED, the Building Department is hereby authorized to accept and collect a permit fee of \$1,950; 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 all other provisions of Chapter 229 being hereby waived; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to J. Kings Realty, Inc, 700 Furrows Rd, Holtsville, New York 11742, and that all Town Hall Departments may review and obtain a copy of this resolution from electronic storage device, and if needed, a copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 925

RESOLUTION AUTHORIZING SUPERVISOR TO ENTER INTO AND EXECUTE AN AGREEMENT TO ENTER INTO AND/OR AMEND TERMS AND CONDITIONS OF EMPLOYMENT FOR ALL CONTRACT AND NON-CONTRACT DEPARTMENT HEADS, MANAGEMENT AND SUCH OTHER EMPLOYEES NOT PROVIDED UNDER CSEA, PBA AND SOA CONTRACTS

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

WHEREAS, the majority of Town department heads, management and such other employees not provided for under CSEA, PBA and SOA are the only sector of town employees that do not receive annual cost of living salary, salary/grade/step increases, and other pay enhancements such that the Town department heads, management and such other employees not provided for under CSEA, PBA and SOA are falling further behind other employees pay schedule; and

WHEREAS, in addition some of the Town department heads, management and such other employees not provided for under CSEA, PBA and SOA, in an effort to support the Town Board and its commitment to fiscal responsibility, and despite negotiated contract provisions for all unions, CSEA, PBA and SOA for cost of living and salary/step increases over the years, entered into agreements with the Town in either 2008, 2011 or both 2008 and 2011 to voluntarily "give back" 3.8% cost of living increase in an equivalent of hours such that all non-union employees would give back 2.66 hours per pay period for 26.1 pay periods (a total of 10 days off without pay and without the ability to rollover an unused portion of the 10 days or seek to buy back of the 10 days) plus a reduced and fixed cost of living increase for the year 2009 in the amount of 1.9 percent of employees annual income and a cost of living increase measured, by the consumer price index, *not to exceed 3.8 percent for the years 2010 and 2011 to run current with duration of the SOA contract and again in 2011 a voluntary give back equivalent to the 3.8% cost of living increase and cost of living increase for 2010 and 2011, respectively (note, in 2011 the give back resulted in approximately a \$100,000.00 savings in salary and an additional savings of \$20,000.00 in benefits (FICA, MTA Tax and ERS contributions); and

WHEREAS, there exists a disparity of treatment between the Town department heads, management and such other employees not provided for under CSEA, PBA and SOA (especially those employees that voluntarily made "give backs" as described above) and those employees provided for under union labor contracts, be it CSEA, PBA and SOA, who have continued to receive annual cost of living salary, salary/grade/step increases, and other pay enhancements such that the Town department heads,

management and such other employees not provided for under CSEA, PBA and SOA are falling further behind other employees pay schedule; and

WHEREAS, all the Town department heads, management and such other employees not provided for under CSEA, PBA and SOA referenced in the paragraphs above have requested that the Town address the issue of pay parity and provide cost of living and salary enhancements in an amount not less than other Town employees with many of these employees supervised or managed by the Town department heads, management and such other employees not provided for under CSEA, PBA and SOA; and

WHEREAS, the Town Board seeks to address the disparity between the department heads, management and such other employees not provided for under CSEA, PBA and SOA and those employees provided for under CSEA, PBA and SOA.

NOW, THEREFORE, BE IT RESOLVED the Town Board of the Town of Riverhead hereby authorizes the Supervisor to enter into and execute an agreement with department heads, management and such other employees not provided under CSEA, PBA and SOA to either amend contract/resolution setting terms and conditions of employment and/or 2008/2011 voluntarily give back agreements referenced above to restore and secure a cost of living increase in an amount not less than the cost of living and pay enhancement of CSEA employees (the majority of Town employees are provided for under Labor Contract between the Town of Riverhead and Civil Service Employees Association Local 1000, AFSCME, AFL-CIO) together with all such terms and conditions fully set forth in the attached agreement; and

RESOLVED that the Town Clerk shall provide all Department Heads with a copy of this resolution and post a copy of this resolution on the electronic storage device.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

**AGREEMENT TO AMEND TERMS AND CONDITIONS OF EMPLOYMENT FOR ALL NON-
CONTRACT DEPARTMENT HEADS, MANAGEMENT AND SUCH OTHER EMPLOYEES
NOT PROVIDED UNDER CSEA, PBA AND SOA CONTRACTS**

This Agreement, made and entered into this day of December 2016, by and between the Town of Riverhead, a municipal corporation of the State of New York, hereinafter referred to as “Town” and all department heads, management and such other employees not provided under CSEA, PBA and SOA. *(or “all department heads, management and such other employees not provided under CSEA, PBA and SOA identified herein and affix their signatures hereunder”).

WITNESSETH:

WHEREAS, the majority of Town department heads, management and such other employees not provided for under CSEA, PBA and SOA are the only sector of town employees that do not receive annual cost of living salary, salary/grade/step increases, and other pay enhancements such that the Town department heads, management and such other employees not provided for under CSEA, PBA and SOA are falling further behind other employees pay schedule; and

WHEREAS, in addition some of the Town department heads, management and such other employees not provided for under CSEA, PBA and SOA, in an effort to support the Town Board and its commitment to fiscal responsibility, and despite negotiated contract provisions for all unions, CSEA, PBA and SOA for cost of living and salary/step increases over the years, entered into agreements with the Town in either 2008, 2011 or both 2008 and 2011 to voluntarily “give back” 3.8% cost of living increase in an equivalent of hours such that all non-union employees would give back 2.66 hours per pay period for 26.1 pay periods (a total of 10 days off without pay and without the ability to rollover an unused portion of the 10 days or seek to buy back of the 10 days) plus a reduced and fixed cost of living increase for the year 2009 in the amount of 1.9 percent of employees annual income and a cost of living increase measured, by the consumer price index, *not to exceed 3.8 percent for the years 2010 and 2011 to run current with duration of the SOA contract and again in 2011 a voluntary give back equivalent to the 3.8% cost of living increase and cost of living increase for 2010 and 2011, respectively (note, in 2011 the give back resulted in approximately a \$100,000.00 savings in salary and an additional savings of \$20,000.00 in benefits (FICA, MTA Tax and ERS contributions); and

WHEREAS, there exists a disparity of treatment between the Town department heads, management and such other employees not provided for under CSEA, PBA and SOA (especially those employees that voluntarily made “give backs” as described above) and those employees provided for under union labor contracts, be it CSEA, PBA and SOA, who have continued to receive annual cost of living salary, salary/grade/step increases, and other pay enhancements such that the Town department heads, management and such other employees not provided for under CSEA, PBA and SOA are falling further behind other employees pay schedule; and

WHEREAS, all the Town department heads, management and such other employees not provided for under CSEA, PBA and SOA referenced in the paragraphs above have requested that the Town address the issue of pay parity and provide cost of living and salary enhancements in an amount not less than other Town employees with many of these employees supervised or managed by the Town department heads, management and such other employees not provided for under CSEA, PBA and SOA; and

WHEREAS, the Town Board seeks to address the disparity between the department heads, management and such other employees not provided for under CSEA, PBA and SOA and those employees provided for under CSEA, PBA and SOA; and

NOW, THEREFORE, BE IT RESOLVED the Town Board of the Town of Riverhead hereby authorizes the Supervisor to enter into and execute an agreement with department heads, management and such other employees not provided under CSEA, PBA and SOA to either amend contract/resolution setting terms and conditions of employment and/or 2008/2011 voluntarily give back agreements referenced above to restore and secure a cost of living increase in an amount not less than the cost of living and pay enhancement of CSEA employees (the majority of Town employees are provided for under Labor Contract between the Town of Riverhead and Civil Service Employees Association Local 1000, AFSCME, AFL-CIO) together with all such terms and conditions fully set forth in the attached agreement; and

NOW, THEREFORE, IT IS HEREBY AGREED by and between the Town Board of the Town of Riverhead and **only** as to such department heads, management and such other employees not provided under CSEA, PBA and SOA hereby affixing his/her signature hereto on or before December 22, 2016 that his/her contract of employment or resolution setting terms and conditions for employment be amended as follows:

1. As to a department head, management and such other employee not provided under CSEA, PBA and SOA and not subject to or having entered into an agreement with the Town of Riverhead related to the voluntary give back in 2008 or 2011 recited above, the Town agrees to amend his/her contract or resolution setting terms and conditions of employment to provide an annual cost of living increase and in addition pay enhancements (pay enhancement shall be based upon an estimated average of 1.25% of applicable base salary) in an amount not less than the cost of living and grade/step increase set forth in the pending Labor Contract between the Town of Riverhead and the Civil Service Employees Association, Local 1000, AFSCME, AFL-CIO (hereinafter referred to as " pending CSEA Labor Contract") applied retroactively for 2016, and/or such finalized/approved CSEA Labor Contract), whichever is greater and all future CSEA Labor Contracts. It is understood and agreed that the schedule of payments and application of payments for both cost of living and pay enhancements, be it retroactive or otherwise, shall be identical to the provisions for cost of living and grade/salary step payments set forth in the pending, finalized and future CSEA Labor Contracts and shall be identical to any such cost of living and grade/salary step payments made during any CSEA Labor Contract holdover period. Notwithstanding the above, any employee not provided under CSEA, PBA and SOA holding their current position (title -i.e. Deputy

Department Head or Department Head) for less than twelve consecutive months shall not be entitled to receive a cost of living and/or salary enhancement until he/she has completed twelve months in such position and at such time he/she becomes eligible for such cost of living and/or salary enhancement the payments for same shall be prorated for the portion of the year he/she is entitled to receive same. In addition to above, nothing herein shall reduce or extinguish any such term/provision related to salary, benefits, cost of living, pay enhancement provided for in his/her contract/resolution setting terms and conditions of employment nor shall this agreement add new provisions made unique or applicable to CSEA employees, i.e. annual clothing allowance, overtime, compensatory time; and

2. As to a department heads, management and such other employees not provided under CSEA, PBA and SOA and who is subject to or having had entered into an agreement with the Town of Riverhead related to the voluntary give back in 2008 or 2011 recited above, the Town shall require a give back and relinquishment of his/her right, claim or entitlement to a cost of living increase measured by the Labor Contract Between the Town of Riverhead and SOA be it deemed effective for 2015, 2016 or sometime in the future in exchange for an annual cost of living and in addition pay enhancements (pay enhancement shall be based upon an estimated average of 1.25% of applicable base salary) beginning, effective, and applied retroactively for 2016 and continuing thereafter and amending his/her contract and/or resolution setting terms and conditions of employment for the duration of his/her employment with the Town of Riverhead, in an amount not less than the cost of living and grade/step increase set forth in the pending Labor Contract between the Town of Riverhead and the Civil Service Employees Association, Local 1000, AFSCME, AFL-CIO (hereinafter referred to as " pending CSEA Labor Contract") and/or such finalized/approved CSEA Labor Contract), whichever is greater and all future CSEA Labor Contracts. It is understood and agreed that the schedule of payments and application of payments for both cost of living and pay enhancements, be it retroactive or otherwise, shall be identical to the provisions for cost of living and grade/salary step payments set forth in the pending, finalized and future CSEA Labor Contracts and shall be identical to any such cost of living and grade/salary step payments made during any CSEA Labor Contract holdover period. Notwithstanding the above, any employee not provided under CSEA, PBA and SOA holding their current position (title -i.e. Deputy Department Head or Department Head) for less than twelve consecutive months shall not be entitled to receive a cost of living and/or salary enhancement until he/she has completed twelve months in such position and at such time he/she becomes eligible for such cost of living and/or salary enhancement the payments for same shall be prorated for the portion of the year he/she is entitled to receive same. In addition to above, nothing herein shall reduce or extinguish any such term/provision related to salary, benefits, cost of living, pay enhancement provided for in his/her contract/resolution setting terms and conditions of employment nor shall this agreement add new provisions made unique or applicable to CSEA employees, i.e. annual clothing allowance, overtime, compensatory time; and
3. All department heads, management and such other employees not provided under CSEA, PBA and SOA who entered into an Agreement with the Town of Riverhead in

2011 shall be bound by the “give back” related to lag pay in 2011, 2.66 hours per pay period for 26.1 pay periods, such that the employee may not seek compensation for the non-compensatory time nor may the employee roll-over the non-compensatory time into vacation, personnel or sick time without Supervisor and Town Board approval, and permission to accumulate compensatory time in excess of the employees required hours of work to the extent the employee may utilize the compensatory time within the pay period earned or the next succeeding pay period subject to the prohibition from seeking monetary compensation for the compensatory time shall continue in full force and effect for said department heads, management, and such other employees who entered into such Agreement.

Dated:

*****Note, This agreement shall only** be applicable to such department heads, management and such other employees not provided under CSEA, PBA and SOA who affix his/her signature hereto on or before December 22, 2016.

| <u>Name</u> (Print and Sign) | <u>Department/Title</u> | Supervisor Initials <small>(for purpose of acknowledgement of each employee signature)</small> |
|---------------------------------|-------------------------|--|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

| <u>Name</u> (Print and Sign) | <u>Department/Title</u> | Supervisor Initials |
|---------------------------------|-------------------------|------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

TOWN OF RIVERHEAD

Resolution # 926

PAYS BILLS

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

| ABSTRACT #16-26 December 20, 2016 (TBM 12/20/16) | | | |
|---|-------------|-------------------|-------------------|
| | | | Grand |
| Fund Name | Fund | Ckrun | Totals |
| GENERAL FUND | 1 | 208,474.20 | 208,474.20 |
| POLICE ATHLETIC LEAGUE | 4 | 2,016.63 | 2,016.63 |
| RECREATION PROGRAM FUND | 6 | 97.25 | 97.25 |
| HIGHWAY FUND | 111 | 76,002.96 | 76,002.96 |
| WATER DISTRICT | 112 | 9,042.24 | 9,042.27 |
| RIVERHEAD SEWER DISTRICT | 114 | 15,815.99 | 15,815.99 |
| REFUSE & GARBAGE COLLECTION DI | 115 | 1,036.60 | 1,036.60 |
| STREET LIGHTING DISTRICT | 116 | 39,473.22 | 39,473.22 |
| AMBULANCE DISTRICT | 120 | 4,770.60 | 4,770.60 |
| EAST CREEK DOCKING FACILITY FU | 122 | 571.32 | 571.32 |
| CALVERTON SEWER DISTRICT | 124 | 770.26 | 770.26 |
| RIVERHEAD SCAVENGER WASTE DIST | 128 | 6,495.31 | 6,495.31 |
| CDBG CONSORTIUM ACCOUNT | 181 | 1,226.65 | 1,226.65 |
| TRUST & AGENCY | 735 | 66,157.70 | 66,157.70 |
| CALVERTON PARK - C.D.A. | 914 | 2,581.29 | 2,581.29 |
| | | | |
| TOTAL ALL FUNDS | | 434,532.22 | 434,532.25 |

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 927

**EXTENDS CONTRACT WITH ARTHUR J. GALLAGHER & CO. RISK
MANAGEMENT SERVICES FOR THE IMPLEMENTATION OF
THE INSURANCE PROGRAM FOR 2017**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

WHEREAS, the Town Board of the Town of Riverhead, by Resolution # 855 adopted on November 7, 2012, authorized the issuance of a Request for Proposals seeking proposals from interested and qualified insurance brokerage companies to meet the Town's property, liability and certain other insurance requirements, including risk assessment and liability related to workers compensation and acting as third party administrator related to such workers compensation claims, and to advise the Town on addressing risk management requirements that are in the best interest of the Town (Insurance Brokerage Services); and

WHEREAS, the Town Board, by Resolution #971 adopted on December 27, 2012, awarded the bid for Insurance Brokerage Services to Arthur J. Gallagher & Co., Risk Management Services, Inc.; and

WHEREAS, the Town Board by Resolution #858 adopted on December 31, 2013, extended contract with Arthur J. Gallagher & Co., Risk Management Services, Inc.; and

WHEREAS, the Town Board by Resolution #857 adopted on December 30, 2014, extended contract with Arthur J. Gallagher & Co., Risk Management Services, Inc.; and

WHEREAS, the Town Board by Resolution #861 adopted on December 15, 2015, extended contract with Arthur J. Gallagher & Co., Risk Management Services, Inc.; and

WHEREAS, the Town Board, upon the recommendation of the Financial Administrator, seeks to extend the contract with Arthur J. Gallagher & Co. Risk Management Services, Inc. for the calendar year 2017 upon the same terms and conditions of the original contract

NOW THEREFOR BE IT RESOLVED, the Town Board hereby awards and extends the agreement for insurance program to Arthur J. Gallagher & Co. Risk Management Services Inc. for the calendar year 2017 upon the same terms and conditions set forth in the original agreement and authorizes the Supervisor to execute extension agreement with Arthur J. Gallagher & Co. Risk Management Services Inc.; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this

TOWN OF RIVERHEAD

Resolution # 928

**AUTHORIZES APPOINTMENT OF THIRD PARTY ADMINISTRATOR
PROCESSING AND PAYMENT OF GENERAL LIABILITY CLAIMS AND WORKERS
COMPENSATION CLAIMS AND RELATED MEDICAL CLAIMS FOR 2017**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town Board of the Town of Riverhead, by Resolution #855 adopted on November 7, 2012, authorized the issuance of a Request for Proposals seeking proposals from interested and qualified insurance brokerage companies to meet the Town's property, liability and certain other insurance requirements, including risk assessment and liability related to workers compensation and acting as third party administrator related to such workers compensation claims and general liability claims, and to advise the Town on addressing risk management requirements that are in the best interest of the Town (Insurance Brokerage Services); and

WHEREAS, the Town Board, by Resolution #971 adopted on December 27, 2012, awarded the bid for Insurance Brokerage Services to Arthur J. Gallagher & Co., Risk Management Services, Inc. and by a series of Resolutions, including the most recent Resolution # 861 adopted on December 15, 2015, extended the contract with Arthur J. Gallagher & Co., Risk Management Services, Inc.; and

WHEREAS, Arthur J. Gallagher & Co., Risk Management Services, Inc. researched and evaluated firms qualified to provide third party administrator services for the Town and recommended that the Town reappoint Gallagher Bassett Services, Inc. for workers compensation claims and Vision Risk Services for general liability claims; and

WHEREAS, the Town Board, by Resolution # 927 adopted on December 20, 2016, extended the Insurance Brokerage Services to Arthur J. Gallagher & Co., Risk Management Services, Inc. for an additional year; and

WHEREAS, Arthur J. Gallagher & Co., Risk Management Services, Inc. researched and evaluated firms qualified to provide third party administrator services for the Town and recommended that the Town reappoint Gallagher Bassett Services Inc. for workers compensation claims and Vision Risk Services for general liability claims.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby reappoints and extends the agreements to Gallagher Bassett Services, Inc. for workers compensation claims, and Vision Risk Services, LLC, for general liability claims, both upon similar terms and conditions as set forth in the original professional services agreement but with changes to fees for a limited number of services all more fully set forth in Exhibit "A" of the Agreement attached hereto.

RESOLVED, that the Supervisor is hereby authorized to execute a Professional Services Agreement with Gallagher Bassett Services, Inc. for workers compensation claims, and be it further

RESOLVED, that the Supervisor is hereby authorized to execute a Professional Services Agreement with Vision Risk Services for general liability claims, 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.

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution #928 was TAKEN OFF THE FLOOR, motion carried by unanimous vote. Immediately thereafter there was a motion to put to vote.

THE VOTE

Hubbard Yes No Giglio Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted