

**June 15, 2010 CDA RESOLUTION LIST:**

**CDA Res. #13 A Resolution Amending CDA Resolutions #9, #17 & #27 of 2008 and Resolutions #13 & #19 of 2009**

**TOWN BOARD RESOLUTION LIST:**

- Res. #468 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment to Chapter 101 (Vehicles & Traffic) of the Riverhead Town Code (§101-4 One Way Streets-Cranberry Street, Riverhead)**
- Res. #469 Adopts a Local Law Amending Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (Destination Retail Center (DRC) Zoning Use District) (Warehouse Club or Wholesale Club)**
- Res. #470 2009 Main Street Program Budget Adoption**
- Res. #471 Ratifies the Appointment of Seasonal Recreation Aides to the Recreation Department**
- Res. #472 Appoints a Seasonal Water Safety Instructor to the Recreation Department (Gilbert Hegermiller)**
- Res. #473 Appoints a Seasonal Lifeguard to the Recreation Department (John B. Vail)**
- Res. #474 Ratifies the Appointment of an Assistant Recreation Leader to the Riverhead Recreation Department (Benjamin Yezak)**
- Res. #475 Authorizes Waiver of Fees for Building Permits Necessary to Repair or Replace Storm Damaged Premises**
- Res. #476 Ratifies the Acceptance of Foundation Construction Permit Security of Larry’s Lighthouse Marina, Inc.**
- Res. #477 Authorization to Publish Advertisement for Oil, Lubricants & Fluids**
- Res. #478 Authorizes Albrecht, Viggiano, Zureck & Company, P.C. to Conduct Annual Audit of the Records of the Town of Riverhead**

- Res. #479** Authorizes George R. Rehn, CPA to Conduct Audit of the Records of the Community Preservation Fund for the Town of Riverhead
- Res. #480** Authorizes the Supervisor to Execute a Stipulation with Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #852 (Part-Time Seasonal Workers in B&G)
- Res. #481** Authorizes the Supervisor to Execute an Agreement Authorizing the Town to Accept Funds from Suffolk County Office for the Aging to Supplement the Town's Residential Repair Program for the Elderly
- Res. #482** Authorizes the Supervisor to Execute a Stipulation with Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #852 (Rich Downs Promotion)
- Res. #483** Authorizes the Supervisor to Execute an Agreement with Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #852
- Res. #484** Authorizes the Supervisor to Execute an Amended Agreement Authorizing the Town to Accept Funds from Suffolk County Office for the Aging for the Purpose of Supplementing the Town's Supplemental Nutrition Assistance Program
- Res. #485** Authorizes the Supervisor to Execute a Stipulation with Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #852 (Town Attorney Confidential Position)
- Res. #486** Reappoints Member to the Board of Assessment Review
- Res. #487** Approves the Application for Fireworks Permit of Riverhead Business Improvement District Management Association (July 4, 2010)
- Res. #488** Authorizes Publication of Notice to Amend CDBG Program
- Res. #489** Approves Chapter 90 Application of the Riverhead Fire Department to Conduct its Annual Motorized Drill
- Res. #490** Authorizes Supervisor and Town Attorney to Execute Consent to Change Attorney Forms

- Res. #491 Ratifies the Approval of the Chapter 90 Application of Jamesport Vineyard (Wine, Oyster and Beer Festival – June 13, 2010)**
- Res. #492 Landfill Capping and Closing Capital Project Budget Adjustment**
- Res. #493 Approves the Application for Fireworks Permit of Newton Carnivals (Peconic Bay Medical Center Family Festival – July 3, 2010)**
- Res. #494 Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for Automotive Equipment Operators**
- Res. #495 Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for a Bus Driver**
- Res. #496 Authorization to Publish Advertisement for Signage Services**
- Res. #497 Accepts Resignation of Henry L. Boerner, Member Board of Directors Riverhead Industrial Agency**
- Res. #498 Authorization to Discard Fixed Assets**
- Res. #499 Appoints a Temporary Student Intern (Thomas Houghton)**
- Res. #500 Ratifies the Appointment of a Temporary Student Intern II (Michael O'Donnell)**
- Res. #501 Amends Resolution #454**
- Res. #502 Rescinds Resolution #456 of 2010 and Authorizes the Release of Security of Vertical Line Apparel, Inc.**
- Res. #503 Authorizes the Supervisor to Execute Grant Extension (Grangebél Park)**
- Res. #504 Riverhead Sewer District Senior Assisted Living Facility Capital Project Budget Adoption**
- Res. #505 Sets Salaries for 2010 Summer Personnel for the Riverhead Youth Bureau/Recreation Department**

- Res. #506 Authorizes the Supervisor to Execute an Agreement with Suffolk County to assume Traffic Signal Ownership and Maintenance Regarding a Traffic Signal at the Intersection of County Road 58, Old Country Road @ East End Commons (Plaza) K-Mart**
- Res. #507 Establishes Location for Farmers Market for 2010 Season**
- Res. #508 Authorizes Town Clerk to Publish and Post a Public Notice to Consider a Local Law to Enact Chapter 112 of the Riverhead Town Code Entitled “Domestic and Migratory Waterfowl”**
- Res. #509 Authorizes the Supervisor to Execute a License Agreement with Skydive Long Island**
- Res. #510 Accepts Resignation of a Student Intern (Joseph Pipczynski)**
- Res. #511 Authorizes Change Order to George Young Community Center Flood Damage Remediation**
- Res. #512 Appointment of Police Officers**
- Res. #513 Appointment of Police Officer (Salvatore Santoro)**
- Res. #514 Pays Bills**
- Res. #515 General Fund Police Budget Adjustment**
- Res. #516 Approves the Chapter 90 Application of Riverhead Elks Lodge #2044 (Cruise Night – Old Car Show)**

**TOWN OF RIVERHEAD**

**CDA Resolution # 13**

**A RESOLUTION AMENDING CDA RESOLUTIONS #9, # 17, AND # 27 OF 2008 AND RESOLUTIONS #13 AND #19 OF 2009**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS** the Community Development Agency (the "Agency") adopted Resolution #9 of 2008 determining Vintage Square Properties, L.L.C. to be a Qualified and Eligible Sponsor, which resolution was to expire and be of no force and effect unless an Agreement of Sale is fully executed by June 15, 2008; and

**WHEREAS** the Agency adopted Resolutions # 17 and # 27 of 2008 and Resolutions #13 and #19 of 2009 granting Vintage Square Properties, L.L.C.'s. requests for extensions of time for an Agreement of Sale to be fully executed, with the last extension ending on June 15, 2010; and

**WHEREAS**, Vintage Square Properties, L.L.C. has requested an additional extension of the deadline of the time for an Agreement of Sale to be fully executed.

**NOW THEREFORE BE IT RESOLVED**, by the Members of the Agency, as follows:

1. Paragraph 3 of CDA Resolution #9 of 2008 is hereby amended to provide that the designation of Vintage Square Properties, L.L.C. as a Qualified and Eligible Sponsor will expire and be of no force and effect unless an Agreement of Sale consistent with paragraph 2 of said Resolution is fully executed on or before December 15, 2010; and

2. In the event substantive changes are made to the draft Agreement of Sale on file with the Town Clerk, a new hearing to determine whether Vintage Square Properties, L.L.C. is a Qualified and Eligible Sponsor the project, as amended, will be required.

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this Resolution to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., 456 Griffing Avenue, Riverhead, New York 11901, Forchelli, Curto, Schwartz, Mineo, Carlino & Cohn, LLP, 330 Old Country Road, Suite 301, Mineola, New York 11501, and that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet 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  Was Not   
Thereupon Duly Declared Adopted

6/15/10  
100468

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 468**

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF  
PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN  
AMENDMENT TO CHAPTER 101 (VEHICLES & TRAFFIC)  
OF THE RIVERHEAD TOWN CODE  
(\$101-4. One way streets. – Cranberry St., Riverhead)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**RESOLVED**, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider a proposed local law to consider the amendment of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the June 24, 2010 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 the Town Clerk shall provide a copy of this resolution to the Riverhead Police Department and the Riverhead Highway Department.

**THE VOTE**

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

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 7th day of July, 2010 at 2:15 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 101  
VEHICLES AND TRAFFIC  
ARTICLE III  
**Traffic Regulations**

**§101-4. One-way streets.**

The streets or portions thereof listed below are hereby designated as one-way streets, and traffic shall travel on such only in the direction indicated:

<b>Street</b>	<b>Direction</b>	<b>Limits</b>
<u>Cranberry Street</u>	<u>West</u>	<u>Between Roanoke Avenue and North Griffing Avenue</u>

- Underscore represents addition(s)

Dated: Riverhead, New York  
June 15, 2010

06.15.10 TABLED  
07.07.10 UNTABLED  
07.07.10 ADOPTED

6/15/10  
100469

**TOWN OF RIVERHEAD**

**Resolution # 469**

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (DESTINATION RETAIL CENTER (DRC) ZONING USE DISTRICT)**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled "Zoning" of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the 20<sup>th</sup> day of April, 2010 at 7:10 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that a local law amending Chapter 108 entitled "Zoning" of the Riverhead Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

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

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to the Planning Department, the Building Department and 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  TABLED

07.07.10

On a motion of Councilman Wooten, seconded by Councilman Gabrielsen resolution #469 was UNTABLED

YES – 4      Giglio, Gabrielsen, Wooten, Walter  
NO – 0

On a motion of Councilman Gabrielsen, seconded by Councilwoman Giglio resolution #469 was ADOPTED

YES – 4      Giglio, Gabrielsen, Wooten, Walter  
NO - 0

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE**, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on June 15, 2010. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 108  
ZONING  
**ARTICLE XLVI**  
**Destination Retail Center (DRC) Zoning Use District**

**§ 108-258. Uses.**

In the DRC Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

A. Permitted uses:

- (1) Retail stores or shops.
- (2) Hotels.
- (3) Car dealerships.
- (4) Banks.
- (5) Warehouse club or wholesale club.

B. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot. Specifically included are the following:

- (1) Drive-through windows for banks and pharmacies.
- (2) Fueling facility as accessory to warehouse club or wholesale club located a minimum of 500 feet from a residentially used or occupied property boundary.

- Underline represents addition(s)

Dated: Riverhead, New York  
June 15, 2010

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

**DIANE M. WILHELM, Town Clerk**

6/15/10  
100469

**TABLED**

**TOWN OF RIVERHEAD**

**Resolution # 469**

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (DESTINATION RETAIL CENTER (DRC) ZONING USE DISTRICT)**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled "Zoning" of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the 20<sup>th</sup> day of April, 2010 at 7:10 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that a local law amending Chapter 108 entitled "Zoning" of the Riverhead Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

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

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to the Planning Department, the Building Department and 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  TABLED

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE**, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on June 15, 2010. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 108

ZONING

**ARTICLE XLVI**

**Destination Retail Center (DRC) Zoning Use District**

**§ 108-258. Uses.**

In the DRC Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

A. Permitted uses:

- (1) Retail stores or shops.
- (2) Hotels.
- (3) Car dealerships.
- (4) Banks.
- (5) Warehouse club or wholesale club.

B. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot. Specifically included are the following:

- (1) Drive-through windows for banks and pharmacies.
- (2) Fueling facility as accessory to warehouse club or wholesale club located a minimum of 500 feet from a residential land use.

- Underline represents addition(s)

Dated: Riverhead, New York  
June 15, 2010

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

**DIANE M. WILHELM, Town Clerk**

6/15/10  
100470

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 470**

**2009 MAIN STREET PROGRAM**

**BUDGET ADOPTION**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the NYS Housing Trust Fund Corporation has awarded the Town of Riverhead \$200,000 in Main Street Grant Funds for 2009; and

**WHEREAS**, Resolution #1183 adopted 12/29/09 authorized the expenditures of funds to support NY Main Street Program capital improvement projects,

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

		<u>FROM</u>	<u>TO</u>
177.085100.492170.44011	State Aid	200,000	
177.085100.541000.44011	Miscellaneous Consultants		200,000

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Community Development Department Assistant Community Development Project Supervisor.

**THE VOTE**

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

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

**RECREATION DEPARTMENT RATIFIED APPOINTMENTS  
6/15/10 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Level</u>	<u>Start Date</u>	<u>End Date</u>	<u>Salary</u>
Barnes	Stephanie	Summer Rec. Aide	II	5/25/10	8/27/10	\$9.65
Berry	Lauren	Summer Rec. Aide w/Cert	IV	5/25/10	8/27/10	\$11.95
Boeckman	Jaclyn	Summer Rec. Aide	II	5/25/10	8/27/10	\$9.65
Bourquin	Allison	Summer Rec. Aide	III	5/25/10	8/27/10	\$9.95
Chizever	Brett	Summer Rec. Aide	VII	5/25/10	8/27/10	\$11.25
Costantini	Christopher	Summer Rec. Aide	II	5/25/10	8/27/10	\$9.65
DiResta	Samantha	Summer Rec. Aide	III	5/25/10	8/27/10	\$9.95
Duprey	Jennifer	Summer Rec. Aide	III	5/25/10	8/27/10	\$9.95
Flannery	Sarah	Summer Rec. Aide	III	5/25/10	8/27/10	\$9.95
Flood	Mary	Summer Rec. Aide	IV	5/25/10	8/27/10	\$10.25
Haas	Erika	Summer Rec. Aide	III	5/25/10	8/27/10	\$9.95
Harden	Jordan	Summer Rec. Aide	IV	5/25/10	8/27/10	\$10.25
Horton	Rosaleigh	Summer Rec. Aide	III	5/25/10	8/27/10	\$9.95
Langhorne	Maurice	Summer Rec. Aide	III	5/25/10	8/27/10	\$9.95
Lawrence	William	Summer Rec. Aide w/Cert	I	5/25/10	8/27/10	\$10.25
Miloski	Kelly	Summer Rec. Aide	IV	5/25/10	8/27/10	\$10.25
O'Dowd	John	Summer Rec. Aide	III	5/25/10	8/27/10	\$9.95
Patrick	Elissa	Summer Rec. Aide	I	5/25/10	8/27/10	\$8.75
Podlas	Katie	Summer Rec. Aide	II	5/25/10	8/27/10	\$9.65
Sendlewski	Jason	Summer Rec. Aide	II	5/25/10	8/27/10	\$9.65
Strange	Dajuon	Summer Rec. Aide	II	5/25/10	8/27/10	\$9.65
VanDeurs	Christian	Summer Rec. Aide	I	5/25/10	8/27/10	\$8.75
Young	Krystal	Summer Rec. Aide	VI	5/25/10	8/27/10	\$10.90

6/15/10  
100471

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 471**

**RATIFIES THE APPOINTMENT OF SEASONAL RECREATION AIDES TO THE RECREATION DEPARTMENT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, seasonal Recreation Aides are needed by the Riverhead Town Recreation Department for Town Summer Recreation Programs

**NOW THEREFORE BE IT RESOLVED**, that effective May 25, 2010 through and including August 27, 2010, this Town Board hereby appoints the attached list of Summer Recreation Aides to the Recreation Department

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet 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  Was Not   
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 472

**APPOINTS A SEASONAL WATER SAFETY INSTRUCTOR TO THE RECREATION DEPARTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, a Seasonal Water Safety Instructor is needed by the Riverhead Town Recreation Department

**NOW THEREFORE BE IT RESOLVED**, that effective June 28, 2010, through and including September 6, 2010, this Town Board hereby appoints Gilbert Hegermiller to the position of Seasonal Water Safety Instructor, Level II, to be paid the rate of \$12.40 per hour to the Recreation Department and

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet 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  Was Not   
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 473**

**APPOINTS A SEASONAL LIFEGUARD TO THE RECREATION DEPARTMENT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, a Seasonal Lifeguard is needed by the Riverhead Town Recreation Department

**NOW THEREFORE BE IT RESOLVED**, that effective June 15, 2010, through and including September 6, 2010, this Town Board hereby appoints John B. Vail to the position of Seasonal Lifeguard, Level 1, to be paid the rate of \$11.00 per hour to the Recreation Department and

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet 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  Was Not

Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 474

**RATIFIES THE APPOINTMENT OF AN  
ASSISTANT RECREATION LEADER TO THE  
RIVERHEAD RECREATION DEPARTMENT**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, a Call-In Asst. Recreation Leader (Level 1) is needed for the Riverhead Skate Park by the Riverhead Town Recreation Department

**NOW THEREFORE BE IT RESOLVED**, that effective June 1st, 2010, this Town Board hereby ratifies the appointment of Benjamin Yezak to the position of Call-In Recreation Aide- Skate Park (Level 1) to be paid the rate of \$9.50 per hour to the Recreation Department and

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet 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  Was Not   
Thereupon Duly Declared Adopted

6/15/10  
100475

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution #475**

**AUTHORIZES WAIVER OF FEES FOR BUILDING PERMITS  
NECESSARY TO REPAIR OR REPLACE STORM DAMAGED PREMISES**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town Board acknowledges that an extraordinary storm effected the Town of Riverhead on March 30-31, 2010, and

**WHEREAS**, the extraordinary rain and winds that resulted from the storm caused extreme and persistent flooding conditions throughout the township, and

**WHEREAS**, the Town residents whose properties were damaged due to the flooding were without flood insurance, and

**WHEREAS**, FEMA has rejected the Towns pleas for financial assistance for effected town residents,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the waiver of building permit and electrical permit fees for residents applying for permits to repair damage caused by the flooding that took place as a result of the March 30-31, 2010 storms,

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet 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  Was Not   
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 476**

**RATIFIES THE ACCEPTANCE OF FOUNDATION CONSTRUCTION PERMIT  
SECURITY OF LARRY'S LIGHTHOUSE MARINA, INC.**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, Riverhead Planning Board Resolution #62 dated May 21, 2009, approved the site plan of Larry's Lighthouse Marina, Inc. for the demolition of an existing one story storage structure and the construction of a one story storage building upon real property located at 205-249 Meetinghouse Creek Road, Aquebogue, further described as Suffolk County Tax Map #0600-86-2-17.3; and

**WHEREAS**, the Riverhead Building Department has recommended that security in the amount of Four Thousand Three Hundred Sixty-Eight (\$4,368.00) Dollars be posted in connection with the improvements to be completed upon the above referenced real property, pursuant to Section 52-8.1 of the Riverhead Town Code; and

**WHEREAS**, Larry's Lighthouse Marina, Inc. submitted Suffolk county National Bank Check No. 70485 in the amount Four thousand Three Hundred Sixty Eight Dollars (\$4,368.00); and

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby accepts the above referenced security in the sum of Forty-Three Thousand Dollars (\$4,368.00) to facilitate the issuance of a foundation construction permit by the Riverhead Building Department; and be it further

**RESOLVED**, that the Riverhead Town Clerk is hereby authorized to forward a copy of this resolution to Alex Galasso c/o Larry's Lighthouse Marina, Inc., P.O. Box 1250, Aquebogue, NY, 11931 and the Riverhead Building Department.

**THE VOTE**

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

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

6/15/10  
100477

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 477**

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR  
OIL, LUBRICANTS & FLUIDS**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town Clerk is authorized to publish and post a Request for proposals for OIL, LUBRICANTS & FLUIDS FOR THE TOWN OF RIVERHEAD and;

**BE IT RESOLVED**, the Town Clerk is hereby authorized to publish and post the following public notice in the JULY 1, 2010 issue of the News Review and;

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

**THE VOTE**

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

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

## TOWN OF RIVERHEAD

### NOTICE TO BIDDERS

Sealed bids for the purchase of **OIL, LUBRICANTS AND FLUIDS** for use by the **TOWN OF RIVERHEAD** 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 JULY 12, 2010.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m. or on our website at [www.riverheadli.com](http://www.riverheadli.com).

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.

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BID OIL, LUBRICANTS AND FLUIDS.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

6/15/10  
100478

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 478**

**AUTHORIZES ALBRECHT, VIGGIANO, ZURECK & COMPANY, P.C.**  
**TO CONDUCT ANNUAL AUDIT OF THE RECORDS OF THE**  
**TOWN OF RIVERHEAD**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes Albrecht, Viggiano, Zureck & Company, P.C. to conduct an audit of the records of the Town of Riverhead for Fiscal Year 2009; and

**RESOLVED**, that that the Town Clerk be and is hereby directed to forward a Certified Copy of this Resolution to Albrecht, Viggiano, Zureck & Company, P.C. 25 Suffolk Court, Hauppauge, NY 11788, and the Office of Accounting.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

6/15/10  
100479

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 479**

**AUTHORIZES GEORGE R. REHN, CPA  
TO CONDUCT AUDIT OF THE RECORDS OF  
THE COMMUNITY PRESERVATION FUND  
FOR THE TOWN OF RIVERHEAD**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, NY Town Law§64-E, requires the Town to have an annual audit of the Community Preservation Fund;

**WHEREAS**, George R. Rehn has recently performed CPF Audits for two of the five East End Towns and offered the lowest proposal;

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes George R. Rehn, CPA to conduct an audit of the records of the Community Preservation Fund for the Town of Riverhead for Fiscal Years 2008 and 2009; and

**RESOLVED**, that that the Town Clerk be and is hereby directed to forward a Certified Copy of this Resolution to George R. Rehn, CPA 286 Main Street, East Setauket, NY 11733, and the Office of Accounting.

**THE VOTE**

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

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

6/15/10  
100480

**ADOPTED**

**Town of Riverhead**

**Resolution # 480**

**AUTHORIZES THE SUPERVISOR TO EXECUTE A STIPULATION WITH LOCAL  
1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #852**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, a contractual issue has arisen as a result of the need to hire seasonal, part-time workers in the Buildings and Grounds Department, 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 HEREBY RESOLVED**, that the Town Board of the Town of Riverhead hereby approves the attached stipulation and authorizes the Town Supervisor to execute same; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Town Engineer Ken Testa, P.E. , CSEA Unit President, the Town Attorney, Personnel Director and Financial Administrator.

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No

Wooten Yes No      Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Not

Thereupon Duly Declared Adopted

## STIPULATION

Made this \_\_\_\_\_ day of June of 2010, between the Town of Riverhead, 200 Howell Avenue, Riverhead, New York (Town) and Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #852 having its principal office at 3 Garet Place, Commack, New York (CSEA), and

NOW, THEREFORE, it is mutually agreed as follows:

1. The Town shall be entitled to hire seasonal, part-time workers in the Buildings and Grounds Department for the 2010 season.
2. That the seasonal, part-time workers shall not be utilized to eliminate overtime work for Buildings and Grounds workers.
3. This stipulation shall not, in any way, constitute "past practice" for the Town of Riverhead and is and shall remain specific to this matter.

\_\_\_\_\_  
Sean M. Walter, Supervisor

\_\_\_\_\_  
Matthew E. Hattorff, for CSEA

**TOWN OF RIVERHEAD**

**Resolution # 481**

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT  
AUTHORIZING THE TOWN TO ACCEPT FUNDS FROM SUFFOLK COUNTY OFFICE  
FOR THE AGING TO SUPPLEMENT THE TOWN'S RESIDENTIAL REPAIR  
PROGRAM FOR THE ELDERLY**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Senior Citizen Department offers a wide variety of programs, activities and support services including residential repair for the elderly residents of the Riverhead community; and

**WHEREAS**, the Senior Citizen Department wishes to supplement its residential repair program for the elderly residents of the Riverhead community; and

**WHEREAS**, Suffolk County Office for the Aging is interested in defraying a portion of the residential repair program costs incurred by the Senior Citizen Department.

**NOW THEREFORE BE IT RESOLVED**, that the Supervisor is hereby authorized to execute the attached agreement authorizing the Town of Riverhead to accept funds from Suffolk County Office for the Aging for the purpose of supplementing the budget of the Town's residential repair program for the elderly residents of Riverhead; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Joanne Kandell, Principal Accountant, Suffolk County Office for the Aging, H. Lee Dennison Building, 100 Veterans Memorial Highway, P.O. Box 6100, Hauppauge, NY 11788; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet 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  Was Not   
Thereupon Duly Declared Adopted

**Amendment of Agreement**

This is the **Second Amendment of an Agreement (Agreement)**, last dated September 5, 2008, between the **County of Suffolk (County)**, a municipal corporation of the State of New York, having its principal office at the County Center, Riverhead, New York 11901, acting through its duly constituted **Office for the Aging (Aging)**, having its principal office at the H. Lee Dennison Building – 3<sup>rd</sup> Floor, 100 Veterans Memorial Highway, Hauppauge, New York (Mailing address: Box 6100, Hauppauge, New York 11788-0099), and the

**Town of Riverhead (Contractor)**, a New York municipal corporation, having its principal place of business at 200 Howell Avenue, Riverhead, New York 11901.

The parties hereto desire to extend the term of the Residential Repair Program for the Elderly from January 1, 2010 through December 31, 2010 (the period January 1, 2010 through December 31, 2010 being hereinafter called the "2010 Budget Period"), and to add and amend certain contract provisions to comply with current County standards, as set forth herein.

**Term of Agreement:** Shall be January 1, 2008 through December 31, 2010, with two one-year extensions at the County's option.

**Service Levels:** 1,550 Units of Residential Repair Service  
350 Elderly Served, Unduplicated

**Total Cost of Agreement:** Shall not exceed \$83,048 (with \$27,701 for the 2010 Budget Period).

**Terms and Conditions:** Shall be as set forth in Exhibits A-2010, V-2010 and the "Suffolk County Legislative Requirements Exhibit" revised 11/09, attached.

**In Witness Whereof**, the parties hereto have executed this Second Amendment of Agreement as of the latest date written below.

**Town of Riverhead**

By: \_\_\_\_\_  
Sean M. Walter  
Supervisor

Fed. Taxpayer ID #: 11-6001935  
Date: \_\_\_\_\_

\_\_\_\_\_, hereby certifies under penalties of perjury that I am an officer of \_\_\_\_\_, that I have read and I am familiar with §A5-7 of Article V of the Suffolk County Code, and that \_\_\_\_\_ meets all requirements to qualify for exemption thereunder.

\_\_\_\_\_  
Signature Date

**Approved as to Legality:**  
**Town of Riverhead**

By: \_\_\_\_\_  
Dawn Thomas Date  
Town Attorney

**Approved as to Legality:**  
**Christine Malafi**  
**Suffolk County Attorney**

By: \_\_\_\_\_  
Jacqueline Caputi Date  
Assistant County Attorney

**County of Suffolk**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Deputy County Executive

Date: \_\_\_\_\_

**Approved:**

By: \_\_\_\_\_  
Holly S. Rhodes-Teague Date  
Director, Office for the Aging

**Recommended:**

By: \_\_\_\_\_  
Regina DeTuro Date  
Administrator I



0005691

**Exhibit A-2010**

**Whereas**, the County and Contractor have entered into an Agreement (Law No. 12-AG-009), last dated September 5, 2008, for a term from January 1, 2008 through December 31, 2008 for a IIIB Residential Repair Program for the Elderly for a Total Cost of \$27,646; and

**Whereas**, the County and Contractor have entered into a First Amendment of Agreement (Law No. 12-AG-009A), extending the term from January 1, 2009 through December 31, 2009 (at an additional cost of \$27,701), to increase the Total Cost of the Agreement to \$55,347; and

**Whereas**, the parties hereto desire to modify the Agreement to extend the term from January 1, 2010 through December 31, 2010 (at an additional cost of \$27,701), to increase the Total Cost of the Agreement to \$83,048, and to add and amend certain contract provisions to comply with current County standards, as set forth below;

**Now, Therefore**, in consideration of the covenants, promises and consent herein contained, the parties hereto agree as follows:

**1. Term of Agreement:**

The Term of Agreement paragraph on page 1 of the Agreement is amended to read January 1, 2008 through December 31, 2010 as set forth on the page 1 of this Second Amendment of Agreement.

**2. Payment for Services:**

The Total Cost of Agreement \$83,048 is comprised as follows:

- a. \$27,646 for the 2008 contract term;
- b. \$27,701 for the 2009 Budget Period;
- c. \$27,701 for the 2010 Budget Period;

**3. Poverty Threshold:**

For the 2010 Budget Period, paragraph 5 subparagraph b. of Exhibit V to the Agreement, entitled "Reporting Requirements, Low Income" is hereby amended to read as follows:

<u>Size of Family Unit</u>	<u>100% of Poverty Threshold</u>
1	\$10,830/year
2	\$14,570/year

**4. Budget:**

The Budget annexed hereto as (Exhibit V) Budget - 2010, including advance payment schedule, if any, is made part of the Agreement.

**The Contractor shall comply with the following added provisions in conformance with current County Standards.**

**5. Budget and/or Services Revisions**

- i.) The parties shall use the Contract Budget/Services Revision Approval Form (Budget /Services Revisions) for revisions to the Budget and Services involving any change to the total cost of the Contract via resolution of the Legislature or by the County's adopted annual budget. The Contractor shall submit to the County, proposed revisions for either Budget or any necessary changes of Services to be provided.

- ii.) When the County and the Contractor agree as to such revisions, the Contractor shall execute the Budget/Services Revisions form. The Contractor shall return it to the County.
- iii.) Upon complete execution of the form by the parties, the County shall return a copy to the Contractor. The revision shall not be effective until the Budget /Services Revisions is completely executed.

**6. Comptroller's Rules and Regulations**

The Contractor shall comply with the "Comptroller's Rules and Regulations for Consultant Agreements" as promulgated by the County Department of Audit and Control and any amendments thereto during the Term. The County shall provide the Contractor with a copy of any amendments to the "Comptroller's Rules and Regulations for Consultant Agreements" during the Term.

**The Contractor shall comply with the following amended provisions in conformance with current County Standards.**

**7. Notices and Contact Persons**

**a. Notices Relating to Payments, Reports, Insurance, Indemnification, or Other Submissions**

Any communication, notice, claim for payment, report, insurance, or other submission necessary or required to be made regarding the Contract shall be in writing, delivered as follows, and shall be given to the County or the Contractor, as the case may be, or their designated representative at the following addresses or at such other address that may be specified in writing by the parties:

By Personal Delivery and First Class Mail; or First Class and Certified Mail, Return Receipt Requested; or by Nationally Recognized Overnight Courier; or Fax Transmittal; or Email:

County:  
Holly S. Rhodes-Teague  
Director, Office for the Aging  
100 Veterans Memorial Highway  
Hauppauge, New York 11788  
Email: [aging\\_office@suffolkcountyny.gov](mailto:aging_office@suffolkcountyny.gov)  
Fax No. 631 853-8225

Contractor:

**At the address set forth on page one of the Contract, to the attention of the person who executed the Contract or such other designee as the parties may agree in writing.**

Email: [doll@riverheadli.com](mailto:doll@riverheadli.com)  
Fax No. (631) 722-8761

**b. Notices Relating to Termination and/or Litigation**

- (i). In the event the Contractor receives a notice of claim or becomes a party (plaintiff, petitioner, defendant, respondent, third party complainant, third party defendant, etc.) to any legal action or proceeding related to the Contract, the Contractor shall immediately deliver to the County Attorney, at the address set forth below, copies of all papers filed by or against the Contractor.

- (ii). Any communication or notice regarding termination shall be in writing and shall be given to the County or the Contractor or their designated representative at the following addresses or at such other addresses that may be specified in writing by the parties and must be delivered as follows:

By Personal Delivery and First Class Mail; First Class and Certified Mail, Return Receipt Requested; or by Nationally Recognized Overnight Courier:

County:  
Holly S. Rhodes-Teague  
Director, Office for the Aging  
100 Veterans Memorial Highway  
Hauppauge, New York 11788

and to

**Christine Malafi, County Attorney,  
Suffolk County Department of Law,  
H. Lee Dennison Building,  
100 Veterans Memorial Highway, Sixth Floor,  
Hauppauge, New York 11788**

Contractor:

**At the address set forth on page one of the Contract, attention to the person who executed the Contract or such other designee as the parties may agree in writing.**

- c. Notices shall be deemed to have been duly delivered (i) if mailed, upon the seventh business day after the mailing thereof; or (ii) if by nationally recognized overnight courier service, upon the first business day subsequent to the transmittal thereof; or (iii) if personally, pursuant to New York Civil Practice Law and Rules Section 311; or (iv) if by fax or email, upon the transmittal thereof. "Business Day" means any day except a Saturday, a Sunday, or any day in which commercial banks are required or authorized to close in Suffolk County, New York.

Each party shall give prompt written notice to the other party of the appointment of successor(s) to the designated contact person(s) or his or her designated successor(s).

#### **8. Non Responsible Bidder**

The Contractor represents and warrants that it has read and is familiar with the provisions of Suffolk County Code Chapter 143, Article II, §§143-5 through 143-9. Upon signing this Agreement the Contractor certifies that he, she, it, or they have not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding of guilty after a trial or a plea of guilty to an offense covered under the provision of Section 143-5 of the Suffolk County Code under "Nonresponsible Bidder."

#### **9. Gratuities**

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of Suffolk County or New York State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the

performance of an agreement, and that the signer of this Agreement has read and is familiar with the provisions of Local Law No. 32-1980 of Suffolk County (Chapter 386 of the Suffolk County Code).

**10. Full Force and Effect**

Except as herein amended, all other representations, terms and conditions of said Agreement, including any and all amendments or budget modifications executed prior to the date hereof, are hereby ratified and confirmed to be in full force and effect.

— End of Text of Exhibit —

**Article IV**  
**Suffolk County Legislative Requirements, last revised 11/09**

**1. Contractor's/Vendor's Public Disclosure Statement**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of section A5-7 of Article V of the Suffolk County Code.

Unless certified by an officer of the Contractor as being exempt from the requirements of section A5-7 of Article V of the Suffolk County Code, the Contractor represents and warrants that it has filed with the Comptroller the verified public disclosure statement required by Suffolk County Administrative Code Article V, Section A5-7 and shall file an update of such statement with the Comptroller on or before the 31st day of January in each year of the Contract's duration. The Contractor acknowledges that such filing is a material, contractual and statutory duty and that the failure to file such statement shall constitute a material breach of the Contract, for which the County shall be entitled, upon a determination that such breach has occurred, to damages, in addition to all other legal remedies, of fifteen percent (15%) of the amount of the Contract.

**Required Form:**

Suffolk County Form SCEX 22; entitled "Contractor's/Vendor's Public Disclosure Statement"

**2. Living Wage Law**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 347, of the Suffolk County Code.

This Contract is subject to the Living Wage Law of the County of Suffolk. The law requires that, unless specific exemptions apply, all employers (as defined) under service contracts and recipients of County financial assistance, (as defined) shall provide payment of a minimum wage to employees as set forth in the Living Wage Law. Such rate shall be adjusted annually pursuant to the terms of the Suffolk County Living Wage Law of the County of Suffolk. Under the provisions of the Living Wage Law, the County shall have the authority, under appropriate circumstances, to terminate the Contract and to seek other remedies as set forth therein, for violations of this Law.

**Required Forms:**

Suffolk County Living Wage Form LW-1; entitled "Suffolk County Department of Labor – Living Wage Unit Notice of Application for County Compensation (Contract)"

Suffolk County Living Wage Form LW-38; entitled "Suffolk County Department of Labor – Living Wage Unit Living Wage Certification/Declaration – Subject To Audit"

**3. Use of County Resources to Interfere with Collective Bargaining Activities**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 466 of the Suffolk County Code.

County Contractors (as defined by section 466-2) shall comply with all requirements of Chapter 466 of the Suffolk County Code, including the following prohibitions:

- a. The Contractor shall not use County funds to assist, promote, or deter union organizing.
- b. No County funds shall be used to reimburse the Contractor for any costs incurred to assist, promote, or deter union organizing.
- c. The Contractor shall not use County funds to assist, promote, or deter union organizing.
- d. No employer shall use County property to hold a meeting with employees or supervisors if the purpose of such meeting is to assist, promote, or deter union organizing.

If the Services are performed on County property, the Contractor must adopt a reasonable access agreement, a neutrality agreement, fair communication agreement, non-intimidation agreement, and a majority authorization card agreement.

If the Services are for the provision of human services and are not to be performed on County property, the Contractor must adopt, at the least, a neutrality agreement.

Under the provisions of Chapter 466, the County shall have the authority, under appropriate circumstances, to terminate the

Contract and to seek other remedies as set forth therein, for violations of this Law.

**Required Form:**

Suffolk County Labor Law Form DOL-LO1; entitled "Suffolk County Department of Labor – Labor Mediation Unit Union Organizing Certification/Declaration – Subject to Audit."

**4. Lawful Hiring of Employees Law**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 234 of the Suffolk County Code.

This Contract is subject to the Lawful Hiring of Employees Law of the County of Suffolk. It provides that all covered employers, (as defined), and the owners thereof, as the case may be, that are recipients of compensation from the County through any grant, loan, subsidy, funding, appropriation, payment, tax incentive, contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or an awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees (as defined) and with respect to the alien and nationality status of the owners thereof. The affidavit shall be executed by an authorized representative of the covered employer or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement with the County; and shall be made available to the public upon request.

All contractors and subcontractors (as defined) of covered employers, and the owners thereof, as the case may be, that are assigned to perform work in connection with a County contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit to the covered employer a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees and with respect to the alien and nationality status of the owners thereof, as the case may be. The affidavit shall be executed by an authorized representative of the contractor, subcontractor, or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement between the covered employer and the County; and shall be made available to the public upon request.

An updated affidavit shall be submitted by each such employer, owner, contractor and subcontractor no later than ~~January~~ <sup>January 1</sup> of each year for the duration of any contract and upon the renewal or amendment of the contract, and whenever a new contractor or subcontractor is hired under the terms of the contract.

The Contractor acknowledges that such filings are a material, contractual and statutory duty and that the failure to file any such statement shall constitute a material breach of the Contract.

Under the provisions of the Lawful Hiring of Employees Law, the County shall have the authority to terminate the Contract for violations of this Law and to seek other remedies available under the law.

The documentation mandated to be kept by this law shall at all times be kept on site. Employee sign-in sheets and register/log books shall be kept on site at all times during working hours and all covered employees, as defined in the law, shall be required to sign such sign-in sheets/register/log books to indicate their presence on the site during such working hours.

**Required Forms:**

Suffolk County Lawful Hiring of Employees Law Form LHE-1; entitled "Suffolk County Department of Labor – Notice Of Application To Certify Compliance With Federal Law (8 U.S.C. SECTION 1324a) With Respect To Lawful Hiring of Employees."

"Affidavit Of Compliance With The Requirements Of 8 U.S.C. Section 1324a With Respect To Lawful Hiring Of Employees" Form LHE-2.

**5. Gratuities**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 386 of the Suffolk County Code.

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of the County or the State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement.

6. **Prohibition Against Contracting with Corporations that Reincorporate Overseas**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of sections A4-13 and A4-14 of Article IV of the Suffolk County Code.

The Contractor represents that it is in compliance with sections A4-13 and A4-14 of Article IV of the Suffolk County Code. Such law provides that no contract for consulting services or goods and services shall be awarded by the County to a business previously incorporated within the U.S.A. that has reincorporated outside the U.S.A.

7. **Child Sexual Abuse Reporting Policy**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article IV of Chapter 577 of the Suffolk County Code.

The Contractor shall comply with Article IV of Chapter 577, of the Suffolk County Code, entitled "Child Sexual Abuse Reporting Policy," as now in effect or amended hereafter or of any other Suffolk County Local Law that may become applicable during the term of the Contract with regard to child sexual abuse reporting policy.

8. **Non Responsible Bidder**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article II of Chapter 143 of the Suffolk County Code.

Upon signing the Contract, the Contractor certifies that it has not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding of guilty after a trial or a plea of guilty to an offense covered under the provision of section 143-5 of the Suffolk County Code under "Nonresponsible Bidder."

9. **Use of Funds in Prosecution of Civil Actions Prohibited**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of section 590-3 of Article III of Chapter 590 of the Suffolk County Code.

The Contractor shall not use any of the moneys, in part or in whole, and either directly or indirectly, received under the Contract in connection with the prosecution of any civil action against the County in any jurisdiction or any judicial or administrative forum.

10. **Work Experience Participation**

If the Contractor is a nonprofit or governmental agency or institution, each of the Contractor's locations in the County at which the Services are provided shall be a work site for public-assistance clients of Suffolk County pursuant to Chapter 211 of the Suffolk County Code at all times during the Term of the Contract. If no Memorandum of Understanding ("MOU") with the Suffolk County Department of Labor for work experience is in effect at the beginning of the Term of the Contract, the Contractor, if it is a nonprofit or governmental agency or institution, shall enter into such MOU as soon as possible after the execution of the Contract and failure to enter into or to perform in accordance with such MOU shall be deemed to be a failure to perform in accordance with the Contract, for which the County may withhold payment, terminate the Contract or exercise such other remedies as may be appropriate in the circumstances.

11. **Suffolk County Local Laws Website Address**

Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County website at <http://www.co.suffolk.ny.us>.

**End of Text for Exhibit**

**SUFFOLK COUNTY DEPARTMENT OF LABOR – LIVING WAGE UNIT**

**NOTICE OF APPLICABILITY**  
**OF LIVING WAGE LAW**

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

**To Be Completed By The Living Wage Unit**

**DATE:** March 30, 2010

**TO:** Mary-Valerie Kempinski, S.C. Dept. of Human Services, Office of the Aging

**FROM:** *MW* Brenda Rosenberg, Director of Living Wage Compliance Unit

**TELEPHONE #:** 853-2063

**VENDOR #:** 11-6001935

**REF.#:** IIB Residential Repair

You are hereby notified that the response from Town of Riverhead has been evaluated by the *Living Wage* Unit of the Suffolk County Department of Labor.

We find:

  X   The documents submitted with this contract / proposal are complete and conform to the requirements of the *Living Wage* Law (Local Law #12-2001). The Awarding Agency may proceed with the normal and customary procedure for administering contracts.

       The documents submitted with this contract / proposal are not complete, or do not conform to the requirements of the *Living Wage* Law (Local Law #12-2001).

Employers who fail to submit documents or information required to demonstrate compliance with the Law shall be deemed non-responsive and subject to disqualification.

If the employer is presently under contract, the contractor shall be deemed non-compliant and the appeals process shall be made available to said employer (Chapter 347-5 A & B).

III B RR  
Riv

**SUFFOLK COUNTY DEPARTMENT OF LABOR - LABOR MEDIATION UNIT**  
**UNION ORGANIZING CERTIFICATION/DECLARATION - SUBJECT TO AUDIT**

If the following definition of "County Contractor" (Union Organizing Law Chapter 466-2) applies to the contractor's/beneficiary's business or transaction with Suffolk County, the contractor/beneficiary must complete Sections I, III, and IV below. If the following definitions do not apply, the contractor/beneficiary must complete Sections II, III and IV below. Completed forms must be submitted to the awarding agency.

**County Contractor:** "Any employer that receives more than \$50,000 in County funds for supplying goods or services pursuant to a written contract with the County of Suffolk or any of its agencies; pursuant to a Suffolk County grant; pursuant to a Suffolk County program; pursuant to a Suffolk County reimbursement for services provided in any calendar year; or pursuant to a subcontract with any of the above."

**Section I**



Check if  
Applicable

The Union Organizing Law applies to this contract. I/we hereby agree to comply with all the provisions of Suffolk County Local Law No. 26-2003, the Suffolk County Union Organizing Law (the law) and, as to the goods and/or services that are the subject of the contract with the County of Suffolk shall not use County funds to assist, promote, or deter union organizing (Chapter 466-3 A), nor seek reimbursement from the County for costs incurred to assist, promote, or deter union organizing. (Chapter 466-3 B)

I/we further agree to take all action necessary to ensure that County funds are not used to assist, promote, or deter union organizing. (Chapter 466-3 H)

I/we further agree that I/we will not use County property to hold meetings to assist, promote, or deter union organizing. (Chapter 466-3E)

I/we further agree that if any expenditures or costs incurred to assist, promote, or deter union organizing are made,

I/we shall maintain records sufficient to show that no County funds were used for those expenditures and, as applicable, that no reimbursement from County funds has been sought for such costs. I/we agree that such records shall be made available to the pertinent County agency or authority, the County Comptroller, or the County Department of Law upon request. (Chapter 466-3 I)

I/we further affirm to the following as to the goods and/or services that are the subject of the contract with the County of Suffolk:

- I/we will not express to employees any false or misleading information that is intended to influence the determination of employee preferences regarding union representation;
- I/we will not coerce or intimidate employees, explicitly or implicitly, in selecting or not selecting a bargaining representative;
- I/we will not require an employee, individually or in a group, to attend a meeting or an event that is intended to influence his or her decision in selecting or not selecting a bargaining representative;
- I/we understand my/our obligation to limit disruptions caused by prerecognition labor disputes through the adoption of nonconfrontational procedures for the resolution of prerecognition labor disputes with employees engaged in the production of goods or the rendering of services for the County; and
- I/we have or will adopt any or all of the above-referenced procedures, or their functional equivalent, to ensure the efficient, timely, and quality provision of goods and services to the County. I/we shall include a list of said procedures in such certification.

**Section II**



Check if  
Applicable

The Union Organizing Law does not apply to this contract for the following reason(s): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DLB 100  
Riv

**Section III**

Contractor Name: Town of Riverhead Federal Employer ID#: 11-600-1935  
 Contractor Address: 200 Howell Avenue Amount of Assistance: 27,701  
Riverhead, N.Y. Vendor #: \_\_\_\_\_  
 Contractor Phone #: 631 727-3200  
 Description of project or service: Residential Repair

**Section IV**

In the event any part of the Union Organizing Law, Chapter 466 of the Laws of Suffolk County, is found by a court of competent jurisdiction to be preempted by federal and/or state law, this certification/declaration shall be void *ab initio*.

**Section V**

I declare under penalty of perjury under the Laws of the State of New York that the undersigned is authorized to provide this certification, and that the above is true and correct.

X Phil Cardinale Sup  
 Authorized Signature  
Phil. Cardinale, Supervisor  
 Print Name and Title of Authorized Representative

12/22/09  
Date

**SUFFOLK COUNTY DEPARTMENT OF LABOR**  
**NOTICE OF APPLICATION TO CERTIFY COMPLIANCE WITH FEDERAL LAW**  
**(8 U.S.C. SECTION 1324A)**  
**WITH RESPECT TO LAWFUL HIRING OF EMPLOYEES**

**VERIFICATION OF SUBMISSION OF LAWFUL HIRING OF EMPLOYEES**

Suffolk County Code, Chapter 234 (2006)

**To Be Completed By the Local Law Compliance Unit**

**DATE:** March 30, 2010

**TO:** Mary Valerie Kempinski, S. C. Office of the Aging

**FROM:** Brenda Rosenberg, Director

**TELEPHONE#** 631 853-3808

**EMPLOYER:** Town of Riverhead

**VENDOR #:** 11-6001935

**REF. #:** IIIB Residential Repair

You are hereby notified that the submission from Town of Riverhead has been received by the *Lawful Hiring of Employees* Unit of the Suffolk County Department of Labor. We find that this submission is complete and is in compliance with the requirements set forth by the Suffolk County *Lawful Hiring of Employees* Law (Local Law #52-2006).

LHE-3  
(01/07)

III B RR  
RV

# Certification Regarding Lobbying

## For Contracts, Grants, Loans and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No State or Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence legislation or appropriation actions pending before local, State and Federal executive and/or legislative bodies in connection with the awarding of any contract, the making of any grant, the making of any loan, the entering of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any contract, grant loan, or cooperative agreement.
- (2) If any funds other than State or Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence legislation or appropriation actions pending before local, State and Federal executive and/or legislative bodies in connection with this contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Failure to file the required certification shall be subject to civil penalty by the Federal government of not less than \$10,000 and not more than \$100,000 for each such failure.

By:   
 Signature of Official Authorized  
 To Sign Application

Date: 12/22/09

For: Town of Riverhead  
 Name of Grantee



**Contract Budget Approval Form**

Revision No: \_\_\_\_\_

Department: \_\_\_\_\_

Contractor: \_\_\_\_\_

Agreement No. \_\_\_\_\_

Agreement Period: \_\_\_\_\_

Date last executed/amended: \_\_\_\_\_

Budget Period to which this revision applies: \_\_\_\_\_

Identify the items that are being changed by this revision:

**Budget:**

Period	Adopting	Revising
--------	----------	----------

Amount of increase	_____	_____
--------------------	-------	-------

Amount of decrease	_____	_____
--------------------	-------	-------

New Budget amount for the period: \_\_\_\_\_

**Copies of supporting documentation are attached as follows (check all that apply):**

Resolution \_\_\_\_\_ Budget \_\_\_\_\_ Other \_\_\_\_\_

-----

**Approvals:**

**Department:**

By: \_\_\_\_\_

Name:

Title:

Date: \_\_\_\_\_

**Fiscal Unit:**

By: \_\_\_\_\_

Name:

Title:

Date: \_\_\_\_\_

**Division:**

By: \_\_\_\_\_

Name:

Title:

Date: \_\_\_\_\_

**Contractor:**

By: \_\_\_\_\_

Name:

Title:

Date: \_\_\_\_\_

Federal Tax ID #:

**County Executive Budget Office:**

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_

By: \_\_\_\_\_

Name:

Title:

Date: \_\_\_\_\_

**COUNTY OF SUFFOLK**



**OFFICE OF THE COUNTY COMPTROLLER**

**JOSEPH SAWICKI, JR.**  
Comptroller

**DEPARTMENT OF AUDIT AND CONTROL**

**Comptroller's Rules and Regulations**

**for Consultant's Agreements**

**Revised 12/2009**

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1. Purpose – This manual establishes procedures for the reimbursement of expenditures for consultants under contract with the County.
2. Scope – These instructions apply to all County departments and agencies utilizing consultant services.
3. Definitions
  - a. Consultant – An individual or firm engaged to provide outside professional services to Suffolk County departments and agencies.
  - b. Consultant's Agreement – A written contract describing the specific services to be rendered by the consultant and the amount and terms of payment for the services to be made by the County. The consultant's agreement shall constitute the sole authorization for payment of claims. The consultant's agreement shall be prepared in accordance with the County Executive's Operating Procedures, SOP # I-05. Non-specific general purpose or lump sum payment agreements are not recommended.
4. Allowable Claims – Only claims which are submitted for expenditures specifically identified in the agreement will be approved for payment. Generally, the agreement will stipulate a maximum fee for services rendered which is based upon a rate per day or per hour. Accordingly, a rate schedule is an integral part of each consultant's agreement. Increases will be allowed only by amendment to the agreement. Out-of-pocket expenditures are reimbursable if it is so stipulated in the consultant's agreement.

5. Claim Submission – Consultants should submit their claims for reimbursement through the County department or agency responsible for the consultant's assignment, using appropriate forms, as indicated below:
- a. Claim Voucher – A *County of Suffolk Standard Payment Voucher Form* (Exhibit A) must accompany each consultant claim. The claim voucher should refer to the consultant's agreement under which payment is requested and indicate the category of expenses or contract covenant applicable to the claim voucher. It should be initialed by the departmental unit representative under whose supervision or jurisdiction the work was performed, signifying that the consultant has complied with all the terms and conditions of the agreement under which the payment is requested. The voucher must then be signed by the department head or his duly authorized representative and forwarded to the Department of Audit and Control for payment.
  - b. Consultant's Time Summary, FORM A&C 108 (Exhibit B) – The Consultant's Time Summary should be used to record daily hours worked by each staff member of the consultant working on the project. Space is provided to record and extend the hours and wages of each staff member assigned to the project on one form. The completed FORM A&C 108 must be signed by and authorized individual of the consultant's firm. It should then be attached to the County of Suffolk Standard Payment

voucher form. A copy of the consultant's payroll register with a cover letter indicating the individuals charged to the project for the claim period will be accepted as a substitute for the Consultant's Time Summary.

- c. Consultant's Expense Summary, FORM A&C 109 (Exhibit C) – The Consultant's Expense Summary should be used to detail expenses for travel, meals, lodging or other necessary and reasonable out-of-pocket expenditures incurred on the project. Each expense item should be documented by a receipted bill, sales slip or invoice which totals the daily expenditures shown on the form. The completed FORM A&C 109 must be signed by an authorized individual of the consultant's firm. It should then be attached to the County of Suffolk Standard Payment Voucher Form.

6. Out-of-Pocket Expenses – If these expenses are reimbursable under the consultant's agreement, the following rules and guidelines should be considered before incurring such expenses and submitting claims:

- a. Meals – Meals are reimbursable under a consultant's contract only if the purpose of the meal is valid, that is, authorized under the contract as sustenance while traveling. Effective October 1, 2009, the per diem meal allowance shall be in accordance with the current maximum reimbursement rate for food as established by the U.S. General Services Administration for the New York region. As published in IRS Publication 1542 (rev. October 2009), the 2009 per diem meal and incidental rate is

\$71.00 per diem including tax. Audit and Control should be contacted for allowable rates for future fiscal periods. (Gratuities, at a reasonable and customary rate, shall be reimbursed over and above the state limits).

The County will not honor claims for the reimbursement of "business meals" submitted by members of the consultant's firm who are not traveling out of town (overnight) in performance of the contract. Where a consultant meets the necessary criteria to be reimbursed for meals, no receipts will be necessary but a certified statement will be required.

- b. Lodging – Effective October 1, 2009, claims for lodging will be reimbursed at a rate not to exceed the current maximum reimbursement rate for lodging as established by the U.S. General Services Administration for the New York region as published in the IRS Publication 1542 (rev. October, 2009). The 2009 per diem rate for lodging is \$ 130.00 including taxes. Claims for lodging must be accompanied by paid receipts. Audit and Control should be contacted for the allowable rate for future fiscal periods.
- c. Airfare – Airfare will only be reimbursed at the economy coach rate and a receipt will be necessary. Individuals choosing to fly first class will not be reimbursed for the premium expenses incurred.
- d. Mileage – The County will reimburse mileage claims in accordance with the applicable current rate allowed by the U.S. Internal Revenue Service. As of January 1, 2009 the rate is \$.55 per mile and January 1, 2010 the

rate is \$.50 per mile. The consultant must provide origin, destination and miles traveled for each trip. Audit and Control should be contacted for the allowable rate for future fiscal periods.

- e. Taxis – Taxi fares up to \$25.00 will be reimbursed based on actual receipt or certified statement. Any taxi expenses in excess of \$25.00 per trip will require receipts. Receipts and certified statements shall include origin and destination, as well as the purpose of the trip.
  - f. Subways and Buses (local) – A certified statement will be adequate documentation for these expenses.
  - g. Tolls – Receipts or certified statement will be adequate documentation for these expenses.
  - h. Telephone Expenses – Telephone expenses up to \$25.00 per month will be reimbursed based on a receipt or certified statement. Telephone expenses totaling over \$25.00 will require copies of the telephone company bills with the appropriate calls circled.
  - i. Photocopies – In lieu of a specific contract for photocopies, the County will reimburse at a cost not to exceed \$.15 per copy, including labor. A certified statement will be adequate documentation for reimbursement.
7. Sub-Contractor Claims – When the consultant is authorized in the Consultant's Agreement to hire a sub-contractor, the Comptroller's Office should be supplied a copy of the sub-contractor's agreement. Claims will not be processed if they are

not in compliance with the contract between the Consultant and the County. The reporting requirement of the sub-contractor will be the same as that of the Consultant. Details of all expenditures claimed must be documented in the same manner. If the sub-contractor's agreement with the Consultant is a lump-sum payment agreement, detailed documentation reporting requirements are waived.

8. Certified Statements – When the consultant incurs minor travel or other out-of-pocket expenses for which receipts are not available, he shall prepare an itemized statement detailing the type and amount of expense, including the time, date, and place incurred. After summarizing expenses claimed, the consultant must add and sign the following certification terminology:

**“ The above expenses are true and just and are a result of business conducted in accordance with the terms of the contract with Suffolk County, and have not be been previously paid.”**

---

Signature of Authorized Person

**EXHIBITS**

EXHIBIT A

County of Suffolk, New York - Payment Voucher  
 P.O. Box 5100, Hauppauge, NY 11788-0050

Payment Voucher #	Responsible Agency	Modify
329252		

Date of Record (mm/dd/yy)	Accounting Period (mm/dd/yy)	Budget FY (yy)	Document Type (Include Code)
---------------------------	------------------------------	----------------	------------------------------

Vendor Code (10-1)

Vendor Name

Supplier Code (11-1) / Supplier Name (11-2)

Ln (01)	Receipts Reserved (ALC) Number (11) Ln (3)	Cost Obj (03)	Order Number (12) Ln (3)	Est (01)	App (02)	Obj (04)	Sub Obj (05)	App (06)	Obj (07)	Sub Obj (08)	Req Cat (09)	Capital Project # (13)
---------	--	---------------	--------------------------	----------	----------	----------	--------------	----------	----------	--------------	--------------	------------------------

Rev (14)    Obj Ref (15)    Description (17)    Amount (Include Cont)    V/P    P/P

01												
02												
03												
04												
05												

Additional Comments

**DEPARTMENT CERTIFICATION:** I hereby certify that the materials above specified have been received by me in good condition without substitution. The work properly performed and that the quantities listed have been verified with the exception of discrepancies noted and payments approved.

**PAYEE CERTIFICATION:** I certify that the above bill is true and correct; that no part thereof has been paid except as stated; that the balance is actually due and owing; that taxes from which the County is exempt are so stated; and that I have read and am familiar with the provisions of Local Law 20-1983 as stated in the payee information section of this voucher.

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_ TITLE \_\_\_\_\_  
 Form 89 Original    Auth & Control

PAYEE'S SIGNATURE \_\_\_\_\_ TITLE \_\_\_\_\_ NAME OF COMPANY \_\_\_\_\_  
 Below Copy: Department Accounting



**EXHIBIT C  
COUNTY OF SUFFOLK  
CONSULTANT'S EXPENSE SUMMARY  
DEPARTMENT OF AUDIT & CONTROL - FORM A&C 109**

CONSULTANT'S NAME \_\_\_\_\_ PERIOD BEGINNING \_\_\_\_\_ PERIOD ENDING \_\_\_\_\_

Expenditure Items	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	AMOUNT DUE
	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
Air, Rail or Bus Transportation																	
Auto Rental or Mileage (Attach Schedule)																	
Tolls and Parking Fees																	
Taxi or Limousine (Attach Schedule)																	
Meal/Tips																	
Lodging/Tips																	
Telephone and Telegraph																	
Materials or Supplies																	
Equipment																	
Other Supporting Services (Attach Schedule)																	
<p>All expenditures should be covered by receipted bills and/or valid explanation. Necessary purchases of materials, supplies, equipment or services should be supported by summaries showing vendor, description, unit cost and purpose.</p>																\$	

TOTAL REIMBURSABLE CONSULTANT TIME:

AUTHORIZED SIGNATURE \_\_\_\_\_

**STATEMENT OF OTHER CONTRACTS**

**CONTRACTOR NAME**

Town of Riverhead

**ADDRESS**

200 Howell Ave. Riverhead, N.Y. 11901

**CONTACT**

Lady Doll

**PHONE NUMBER**

<sup>631</sup>  
722-4444

PROGRAM	AGREEMENT NUMBER	*CONTRACT WITH	TERM OF AGREEMENT	AMOUNT
SNAP	IFMS NO. SC EE 09000001805	SCOFA	4/1/09 - 3/31/10	232,677.00
EISEP	IFMS NO. SC EXE #09000010124	SCOFA	4/1/09 - 3/31/10	fee - for - service
AAA transp.	IFMS NO. SC EXE 08000001424	SCOFA	4/1/09 - 3/31/10	4,571

\*Indicate (a) type of organization - County, State, Federal or Other and (b) name of Department, Agency or Organization

FILED

6/15/10  
100482

**ADOPTED**

**Town of Riverhead**

**Resolution # 482**

**AUTHORIZES THE SUPERVISOR TO EXECUTE A STIPULATION WITH LOCAL  
1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #852**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, a contractual issue has arisen as a result of the need promote an employee in the Code Enforcement Division, 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 HEREBY RESOLVED**, that the Town Board of the Town of Riverhead hereby approves the attached stipulation and authorizes the Town Supervisor to execute same; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Town Attorney Dawn Thomas, Esq. , CSEA Unit President, the Town Attorney, Personnel Director and Financial Administrator.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

## **STIPULATION**

Made this \_\_\_\_\_ day of June of 2010, between the Town of Riverhead, 200 Howell Avenue, Riverhead, New York (Town) and Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #852 having its principal office at 3 Garet Place, Commack, New York (CSEA).

WHEREAS, Richard Downs has been employed as an Ordinance Inspector in the Code Enforcement Division of the Town Attorney's office since 2000, and

WHEREAS, Richard Downs has increased his duties and responsibilities such that Suffolk County Civil Service has approved him to serve in the title of Town Investigator, and

WHEREAS, Richard Downs took the civil service test for Town Investigator in June 2007 and scored first in the Town of Riverhead, and

WHEREAS, the list for Town Investigator is set to expire September 12, 2010, and

WHEREAS, if Richard Downs is not hired off of the current list, he will be required to re-take the exam,

NOW, THEREFORE, it is mutually agreed as follows:

1. The Town shall promote Richard Downs to the title of Town Investigator effective June 2, 2010 at Group 9 Step 6.
2. CSEA and Downs agree to defer any increase in pay to January 1, 2011.

3. This stipulation shall not, in any way, constitute “past practice” for the Town of Riverhead and is and shall remain specific to this matter.

---

Sean M. Walter, Supervisor

---

Matthew E. Hattorff, for CSEA

6/15/10  
100483

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 483**

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH LOCAL  
1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #852**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Town Board of the Town of Riverhead hereby approves the agreement and authorizes the Town Supervisor to execute same; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Town Attorney Dawn Thomas, Esq., CSEA Unit President, the Town Attorney, Personnel Director and Financial Administrator.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

6/15/10  
100484

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 484**

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AMENDED AGREEMENT  
AUTHORIZING THE TOWN TO ACCEPT FUNDS FROM SUFFOLK COUNTY  
OFFICE FOR THE AGING FOR THE PURPOSE OF SUPPLEMENTING THE  
TOWN'S SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Senior Citizen Department offers a wide variety of programs, activities and support services including meals for the elderly residents of the Riverhead community; and

**WHEREAS**, Suffolk County Office for the Aging is interested in defraying in part the costs for meals incurred by the Senior Citizen Department; and

**WHEREAS**, the Senior Citizen Department is interested in supplementing its budget regarding the costs for meals incurred by the Senior Citizen Department; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor is hereby authorized to execute the attached amended agreement authorizing the Town of Riverhead to accept funds from Suffolk County Office for the Aging for the purpose of supplementing the budget of the Town's Supplemental Nutrition Assistance Program; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Joanne Kandell, Principal Accountant, Suffolk County Office for the Aging, H. Lee Dennison Building, 100 Veterans Memorial Highway, P.O. Box 6100, Hauppauge, NY 11788; the Senior Citizen Department; and the Office of the Town Attorney.

**THE VOTE**

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

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted



### Exhibit A-2010/2011

**Whereas**, the County and Contractor have entered into an Agreement (Law No. AG004M/0021-12R), last dated August 15, 2007, for a term from April 1, 2007 through March 31, 2008 for a senior citizen supplemental nutrition assistance program at a Total Cost of \$221,490; and

**Whereas**, the County and Contractor have entered into a First Amendment of Agreement (Law No. AG004M/0021-12RA) extending the term from April 1, 2008 through March 31, 2009 and (at an additional cost of \$228,169) increasing the Total Cost of the Agreement to \$449,659; and

**Whereas**, the County and Contractor have entered into a Second Amendment of Agreement (Law No. AG004M/0021-12RB) extending the term from April 1, 2009 through March 31, 2010 and (at an additional cost of \$232,677) increasing the Total Cost of the Agreement to \$682,336; and

**Whereas**, the parties hereto desire to modify the Agreement, to extend the term from April 1, 2009 through March 31, 2010 and (at an additional cost of \$237,436) to increase the Total Cost of the Agreement to \$919,772, and to add and amend other contract provisions to comply with current County Standards, as set forth below, and;

**Now, therefore**, in consideration of the covenants, promises and consent herein contained, the parties hereto agree as follows:

**1. Term of Agreement:**

The Term of Agreement paragraph on page 1 of the Agreement is amended to read April 1, 2007 through March 31, 2011 as set forth on the page 1 of this Third Amendment of Agreement.

**2. Meals:**

Effective as of the beginning of the Extension Period, the approximate daily number, and the maximum annual number, if any, of Congregate and/or Home-Delivered Meals included in the Program shall be as set forth on the cover page of this Third Amendment of Agreement.

**3. Payment for Services:**

The Total Cost of Agreement \$919,772 is comprised as follows:

- a. \$221,490 for the 2007/2008 contract term;
- b. \$228,169 for the 2008/2009 Extension Period;
- c. \$232,677 for the 2009/2010 Extension Period;
- d. \$237,436 for the 2010/2011 Extension Period;

**4. Rate Page:**

The rate at which the Contractor shall be paid for this Extension Period is set forth in Exhibit C-2010/2011, which is attached and made part of the Agreement.

**5. Contributions**

Paragraph 3 of Exhibit B to the Agreement is replaced in its entirety with the following:

**Contributions**

The Contractor has the obligation to inform each recipient of the service of the opportunity to make a free, willing and anonymous contribution toward the cost of the service. Service may not be denied if a person is unable or unwilling to make a contribution. The Contractor must maintain an audit trail of all incoming contributions and make monthly reports of any contributions received. Monthly contributions will be deducted from monthly expenditures to arrive at net reimbursement. All contributions must be used to enhance services. All printed materials used for the program must include the sources of funding for the Program and must include the following information:

Contributions to this (these) service(s) are free and voluntary. Service will not be denied because of inability or unwillingness to contribute. Any contribution you wish to make will be used to expand the program and will be greatly appreciated.

Each recipient of service must be informed in writing of the opportunity to contribute at least annually.

In the congregate setting, the **Contractor** must provide a locked box and envelopes for the suggested meal donations for the participants in order to protect the confidentiality of program participants' identities and the amount which they contribute. The suggested donation amount will be determined through consultation with the Suffolk County Office for the Aging and the Site Council.

**6. Poverty Threshold**

Paragraph 8 (3) of Exhibit B to the Agreement entitled "Reporting Requirements, Demographics", referring to the Poverty Threshold, is amended to read as follows:

Size of Family Unit	100 % of Poverty Threshold (for IIC Nutrition program(s))	150% of Poverty Threshold (for SNAP Program(s))
1	\$10,830/year	\$16,245/year
2	\$14,570/year	\$21,855/year

**7. Electronic Reporting**

Paragraph 8 B, subparagraph iv. of Exhibit B is replaced in its entirety to read as follows:

- iv. Home-delivered meal participants must have eligibility determined 1) prior to the delivery of service using the NAPIS required NY Comprehensive AFM form or subsequent approved assessment tool, or 2) in cases where there is a documented emergency, the assessment must be done within five (5) working days of service delivery. The Contractor shall contact Aging's Nutrition Unit of any occurrence whereby the assessment is not completed under 1) or 2) above. Each participant receiving home-delivered meals must be reassessed at appropriate intervals based on each participant's situation, but in no instance less frequently than at least once in each twelve-month period. The Contractor will also make a six-month reassessment in the form of a home visit or a telephone call. The assessment and subsequent reassessments must be entered electronically and completed by the 12<sup>th</sup> of each month for the previous month's data.

**The Contractor shall comply with the following added provisions in conformance with current County Standards.**

**8. Budget and/or Services Revisions**

- i.) The parties shall use the Contract Budget/Services Revision Approval Form (Budget /Services Revisions) for revisions to the Budget and Services involving any change to the total cost of the Contract via resolution of the Legislature or by the County's adopted annual budget. The Contractor shall submit to the County, proposed revisions for either Budget or any necessary changes of Services to be provided.
- ii.) When the County and the Contractor agree as to such revisions, the Contractor shall execute the Budget/Services Revisions form. The Contractor shall return it to the County.

iii.) Upon complete execution of the form by the parties, the County shall return a copy to the Contractor. The revision shall not be effective until the Budget /Services Revisions is completely executed.

**9. Comptroller's Rules and Regulations**

The Contractor shall comply with the "Comptroller's Rules and Regulations for Consultant Agreements" as promulgated by the County Department of Audit and Control and any amendments thereto during the Term. The County shall provide the Contractor with a copy of any amendments to the "Comptroller's Rules and Regulations for Consultant Agreements" during the Term.

**10. Non Responsible Bidder**

The Contractor represents and warrants that it has read and is familiar with the provisions of Suffolk County Code Chapter 143, Article II, §§143-5 through 143-9. Upon signing this Agreement the Contractor certifies that he, she, it, or they have not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding of guilty after a trial or a plea of guilty to an offense covered under the provision of Section 143-5 of the Suffolk County Code under "Nonresponsible Bidder."

**11. Gratuities**

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of Suffolk County or New York State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement, and that the signer of this Agreement has read and is familiar with the provisions of Local Law No. 32-1980 of Suffolk County (Chapter 386 of the Suffolk County Code).

**12. Full Force and Effect**

Except as herein amended, all other representations, terms and conditions of said Agreement, including any and all amendments or budget modifications executed prior to the date hereof, are hereby ratified and confirmed to be in full force and effect.

— End of Text of Exhibit —

**Exhibit C-2010/2011  
Rate Page**

**TOWN of RIVERHEAD**

**Schedule of Fees for Services**

	<b>Congregate Midday Meals</b>	<b>Home-Delivered Meals</b>
<b>Fourth Contract Year 2010/2011</b>	<b>\$4.56</b>	<b>\$6.44</b>

Meals in excess of the number stated on the cover page will be used as local match for the Title III C program

Suffolk County Legislative Requirements Exhibit revised 11/09

1. **Contractor's/Vendor's Public Disclosure Statement**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of section A5-7 of Article V of the Suffolk County Code.

Unless certified by an officer of the Contractor as being exempt from the requirements of section A5-7 of Article V of the Suffolk County Code, the Contractor represents and warrants that it has filed with the Comptroller the verified public disclosure statement required by Suffolk County Administrative Code Article V, Section A5-7 and shall file an update of such statement with the Comptroller on or before the 31st day of January in each year of the Contract's duration. The Contractor acknowledges that such filing is a material, contractual and statutory duty and that the failure to file such statement shall constitute a material breach of the Contract, for which the County shall be entitled, upon a determination that such breach has occurred, to damages, in addition to all other legal remedies, of fifteen percent (15%) of the amount of the Contract.

**Required Form:**

Suffolk County Form SCEX 22; entitled "Contractor's/Vendor's Public Disclosure Statement"

2. **Living Wage Law**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 347, of the Suffolk County Code.

This Contract is subject to the Living Wage Law of the County of Suffolk. The law requires that, unless specific exemptions apply, all employers (as defined) under service contracts and recipients of County financial assistance, (as defined) shall provide payment of a minimum wage to employees as set forth in the Living Wage Law. Such rate shall be adjusted annually pursuant to the terms of the Suffolk County Living Wage Law of the County of Suffolk. Under the provisions of the Living Wage Law, the County shall have the authority, under appropriate circumstances, to terminate the Contract and to seek other remedies as set forth therein, for violations of this Law.

**Required Forms:**

Suffolk County Living Wage Form LW-1; entitled "Suffolk County Department of Labor – Living Wage Unit Notice of Application for County Compensation (Contract)"

Suffolk County Living Wage Form LW-38; entitled "Suffolk County Department of Labor – Living Wage Unit Living Wage Certification/Declaration – Subject To Audit"

3. **Use of County Resources to Interfere with Collective Bargaining Activities**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 466 of the Suffolk County Code.

County Contractors (as defined by section 466-2) shall comply with all requirements of Chapter 466 of the Suffolk County Code, including the following prohibitions:

- a. The Contractor shall not use County funds to assist, promote, or deter union organizing.
- b. No County funds shall be used to reimburse the Contractor for any costs incurred to assist, promote, or deter union organizing.
- c. The Contractor shall not use County funds to assist, promote, or deter union organizing.
- d. No employer shall use County property to hold a meeting with employees or supervisors if the purpose of such meeting is to assist, promote, or deter union organizing.

If the Services are performed on County property, the Contractor must adopt a reasonable access agreement, a neutrality agreement, fair communication agreement, non-intimidation agreement, and a majority authorization card agreement.

If the Services are for the provision of human services and are not to be performed on County property, the Contractor must adopt, at the least, a neutrality agreement.

Under the provisions of Chapter 466, the County shall have the authority, under appropriate circumstances, to terminate the

Contract and to seek other remedies as set forth therein, for violations of this Law.

**Required Form:**

Suffolk County Labor Law Form DOL-LO1; entitled "Suffolk County Department of Labor – Labor Mediation Unit Union Organizing Certification/Declaration – Subject to Audit."

**4. Lawful Hiring of Employees Law**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 234 of the Suffolk County Code.

This Contract is subject to the Lawful Hiring of Employees Law of the County of Suffolk. It provides that all covered employers, (as defined), and the owners thereof, as the case may be, that are recipients of compensation from the County through any grant, loan, subsidy, funding, appropriation, payment, tax incentive, contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or an awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees (as defined) and with respect to the alien and nationality status of the owners thereof. The affidavit shall be executed by an authorized representative of the covered employer or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement with the County; and shall be made available to the public upon request.

All contractors and subcontractors (as defined) of covered employers, and the owners thereof, as the case may be, that are assigned to perform work in connection with a County contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit to the covered employer a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees and with respect to the alien and nationality status of the owners thereof, as the case may be. The affidavit shall be executed by an authorized representative of the contractor, subcontractor, or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement between the covered employer and the County; and shall be made available to the public upon request.

An updated affidavit shall be submitted by each such employer, owner, contractor and subcontractor no later than January 1 of each year for the duration of any contract and upon the renewal or amendment of the contract, and whenever a new contractor or subcontractor is hired under the terms of the contract.

The Contractor acknowledges that such filings are a material, contractual and statutory duty and that the failure to file any such statement shall constitute a material breach of the Contract.

Under the provisions of the Lawful Hiring of Employees Law, the County shall have the authority to terminate the Contract for violations of this Law and to seek other remedies available under the law.

The documentation mandated to be kept by this law shall at all times be kept on site. Employee sign-in sheets and register/log books shall be kept on site at all times during working hours and all covered employees, as defined in the law, shall be required to sign such sign-in sheets/register/log books to indicate their presence on the site during such working hours.

**Required Forms:**

Suffolk County Lawful Hiring of Employees Law Form LHE-1; entitled "Suffolk County Department of Labor – Notice Of Application To Certify Compliance With Federal Law (8 U.S.C. SECTION 1324a) With Respect To Lawful Hiring of Employees."

"Affidavit Of Compliance With The Requirements Of 8 U.S.C. Section 1324a With Respect To Lawful Hiring Of Employees" Form LHE-2.

**5. Gratuities**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 386 of the Suffolk County Code.

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of the County or the State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement.

6. **Prohibition Against Contracting with Corporations that Reincorporate Overseas**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of sections A4-13 and A4-14 of Article IV of the Suffolk County Code.

The Contractor represents that it is in compliance with sections A4-13 and A4-14 of Article IV of the Suffolk County Code. Such law provides that no contract for consulting services or goods and services shall be awarded by the County to a business previously incorporated within the U.S.A. that has reincorporated outside the U.S.A.

7. **Child Sexual Abuse Reporting Policy**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article IV of Chapter 577 of the Suffolk County Code.

The Contractor shall comply with Article IV of Chapter 577, of the Suffolk County Code, entitled "Child Sexual Abuse Reporting Policy," as now in effect or amended hereafter or of any other Suffolk County Local Law that may become applicable during the term of the Contract with regard to child sexual abuse reporting policy.

8. **Non Responsible Bidder**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article II of Chapter 143 of the Suffolk County Code.

Upon signing the Contract, the Contractor certifies that it has not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding of guilty after a trial or a plea of guilty to an offense covered under the provision of section 143-5 of the Suffolk County Code under "Nonresponsible Bidder."

9. **Use of Funds in Prosecution of Civil Actions Prohibited**

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of section 590-3 of Article III of Chapter 590 of the Suffolk County Code.

The Contractor shall not use any of the moneys, in part or in whole, and either directly or indirectly, received under the Contract in connection with the prosecution of any civil action against the County in any jurisdiction or any judicial or administrative forum.

10. **Work Experience Participation**

If the Contractor is a nonprofit or governmental agency or institution, each of the Contractor's locations in the County at which the Services are provided shall be a work site for public-assistance clients of Suffolk County pursuant to Chapter 211 of the Suffolk County Code at all times during the Term of the Contract. If no Memorandum of Understanding ("MOU") with the Suffolk County Department of Labor for work experience is in effect at the beginning of the Term of the Contract, the Contractor, if it is a nonprofit or governmental agency or institution, shall enter into such MOU as soon as possible after the execution of the Contract and failure to enter into or to perform in accordance with such MOU shall be deemed to be a failure to perform in accordance with the Contract, for which the County may withhold payment, terminate the Contract or exercise such other remedies as may be appropriate in the circumstances.

11. **Suffolk County Local Laws Website Address**

Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County website at <http://www.co.suffolk.ny.us>.

**SUFFOLK COUNTY DEPARTMENT OF LABOR – LIVING WAGE UNIT**

**NOTICE OF APPLICABILITY**  
**OF LIVING WAGE LAW**

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

**To Be Completed By The Living Wage Unit**

**DATE:** April 9, 2010

**TO:** Mary-Valerie Kempinski, S.C. Dept. of Human Services, Office of the Aging

**FROM:**  Brenda Rosenberg, Director of Living Wage Compliance Unit

**TELEPHONE #:** 853-2063

**VENDOR #:** 11-6001935

**REF.#:** SNAP

You are hereby notified that the response from Town of Riverhead has been evaluated by the *Living Wage* Unit of the Suffolk County Department of Labor.

We find:

  X   The documents submitted with this contract / proposal are complete and conform to the requirements of the *Living Wage* Law (Local Law #12-2001). The Awarding Agency may proceed with the normal and customary procedure for administering contracts.

       The documents submitted with this contract / proposal are not complete, or do not conform to the requirements of the *Living Wage* Law (Local Law #12-2001).

Employers who fail to submit documents or information required to demonstrate compliance with the Law shall be deemed non-responsive and subject to disqualification.

If the employer is presently under contract, the contractor shall be deemed non-compliant and the appeals process shall be made available to said employer (Chapter 347-5 A & B).

SWAP

**SUFFOLK COUNTY DEPARTMENT OF LABOR - LABOR MEDIATION UNIT**  
**UNION ORGANIZING CERTIFICATION/DECLARATION - SUBJECT TO AUDIT**

If the following definition of "County Contractor" (Union Organizing Law Chapter 466-2) applies to the contractor's/beneficiary's business or transaction with Suffolk County, the contractor/beneficiary must complete Sections I, III, and IV below. If the following definitions do not apply, the contractor/beneficiary must complete Sections II, III and IV below. Completed forms must be submitted to the awarding agency.

**County Contractor:** "Any employer that receives more than \$50,000 in County funds for supplying goods or services pursuant to a written contract with the County of Suffolk or any of its agencies; pursuant to a Suffolk County grant; pursuant to a Suffolk County program; pursuant to a Suffolk County reimbursement for services provided in any calendar year; or pursuant to a sub-contract with any of the above."

**Section I**



Check if  
Applicable

The Union Organizing Law applies to this contract. I/we hereby agree to comply with all the provisions of Suffolk County Local Law No. 26-2003, the Suffolk County Union Organizing Law (the law) and, as to the goods and/or services that are the subject of the contract with the County of Suffolk shall not use County funds to assist, promote, or deter union organizing (Chapter 466-3 A), nor seek reimbursement from the County for costs incurred to assist, promote, or deter union organizing. (Chapter 466-3 B)

I/we further agree to take all action necessary to ensure that County funds are not used to assist, promote, or deter union organizing. (Chapter 466-3 H)

I/we further agree that I/we will not use County property to hold meetings to assist, promote, or deter union organizing. (Chapter 466-3E)

I/we further agree that if any expenditures or costs incurred to assist, promote, or deter union organizing are made,

I/we shall maintain records sufficient to show that no County funds were used for those expenditures and, as applicable, that no reimbursement from County funds has been sought for such costs. I/we agree that such records shall be made available to the pertinent County agency or authority, the County Comptroller, or the County Department of Law upon request. (Chapter 466-3 I)

I/we further affirm to the following as to the goods and/or services that are the subject of the contract with the County of Suffolk:

- I/we will not express to employees any false or misleading information that is intended to influence the determination of employee preferences regarding union representation;
- I/we will not coerce or intimidate employees, explicitly or implicitly, in selecting or not selecting a bargaining representative;
- I/we will not require an employee, individually or in a group, to attend a meeting or an event that is intended to influence his or her decision in selecting or not selecting a bargaining representative;
- I/we understand my/our obligation to limit disruptions caused by prerecognition labor disputes through the adoption of nonconfrontational procedures for the resolution of prerecognition labor disputes with employees engaged in the production of goods or the rendering of services for the County; and
- I/we have or will adopt any or all of the above-referenced procedures, or their functional equivalent, to ensure the efficient, timely, and quality provision of goods and services to the County. I/we shall include a list of said procedures in such certification.

**Section II**



The Union Organizing Law does not apply to this contract for the following reason(s): \_\_\_\_\_

Check if  
Applicable

Section III

Contractor Name:

TOWN OF RIVERHEAD

Federal Employer ID#:

11-600-193-5

Contractor Address:

200 Howell Avenue  
Riverhead, NY 11901

Amount of Assistance:

Contractor Phone #:

727-3200

Vendor #:

Description of project or service:

Supplemental Nutrition Assistance Program

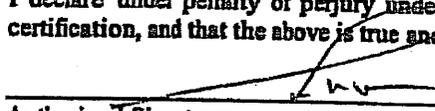
Section IV

In the event any part of the Union Organizing Law, Chapter 466 of the Laws of Suffolk County, is found by a court of competent jurisdiction to be preempted by federal and/or state law, this certification/declaration shall be void *ab initio*.

Section V

I declare under penalty of perjury under the Laws of the State of New York that the undersigned is authorized to provide this certification, and that the above is true and correct.

Authorized Signature

  
Sean M. Walter, Supervisor

Date

3/22/10

Print Name and Title of Authorized Representative

**SUFFOLK COUNTY DEPARTMENT OF LABOR**  
**NOTICE OF APPLICATION TO CERTIFY COMPLIANCE WITH FEDERAL LAW**  
**(8 U.S.C. SECTION 1324A)**  
**WITH RESPECT TO *LAWFUL HIRING OF EMPLOYEES***

**VERIFICATION OF SUBMISSION OF *LAWFUL HIRING OF EMPLOYEES***  
Suffolk County Code, Chapter 234 (2006)

**To Be Completed By the Local Law Compliance Unit**

**DATE:** April 9, 2010

**TO:** Mary Valerie Kempinski, S. C. Office of the Aging

**FROM:** Brenda Rosenberg, Director

**TELEPHONE#** 631 853-3808

**EMPLOYER:** Town of Riverhead

**VENDOR #:** 11-6001935

**REF. #:** SNAP

You are hereby notified that the submission from Town of Riverhead has been received by the *Lawful Hiring of Employees* Unit of the Suffolk County Department of Labor. We find that this submission is complete and is in compliance with the requirements set forth by the Suffolk County *Lawful Hiring of Employees* Law (Local Law #52-2006),.

LHE-3

(01/07)

# Certification Regarding Lobbying

## For Contracts, Grants, Loans and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No State or Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence legislation or appropriation actions pending before local, State and Federal executive and/or legislative bodies in connection with the awarding of any contract, the making of any grant, the making of any loan, the entering of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any contract, grant loan, or cooperative agreement.
- (2) If any funds other than State or Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence legislation or appropriation actions pending before local, State and Federal executive and/or legislative bodies in connection with this contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Failure to file the required certification shall be subject to civil penalty by the Federal government of not less than \$10,000 and not more than \$100,000 for each such failure.

By:

  
\_\_\_\_\_

Signature of Official Authorized  
To Sign Application

Date: 3/22/10

For:

\_\_\_\_\_

Name of Grantee



**Contract Budget Approval Form**

Revision No: \_\_\_\_\_

Department: \_\_\_\_\_

Contractor: \_\_\_\_\_

Agreement No. \_\_\_\_\_

Agreement Period: \_\_\_\_\_

Date last executed/amended: \_\_\_\_\_

Budget Period to which this revision applies: \_\_\_\_\_

Identify the items that are being changed by this revision:

**Budget:**

Period

Adopting

Revising

Amount of increase

\_\_\_\_\_

\_\_\_\_\_

Amount of decrease

\_\_\_\_\_

\_\_\_\_\_

New Budget amount for the period: \_\_\_\_\_

**Copies of supporting documentation are attached as follows (check all that apply):**

Resolution \_\_\_\_\_

Budget \_\_\_\_\_

Other \_\_\_\_\_

**Approvals:**

**Department:**

By: \_\_\_\_\_

Name:

Title:

Date: \_\_\_\_\_

**Fiscal Unit:**

By: \_\_\_\_\_

Name:

Title:

Date: \_\_\_\_\_

**Division:**

By: \_\_\_\_\_

Name:

Title:

Date: \_\_\_\_\_

**Contractor:**

By: \_\_\_\_\_

Name:

Title:

Date: \_\_\_\_\_

Federal Tax ID #:

**County Executive Budget Office:**

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_

By: \_\_\_\_\_

Name:

Title:

Date: \_\_\_\_\_

**COUNTY OF SUFFOLK**



**OFFICE OF THE COUNTY COMPTROLLER**

**JOSEPH SAWICKI, JR.**  
Comptroller

**DEPARTMENT OF AUDIT AND CONTROL**

**Comptroller's Rules and Regulations**

**for Consultant's Agreements**

**Revised 12/2009**

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1. Purpose – This manual establishes procedures for the reimbursement of expenditures for consultants under contract with the County.
2. Scope – These instructions apply to all County departments and agencies utilizing consultant services.
3. Definitions
  - a. Consultant – An individual or firm engaged to provide outside professional services to Suffolk County departments and agencies.
  - b. Consultant's Agreement – A written contract describing the specific services to be rendered by the consultant and the amount and terms of payment for the services to be made by the County. The consultant's agreement shall constitute the sole authorization for payment of claims. The consultant's agreement shall be prepared in accordance with the County Executive's Operating Procedures, SOP # I-05. Non-specific general purpose or lump sum payment agreements are not recommended.
4. Allowable Claims – Only claims which are submitted for expenditures specifically identified in the agreement will be approved for payment. Generally, the agreement will stipulate a maximum fee for services rendered which is based upon a rate per day or per hour. Accordingly, a rate schedule is an integral part of each consultant's agreement. Increases will be allowed only by amendment to the agreement. Out-of-pocket expenditures are reimbursable if it is so stipulated in the consultant's agreement.

5. Claim Submission – Consultants should submit their claims for reimbursement through the County department or agency responsible for the consultant’s assignment, using appropriate forms, as indicated below:
- a. Claim Voucher – A *County of Suffolk Standard Payment Voucher Form* (Exhibit A) must accompany each consultant claim. The claim voucher should refer to the consultant’s agreement under which payment is requested and indicate the category of expenses or contract covenant applicable to the claim voucher. It should be initialed by the departmental unit representative under whose supervision or jurisdiction the work was performed, signifying that the consultant has complied with all the terms and conditions of the agreement under which the payment is requested. The voucher must then be signed by the department head or his duly authorized representative and forwarded to the Department of Audit and Control for payment.
  - b. Consultant’s Time Summary, FORM A&C 108 (Exhibit B) – The Consultant’s Time Summary should be used to record daily hours worked by each staff member of the consultant working on the project. Space is provided to record and extend the hours and wages of each staff member assigned to the project on one form. The completed FORM A&C 108 must be signed by and authorized individual of the consultant’s firm. It should then be attached to the County of Suffolk Standard Payment

voucher form. A copy of the consultant's payroll register with a cover letter indicating the individuals charged to the project for the claim period will be accepted as a substitute for the Consultant's Time Summary.

- c. Consultant's Expense Summary, FORM A&C 109 (Exhibit C) – The Consultant's Expense Summary should be used to detail expenses for travel, meals, lodging or other necessary and reasonable out-of-pocket expenditures incurred on the project. Each expense item should be documented by a receipted bill, sales slip or invoice which totals the daily expenditures shown on the form. The completed FORM A&C 109 must be signed by an authorized individual of the consultant's firm. It should then be attached to the County of Suffolk Standard Payment Voucher Form.

6. Out-of-Pocket Expenses – If these expenses are reimbursable under the consultant's agreement, the following rules and guidelines should be considered before incurring such expenses and submitting claims:

- a. Meals – Meals are reimbursable under a consultant's contract only if the purpose of the meal is valid, that is, authorized under the contract as sustenance while traveling. Effective October 1, 2009, the per diem meal allowance shall be in accordance with the current maximum reimbursement rate for food as established by the U.S. General Services Administration for the New York region. As published in IRS Publication 1542 (rev. October 2009), the 2009 per diem meal and incidental rate is

\$71.00 per diem including tax. Audit and Control should be contacted for allowable rates for future fiscal periods. (Gratuities, at a reasonable and customary rate, shall be reimbursed over and above the state limits).

The County will not honor claims for the reimbursement of "business meals" submitted by members of the consultant's firm who are not traveling out of town (overnight) in performance of the contract. Where a consultant meets the necessary criteria to be reimbursed for meals, no receipts will be necessary but a certified statement will be required.

- b. Lodging – Effective October 1, 2009, claims for lodging will be reimbursed at a rate not to exceed the current maximum reimbursement rate for lodging as established by the U.S. General Services Administration for the New York region as published in the IRS Publication 1542 (rev. October, 2009). The 2009 per diem rate for lodging is \$ 130.00 including taxes. Claims for lodging must be accompanied by paid receipts. Audit and Control should be contacted for the allowable rate for future fiscal periods.
- c. Airfare – Airfare will only be reimbursed at the economy coach rate and a receipt will be necessary. Individuals choosing to fly first class will not be reimbursed for the premium expenses incurred.
- d. Mileage – The County will reimburse mileage claims in accordance with the applicable current rate allowed by the U.S. Internal Revenue Service. As of January 1, 2009 the rate is \$.55 per mile and January 1, 2010 the

rate is \$.50 per mile. The consultant must provide origin, destination and miles traveled for each trip. Audit and Control should be contacted for the allowable rate for future fiscal periods.

- e. Taxis – Taxi fares up to \$25.00 will be reimbursed based on actual receipt or certified statement. Any taxi expenses in excess of \$25.00 per trip will require receipts. Receipts and certified statements shall include origin and destination, as well as the purpose of the trip.
  - f. Subways and Buses (local) – A certified statement will be adequate documentation for these expenses.
  - g. Tolls – Receipts or certified statement will be adequate documentation for these expenses.
  - h. Telephone Expenses – Telephone expenses up to \$25.00 per month will be reimbursed based on a receipt or certified statement. Telephone expenses totaling over \$25.00 will require copies of the telephone company bills with the appropriate calls circled.
  - i. Photocopies – In lieu of a specific contract for photocopies, the County will reimburse at a cost not to exceed \$.15 per copy, including labor. A certified statement will be adequate documentation for reimbursement.
7. Sub-Contractor Claims – When the consultant is authorized in the Consultant's Agreement to hire a sub-contractor, the Comptroller's Office should be supplied a copy of the sub-contractor's agreement. Claims will not be processed if they are

- not in compliance with the contract between the Consultant and the County. The reporting requirement of the sub-contractor will be the same as that of the Consultant. Details of all expenditures claimed must be documented in the same manner. If the sub-contractor's agreement with the Consultant is a lump-sum payment agreement, detailed documentation reporting requirements are waived.
8. Certified Statements – When the consultant incurs minor travel or other out-of-pocket expenses for which receipts are not available, he shall prepare an itemized statement detailing the type and amount of expense, including the time, date, and place incurred. After summarizing expenses claimed, the consultant must add and sign the following certification terminology:
- “ The above expenses are true and just and are a result of business conducted in accordance with the terms of the contract with Suffolk County, and have not be been previously paid.”**

---

Signature of Authorized Person

**EXHIBITS**

EXHIBIT A

<b>County of Suffolk, New York - Payment Voucher</b> P.O. Box 6100, Hauppauge, NY 11788-0099				Payment Voucher # <b>329252</b>	Responsible Agency _____	Modify # _____								
Date of Fiscal Year (MM/YY)		Accounting Period (MM/YY)		Budget FY (YY)		Document Type (Include CDM)								
Vendor Code (10-1)														
Vendor Name														
Billing Cycle (MM/YY)		Scheduled Pay Date (MM/YY)												
Ln (01)	Reference Number (01/02) Number (11) Ln (3)	Com LA # (3)	Year Number (12) Ln (3)	Fed (5)	NY (6)	State (7)	City (8)	Zip (9)	Amt (10)	Dept (11)	Proj (12)	Capital Project (13)		
Row (4)	SS Acct (6)	Description (17)			Amount (Include Comp)				WO	HP				
01														
02														
03														
04														
05														
Additional Comments														
DEPARTMENT CERTIFICATION: I hereby certify that the materials above specified have been received by me in good condition without reservation. The service properly performed and that the quantities thereof have been verified with the exception of discrepancies noted and payment is approved.						PAYEE CERTIFICATION: I certify that the above bill is for, true and correct and no part thereof has been paid except as indicated; that the balance is actually due and owing; that I am duly qualified the County to receive the same and that I have read and am familiar with the provisions of Local Law 32-1980 as detailed in the payee instruction section of this Voucher.								
SIGNED Form - PV			DATE Original Audit & Control			TITLE			PAYEE'S SIGNATURE Yellow Copy, Department Accounting			TITLE NAME OF COMPANY		



**EXHIBIT C  
COUNTY OF SUFFOLK  
CONSULTANT'S EXPENSE SUMMARY  
DEPARTMENT OF AUDIT & CONTROL - FORM A&C 109**

CONSULTANT'S NAME \_\_\_\_\_ PERIOD BEGINNING \_\_\_\_\_ PERIOD ENDING \_\_\_\_\_

Expenditure Items	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	AMOUNT DUE
	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
Air, Rail or Bus Transportation																	
Auto Rental or Mileage (Attach Schedule)																	
Tolls and Parking Fees																	
Taxi or Limousine (Attach Schedule)																	
Meal/Tips																	
Lodging/Tips																	
Telephone and Telegraph																	
Materials or Supplies																	
Equipment																	
Other Supporting Services (Attach Schedule)																	
<p>All expenditures should be covered by receipted bills and/or valid explanation. Necessary purchases of materials, supplies, equipment or services should be supported by summaries showing vendor, description, unit cost and purpose.</p>																\$	

TOTAL REIMBURSABLE CONSULTANT TIME:

AUTHORIZED SIGNATURE \_\_\_\_\_

**STATEMENT OF OTHER CONTRACTS**

**CONTRACTOR NAME** TOWN OF RIVERHEAD

**ADDRESS** 200 Howell Avenue Riverhead, New York 11901

**CONTACT** Judy Doll **PHONE NUMBER** (631) 722-4444

<b>PROGRAM</b>	<b>AGREEMENT NUMBER</b>	<b>*CONTRACT WITH</b>	<b>TERM OF AGREEMENT</b>	<b>AMOUNT</b>
EISEP	IFMS NO. SC EXE 9000010124	SCOFA	4/1/10-3/31/11	Fee for Service
SNAP	IFMS NO. SC EXE 900001865	SCOFA	4/1/10-3/31/11	237,435
IIIB - Residential Repair	IFMS NO. SC EXE 9000002840	SCOFA	1/1/10-12/31/10	27,701

\*Indicate (a) type of organization - County, State, Federal or Other and (b) name of Department, Agency or Organization

6/15/10  
100485

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 485**

**AUTHORIZES THE SUPERVISOR TO EXECUTE A 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 contractual issue has arisen as a result of the need fill a confidential position in the Town Attorney's office, 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 HEREBY RESOLVED**, that the Town Board of the Town of Riverhead hereby approves the attached stipulation and authorizes the Town Supervisor to execute same; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Town Attorney Dawn Thomas, Esq., CSEA Unit President, Personnel Director and Financial Administrator.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

## STIPULATION

Made this \_\_\_\_\_ day of June of 2010, between the Town of Riverhead, 200 Howell Avenue, Riverhead, New York (Town) and Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #852 having its principal office at 3 Garet Place, Commack, New York (CSEA), and

NOW, THEREFORE, it is mutually agreed as follows:

1. The Town shall be entitled to fill a vacancy in the Town Attorney's office for a confidential employee.
2. The confidential employee shall serve until 12/31/10 after which the Town shall be required to either fill a CSEA vacancy to work in the Town Attorney's office or in the Justice Court.
3. This stipulation shall not, in any way, constitute "past practice" for the Town of Riverhead and is and shall remain specific to this matter.

\_\_\_\_\_  
Sean M. Walter, Supervisor

\_\_\_\_\_  
Matthew E. Hattorff, for CSEA

TOWN OF RIVERHEAD

Resolution # 486

REAPPOINTS MEMBER TO THE BOARD OF ASSESSMENT REVIEW

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the term of Board of Assessment Review member Judith O'Connell is to expire on September 30, 2010, and,

**WHEREAS**, Judith O'Connell has expressed a desire to continue to serve on said Board.

**NOW, THEREFORE, BE IT RESOLVED**, that Judith O'Connell is hereby reappointed to the Board of Assessment Review, whose term shall be October 1, 2010 through September 30, 2015, in accordance with Section 523 of the Real Property Tax Law, at the annual salary established under Town resolution #2008-625, and,

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Judith O'Connell, 113 Wading River Manorville Rd, Manorville, NY 11949, the Assessor's Office, Suffolk Co. Real Property Tax Service Agency, 300 Center Drive, Riverhead NY 11901, the Personnel Office, 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 E-Cabinet 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  Was Not

Thereupon Duly Declared Adopted

6/15/10  
100487

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 487**

**APPROVES THE APPLICATION FOR FIREWORKS PERMIT OF  
RIVERHEAD BUSINESS IMPROVEMENT DISTRICT  
MANAGEMENT ASSOCIATION  
(July 4, 2010)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, on May 28, 2010 the Riverhead Business Improvement District Management Association submitted a Fireworks Permit Application for the purpose of conducting a fireworks display to be held at Grangebél Park, Riverhead, on Sunday, July 4, 2010, having a rain date of July 5, 2010 at 9:00 p.m.; and

**WHEREAS**, the Riverhead Business Improvement District Management Association has requested the applicable Fireworks Permit Application fee be waived due to its not-for-profit status; and

**WHEREAS**, the Town Attorney is in receipt of a completed Fireworks Application executed by the Chief of the Riverhead Fire Department and the Riverhead Fire Marshal and a certificate of insurance from the fireworks company (Pyro Engineering, Inc., d/b/a Bay Fireworks) naming the Town of Riverhead as an additional insured and has determined that same is satisfactory as to their form.

**NOW THEREFORE BE IT RESOLVED**, that the Fireworks Permit Application of the Riverhead Business Improvement District, for the purpose of conducting a fireworks display to be held at Grangebél Park, Riverhead, on Sunday, July 4, 2010, having a rain date of July 5, 2010 at 9:00 p.m., is hereby approved with the following conditions:

- The required fire suppression equipment and personnel shall be provided by the Riverhead Fire Department who must be at the site prior to commencement of fireworks display.
- Scheduling a pre-event inspection between 3:00 p.m. and 5:00 p.m. on the day of the event having the Fireworks technician(s), the Riverhead Fire Marshal and the Riverhead Fire Chief in attendance.
- Fireworks and technicians must arrive at Grangebél Park no later than 5:00

- p.m. on the day of the event.
- Fireworks technician must have photo identification and present same to Fire Marshal upon request.
  - Fire Marshal to be present 60 minutes prior to commencement of display for purpose of final inspection and safety review.
  - Fireworks display shall be limited to shells not larger than 3" in diameter.
  - Fire Marshal shall have final authorization to allow the fireworks display or cancel the display if there are unsafe conditions, lightning and/or winds in excess of 30 miles per hour; and be it further

**RESOLVED**, that the applicable Fireworks Permit Application fee is hereby waived; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Riverhead Business Improvement District, P.O. Box 913, Riverhead, New York, 11901; Pyro Engineering, Inc., d/b/a Bay Fireworks, 400 Broadhollow Road, Suite 3, Farmingdale, New York, 11735, the Riverhead Fire Marshal and the Riverhead Fire Department.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution #488**

**AUTHORIZES PUBLICATION OF NOTICE TO AMEND CDBG PROGRAM**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Town of Riverhead desires to amend its FY2000 Community Development Block Grant ("CDBG") Program; and

**WHEREAS**, such an amendment requires notification of the public prior to submission of the amendment for transfer of funds and budget modification to provide for public comment.

**THEREFORE, BE IT RESOLVED**, that the Town Clerk is hereby authorized to publish the attached notice in the News Review on Thursday, June 24, 2010, and

**BE IT FURTHER RESOLVED**, that the Town Board authorizes the Town of Riverhead Supervisor to execute the required application and documents to submit the grant application as described above; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Community Development Agency and Financial Administrator.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Not

Thereupon Duly Declared Adopted

**PUBLIC NOTICE  
 AMENDMENT TO TOWN OF RIVERHEAD  
 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

The Town of Riverhead is proposing the following changes to its Community Development Block Grant Program:

<u>Year 2000</u>	<u>Current</u>	<u>Proposed Change</u>	<u>Amended Budget</u>
Millbrook Gables Clearance	\$1,986.11	-\$1,986.11)	\$0.00
<u>Year 2000</u>	<u>Current</u>	<u>Proposed Change</u>	<u>Amended Budget</u>
Main Street Walkway Improvements \$0		+\$1,986.11	\$1,986.11

Interested citizens may submit comments on or before Monday, June 26<sup>th</sup>, 2010 to:

Town of Riverhead  
 Community Development Office  
 200 Howell Avenue  
 Riverhead, NY 11901

The Town Board will consider a Resolution authorizing the proposed change at the August 3, 2010 Board Meeting to be held at 2:00 p.m. Riverhead Town Hall, at 200 Howell Avenue, Riverhead, NY 11901.

Dated: June 24, 2010

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

DIANE WILHELM, TOWN CLERK

TOWN OF RIVERHEAD

Resolution # 489

**APPROVES CHAPTER 90 APPLICATION OF THE RIVERHEAD FIRE DEPARTMENT  
TO CONDUCT ITS ANNUAL MOTORIZED DRILL**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, on May 27, 2010, the Riverhead Fire Department submitted a Chapter 90 Application for the purpose of conducting their Annual Motorized Drill to be held on the training grounds located on Rte. 58, Riverhead, on Saturday, July 10, 2010 between the hours of 8:00 a.m. and 11:00 p.m., having a rain date of Sunday, July 11, 2010; and

**WHEREAS**, the Riverhead Fire Department has completed a Special Events Large Gathering Application 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 Riverhead Fire Department has requested the Chapter 90 Application fee for this event be waived due to their not-for-profit status; and

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

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

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

**RESOLVED**, that the application of the Riverhead Fire Department for the purpose of conducting their Annual Motorized Drill to be held on the training grounds located on Rte. 58, Riverhead, on Saturday, July 10, 2010 between the hours of 8:00 a.m. and 11:00 p.m., having a rain date of Sunday, July 11, 2010 is hereby approved; and be it further

**RESOLVED**, that any tent installations and all 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 a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 601, for the purpose of arranging the "pre-opening" inspection appointment; and be it further

**RESOLVED**, that the Town Board of the Town of Riverhead hereby waives the Chapter 90 Application fee for this event due to their not-for-profit status; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Riverhead Fire Department, Attn: Chief Nicholas Luparella, III, 540 Roanoke Avenue, Riverhead, NY 11901, the Riverhead Police Department and the Office of the Fire Marshal.

#### THE VOTE

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

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

6/15/10  
100490

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution #490**

**AUTHORIZES SUPERVISOR AND TOWN ATTORNEY TO EXECUTE  
CONSENT TO CHANGE ATTORNEY FORMS**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Town Board wishes to accept the return of certain litigation matters from the Law Firm of Harold A. Steuerwald, LLC.;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby authorizes the Supervisor and Town Attorney to execute Consent to Change Attorney forms; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Town Attorney and Financial Administrator.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 491

**RATIFIES THE APPROVAL OF THE CHAPTER 90 APPLICATION OF  
JAMESPORT VINEYARD  
(Wine, Oyster and Beer Festival – June 13, 2010)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, on June 9, 2010, Jamesport Vineyards submitted a Chapter 90 Application for the purpose of conducting a “Wine, Oyster and Beer Festival” to be held on their property located at 1216 Rte. 25, Jamesport, New York, on Sunday, June 13, 2010, between the hours of 1:00 p.m. and 6:00 p.m.; and

**WHEREAS**, Jamesport Vineyards 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 paid the applicable Chapter 90 Application fee;  
and

**WHEREAS**, a certificate of insurance has been received; 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 application of Jamesport Vineyards for the purpose of conducting a “Wine, Oyster and Beer Festival” to be held on their property located at 1216 Rte. 25, Jamesport, New York, on Sunday, June 13, 2010, between the hours of 1:00 p.m. and 6:00 p.m. is hereby approved; and be it further

**RESOLVED**, that the necessary tent permits must be obtained and any tent installations and all 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 it further

**RESOLVED**, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 601, for the purpose of arranging the "pre-opening" inspection appointment; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Jamesport Vineyards, P.O. Box 872, 1216 Main Road, Jamesport, NY, 11947, the Riverhead Fire Marshal and Police Chief David Hegermiller.

#### **THE VOTE**

Giglio Yes No

Wooten Yes No

Gabrielsen Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Not

Thereupon Duly Declared Adopted

6/15/10  
100492

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 492**

**LANDFILL CAPPING AND CLOSING  
CAPITAL PROJECT**

**BUDGET ADJUSTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
406.081600.523044.80003	Landfill Capping and Closing	61,000	
406.081600.543500.80003	Professional Services-Eng		61,000

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Department of Engineering.

**THE VOTE**

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

Walter  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

6/15/10  
100493

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 493**

**APPROVES THE APPLICATION FOR FIREWORKS PERMIT OF  
NEWTON CARNIVALS  
(Peconic Bay Medical Center Family Festival – July 3, 2010)**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, on June 1, 2010, Newton Carnivals submitted a Fireworks Permit Application for the purpose of conducting a fireworks display at 10:15 p.m., having a rain date of July 4, 2010, to be held on property owned by Kenny Barra of East Wind Caterers located at 6164 Route 25A, Wading River, New York, in connection with the previously approved Chapter 90 event hosted by the Peconic Bay Medical Center entitled a "Family Festival" to be held on Thursday, July 1, 2010 through Sunday, July 4, 2010; and

**WHEREAS**, Newton Carnivals has paid the applicable Fireworks Permit Application fee; and

**WHEREAS**, the Town Attorney is in receipt of a completed Fireworks Application executed by the Chief of the Wading River Fire Department and the Riverhead Fire Marshal and a certificate of insurance from the fireworks company (Pyro Engineering, Inc., d/b/a Bay Fireworks) naming the Town of Riverhead as an additional insured and has determined that same is satisfactory as to their form.

**NOW THEREFORE BE IT RESOLVED**, that the Fireworks Permit Application of Newton Carnivals, for the purpose of conducting a fireworks display to be held at 6164 Route 25A, Wading River, New York on Saturday, July 3, 2010 at 10:15 p.m., having a rain date of Sunday, July 4, 2010 at 10:15 p.m., is hereby approved with the following conditions:

- The required fire suppression equipment and personnel shall be provided by the Wading River Fire Department who must be at the site prior to commencement of fireworks display.
- Scheduling a pre-event inspection between 3:00 p.m. and 5:00 p.m. on the day of the event having the Fireworks technician(s), the Riverhead Marshal and the Wading River Fire Chief in attendance.

- Fireworks and technicians must arrive at the subject location no later than 5:00 p.m. on the day of the event.
- Fireworks technician must have photo identification and present same to Fire Marshal upon request.
- Fire Marshal to be present 60 minutes prior to commencement of display for purpose of final inspection and safety review.
- Fireworks display shall be limited to shells not larger than 4" in diameter.
- Fire Marshal shall have final authorization to allow the fireworks display or cancel the display if there are unsafe conditions, lightning and/or winds in excess of 30 miles per hour; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Newton Carnivals, 4075 Jericho Turnpike, East Northport, New York, 11731; Pyro Engineering, Inc., d/b/a Bay Fireworks, 400 Broadhollow Road, Suite 3, Farmingdale, New York, 11735, the Wading River Fire Department and the Riverhead Fire Marshal.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

6/15/10  
100494

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 494**

**AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST  
A HELP WANTED AD FOR AUTOMOTIVE EQUIPMENT OPERATORS**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**BE IT RESOLVED**, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the June 17, 2010 issue of The News Review.

**THE VOTE**

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

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

## **HELP WANTED**

PLEASE TAKE NOTICE that the Town of Riverhead is seeking qualified Automotive Equipment Operators. Must possess a CDL. Applications are to be submitted to the Personnel Department, 1295 Pulaski Street, Riverhead, NY. No applications will be accepted after 4:00pm on June 25, 2010. EOE.

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

6/15/10  
100495

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 495**

**AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST  
A HELP WANTED AD FOR A BUS DRIVER**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**BE IT RESOLVED**, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the June 17, 2010 issue of The News Review.

**THE VOTE**

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

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

## **HELP WANTED**

PLEASE TAKE NOTICE that the Town of Riverhead is seeking a qualified Bus Driver. Must possess a CDL. Applications are to be submitted to the Personnel Department, 1295 Pulaski Street, Riverhead, NY. No applications will be accepted after 4:00pm on June 25, 2010. EOE.

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

6/15/10  
100496

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 496**

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR  
SIGNAGE SERVICES**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Town Clerk is authorized to publish and post a Request for proposals for SIGNAGE FOR THE TOWN OF RIVERHEAD and;

**BE IT RESOLVED**, the Town Clerk is hereby authorized to publish and post the following public notice in the JULY 1, 2010 issue of the News Review and;

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

**THE VOTE**

Giglio Yes No

Wooten Yes No

Gabrielsen Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Not

Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the **SIGNAGE SERVICES FOR THE TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:05a.m. on JULY 12, 2010.**

Bid packets, including Specifications, may be obtained on line at [www.riverheadli.com](http://www.riverheadli.com)  
Or at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

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.

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR SIGNAGE SERVICES FOR THE TOWN OF RIVERHEAD.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Diane Wilhelm, Town Clerk

6/15/10  
100497

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 497**

**ACCEPTS RESIGNATION OF HENRY L. BOERNER, MEMBER, BOARD OF DIRECTORS, RIVERHEAD INDUSTRIAL DEVELOPMENT AGENCY**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, by letter dated May 17, 2010, Henry L. Boerner has submitted his resignation as a member of the Board of Directors of the Riverhead Industrial Development Agency.

**NOW THEREFORE BE IT RESOLVED**, that the resignation of Henry L. Boerner as a member of the Board of Directors of the Riverhead Industrial Development Agency be and is hereby accepted effective immediately, and

**BE IT FURTHER RESOLVED**, that the Town Board extends to Henry L. Boerner its sincere thanks for his dedicated volunteer service to the Town of Riverhead and its residents, and

**BE IT FURTHER RESOLVED**, that the Town Clerk forward a certified copy of this resolution to Henry L. Boerner, Riverhead IDA Executive Director and Chairperson of the Riverhead IDA Board of Directors.

**THE VOTE**

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

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

6/15/10  
100498

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 498**

**AUTHORIZATION TO DISCARD FIXED ASSETS**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the indicated broken equipment has been salvaged for parts and is no longer usable; and

**WHEREAS**, after careful consideration the following departments have made recommendations to the Accounting Department that this equipment has no residual value and should be discarded. The Accounting Department hereby requests that the Town Board excess this property so that it may be removed from the records.

**WHEREAS**, unless the Sanitation Supervisor determines the item can be disposed of through the STOP Program.

**NOW THEREFORE BE IT RESOLVED**, that the Accounting Department is hereby authorized to discard the following items:

<u>Department</u>	<u>Tag #</u>	<u>Description</u>
Police	25566	Fire Extinguisher
Accounting	23693	Calculator
Information Tech	20010	Modem
Information Tech	22025	Sealer
Information Tech	21956	Controller
Information Tech	26286	Server
Information Tech	26761	UDS 131 Printer
Information Tech	28928	Keyboard
Information Tech	28910	Keyboard

**THE VOTE**

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

Walter  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

6/15/10  
100499

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 499**

**APPOINTS A TEMPORARY STUDENT INTERN I**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the need for a temporary Student Intern exists in the Department of the Town Engineer; and

**WHEREAS**, the recommendation of a suitable candidate has been made by the Town Engineer and the Personnel Officer.

**NOW THEREFORE BE IT RESOLVED**, that effective June 16, 2010 through August 31, 2010 this Town Board hereby appoints Thomas Houghton to the position of temporary Student Intern I at the hourly rate of \$10.00.

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Thomas Houghton, Town Engineer, Financial Administrator and Personnel Director.

**THE VOTE**

Giglio  Yes  No

Gabrielsen  Yes  No

Wooten  Yes  No

Dunleavy  Yes  No

Walter  Yes  No

The Resolution Was  Was Not

Thereupon Duly Declared Adopted

6/15/10  
100500

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 500**

**RATIFIES THE APPOINTMENT OF A TEMPORARY STUDENT INTERN II**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the need for a temporary Student Intern exists in the Accounting Department; and

**WHEREAS**, the recommendation of the Financial Administrator and the Personnel Officer has been received.

**NOW THEREFORE BE IT RESOLVED**, that effective for June 14, 2010 through August 31, 2010 this Town Board hereby ratifies the appointment of Michael O'Donnell to the position of temporary Student Intern II at the hourly rate of \$10.00.

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Michael O'Donnell, the Financial Administrator and the Personnel Director.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

6/15/10  
100501

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 501**

**AMENDS RESOLUTION #454**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, Resolution #454 was passed appointing a temporary Town Board Coordinator.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby amends Resolution # 454, setting the hourly rate of pay at \$22.19 per hour.

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet 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  Was Not

Thereupon Duly Declared Adopted

6/15/10  
100502

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution #502**

**RESCINDS RESOLUTION #456 OF 2010 AND AUTHORIZES THE RELEASE OF SECURITY OF VERTICAL LINE APPAREL, INC.**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, Vertical Line Apparel, Inc. posted an Irrevocable Letter of Credit (#3330001331 from North Fork Bank, k/k/a Capital One Bank) in the amount of Thirty Five Thousand Seven Hundred Forty-Two dollars (\$35,742.00) representing site plan security for improvements to be completed at 600 Burman Boulevard, Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-135.1-1-8, pursuant to Section 108-133(l) of the Riverhead Town Code; and

**WHEREAS**, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction, the Planning Department is satisfied with the site requirements and Certificate of Occupancy No. 23448 has been issued.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby authorizes the release of the abovementioned security in the sum of Thirty Five Thousand Seven Hundred Forty-Two Dollars (\$35,742.00); and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Vertical Line Apparel, Inc., 600 Burman Boulevard, Calverton, NY, 11933, the Planning Department, the Building Department and the Office of the Town Attorney.

**THE VOTE**

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

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 503**

**AUTHORIZES THE SUPERVISOR TO EXECUTE GRANT EXTENSION**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, grant funding is available from New York State Department of Transportation to support renovations to Grangebél Park; and

**WHEREAS**, The Community Development Department applied for and received an award of \$1,592,600 for Grangebél Park Improvements (see attached extension to contract); and

**NOW, THEREFORE, BE IT RESOLVED**, that the Riverhead Town Board hereby authorizes the Town Supervisor to execute the Supplemental Agreement #1 No-Cost Time Extension extending the date of expiration from July 31, 2010 to July 31, 2011 with NYSDOT subject to review and approval by the Town Attorney; and

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet 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  Was Not   
Thereupon Duly Declared Adopted





SA # 1

**DEPARTMENT OF TRANSPORTATION**

**TO:** W. Howe, Contract Management, 50 Wolf Road, 1<sup>st</sup> Floor, Albany NY 12232  
**FROM:** V. Wilgeroth, Local Programs Unit/ Planning, Region 10  
**SUBJECT:** REQUEST FOR NO-COST TIME EXTENSION OF LOCAL/MISCELLANEOUS CONTRACT  
**DATE:**

CONTRACT #: D032120 PIN 0759.14.322

PROJECT: Grangebél Park Scenic Byway Construction

In the County of Suffolk

Municipality/Sponsor Town of Riverhead

Office Address 200 Howell Ave., Riverhead, NY 11901

Original Contract Period From: 06/30/2009 to 07/31/2010

Current Completion Date: 07/31/2010

Requested Extended Contract Completion Date: 07/31/2011

Reason (s) for extension:

Attach additional sheet if necessary Construction has not yet been completed.

Additional time needed to file reimbursement paperwork.

Agreed to by \_\_\_\_\_ Date \_\_\_\_\_

Municipality/Sponsor

STATE OF NEW YORK )

)ss.:

COUNTY OF )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ before me personally came \_\_\_\_\_ to me known, who, being by me duly sworn did depose and say that he/she resides at \_\_\_\_\_; that he/she is the \_\_\_\_\_ of the Municipal/Sponsor Corporation described in and which executed the above instrument; (except New York City) that it was executed by order of the \_\_\_\_\_ of said Municipal/Sponsor Corporation; and that he signed his name thereto by like order.

\_\_\_\_\_  
Notary Public

Recommended by \_\_\_\_\_ Date \_\_\_\_\_  
NYSDOT Project Manager

Approved by \_\_\_\_\_ Date \_\_\_\_\_  
NYSDOT Office of Contract Management

6/15/10  
100504

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 504**

**RIVERHEAD SEWER DISTRICT**  
**SENIOR ASSISTED LIVING FACILITY**

**CAPITAL PROJECT**

**BUDGET ADOPTION**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, \$22,500 has been received by a developer to fund the engineering study for Genrac Associates for the Map and Plan of the Senior Assisted Living Facility on Mill Road.

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

	<u>FROM</u>	<u>TO</u>
414.092705.421050.20031	Riverhead Sewer Reserve 22,500	
414.083100.543504.20031	Professional Services Engineering	22,500

**RESOLVED**, that should the cost of the study exceed the amount authorized herein, the developer shall cover the costs thereof; and

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to H2M, P.C 575 Broad Hollow Road, Melville, New York 11747 and the Sewer Department.

**THE VOTE**

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

Walter  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

6/15/10

**ADOPTED**

100505

**TOWN OF RIVERHEAD**

**Resolution # 505**

**SETS SALARIES FOR 2010 SUMMER PERSONNEL FORTHE RIVERHEAD YOUTH BUREAU/RECREATION DEAPARTMENT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town of Riverhead Youth Bureau needs to set salaries for the 2010 summer recreation personnel,

**NOW THEREFORE BE IT RESOLVED**, that effective June 15, 2010, this Town Board sets salaries for the 2010 summer personnel for the Youth Bureau

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

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

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

# RIVERHEAD YOUTH BUREAU/RECREATION DEPARTMENT SUMMER TEEN RECREATIONS APPOINTMENTS

## 6/15/10 TOWN BOARD MEETING

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Level</u>	<u>Start Date</u>	<u>End Date</u>	<u>Salary</u>
Aceituno	Jasmin	Summer Rec. Prog. Leader	II	6/16/10	8/27/10	\$13.75
Barrow	Eugene	Summer Rec. Aide w/cert.	I	6/16/10	8/27/10	\$10.25
Dunleavy	Jennifer	Summer Rec. Aide w/cert.	III	6/16/10	8/27/10	\$11.60
Hein	Michael	Summer Rec. Aide	I	6/16/10	8/27/10	\$8.75
Flores	Anna	Summer Rec. Aide	I	6/16/10	8/27/10	\$8.75
Kirchhoff	Kristen	Summer Rec. Aide	IV	6/16/10	8/27/10	\$10.25
Nieves	Alexa	Summer Rec. Aide	II	6/16/10	8/27/10	\$9.65
Yeager	Blaze	Summer Rec. Aide	II	6/16/10	8/27/10	\$9.65
Yeager	Drew	Summer Rec Aide w/cert	II	6/16/10	8/27/10	\$11.30
Graf	Joy	Rec. Specialist	VI	6/16/10	8/27/10	\$24.76

D. Lyczkowski: Youth Bur. Sum Rec Aide Reso

6/15/10  
100506

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 506**

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH SUFFOLK COUNTY TO ASSUME TRAFFIC SIGNAL OWNERSHIP AND MAINTENANCE REGARDING A TRAFFIC SIGNAL AT THE INTERSECTION OF COUNTY ROAD 58, OLD COUNTRY ROAD AT EAST END COMMONS (PLAZA) K-MART**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Town of Riverhead and County of Suffolk previously executed an agreement (James R. Stark, Town Supervisor, 11-8-96, as attached) that the installation of a traffic signal located at County Road 58, Old Country Road @ East End Commons (Plaza) K-Mart was necessary for the improvement of traffic conditions at the aforementioned location; and

**WHEREAS**, the Town of Riverhead and County of Suffolk previously agreed that the traffic signal installed at the aforementioned location, upon installation, would become the sole and exclusive property of the Town of Riverhead; and

**WHEREAS**, it was further agreed by the Town of Riverhead and County of Suffolk that upon installation of the traffic signal at the aforementioned location the Town would assume maintenance responsibility once it was determined that the traffic signal was operational and possessed the necessary equipment; and

**WHEREAS**, a Town of Riverhead Street Lighting/Traffic Signal Supervisor (Commins) has inspected the subject traffic signal and confirms that all agreed-upon equipment is present and the traffic signal appears to be operational.

**NOW THEREFORE BE IT RESOLVED**, that the Supervisor is hereby authorized to execute the attached Agreement on behalf of the Town of Riverhead assuming ownership and maintenance responsibility of the traffic signal located at County Road 58, Old Country Road @ East End Commons (Plaza)/K-Mart, and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Thomas LaGuardia, P.E., Chief Deputy Commissioner, Suffolk County Department of Public Works, 335 Yaphank Avenue, Yaphank, New York 11980; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet 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  Was Not   
Thereupon Duly Declared Adopted

Copy for [unclear]  
~~10/17/97~~  
96-PW-128

AGREEMENT  
FOR  
INSTALLATION OF TRAFFIC CONTROL DEVICES  
PROJECT SIGNAL INSTALLED BY PERMIT APPLICANT

PERMIT #58-120-TS

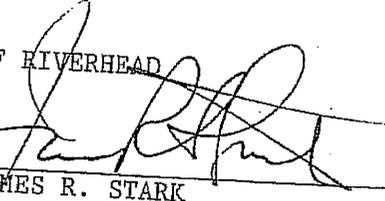
This AGREEMENT between the County of Suffolk ("County"), a municipal corporation of the State of New York, having its principal office at the County Center, Riverhead, New York 11901, acting through its duly constituted Department of Public Works located at 335 Yaphank Avenue, Yaphank, New York 11980-9744 ("Department") and the Town of Riverhead ("Municipality") having its principal office at 200 Howell Avenue, Riverhead, NY 11901.

TERMS AND CONDITIONS: Shall be as set forth herein.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT as of the latest date written below:

TOWN OF RIVERHEAD

By:

  
JAMES R. STARK  
Supervisor

Date: 11/8/96

APPROVED AS TO FORM;  
NOT REVIEWED AS TO EXECUTION:

ROBERT J. CIMINO  
Suffolk County Attorney

COUNTY OF SUFFOLK

By:

  
ERIC A. KOEP  
Chief Deputy County Executive

Date: 11/17/97

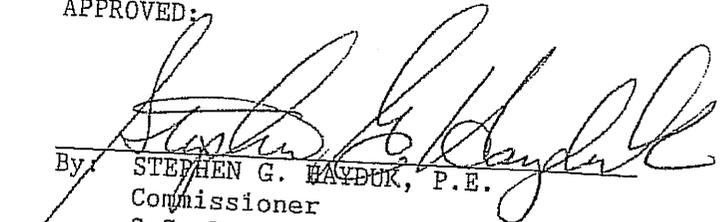
RECOMMENDED:

By:

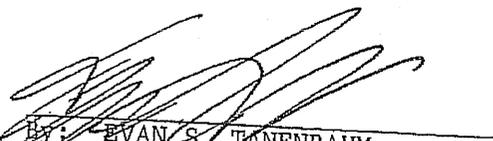
  
RICHARD J. LAVALLE, P.E.  
Chief Engineer  
S.C. Department of Public Works

APPROVED:

By:

  
STEPHEN G. KAYDUK, P.E.  
Commissioner  
S.C. Department of Public Works

Date: 11-19-96

  
By: EVAN S. TANENBAUM  
Assistant County Attorney

DATE: 12/13/96

AGREEMENT  
FOR  
INSTALLATION OF TRAFFIC CONTROL DEVICES  
PROJECT SIGNAL INSTALLED BY PERMIT APPLICANT

PERMIT #58-96

WHEREAS, the Suffolk County Department of Public Works has a policy to insure the safe and continuous movement of traffic at locations where new development is taking place along the County highway, said location(s) being:

CR 58, Old Country Road @ East End Commons

and,

WHEREAS, the Town Board of the Town of Riverhead has agreed that certain traffic signs, signals and markings are necessary for the improvement of traffic conditions at the aforementioned sites and locations, and,

WHEREAS, the Commissioner of Public Works of Suffolk County is empowered under Section 136 of the Highway Law to cause to have these devices erected, in order to improve these traffic conditions, and

WHEREAS, the parties hereto desire to insure a program for such improvements and for the maintenance of traffic control devices,

NOW, THEREFORE IT IS MUTUALLY AGREED AS FOLLOWS:

FIRST: The County of Suffolk agrees to have erected such signs, signals, and markings as have been determined to be necessary for the improvement of conditions at the sites and locations previously listed.

SECOND: The County of Suffolk shall assure that the permit applicant will pay all of the costs incurred in the recommended improvements, including all electrical charges until the maintenance responsibility of the traffic signal is transferred in writing to the Town.

THIRD: All the equipment installed at the place designated herein shall be the sole and exclusive property of the Town.

AGREEMENT  
FOR  
INSTALLATION OF TRAFFIC CONTROL DEVICES  
PROJECT SIGNAL INSTALLED BY PERMIT APPLICANT

PERMIT #58-96

FOURTH: All equipment removed from the place designated herein shall be delivered to either the County Department of Public Works or the Town of Riverhead as directed by the Suffolk County Commissioner of Public Works.

FIFTH: The Town agrees to operate and maintain the traffic signal installations in accordance with the Suffolk County Department of Public Works Maintenance Specifications, a copy of which is available upon request.

SIXTH: Any Town or Village having an equivalent set of Maintenance Specifications may elect to use them in lieu of the Suffolk County Department of Public Works Specifications, subject to the review and approval of the Suffolk County Department of Public Works.

SEVENTH: The Town agrees not to alter the signal operation or timing without written approval of the Suffolk County Department of Public Works and shall supply to said Department one set of wiring diagrams for each altered installation.

EIGHTH: The Town of Riverhead agrees to enact any Ordinance, Order, Rule or Regulation which shall be necessary for the installation of traffic control devices at the said sites and locations previously listed.

NINTH: The failure of the Town to maintain the traffic signals in accordance with the terms of this agreement will result in the withholding of County funds for traffic improvements within the respective Town, providing written notice of the Town's failure to maintain such traffic signals is given by the County to the Town specifying what constitutes the failure and the Town is given reasonable time to correct said defects.

AGREEMENT  
FOR  
INSTALLATION OF TRAFFIC CONTROL DEVICES  
PROJECT SIGNAL INSTALLED BY PERMIT APPLICANT

PERMIT #58-96

TENTH: The Town shall provide to the local police authorities, sufficient information as to the responsibility for signal maintenance and to further establish procedures whereby the maintenance contractor shall provide services on a daily 24-hour basis.

ELEVENTH: The Town of Riverhead will save and hold harmless and defend the County of Suffolk and shall assume all risk and liability for such signs, signals, and markings installed by the County of Suffolk and for the use and operation thereof and for damage for injuries or death to person or property howsoever arising therefrom or because thereof, excepting the active negligence of the County.

TWELFTH: In the event that the County, by legislation or agreements, assumes the responsibility for the maintenance of the traffic signals herein, that this Agreement shall automatically be null and void, and of no further consequence.

END OF TEXT

**ADDENDUM I**

**Traffic Signal Installation on**

**CR 58 @ East End Commons (Plaza)/Kmart, Riverhead**

**Town of Riverhead**

**April 29, 2010**

**Traffic Signal Equipment Installed**

<b>ITEM NO.</b>	<b>MFG./Model/Serial No.</b>	<b>DESCRIPTION</b>	<b>Condition</b>
T12LED*	Leotek	(6) - 12" Arrow LED Traffic Signal Sections	New
T12LED*	Leotek	(24) - 12" Ball LED Traffic Signal Sections	New
T16	Econolite ASC/2-2100	8 Phase Controller	Existing
T16	EDI NSM-6	Conflict Monitor	Existing
T16	PDC 204	(1) Flasher	Existing
T16	PDC 200	(6) Load Switches	Existing
T16	EDI LM301t	(3) Loop Detectors	Existing
T24	Pelco	(2) Push Button Assemblies	New

*\* These items incorporate energy saving LED (Light Emitting Diode) technology. The municipality may be entitled to a reduced energy cost. Please contact Keyspan/LIPA for further information.*

This will acknowledge that the above-referenced equipment was installed by the County of Suffolk at the above-referenced location in accordance with the Agreement between the County of Suffolk and the Town of Riverhead.

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Date

6/15/10

**ADOPTED**

100507

**TOWN OF RIVERHEAD**

**Resolution # 507**

**ESTABLISHES LOCATION FOR FARMERS' MARKET FOR 2010 SEASON**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town of Riverhead provides space within the downtown riverfront parking area for the Farmers' Market on a seasonal basis; and

**WHEREAS**, the Farmers' Market utilized the area located behind SCTM#0600-129-1-11, 12 and 13 on property owned by the Town of Riverhead in 2009 and found the location to be acceptable.

**THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the Farmers' Market to be located on said property on each Thursday beginning July 1, 2010 for the 2010 season.

**BE IT FURTHER RESOLVED**, that Town Clerk shall forward a certified copy of this resolution to Bob Gammon, 70 Woodside Lane, Laurel, NY 11948, and Suffolk County Dept. of Health Services (WIC Administrative Office), H. Lee Dennison Building 100 Veterans Memorial Hwy., PO Box 6100, Hauppauge, NY 11788.

**BE IT FURTHER RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet 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  Was Not

Thereupon Duly Declared Adopted

6/15/10  
100508

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 508**

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO ENACT CHAPTER 112 OF THE RIVERHEAD TOWN CODE ENTITLED "DOMESTIC AND MIGRATORY WATERFOWL"**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the June 24, 2010 issue of the News-Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law to enact Chapter 112 of the Riverhead Town Code entitled "Domestic and Migratory Waterfowl" to be posted on the sign board of the Town; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet 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  Was Not   
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE** that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 20<sup>th</sup> day of July, 2010 at 7:05 o'clock p.m. to consider a local law to enact Chapter 112 of the Riverhead Town Code entitled "Domestic and Migratory Waterfowl" as follows:

**CHAPTER 112**  
**DOMESTIC AND MIGRATORY WATERFOWL**

§ 112-1. Legislative intent; findings of fact.

Whereas, the Town Board of the Town of Riverhead has determined that artificial feeding of waterfowl is harmful to these animals and can cause poor nutrition, increased hybridization, water pollution, beach closures, contamination of shellfish growing areas, delayed natural migration, high concentrations of waterfowl at unnatural sites, overcrowding, spread of disease, costly management efforts, unnatural behavior and cumulative negative environmental impacts on the water bodies in the Town of Riverhead.

§ 112-2. Definitions.

Unless otherwise expressly stated in this article, the following terms shall have the following meanings:

DOMESTIC WATERFOWL – Those species of birds commonly known as white ducks, barnyard geese, Muscovy ducks, seagulls as well as any other geese and ducks bred by man but not any other waterfowl falling under the jurisdiction of the United States Fish and Wildlife Service and/or the New York State Department of Environmental Conservation.

FEED – Shall mean to give, place, expose, deposit, distribute, or scatter any edible material with the intention of feeding, attracting, or enticing domestic or migratory waterfowl.

MIGRATORY WATERFOWL – Those species of birds commonly known as swans, geese, including Canadian geese, and ducks, and any other waterfowl falling under the jurisdiction of the United States Fish and Wildlife Service.

PERSON – Any individual, company, partnership, corporation, limited partnership, joint venture, or other legal entity.

TOWN PROPERTY – Any land which is owned, maintained, leased, or managed by the Town of Riverhead for any purpose whatsoever, including, but not limited to parks, preserves, beaches and the riverfront.

§ 112-3. Prohibition.

No person shall feed or provide food for any domestic or migratory waterfowl on Town property at any time of the year.

§ 112-4. Enforcement; penalties for offenses.

A violation of this article shall be punishable by a fine of not less than \$100, or more than \$250.

§112-5. Non-Applicability.

The provisions of this article shall not apply to property owned by or under the jurisdiction of other municipal authorities; the State of New York, and any agency thereof or the government of the United States of America.

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

Dated: Riverhead, New York  
June 15, 2010

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

DIANE M. WILHEM, Town Clerk

**TOWN OF RIVERHEAD**

**Resolution # 509**

**AUTHORIZES THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH SKYDIVE LONG ISLAND**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, Ray Maynard of SkyDive Long Island wishes to perform a single, solo skydiving event in conjunction with the Riverhead Firefighter's Association-sponsored Suffolk County Annual Drill & Parade on July 10<sup>th</sup>, 2010 (rain date July 11, 2010); and

**WHEREAS**, Ray Maynard of SkyDive Long Island wishes to utilize Stotzky Park's northern field area as the designated landing area regarding the single, solo skydiving event.

**NOW THEREFORE BE IT RESOLVED**, that the Supervisor is authorized to execute a license agreement with Ray Maynard and SkyDive Long Island to perform a single, solo skydiving event on July 10, 2010, (rain date: July 11, 2010) and utilize Stotzky Park's northern field area as the designated landing area; and be it further

**RESOLVED**, that a copy of this resolution shall be forwarded to Ray Maynard, SkyDive Long Island, 525 Jan Way, Calverton, New York 11933; and Firefighter James Redmond, Riverhead Firefighter's Association, 540 Roanoke Avenue, Riverhead, New York 11901; and be it further

**RESOLVED**, that a copy of this resolution shall also be forwarded to Scott Davonski, Fire Marshal; Engineering Department and Town Attorney. All other Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet 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  Was Not   
Thereupon Duly Declared Adopted

6/15/10  
100510

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 510**

**ACCEPTS THE RESIGNATION OF A STUDENT INTERN**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Town has received a letter of resignation from Joseph Pipczynski, a Student Intern in the Accounting Department, indicating his intent to resign effective June 2, 2010.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby accepts the resignation of Joseph Pipczynski.

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet 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  Was Not   
Thereupon Duly Declared Adopted

6/15/10  
100511

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 511**

**AUTHORIZES CHANGE ORDER TO GEORGE YOUNG COMMUNITY CENTER  
FLOOD DAMAGE REMEDIATION**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town Board of the Town of Riverhead did adopt Town Board resolution No. 467 on June 2, 2010 entitled, "Declares Public Emergency Regarding Flooding at George Young Community Center and Authorizes the Supervisor to Execute an Agreement with Duraclean for Emergency Flood Damage Remediation at George Young Community Center";

**WHEREAS**, the areas and portions of the building in need of remediation were outlined in the original proposal and scope of work; and

**WHEREAS**, during the remediation process it was discovered that the exterior unused bathrooms exhibited evidence of mold and are in need of immediate remediation to ensure the health, safety and welfare of the inhabitants of the George Young Community Center; and

**WHEREAS**, Duraclean submitted a proposal for water damage demolition and remediation for the unused exterior bathrooms in the amount of \$5,000; and

**WHEREAS**, the proposal submitted has been reviewed and discussed by the Town Board.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Riverhead be and does hereby authorize an increase to the original Duraclean proposal in the amount of Five Thousand Dollars & 00/100 (\$5,000) and the scope of work outlined in the original executed Professional Services Agreement be expanded to include the demolition and remediation of the exterior unused bathrooms located at George Young Community Center; and

**BEIT FURTHER RESOLVED**, that Duraclean will adhere to the completion date outlined in the original executed Professional Services Agreement so as not to delay the summer recreation program required inspection by Suffolk County Department of Health; and

**BE IT FURTHER RESOLVED**, that the Town Supervisor be and is hereby authorized to execute a change order in the amount of \$5,000; and

**BE IT FURTHER RESOLVED**, that the Purchasing Department be and is hereby authorized to increase Town of Riverhead Purchase Order No. 10-1205 issued to Duraclean in the amount of Five Thousand Dollars (\$5,000); and

**BE IT FURTHER RESOLVED**, that the Town Clerk of the Town of Riverhead be and is hereby authorized to forward a copy of this resolution to Duraclean, 3 Beach Plum Lane, Middle Island, NY 11953, 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 E-Cabinet 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  Was Not

Thereupon Duly Declared Adopted

6/15/10  
100512

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 512**

**APPOINTMENT OF POLICE OFFICERS**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Suffolk County Department of Civil Service has established List #07-5002-008 for the position of Police Officer on December 27, 2007; and

**WHEREAS**, extensive background investigations and personal interviews were conducted by the Suffolk County and Riverhead Town Police Departments to establish individuals eligible for hire by the Riverhead Town Police Department.

**NOW, THEREFORE, BE IT RESOLVED**, effective June 28, 2010 Charles Schneider, Branden Heller, and Sean Mackie are hereby appointed to the position of Police Officer, at the salary as set forth in the current labor contract that exists between the Town of Riverhead and Riverhead P.B.A., contingent upon the following:

1. The filing of all necessary documentation in the Personnel Department; and

**BE IT FURTHER RESOLVED**, that Sean Mackie is hereby placed on a leave of absence from this full-time appointment in accordance with Civil Service Rules and Regulations, and that the period of time from June 28, 2010 through the end of said leave will not be considered as part of his probationary employment.

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

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

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

6/15/10  
100513

**ADOPTED**

**TOWN OF RIVERHEAD**

**Resolution # 513**

**APPOINTMENT OF POLICE OFFICER**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Suffolk County Department of Civil Service has established List #07-5002-008 for the position of Police Officer on December 27, 2007; and

**WHEREAS**, extensive background investigations and personal interviews were conducted by the Suffolk County and Riverhead Town Police Departments to establish individuals eligible for hire by the Riverhead Town Police Department.

**NOW, THEREFORE, BE IT RESOLVED**, effective June 28, 2010 Salvatore Santoro is hereby appointed to the position of Police Officer, at the salary as set forth in the current labor contract that exists between the Town of Riverhead and Riverhead P.B.A., contingent upon the following:

1. The filing of all necessary documentation in the Personnel Department; and

**BE IT FURTHER RESOLVED**, that this appointment is contingent upon the start of the next Suffolk County Police Academy training session currently scheduled to begin on or before June 28, 2010. If such training session is canceled, Salvatore Santoro shall be placed on a leave of absence until the commencement of the next scheduled recruit police officer training session of the Suffolk County Police Academy. On that day, Santoro will become a probationary Police Officer of the Riverhead Town Police as long as he still meets the requirements for employment; and

**BE IT FURTHER RESOLVED**, that the period of time Santoro is placed on a leave of absence will not be considered as part of his probationary employment.

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet 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  Was Not   
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 514**

**PAYS BILLS**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

FUND NAME			06/10/10 CHECKRUN	GRAND TOTALS
GENERAL FUND	1		639,694.76	639,694.76
POLICE ATHLETIC LEAGUE	4		3,824.73	3,824.73
RECREATION PROGRAM FUND	6		2,034.98	2,034.98
HIGHWAY FUND	111		7,106.80	7,106.80
WATER DISTRICT	112		401,599.59	401,599.59
RIVERHEAD SEWER DISTRICT	114		18,812.26	18,812.26
REFUSE & GARBAGE COLLECTION DI	115		867.60	867.60
STREET LIGHTING DISTRICT	116		31,856.43	31,856.43
BUSINESS IMPROVEMENT DISTRICT	118		16,927.00	16,927.00
CALVERTON SEWER DISTRICT	124		4,941.82	4,941.82
RIVERHEAD SCAVANGER WASTE DIST	128		206.23	206.23
GENERAL FUND DEBT SERVICE	384		228,043.15	228,043.15
TOWN HALL CAPITAL PROJECTS	406		126,228.52	126,228.52
WATER DISTRICT CAPITAL PROJECT	412		9,491.25	9,491.25
TRUST & AGENCY	735		6,515,698.85	6,515,698.85
<b>TOTAL ALL FUNDS</b>			<b>8,007,333.97</b>	<b>8,007,333.97</b>

**THE VOTE**

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

Walter  Yes  No

The Resolution Was  Was Not   
 Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 514**

**PAYS BILLS**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

FUND NAME			06/03/10 CHECKRUN	GRAND TOTALS
GENERAL FUND	1		888,394.23	888,394.23
RECREATION PROGRAM FUND	6		3,137.93	3,137.93
ECONOMIC DEVELOPMENT ZONE FUND	30		3,325.11	3,325.11
HIGHWAY FUND	111		73,407.95	73,407.95
WATER DISTRICT	112		54,594.81	54,594.81
RIVERHEAD SEWER DISTRICT	114		34,045.13	34,045.13
REFUSE & GARBAGE COLLECTION DI	115		6,113.95	6,113.95
STREET LIGHTING DISTRICT	116		6,344.50	6,344.50
BUSINESS IMPROVEMENT DISTRICT	118		49.95	49.95
AMBULANCE DISTRICT	120		214,522.25	214,522.25
EAST CREEK DOCKING FACILITY FU	122		4,566.45	4,566.45
CALVERTON SEWER DISTRICT	124		841.46	841.46
RIVERHEAD SCAVANGER WASTE DIST	128		12,688.13	12,688.13
WORKERS' COMPENSATION FUND	173		2,869.30	2,869.30
RISK RETENTION FUND	175		192.50	192.50
CDBG CONSORTIUM ACOUNT	181		937.58	937.58
TOWN HALL CAPITAL PROJECTS	406		250.00	250.00
TRUST & AGENCY	735		16,961,620.32	16,961,620.32
<b>TOTAL ALL FUNDS</b>			<b>18,267,901.55</b>	<b>18,267,901.55</b>

**THE VOTE**

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

The Resolution Was  Was Not   
 Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 515**

**GENERAL FUND**  
**POLICE**

**BUDGET ADJUSTMENT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, a budget adjustment is required in order to fund additional Uniformed Personnel in the Police Department.

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
001.031200.512100	Police Overtime Pay - Uniform	85,000	
001.031200.511100	Police Personnel - Uniform		85,000

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Chief of Police.

**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  Was Not   
Thereupon Duly Declared Adopted

06/15/10

On a motion of Councilman Dunleavy, seconded by Councilwoman Giglio resolution #515 was **TAKEN OFF THE FLOOR**

YES – 5      Giglio, Gabrielsen, Wooten, Dunleavy, Walter  
NO – 0

TOWN OF RIVERHEAD

Resolution # 516

**APPROVES THE CHAPTER 90 APPLICATION OF RIVERHEAD ELKS LODGE #2044**  
**(Cruise Night – Old Car Show)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, on June 14, 2010, the Riverhead Elks Lodge #2044 (Riverhead Elks) submitted a Chapter 90 Application for the purpose of conducting an event entitled "Cruise Night" to include old cars on display for public viewing to be held at the Riverhead Elks Lodge located at 1239 East Main Street, Riverhead, New York, on July 2<sup>nd</sup>, 9<sup>th</sup>, 16<sup>th</sup>, 23<sup>rd</sup>, 30<sup>th</sup>, 2010 and August 6<sup>th</sup>, 13<sup>th</sup>, 20<sup>th</sup>, 2010 between the hours of 6:00 p.m. and 9:00 p.m.; and

**WHEREAS**, the Riverhead Elks has submitted and completed a Short Environmental Assessment Form pursuant to 6 NYCRR Part 617 identifying the potential adverse environmental impacts of the event; and

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

**WHEREAS**, a certificate of insurance has been received; 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 the Riverhead Elks for the purpose of conducting an event to include old cars on display for public viewing to be held at the Riverhead Elks Lodge located at 1239 East Main Street, Riverhead, New York, on July 2<sup>nd</sup>, 9<sup>th</sup>, 16<sup>th</sup>, 23<sup>rd</sup>, 30<sup>th</sup>, 2010 and August 6<sup>th</sup>, 13<sup>th</sup>, 20<sup>th</sup>, 2010 between the hours of 6:00 p.m. and 9:00 p.m., is hereby approved subject to the conditions set forth herein; and be it further

**RESOLVED**, that there shall be no music played out of doors before 12:30 p.m. or after 5:30 p.m. on the day of the event, including music played from vehicles; and be it further

**RESOLVED**, that the Town Board of the Town of Riverhead hereby waives the Chapter 90 Application fee due to the applicant's not-for-profit status; 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 any tent permits shall be obtained and all tent installations and electrical work shall comply with the applicable provisions of the Building and Fire Code of New York State and the National Electrical Code and National Fire Protection Agency 102 (Tents & Membrane Structures); and be it further

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

**RESOLVED**, that this approval is subject to a fire safety inspection by the Town Fire Marshal prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 601, for the purpose of arranging the "pre-opening" inspection appointment; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Riverhead Elks Lodge #2044, 1239 E. Main Street, Riverhead, New York, 11901, the Riverhead Fire Marshal, Riverhead Police Chief David Hegermiller and the Office of the Town Attorney.

### THE VOTE

Giglio Yes No      Gabrielsen Yes No

Wooten Yes No      Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

On a motion of Councilman Dunleavy, seconded by Councilwoman Giglio resolution #516 was **TAKEN OFF THE FLOOR**

YES – 5      Giglio, Gabrielsen, Wooten, Dunleavy, Walter

NO - 0