

## **RESOLUTION LIST**

**October 17, 2017**

- Res. #774 Riverhead Sewer District Plant Improvement Budget Adjustment**
- Res. #775 1035 Pulaski Street Roof Replacement Water Capital Project #30145**
- Res. #776 Authorizes Town Clerk to Publish and Post Notice of Public Hearing to Consider the Adoption of the 2018 Preliminary Annual Budget for the Town of Riverhead**
- Res. #777 Authorizes the Community Development Department to Apply for a Main Street Revitalization Grant from PSEG in Conjunction with the Riverhead Business Improvement District Management Association (BIDMA)**
- Res. #778 Awards Bid for Water District Roof Replacement**
- Res. #779 Awards Bid for Collection and Recycling of Electronic Waste**
- Res. #780 Authorizes Town Clerk to Publish and Post the Attached Notice to Bidders for the Removal of Household Hazardous Waste**
- Res. #781 Ratifies Authorization to Participate in the Suffolk County Multi-Jurisdictional Hazard Mitigation Plan Update**
- Res. #782 Appoints an Accountant Trainee (Emily Toth)**
- Res. #783 Appoints a Wastewater Treatment Plant Operator IIA (Brian Cybulski)**
- Res. #784 Appoints a Wastewater Treatment Plant Operator IIA (Thomas Gallo)**
- Res. #785 Appoints a Part-Time Maintenance Mechanic II to the Seniors Programs (Alan Kavasch)**
- Res. #786 Accepts the Retirement of a Building Inspector (Richard Podlas)**
- Res. #787 Appoints a Part-Time Maintenance Mechanic I to the Seniors Programs (Michael Quick)**
- Res. #788 Appoints a Temporary Senior Citizen Aide (Donna Danowski)**
- Res. #789 Authorizes the Supervisor to Execute a Municipal Cooperation Agreement between the Town of Riverhead and the Riverhead Fire District for Sand and Salt Services**
- Res. #790 Authorizes the Highway Superintendent to Execute a Professional Services Agreement with Vehicle Tracking Solutions for Automated Vehicle Location and Monitoring (AVLM) for Town of Riverhead Highway Department Fleet**

- Res. #791** Authorizes Supervisor to Execute Agreement with Riverhead Soccer Club for Training and Referee Services for Town of Riverhead Police Athletic League Girls and Boys Soccer Program for 2017 Calendar Year
- Res. #792** Awards Bid for Chemicals for Town of Riverhead Sewer District
- Res. #793** Authorization to Publish Advertisement for Dowflake Extra 83-87% Calcium Chloride or Equal for the Town of Riverhead
- Res. #794** Authorizes Town Clerk to Publish and Post a Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 245 Entitled, "Littering and Graffiti" of the Riverhead Town Code (§245-2. Definitions.)
- Res. #795** Adopts a Local Law Amending Chapter 263 Entitled, "Rental Dwelling Units" to the Riverhead Town Code (§263-4. Rental occupancy permit required.)
- Res. #796** Authorizes the Supervisor to Execute an Agreement with the Riverhead Business Improvement District Management Association, Inc. Regarding 2018 Calendar Year Events and Services
- Res. #797** Authorizes Legal Actions Against the Owners, Tenants, Occupants and Mortgagee of Premises Located at 769 Harrison Avenue, Riverhead, New York
- Res. #798** Adopts a Local Law to Amend Chapter 301 Entitled "Zoning and Land Development" of the Riverhead Town Code
- Res. #799** Authorizes the Supervisor to Execute Stipulation of Settlement with Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #85 (CSEA)
- Res. #800** Appoints Garrett W. Swenson, Jr. as Special Counsel in the Matter of Oak Hills Association, Inc. v. the Town of Riverhead, Et Al.
- Res. #801** Declares M-GBC, LLC in Default Regarding the Subdivision Entitled "Map of Calverton Camelot II"
- Res. #802** Authorizing Settlement of Lawsuit
- Res. #803** Order Establishing Lateral Water Main Extension for Peconic Care Research, Recovery and Rehabilitation Center
- Res. #804** Pays Bills

**TOWN OF RIVERHEAD**

**Resolution # 774**

**RIVERHEAD SEWER DISTRICT**

**PLANT IMPROVEMENT BUDGET ADJUSTMENT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Riverhead Sewer District is requesting a budget adjustment to cover costs associated with the inspection and adjustments at the Sewer District Main Plant, as well as other improvements at other plants.

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
114.081300.546200	Utilities - Electricity	10,000.00	
114.081300.523011	Plant Improvements		10,000.00

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 775

1035 PULASKI STREET ROOF REPLACEMENT  
WATER CAPITAL PROJECT #30145

BUDGET ADOPTION

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, More Consulting Corporation has been awarded the bid to replace the roof at 1035 Pulaski Street, Riverhead, NY.

**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>
412.095031.481112.30145 Transfer from Water Fund	57,095.00	
412.083100.523025.30145 Roof Replacement		51,975.00
412.083100.547900.30145 Contingencies		5,120.00

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

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

THE VOTE

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

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 776

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE 2018 PRELIMINARY ANNUAL BUDGET FOR THE TOWN OF RIVERHEAD**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk be, and is hereby directed to publish the attached Public Notice in the October 26, 2017 issue of the News Review.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**NOTICE OF  
PUBLIC HEARING**

**PLEASE TAKE NOTICE**, that a Public Hearing will be held on the 8th day of November, 2017 at 2:00 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider the adoption of the 2018 Annual Budget for the Town of Riverhead, which shall include the following specific items:

**ELECTED OFFICIALS' SALARIES**

<b><u>Position</u></b>	<b><u>Proposed Salary</u></b>
Town Supervisor	\$115,148
Town Board Councilpersons (4)	\$ 48,955
Town Clerk	\$ 83,846
Highway Superintendent	\$ 94,803

**PLEASE TAKE FURTHER NOTICE**, that a copy of the Preliminary Budget is available on the Town's website at [www.townofriverheadny.gov](http://www.townofriverheadny.gov) and in the Office of the Town Clerk for inspection during normal business hours, Monday through Friday, 8:30 a.m. – 4:30 p.m.

Dated: Riverhead, NY  
October 17, 2017

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 777

**AUTHORIZES THE COMMUNITY DEVELOPMENT DEPARTMENT TO APPLY FOR A MAIN STREET REVITALIZATION GRANT FROM PSEG IN CONJUNCTION WITH THE RIVERHEAD BUSINESS IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION (BIDMA)**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the PSEG has created a pilot program to fund projects that would assist with Main Street Revitalization, and

**WHEREAS**, the Business Improvement District Management Association (BIDMA) wishes to create and host a “Art in the Park, Festival of Light” event on the shoulder season as an “off season” counterpart to “Alive on 25” which draws thousands of visitors to Riverhead’s Downtown during the summer months, and

**WHEREAS**, the BIDMA has pledged \$15,000.00 as a match for the grant application, and

**WHEREAS**, the “Art in the Park, Festival of Light” will create a temporary art installation in Grangebel Park which artwork some of which will be illuminated during the festival events but also serve as a long term enhancement to Grangebel Park since the art work will be on display year round and can be enjoyed day or night, and

**WHEREAS**, the Town of Riverhead wishes to support the BIDMA’s efforts to revitalize Downtown and specifically its efforts to bring this event to Downtown Riverhead, and

**RESOLVED**, that the Community Development Agency is hereby authorized to apply jointly with the BIDMA for \$15,000.00 in funding through the PSEG Main Street Revitalization program for the “Art in the Park – Festival of Light” event.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 778**

**AWARDS BID FOR WATER DISTRICT ROOF REPLACEMENT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town Clerk was authorized to post and publish a Notice to Bidders for the Water District Roof Replacement project located at 1035 Pulaski Street, Riverhead, New York; and

**WHEREAS**, four (4) bids were received, opened and read aloud on the 11<sup>th</sup> day of October, 2017 at 11:00 am in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York.

**NOW, THEREFORE, BE IT RESOLVED**, that the bid for the Water District Roof Replacement be and is hereby awarded to More Consulting Corporation in the amount of Fifty One Thousand Nine Hundred Seventy Five Dollars & 00/100 (\$51,975); and be it further

**RESOLVED**, that the Town Board be and does hereby authorize the Town Clerk to return any and all bid bonds received in connection with this bid; and be it further

**RESOLVED**, that the Town Board be and does hereby authorize the Town Supervisor to execute an agreement for the Water District Roof Replacement; and be it further

**RESOLVED**, that the Town Board be and does hereby authorize the Engineering Department to secure a Town of Riverhead purchase Order from the Purchasing Department in the amount of \$51,975.00; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to More Consulting Corporation, 19 Old dock Road, Yaphank, NY 11980, the Water District, Engineering Department, Purchasing Department and the Office of Accounting; and be it further

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

**THE VOTE**

Hubbard Yes No Giglio Yes No

Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted



**TOWN OF RIVERHEAD**

**Resolution # 779**

**AWARDS BID FOR COLLECTION AND RECYCLING OF ELECTRONIC WASTE**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town Clerk was authorized to publish and post a Notice to Bidders for the Collection and Recycling of Electronic Waste; and

**WHEREAS**, three (3) bids were received, opened and read aloud on the 15<sup>th</sup> day of September, 2017 at 11:00 am in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York; and

**WHEREAS**, after serious consideration and evaluation of the bids submitted, the Town Engineering Department and the Office of the Town Attorney recommend that the bid be awarded to Electronic Recyclers International, Massachusetts, Inc., subject to filing the requisite proof of insurance as set forth in the bid specifications; and

**WHEREAS**, the bids were reviewed with the Town Board at a subsequent work session.

**NOW, THEREFORE, BE IT RESOLVED**, that the bid for Collection and Recycling of Electronic Waste for the Town of Riverhead be and is hereby awarded to Electronic Recyclers International, Massachusetts, Inc. for the collection and recycling of E-Waste, including providing containers and services related to the Town's S.T.O.P. program, in the amount of \$300.00 per ton with quarterly reporting requirements to the Town; and be it further

**RESOLVED**, that the Town Board be and does hereby authorize the Supervisor to execute any documents or agreements, to the extent required, with Electronic Recyclers International, Massachusetts, Inc. to effectuate the award of contract for services described above; and be it further

**RESOLVED**, that the Engineering Department be and is hereby authorized to secure a Town of Riverhead purchase order for Electronic Recyclers International, Massachusetts, Inc., and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Electronic Recyclers International, Massachusetts, Inc., 89 R Cross Street, Holliston, MA 01746, the Town Engineering Department, the Office of Accounting and the Purchasing Department; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted



**Office of the Town Clerk**  
*Diane M. Wilhelm*

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Registrar of Vital Statistics

Records Management Officer

Marriage Officer

**TO:** Supervisor Walter, Councilpersons Dunleavy, Wooten, Giglio, Hubbard,  
Engineering

**FROM:** Julie O'Neill, Deputy Town Clerk

**DATE:** September 15, 2017

**RE:** Open Bid Report for Collection and Recycling of Electronic Waste

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3 bid were received and opened on September 15, 2017 at 11:00am:  
See Attached.

E-Green Recycling Management, Inc.  
3542 Rte 112  
Coram NY 11727  
631 732-6403  
[basti@pkmetals.com](mailto:basti@pkmetals.com)

Electronic Recyclers International  
89 R Cross Street  
Holliston MA 01746  
202 669-2045  
[alicia.jackson@eridirect.com](mailto:alicia.jackson@eridirect.com)

SAMR, Inc.  
1950 Rutgers University Blvd  
Lakewood NJ 08701  
732 370-4100  
[al@samrinc.inc](mailto:al@samrinc.inc)



# TOWN OF RIVERHEAD

Sean M. Walter, Supervisor  
200 Howell Avenue  
Riverhead, New York 11901-2596  
631-727-3200

BID # \_\_\_\_\_

## BID FOR: COLLECTION AND RECYCLING OF ELECTRONIC WASTE

E-Green Recycling Management LLC  
BIDDERS NAME

3542 Route 112  
BIDDERS ADDRESS

Coram, NY 11727  
CITY, STATE, ZIP

9/14/17      (631) 732-6403  
DATE                      PHONE NUMBER

E-MAIL ADDRESS: basti@pkmetals.com

In compliance with your advertisement for bids to be opened at **11:00am on September 15, 2017** and subject to all conditions thereof, the undersigned hereby proposes to furnish the item(s) and/or service(s) itemized in this proposal in accordance with the Notice to Bidders, General Information Agreement and Specifications contained herein on the Bid Proposal Form attached.

Bidder certifies that the prices quoted herein do not include Federal Excise Tax or any Federal, New York State or City Sales Tax and are not higher than prices charged to any governmental or commercial consumer for like merchandise and/or service; and all prices include shipping and freight charges to any Municipal building or site within the Town of Riverhead.

(THIS PAGE MUST BE COMPLETED, SIGNED, AND RETURNED WITH BID)

Respectfully submitted,

\_\_\_\_\_  
SIGNED BY

Managing Member  
TITLE

BIDDERS ARE INVITED TO ATTEND BID OPENING



Town of Riverhead  
Bid for: Collection & Recycling of Electronic Waste  
Due Sept 14, 2017 by 4PM

Note: All pricing assumes the Town is responsible for loading the electronic waste into the containers provided by E-Green Recycling Management.

Section V.3 – Bid Amount

- a. Payments to the Town (excluding Recycling Fund) \$0
- b. Fees: Charges to the Town (Hauling Fees)
  - i. CRT's, CRT TV's, LCD's, Flat Panel TV's & Monitors, DLP's, & Rear Projection \$800/ton
  - ii. All Other Covered Electronics \$300/ton
  - iii. Should the weight of the container contents be under 2,500 lbs for a pick-up requested by the Town or placed on a recurring schedule, there will be an additional \$100 charge for pick-up.
  - iv. Pricing shall be fixed for 1 (one) year from award date. Price changes must be mutually agreed. Failure to mutually agree on prices after the first year will result in contract termination.
- c. Payment to Town for Recycling Fund \$3.50/ton



# TOWN OF RIVERHEAD

*Sean M. Walter, Supervisor*

200 Howell Avenue

Riverhead, New York 11901-2596

631-727-3200

BID # \_\_\_\_\_

## **BID FOR: COLLECTION AND RECYCLING OF ELECTRONIC WASTE**

Electronic Recyclers International, Massachusetts, Inc. \_\_\_\_\_  
\_BIDDERS NAME

89 R Cross Street \_\_\_\_\_  
\_BIDDERS ADDRESS

Holliston, MA 01746 \_\_\_\_\_  
CITY, STATE, ZIP

9/12/2017 (202 ) 669-2045 \_\_\_\_\_  
DATE PHONE NUMBER

E-MAIL ADDRESS: alicia.jackson@eridirect.com \_\_\_\_\_

In compliance with your advertisement for bids to be opened at **11:00am on September 15, 2017** and subject to all conditions thereof, the undersigned hereby proposes to furnish the item(s) and/or service(s) itemized in this proposal in accordance with the Notice to Bidders, General Information Agreement and Specifications contained herein on the Bid Proposal Form attached.

Bidder certifies that the prices quoted herein do not include Federal Excise Tax or any Federal, New York State or City Sales Tax and are not higher than prices charged to any governmental or commercial consumer for like merchandise and/or service; and all prices include shipping and freight charges to any Municipal building or site within the Town of Riverhead.

**(THIS PAGE MUST BE COMPLETED, SIGNED, AND RETURNED WITH BID)**

Respectfully submitted,

  
\_\_\_\_\_  
SIGNED BY

\_\_\_\_\_  
\_Chief Marketing Officer

\_\_\_\_\_  
TITLE

**BIDDERS ARE INVITED TO ATTEND BID OPENING**

Personnel Box Truck Drivers: Mark Luther (4 years with ERI, Class B MA License), Gil Alvira (2 years with ERI, Class 10 RI License (equivalent to Class B), Welmer Montilla (1 year with ERI, Class 10 RI License (equivalent to Class B). Tractor trailer drivers: Stoyan Yostov (1 Year with ERI, Class A),

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**2. Insurance:**

Upon award of bid, CONTRACTOR shall provide a copy of all insurance certificates identified below within thirty six hours of notification of successful bid and prior to commencement of any services identified in the contract/bid specification. In the event the CONTRACTOR fails to provide the insurance required information, the Town may cancel the award and award to the next lowest bidder.

- a. Proof of Comprehensive General Liability Insurance, including products completed, contractual, property and personal injury in the amount of \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate; and
- b. Proof of professional liability insurance in the amount of (\$1,000,000.00.); and
- c. Proof of Automotive/Equipment Liability (Bodily Injury and Property Damage) insurance in the amount of \$100,000 (per occurrence)/\$300,000 (total).

(In the event CONTRACTOR shall be determined to be the lowest responsible bidder, CONTRACTOR shall be required to provide proof of insurance and name the Town of Riverhead as an additional insured on General Liability Insurance and Professional Liability Insurance.)

**3. Bid Amount:**

[IMPORTANT: Please select either (a) or (b) and complete (c)]

a. Payments

Provide information on any payments that your company will make to the Town of Riverhead in connection with providing the requested service.

**Price Paid to Town Per Ton**

\$ 0

b. Fees

Provide information on any fees or charges that your company will charge the Town of Riverhead in connection with providing the requested service.

**Fee Charged to Town Per Ton**

\$ 300.00

c. Recycling Fund Requirement

Note, as the Town of Riverhead created a Recycling Fund wherein a percentage of the revenues realized by the CONTRACTOR in the sale of and recycling of e-waste collected from the Town, the selected CONTRACTOR must provide quarterly reports of all E-WASTE collected and clearly and accurately document the recycled commodity amounts with payment in the amount of 20% of said sales to the TOWN for reimbursement for recycling commodity. Notwithstanding the above, the Town of Riverhead is cognizant that the recycling, reuse and reclaiming of materials used and made part of a wide range of electronic equipment (i.e. computers, computer peripherals, televisions, small scale servers, and small electronic equipment, etc.) are likely to have different monetary value, hence, the fee set forth in Section V. 3 (c) is amended to require Contractor to pay a flat fee per ton to the Town for the Recycling Fund.

**Recycling Flat Fee Paid to Town Per Ton**      \$ 0

Note, all costs related to containers, collection, transport, separation, use of equipment, fuel, labor are to be included and incorporated into the payment or cost per cubic yard. The Town shall not be responsible for any other costs to perform the tasks identified in the Request for Proposals.

**4. Permit/License:**

A copy of permit/license for the facility/company must be annexed to bid.

DATE: \_\_\_\_\_

SIGNED: \_\_\_\_\_

TITLE: \_\_\_\_\_





# TOWN OF RIVERHEAD

Sean M. Walter, Supervisor  
200 Howell Avenue  
Riverhead, New York 11901-2596  
631-727-3200

BID # \_\_\_\_\_

## BID FOR: COLLECTION AND RECYCLING OF ELECTRONIC WASTE

SAMP Inc.  
BIDDERS NAME

1950 Rutgers University Blvd.  
BIDDERS ADDRESS

Lakewood NJ 08701  
CITY, STATE, ZIP

9/12/17      (732) 370-4100  
DATE              PHONE NUMBER

E-MAIL ADDRESS: al@sampinc.com

In compliance with your advertisement for bids to be opened at **11:00am on September 15, 2017** and subject to all conditions thereof, the undersigned hereby proposes to furnish the item(s) and/or service(s) itemized in this proposal in accordance with the Notice to Bidders, General Information Agreement and Specifications contained herein on the Bid Proposal Form attached.

Bidder certifies that the prices quoted herein do not include Federal Excise Tax or any Federal, New York State or City Sales Tax and are not higher than prices charged to any governmental or commercial consumer for like merchandise and/or service; and all prices include shipping and freight charges to any Municipal building or site within the Town of Riverhead.

(THIS PAGE MUST BE COMPLETED, SIGNED, AND RETURNED WITH BID)

Respectfully submitted,

Ally

SIGNED BY

President

TITLE

BIDDERS ARE INVITED TO ATTEND BID OPENING

Personnel: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**2. Insurance:**

Upon award of bid, CONTRACTOR shall provide a copy of all insurance certificates identified below within thirty six hours of notification of successful bid and prior to commencement of any services identified in the contract/bid specification. In the event the CONTRACTOR fails to provide the insurance required information, the Town may cancel the award and award to the next lowest bidder.

- a. Proof of Comprehensive General Liability Insurance, including products completed, contractual, property and personal injury in the amount of \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate; and
- b. Proof of professional liability insurance in the amount of (\$1,000,000.00.); and
- c. Proof of Automotive/Equipment Liability (Bodily Injury and Property Damage) insurance in the amount of \$100,000 (per occurrence)/\$300,000 (total).

(In the event CONTRACTOR shall be determined to be the lowest responsible bidder, CONTRACTOR shall be required to provide proof of insurance and name the Town of Riverhead as an additional insured on General Liability Insurance and Professional Liability Insurance.)

**3. Bid Amount:**

[IMPORTANT: Please select either (a) or (b) and complete (c)]

a. Payments

Provide information on any payments that your company will make to the Town of Riverhead in connection with providing the requested service.

Price Paid to Town Per Ton

\$ 0

b. Fees

Provide information on any fees or charges that your company will charge the Town of Riverhead in connection with providing the requested service.

Fee Charged to Town Per Ton

\$ 475.<sup>00</sup>

c. Recycling Fund Requirement

Note, as the Town of Riverhead created a Recycling Fund wherein a percentage of the revenues realized by the CONTRACTOR in the sale of and recycling of e-waste collected from the Town, the selected CONTRACTOR must provide quarterly reports of all E-WASTE collected and clearly and accurately document the recycled commodity amounts with payment in the amount of 20% of said sales to the TOWN for reimbursement for recycling commodity. Notwithstanding the above, the Town of Riverhead is cognizant that the recycling, reuse and reclaiming of materials used and made part of a wide range of electronic equipment (i.e. computers, computer peripherals, televisions, small scale servers, and small electronic equipment, etc.) are likely to have different monetary value, hence, the fee set forth in Section V. 3 (c) is amended to require Contractor to pay a flat fee per ton to the Town for the Recycling Fund.

Recycling Flat Fee Paid to Town Per Ton \$ 0

Note, all costs related to containers, collection, transport, separation, use of equipment, fuel, labor are to be included and incorporated into the payment or cost per cubic yard. The Town shall not be responsible for any other costs to perform the tasks identified in the Request for Proposals.

4. Permit/License:

A copy of permit/license for the facility/company must be annexed to bid.

DATE: 9/12/17  
SIGNED: [Signature]  
TITLE: President

TOWN OF RIVERHEAD

Resolution # 780

**AUTHORIZES TOWN CLERK TO POST AND PUBLISH THE ATTACHED NOTICE TO BIDDERS FOR THE REMOVAL OF HOUSEHOLD HAZARDOUS WASTE**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish the attached Notice To Bidders for the Removal of Household Hazardous Waste in the October 26, 2017 issue of the official Town newspaper; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Engineering Department, Town Attorney, Purchasing Department and the Office of Accounting; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for **REMOVAL OF HOUSEHOLD HAZARDOUS WASTE** will be received by the Town Clerk of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on or before **4:00 pm on December 7, 2017** and will be publicly opened and read aloud at **11:00 am on December 8, 2017** in the Office of the Town Clerk.

Specifications and guidelines for submission of bids may be obtained on the Town of Riverhead website at [www.townofriverheadny.gov](http://www.townofriverheadny.gov) and click on "Bid Requests" beginning **October 26, 2017**.

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

All bids are to be submitted to the Town Clerk's Office, at the address stated above, in a sealed envelope bearing the designation "**REMOVAL OF HOUSEHOLD HAZARDOUS WASTE**". Bids must be received by the Office of the Town Clerk by no later than **4:00 pm on December 7, 2017**.

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

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

Dated: October 17, 2017

TOWN OF RIVERHEAD

Resolution # 781

**RATIFIES AUTHORIZATION TO PARTICIPATE IN THE SUFFOLK COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Federal Stafford Act requires that municipalities have an approved and current Hazard Mitigation Plan in order to receive Hazard Mitigation Grants 404 and 406 from the Federal Government; and

**WHEREAS**, on June 17, 2014, Resolution #433 authorized the Supervisor to adopt the updated 2009 Suffolk County Multi-Jurisdictional Hazard Mitigation Plan; and

**WHEREAS**, the Town of Riverhead affirmed that the Plan would be updated every five years thereby expiring June of 2019.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board hereby ratifies the authorization for the Town Supervisor to sign the letter of intent to participate in the update of the Suffolk County Multi-Jurisdictional Hazard Mitigation Plan; and

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 782**

**APPOINTS AN ACCOUNTANT TRAINEE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, a vacancy exists in the Accounting Department for an Accountant Trainee; and

**WHEREAS**, the Suffolk County Department of Civil Service has certified a list for the title of Accountant Trainee, List #17DC430, and a current employee of the Town of Riverhead is immediately appointable from said list and has, in accordance with the CSEA Contract and in response to Job Posting #16, posted for the position.

**RESOLVED**, that effective November 6, 2017 this Town Board hereby appoints Emily Toth to the position of Accountant Trainee at a rate of pay as found on Group 2, Step 3A of the CSEA Administrative Salary Schedule.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 783

**APPOINTS A WASTEWATER TREATMENT PLANT OPERATOR IIA**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, Brian Cybulski has been serving as a provisional appointment in the position of Wastewater Treatment Plant Operator IIA; and

**WHEREAS**, on September 29, 2017 the Suffolk County Department of Civil Service established a certified List of Eligibles for the position of Wastewater Treatment Plant Operator IIA, and in accordance with Civil Service regulations, Mr. Cybulski is immediately appointable from the County-wide list.

**RESOLVED**, that pursuant to Civil Service regulations, this Town Board hereby removes the provisional status of Brian Cybulski and appoints him from List # 17DC465 to the title of Wastewater Treatment Plant Operator IIA effective October 18, 2017 at no change to his current salary or other level of benefits.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted



**TOWN OF RIVERHEAD**

**Resolution # 784**

**APPOINTS A WASTEWATER TREATMENT PLANT OPERATOR IIA**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, Thomas Gallo has been serving as a provisional appointment in the position of Wastewater Treatment Plant Operator IIA; and

**WHEREAS**, on September 29, 2017 the Suffolk County Department of Civil Service established a certified List of Eligibles for the position of Wastewater Treatment Plant Operator IIA, and in accordance with Civil Service regulations, Mr. Gallo is immediately appointable from the County-wide list.

**RESOLVED**, that pursuant to Civil Service regulations, this Town Board hereby removes the provisional status of Thomas Gallo and appoints him from List # 17DC465 to the title of Wastewater Treatment Plant Operator IIA effective October 18, 2017 at no change to his current salary or other level of benefits.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 785

**APPOINTS A PART-TIME MAINTENANCE MECHANIC II TO THE SENIORS PROGRAMS**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, a vacancy exists for the position of Maintenance Mechanic II in the Home Chore Program at the Riverhead Town Senior Center; and

**WHEREAS**, in accordance with the CSEA contract, this position was duly posted, duly advertised, interviews were conducted, and pending the result of a successfully completely background investigation, a recommendation of a suitable candidate has been made by the Personnel Committee.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby appoints Alan Kavasch to the part-time position of Maintenance Mechanic II effective October 18, 2017 at an hourly rate of \$20.00.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 786

**ACCEPTS THE RETIREMENT OF A BUILDING INSPECTOR**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town has received notice from the New York State and Local Employees' Retirement System regarding the retirement of Richard Podlas, a Building Inspector in the Building Division of the Department of Land Management, effective November 1, 2017.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby accepts the retirement of Richard Podlas.

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Richard Podlas, the Town Building and Planning Administrator, the Personnel Officer and the Financial Administrator. Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device, and if needed, a certified copy of same can be obtained from the office of the Town Clerk

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 787

**APPOINTS A PART-TIME MAINTENANCE MECHANIC I TO THE SENIORS PROGRAMS**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, a vacancy exists for the position of Maintenance Mechanic I in the Home Chore Program at the Riverhead Town Senior Center; and

**WHEREAS**, in accordance with the CSEA contract, this position was duly posted, duly advertised, interviews were conducted, and pending the result of a successfully completely background investigation, a recommendation of a suitable candidate has been made by the Personnel Committee.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby appoints Michael Quick to the part-time position of Maintenance Mechanic I effective October 18, 2017 at an hourly rate of \$17.50.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 788**

**APPOINTS A TEMPORARY SENIOR CITIZEN AIDE**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, a temporary Senior Citizen Aide is needed at the Seniors Center to substitute for the incumbent Senior Citizen Aide who is on an approved leave of absence; and

**WHEREAS**, the Seniors Program Director has made a recommendation to appoint Part-Time Clerk Donna Danowski to this temporary position.

**RESOLVED**, that effective October 18, 2017 this Town Board hereby makes a temporary appointment of Donna Danowski to the position of Full-Time Senior Citizen Aide at an hourly rate of \$17.00.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 789

**AUTHORIZES THE SUPERVISOR TO EXECUTE A MUNICIPAL COOPERATION AGREEMENT BETWEEN THE TOWN OF RIVERHEAD AND THE RIVERHEAD FIRE DISTRICT FOR SAND AND SALT SERVICES**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Town of Riverhead and the Riverhead Fire District wish to enter into a Municipal Cooperation Agreement whereby the Town of Riverhead Highway Department will provide sand and salt services to the Riverhead Fire District; and

**WHEREAS**, the Town of Riverhead will provide this service to the following Fire District locations: Roanoke Avenue Headquarters, Hubbard Avenue, Hamilton Avenue, and Riley Avenue; and

**WHEREAS**, the sand and salt service will cost the Riverhead Fire District \$125.00 each time the service is provided (not per weather event); and

**WHEREAS**, the service only provides salt and sanding of the parking/ramp areas, not walkways or entrances, and does not include plowing.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead authorizes the Supervisor to enter into an agreement with the Riverhead Fire District, in substantially the same form as annexed hereto, for sand and salt services; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolutions to Jonathan D. Brown, Esq., 737 Roanoke Avenue, Riverhead, NY 11901; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**MUNICIPAL COOPERATION AGREEMENT** entered into as of the 1st day of November, 2017, by and between the **RIVERHEAD FIRE DISTRICT**, with offices for the transaction of business located at Roanoke Avenue, Riverhead, New York and the **TOWN OF RIVERHEAD**, with offices for the transaction of business located at 200 Howell Avenue, Riverhead, New York.

**WHEREAS**, the Town of Riverhead, through its Highway Department, is responsible for snow removal from Town roadways and Town property throughout the Town and, as such, the Town Highway Department has the facilities, personnel and equipment to perform snow removal and related tasks, including salt and sanding; and

**WHEREAS**, the Riverhead Fire District has adequate equipment and personnel required to perform snow removal, however, the District lacks adequate equipment and/or facilities for the storage of and application of sand and salt required for parking and ramp areas at the following Fire District locations: Roanoke Avenue Headquarters, Hubbard Avenue, Hamilton Avenue, and Riley Avenue; and

**WHEREAS**, the Riverhead Fire District finds it appropriate and cost effective to contract for salt and sanding services and requests that the Town of Riverhead Highway Department provide assistance to the Fire District limited to the application of salt and sand in the parking and ramp areas identified above; and

**WHEREAS**, the Riverhead Fire District and Town of Riverhead, through its Highway Department, wish to enter into an inter-municipal agreement for such services; and

**WHEREAS**, pursuant to Article 5-G of the General Municipal Law, the Town and Fire District are authorized to enter into a municipal cooperation agreement with respect to salt and sanding services; and

**WHEREAS**, the parties recognize what their respective rights and obligations will be under the agreement; and

**NOW, THEREFORE**, in consideration of the mutual covenants set forth above and fully set forth in the Agreement below, the parties agree as follows:

THIS AGREEMENT is made November 1, 2017 by and between the Town of Riverhead, hereinafter referred as the "TOWN" and the Riverhead Fire District, hereinafter referred as the "DISTRICT", and hereinafter collectively called the "PARTIES".

IT IS HEREBY AGREED by and between the PARTIES, that the TOWN agrees to apply sand and salt, or other material on parking and ramp areas at the following DISTRICT locations: Roanoke Avenue Headquarters, Hubbard Avenue, Hamilton Avenue, and

Riley Avenue during the months of November 1 to April 1 each year that this Agreement is in effect as the Town Highway Superintendent deems it necessary or \*at the request of any one of the following DISTRICT representatives: Kevin Brooks, Ed Carey, Mark Conklin, Bill Kelly, Dennis Hamill, Frank Darrow.

The DISTRICT may alter the list of District representatives at any time. The DISTRICT will notify the Town in writing of any such change.

The DISTRICT shall provide the TOWN with notice that conditions exist such that the parking and ramp areas require the application of salt and/or sand and that DISTRICT has completed or shall complete snow plow activities within one hour from notification such that the areas described above are ready for application of sand and salt by TOWN. This notice shall be satisfied by contacting the Town of Riverhead Highway Department at 727-3200, extension 228 during regular business hours (7:00 am to 3:30 pm) or by contacting George Woodson, Highway Superintendent at 631-466-0141 during non-business hours.

The DISTRICT shall be responsible to plow all snow and ice from the parking area prior to application of salt and/or sand by TOWN and shall make every good faith effort not to plow residual snow onto Town roadways and sidewalks.

The DISTRICT shall be responsible to remove snow and ice, salt and sand all pathways, entrances, exits, means of ingress and egress be it for pedestrian or vehicle access to the buildings, offices, garage or other such structures located on or adjacent to the identified parking areas and it is understood that the TOWN shall not be responsible for or provide any such snow removal, salt or sanding services to such areas.

The Town shall perform such salt and sand application to the same extent and in the same timely fashion as the TOWN shall perform such services on its own Town highways and parking areas.

The TOWN further agrees to supply all labor, machinery, tools and equipment in the performance of the work under this Agreement.

The DISTRICT agrees to reimburse the TOWN for its costs in performing such services, according to the following procedures:

- a. The TOWN agrees to keep, during the period of this AGREEMENT, an itemized annual record of daily operations, on a form to be provided by the Town Highway Superintendent and to submit such completed form together with a certified voucher noting the date, time, location for each application of sand and/or salt; and
- b. The DISTRICT agrees to pay a flat rate of \$125.00 per application to all four identified locations (not per location). It is understood that due to the snow event or conditions related to the snow event (wind, rain etc.), the TOWN may perform



one or more applications at any of the identified locations per day/evening and seek payment for each application.

This AGREEMENT shall be in full force and effect from and after November 2017 until April 2018, unless terminated sooner by either PARTY upon 60 days' notice in writing to the other PARTY.

The Town of Riverhead is self insured and shall maintain said self insured status during the period of this agreement. The Riverhead Fire District shall procure and maintain, at its sole cost and expense, any and all insurance necessary to protect itself from claims for which it may be legally liable arising from the activities contemplated under this Agreement. All policies shall provide for at least thirty (30) days written notice of cancellation or amendment.

Each party agrees to indemnify and hold harmless the other party, its agents and employees from and against all claims, damages, losses and expenses of a third party arising out of or resulting from the sand and salt application to the parking/ramp areas at the four locations provided that such claim, damage, loss or expense is caused in whole or in part by the negligent act or omission of the identifying party or anyone for whose acts it may be liable.

Any alteration, change, addition, deletion or modification of any of the provisions of this Agreement or any right either party has under this Agreement shall be made by mutual assent of the parties in writing and signed by both parties.

This Agreement may not be assigned by either party without the prior written authorization of the non-assigning party.

Nothing contained in this Agreement shall be construed to create an employment or principal-agent relationship or partnership or joint venture, between the Town of Riverhead and the Riverhead Fire District and any officer, employee, servant, agent or independent contractor of the Riverhead Fire District.

This Agreement shall be governed by the Laws of the State of New York. If any portion of this Agreement is found by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall remain in full force and effect.

This Agreement constitutes the full and complete agreement between the Riverhead Fire District and the Town of Riverhead, and supersedes all prior written and oral agreements, commitments or understandings with respect thereto.

This Agreement had been mutually arrived at and shall not be construed against either party as being the drafter or causing this Agreement to be drafted.

The undersigned representative of the Town of Riverhead hereby represents and warrants that the undersigned is an officer, director or agent of the Town of Riverhead

with full legal rights, power and authority to enter into this Agreement on behalf of the Town of Riverhead and bind the Town of Riverhead with respect to the obligations enforceable against the Town of Riverhead in accordance with the terms contained herein.

**IN WITNESS WHEREOF**, the undersigned hereby acknowledge that they have read and fully understand the foregoing Agreement and further, that they agree to each of the terms and conditions contained herein.

**RIVERHEAD FIRE DISTRICT**

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

Printed Name: \_\_\_\_\_

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

**TOWN OF RIVERHEAD**

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

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

TOWN OF RIVERHEAD

Resolution # 790

**AUTHORIZES THE HIGHWAY SUPERINTENDENT TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH VEHICLE TRACKING SOLUTIONS FOR AUTOMATED VEHICLE LOCATION AND MONITORING (AVLM) FOR TOWN OF RIVERHEAD HIGHWAY DEPARTMENT FLEET**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town Board, by Resolution #432 adopted on June 5, 2012, awarded the bid and authorized a Professional Services Agreement between the Town and Vehicle Tracking Solutions for automated vehicle location and monitoring services including lease of GPS equipment, installation of GPS equipment, cellular services, unlimited training, and free service calls for Riverhead Highway Department Fleet for a three year contract; and

**WHEREAS**, pursuant to the terms of the bid specifications and Professional Services Agreement, by a series of resolutions, Resolution #112 adopted on February 3, 2015, Resolution #71 adopted on February 2, 2016, Resolution #245 adopted on April 4, 2017 (note, Resolution #245 was nunc pro tunc approval from January 1, 2017 to June 30, 2017), the Town Board extended the contract with Vehicle Tracking Solutions under the same terms and conditions set forth in the original Professional Services Agreement; and

**WHEREAS**, the Highway Department has continued to use the services of Vehicle Tracking Solutions and some time ago requested that the Professional Services Contract be extended and/or re-negotiated such the Highway Department may continue to use the automated vehicle location and monitoring services and equipment installed and maintained by Vehicle Tracking Solutions; and

**WHEREAS**, as stated above, the original Professional Services Agreement required initial installation/mounting of GPS equipment with lease of equipment, power cable configuration, voice input and output in the Highway Department Fleet plus programming for such items, including but not limited to, color coded vehicle status, route playback, landmarks, geofencing, real-time traffic updates, speed gauge notification system; Bing mapping and map maintenance, and reporting and alerts including detail, start/end of day, odometer, engine idle, hours of operation, non-responsive units, congregation report, automatic e-mail reports, text alerts; and

**WHEREAS**, with the exception of replacement, upgrade, request to transfer equipment between vehicles in the Highway Department Fleet or possibility to add one or two additional vehicles, the majority of services required at this time to continue the vehicle tracking and monitoring, include maintenance, upgrades, functionality and reliability of all programs described in the paragraph above, together with data checks, data storage, data security, data access, and data maintenance and ongoing training and technical support; and

**WHEREAS**, based upon the above, the Highway Superintendent contacted Vehicle Tracking Solutions and negotiated an agreement whereby Vehicle Tracking Solutions would honor the prior terms and conditions set forth in the original professional services agreement nunc pro tunc effective July 1, 2017 to December 31, 2017 and effective January 1, 2018 to June 30, 2020 (for a period of two and one half (2½) years) at a reduced cost for all professional services required for automated vehicle location and monitoring services.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead authorizes the Highway Superintendent to execute a Professional Services Agreement with Vehicle Tracking Solutions, in substantially the same form as annexed hereto; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

## **CONSULTANT/PROFESSIONAL SERVICES AGREEMENT**

This Agreement made the        day of        , 2017 between the TOWN OF RIVERHEAD, a municipal corporation organized and existing under the laws of New York, with its office located at 200 Howell Avenue, Riverhead, New York 11901 (hereinafter referred to as the "TOWN") and Vehicle Tracking Solutions, a corporation existing under the laws of the State of New York with a principal place of business at 152 Veterans Memorial Highway, Commack, NY 11725 (hereinafter referred to as "CONSULTANT").

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

### **1. SCOPE OF SERVICES**

During the term of this Agreement, Consultant shall furnish the services set forth below as an independent contractor and not as an employee of Town. Consultant shall provide Silent Passenger, a fleet management program, to effectively and efficiently monitor the Town Highway Department fleet (approximately 62 vehicles). Consultant services include lease of GPS equipment, installation of GPS equipment, cellular services, unlimited training, and free service calls. Specifically, Vehicle Tracking Solutions shall provide:

a) Silent Passenger including: fleet status, fleet view mode, vehicle bubbles, color coded vehicle status, route playback, landmarks, geofencing, administrative access, preferences, help, map navigation, vehicle maintenance program, satellite and birds eye views, real-time traffic updates, closest vehicles, speedgauge notification system.

b) Bing mapping and map maintenance, android and iPhone apps, silent passenger API.

c) Reporting and Alerts including: on demand reports, stops with options, route, speed, speedgauge, detail, start/end of day, odometer, engine idle, hours of operation, non-responsive units, congregation report, geofence report, automatic e-mail reports, text alerts.

d) Security, Ownership and Coverage including: data storage, data security, data access, data ownership, data maintenance, AVLM coverage and location data reliability, AVLM outages, system scalability, functional expandability.

e) Equipment Specifications and Installations including: AVL equipment, mounting, power cable configuration, optional serial port, voice, input and output, estimate time for installation, hardware transferability.

f) Training including: initial on-site and/or remote training for standard users, initial training for system administrators, ongoing training and technical support, user guides, video tutorials and implementation guides to help users integrate the Silent Passenger application.

g) Warranty and Support including: full hardware warranty on installed equipment, VTS will provide all wireless data communication services and will be available on a 24/7/365 basis if Silent Passenger, or any component thereof, is inoperable or malfunctioning.

### **2. TERM OF AGREEMENT**

Upon execution of this agreement, this Agreement shall be deemed to have commenced on July 1, 2017 and shall expire June 30, 2020. (See Town Board Resolution #        authorizing the contract nunc pro tunc and determining effective date of July 1, 2017)

### 3. PAYMENT

For these services and limited to the period July 1, 2017 to December 31, 2017, Town of Riverhead will pay Consultant a fee not to exceed \$26.99 per month for each vehicle (includes lease of GPS equipment, installation, cellular service); a reduction of fee for each vehicle placed on "limited real time" (monthly fee reduced to \$5.00 per vehicle placed on "limited real time", unlimited training, free service calls and upload all data quarterly at no charge and GPS transfers by Consultant limited to billing at \$65.00 per hour (approx 1 hour) and/or free training from Consultant technician such that transfers may be completed by Town personnel. For the period beginning January 1, 2018 through to June 30, 2020, Town of Riverhead will pay Consultant a fee not to exceed \$23.00 per month for each vehicle (includes lease of GPS equipment, installation, cellular service); a reduction of fee for each vehicle placed on "limited real time" (monthly fee reduced to \$5.00 per vehicle placed on "limited real time", unlimited training, free service calls and upload all data quarterly at no charge and GPS transfers by Consultant limited to billing at \$65.00 per hour (approx 1 hour) and/or free training from Consultant technician such that transfers may be completed by Town personnel.

### 4. RIGHTS TO DOCUMENTS OR DATA

All information and data, regardless of form, generated in the performance of, or delivered under, this Agreement, as well as any information provided to Consultant by Town, shall be and remain the sole property of Town. Consultant shall keep all such information and data in confidence and not disclose or use it for any purpose other than in performing this Agreement, except with Town's prior written approval. In the event that the legal right in any data and information generated in the performance of this Agreement does not vest in Town by law, Consultant hereby agrees to assign and assigns to Town such legal rights in all such data and information. Final payment shall not be due hereunder until after receipt by Town of such complete document and data file, or a certification that there is no such information created by the services performed under this agreement, and receipt of all information and data which is the property of Town. These obligations shall survive the termination of this Agreement.

### 5. PUBLICITY

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

### 6. ASSIGNMENT AND SUBCONTRACTING

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

### 7. TERMINATION

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

## 8. RECORDS

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

## 9. CHANGES

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

## 10. NOTICES

Any notice shall be considered as having been given: (i) to Town of Riverhead if mailed by certified mail, postage prepaid to Town of Riverhead, Attention: Town Financial Administrator, 200 Howell Avenue, Riverhead, NY 11901; or (ii) to Consultant if mailed by certified mail, postage prepaid to Attention: John M. Cunningham Jr., President/CEO, Vehicle Tracking Solutions, 152 Veterans Memorial Highway, Commack NY 11725.

## 11. COMPLIANCE WITH LAWS

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

12. INSURANCE, INDEMNITY AND LIABILITY

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

13. CONFLICT OF INTEREST

Consultant hereby represents and covenants that neither it nor any of its employees or representatives has or shall have, directly or indirectly, any agreement or arrangement with any official, employee or representative of the Town of Riverhead which any such official, employee, representative shall receive either directly or indirectly anything of value whether monetary or otherwise as the result of or in connection with any actual or contemplated application before any department of the Town, contract with the town for sale of any product or service. Consultant further represents and covenants that neither it nor any of its employees or representatives has offered or shall offer any gratuity to the Town, its officers, employees, agents or representatives with a view toward obtaining this Agreement or securing favorable treatment with respect thereto. Consultant further represents that it will not engage in any activity which presents a conflict of interest in light of its relationship with Town.

14. DISCLOSURE

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

15. DISPUTES

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

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

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By: Sean M. Walter, Supervisor  
Town of Riverhead  
200 Howell Avenue  
Riverhead, NY 11901

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By: John M. Cunningham Jr., Pres./CEO  
Vehicle Tracking Solutions  
152 Veterans Memorial Highway  
Commack, NY 11725



TOWN OF RIVERHEAD

Resolution # 791

**AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT WITH RIVERHEAD SOCCER CLUB FOR TRAINING AND REFEREE SERVICES FOR TOWN OF RIVERHEAD POLICE ATHLETIC LEAGUE GIRLS AND BOYS SOCCER PROGRAM FOR 2017 CALENDAR YEAR**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town of Riverhead Police Athletic League is a non-profit organization that provides organized sports programs, activities, and education for children ages 5-13 designed with the intent of giving children healthy social and behavioral skills and the goal to reduce their susceptibility to gang involvement, alcohol and drug use and delinquency; and

**WHEREAS**, the Riverhead Soccer Club provides professional officials and trainers to provide instruction and to referee games; and

**WHEREAS**, the Riverhead Soccer Club has offered to provide trainers to provide instruction/training to participants in the PAL Soccer Program and provide professional officials to referee games for the 2017 Girls and Boys Soccer Programs offered to girls and boys in Riverhead that are part of and affiliated with the Town of Riverhead Police Athletic League.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Supervisor to enter into an agreement with the Riverhead Soccer Club, in substantially the same form as annexed hereto, for training and referee services for the 2017 Girls and Boys Soccer Programs as part of and affiliated with the Town of Riverhead Police Athletic League in an amount not to exceed \$7,400.00; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the Office of Accounting; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**AGREEMENT BETWEEN TOWN OF RIVERHEAD ON BEHALF OF  
TOWN OF RIVERHEAD POLICE ATHLETIC LEAGUE AND  
RIVERHEAD SOCCER CLUB**

**THIS AGREEMENT** made and entered into this \_\_\_\_ day of November, 2017, by and between the Town of Riverhead, a municipal corporation duly existing under the laws of the State of New York, (hereinafter referred to as the "Town"), with its principal place of business located at 200 Howell Avenue, Riverhead, NY and the Riverhead Soccer Club, having an address at 47 Jakes Lane, Calverton, NY 11933.

**WHEREAS**, the Town of Riverhead Police Athletic League is a non-profit organization that provides organized sports programs, activities, and education for children ages 5-13 designed with the intent of giving children healthy social and behavioral skills and the goal to reduce their susceptibility to gang involvement, alcohol and drug use and delinquency; and

**WHEREAS**, the Riverhead Soccer Club provides professional officials and trainers to provide instruction and to referee games; and,

**WHEREAS**, the Riverhead Soccer Club has offered to provide professional trainers for instruction/training to participants in the PAL Soccer Program and provide professional officials to referee games for the 2017 Girls and Boys Soccer Programs offered to girls and boys in Riverhead that are part of and affiliated with the Town of Riverhead Police Athletic League; and

**WHEREAS**, by Resolution # \_\_\_\_\_ adopted on October 17, 2017, the Town Board authorized the Supervisor to enter into an agreement with Riverhead Soccer Club for training and referee services for 2017 Girls and Boys Soccer programs as part of and affiliated with the Town of Riverhead Police Athletic League in an amount not to exceed \$7,400.00.

**NOW THEREFORE**, in consideration of the mutual covenants and agreements herein, the parties agree as follows:

**SECTION 1. Purpose:**

The purpose of this Agreement is to contract with Riverhead Soccer Club to provide and arrange for officiating services for the girls and boys soccer programs offered as part of and affiliated with the Town of Riverhead Police Athletic League to increase the public health, safety, and quality of life for the youth of the Town of Riverhead. The extent of the Town's payment for services hereunder to Riverhead Soccer Club is intended to provide social and recreational programs and services that enable youth, especially from poor or otherwise disadvantaged family backgrounds, to participate in these healthy and productive programs to reduce crime and increase youth opportunities for productive activities within the community.

**SECTION 2. Scope of Work:**

Riverhead Soccer Club shall provide and arrange for officiating services for the 2017 Girls and Boys Soccer Programs offered to the youth of Riverhead as part of and affiliated with the Town of Riverhead Police Athletic League.

### SECTION 3. Duration of Contract:

The term of this agreement shall commence on September 12, 2017 and expire at the end of the 2017 Town of Riverhead Police Athletic League Girls and Boys Soccer season.

### SECTION 4. Consideration:

As consideration for the services provided, as specified in Paragraph 2, the Town will reimburse or provide \*payment the Riverhead Soccer Club for a sum of money not to exceed \$7,400.00 for 2017 Girls and Boys Soccer Programs to provide and arrange for officiating services for said program(s) that are part of and affiliated with the Town of Riverhead Police Athletic League during the contract period. Riverhead Soccer Club may submit vouchers seeking payment or reimbursement for monies spent on officiating services on a biweekly or monthly basis during the contract period. \*To the extent that Riverhead Soccer Club seeks payment prior to completion of officiating services, Riverhead Soccer Club shall be required to provide the Town with documentation to substantiate costs related to such services within 60 days. It is agree and understood that consideration is limited to payment or reimbursement of monies/costs related to officiating services and no additional costs, charges, or fees are permitted under this agreement.

### SECTION 5. Relationship:

The Town and Riverhead Soccer Club intend that an independent contractual relationship be created by this contract. The Riverhead Soccer Club is not considered to be an employee of the Town for any purpose and neither the Riverhead Soccer Club nor any employee of the Riverhead Soccer Club shall be entitled to any of the benefits the Town provides for the Town's employees, including, but no limited to, health insurance, sick or annual leave, or workers compensation. The Riverhead Soccer Club specifically represents and stipulates that the Riverhead Soccer Club is engaged in the business of providing the services set forth in this contract, whether or not for profit, and that the Riverhead Soccer Club is fully registered and legally authorized to conduct such business, and pays all necessary taxes and assessments levied against such business. The terms of this agreement are not intended to create any duties, obligations or liabilities to any third parties. Neither party intends this agreement to create any third-party beneficiaries to this agreement.

### SECTION 6. Suspension, Termination, and Close Out:

If the Riverhead Soccer Club fails to comply with the terms and conditions of this contract, the Town may pursue such remedies as are legally available, including, but not limited to, the suspension or termination of this contract.

### SECTION 7. Changes, Amendment, Modifications:

The Town and Riverhead Soccer Club may, agree from time to time, to change or modify the Scope of Work to be performed hereunder. Any such change, amendment or modification shall be in writing and signed by all parties.

### SECTION 8. Assignability:

The Riverhead Soccer Club shall not assign any interest on this contract and shall not transfer any interest on the contract without prior written consent of the Town.

SECTION 9. Reports and Information:

The Riverhead Soccer Club, at such times as and in such form as the Town may require, shall furnish the Town such periodic reports, including an accounting for the expenditures of Town funds, as it may request pertaining to the work of services undertaken pursuant to the contract, the costs and obligations incurred or to be incurred in connection therewith, and any other matters covered by this contract.

SECTION 10. Liability and Indemnification:

The Riverhead Soccer Club agrees to hold the Town harmless and shall indemnify and defend all claims, demands, or suits of law or equity arising from the negligent or intentionally wrongful actions or omissions of the Riverhead Soccer Club or the Riverhead Soccer Club officials or agents in providing the services called for under this agreement.

SECTION 11. Severability:

If any portion of this Agreement is held to be invalid or unenforceable for any reason, such holding shall not affect the validity or enforceability of any of the remaining portion.

**IN WITNESS WHEREOF**, the Town and the Riverhead Soccer Club have executed this contract agreement as of the date and year last written below:

TOWN OF RIVERHEAD:

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

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Attorney

RIVERHEAD SOCCER CLUB

\_\_\_\_\_  
Riverhead Soccer Club President

\_\_\_\_\_  
Date

**TOWN OF RIVERHEAD**

**Resolution # 792**

**AWARDS BID FOR CHEMICALS FOR TOWN OF RIVERHEAD SEWER DISTRICT**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, the Town Board, by Resolution #689 adopted on September 6, 2017, authorized the Town Clerk to publish and post a notice to bidders for sealed bids for Chemicals for Town of Riverhead Sewer District; and

**WHEREAS**, nine (9) bids were received, opened and read aloud on the 29<sup>th</sup> day of September, 2017 at 2:00 p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders; and

**WHEREAS**, the Superintendent for the Town of Riverhead Sewer District did review and evaluate the responses to the bid solicitation and recommends that the bid be awarded as follows: Triathlon Industries: Item #1 Sodium Hydroxide and Item #5 Ferric Chloride; Shannon Chemical Corp.: Item #2: Potassium Permanganate; Coyne Chemical: Item #3 Sodium Bicarbonate and Item #4 PPG Accu-Tab SL Chlorine Tablets; Maxwell Turf & Supply Company: Item #6: Hydrated Lime; and Twin County Swimming Pool: Item #7: Sodium Hypochlorite.

**NOW THEREFORE BE IT RESOLVED**, the Town Board, as governing body of the Town of Riverhead Sewer District, awards the bid for chemicals as follows: Triathlon Industries: Item #1 Sodium Hydroxide and Item #5 Ferric Chloride; Shannon Chemical Corp.: Item #2: Potassium Permanganate; Coyne Chemical: Item #3 Sodium Bicarbonate and Item #4 PPG Accu-Tab SL Chlorine Tablets; Maxwell Turf & Supply Company: Item #6: Hydrated Lime; and Twin County Swimming Pool: Item #7: Sodium Hypochlorite; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to all vendors listed above, the Purchasing Department and the Town of Riverhead Sewer District attention: Superintendent Reichel; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 793

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR DOWFLAKE EXTRA  
83-87% CALCIUM CHLORIDE OR EQUAL FOR THE TOWN OF RIVERHEAD**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Town Clerk is authorized to publish and post a notice to bidders for proposals for **DOWFLAKE EXTRA 83-87% CALCIUM CHLORIDE OR EQUAL** for the Town of Riverhead.

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk is hereby authorized to publish and post the following public notice in the October 26, 2017 issue of the News Review; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **DOWFLAKE EXTRA 83-87% CALCIUM CHLORIDE OR EQUAL** for use in the Town of Riverhead, New York will be received at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until **2:00 PM on November 9, 2017** at which time they will be publicly opened and read aloud.

Specifications and guidelines for submission are available on the Town of Riverhead website at [www.townofriverheadny.gov](http://www.townofriverheadny.gov) beginning **October 26, 2017**. Click on "Bid Requests" and follow the instructions to register.

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 OR EQUAL**" and attached to the bid form.

All bids must be submitted to the Office of the Town Clerk at the address stated above in a sealed envelope clearly marked "**DOWFLAKE EXTRA 83-87% CALCIUM CHLORIDE OR EQUAL**". Bids must be received by the Office of the Town Clerk by no later than **2:00 pm on November 9, 2017**.

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

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD  
Diane M. Wilhelm, Town Clerk

TOWN OF RIVERHEAD

Resolution # 794

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST A NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 245 ENTITLED, "LITTERING AND GRAFFITI" OF THE RIVERHEAD TOWN CODE (§245-2. Definitions.)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**RESOLVED**, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider a proposed local law for the amendment of Chapter 245 entitled, "Littering and Graffiti" of the Riverhead Town Code, once in the October 26, 2017 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted



**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 8th day of November, 2017 at 2:05 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 245 of the Riverhead Town Code entitled, "Litter and Graffiti" as follows:

**Chapter 245  
LITTER AND GRAFFITI  
ARTICLE I  
Littering**

**§ 245-2. Definitions.**

The following terms used in this article shall have the following meanings:

LITTER/PAPER; WASTE/RUBBISH – All waste material of any nature whatsoever, including but not limited to paper and plastic bags, paper and plastic cups, pet wastes, foodstuffs, food wrappings, cigar and cigarette butts, newspapers, advertisements, flyers, handbills, cans, bottles or glass, which tends to create a danger to public health, safety and welfare and/or which creates an unsightly condition, whether or not the waste material was generated by the owner of the property, by a lessee of the owner or a customer of the owner or lessee.

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

Dated: Riverhead, New York  
October 17, 2017

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

**DIANE M. WILHELM**, Town Clerk

TOWN OF RIVERHEAD

Resolution # 795

**ADOPTS A LOCAL LAW AMENDING CHAPTER 263 ENTITLED, "RENTAL DWELLING UNITS" TO THE RIVERHEAD TOWN CODE**  
**(§263-4. Rental occupancy permit required.)**

Councilman Wooten 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 to amend Chapter 263 entitled, "Rental Dwelling Units" to the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the 4<sup>th</sup> day of April, 2017 at 2:15 o'clock p.m. at 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 263 entitled, "Rental Dwelling Units" to the Riverhead Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE**, that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 263 entitled "Rental Dwelling Units" to the Riverhead Town Code at its regular meeting held on October 17, 2017.

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

**Chapter 263  
RENTAL DWELLING UNITS**

**§ 263-4. Rental occupancy permit required.**

- A. It shall be unlawful and a violation of this chapter for any person or entity who owns or is a "managing agent" as defined in this chapter of a dwelling unit in the Town, to use, establish, maintain, operate, let, lease, rent, or suffer or permit the occupancy and use thereof as a rental occupancy by someone other than the owner without first having obtained a valid rental occupancy permit therefor. Failure or refusal to procure a rental occupancy permit hereunder, shall be deemed a violation.

- Underscore represents addition(s)

Dated: Riverhead, New York  
October 17, 2017

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

**DIANE M. WILHELM**, Town Clerk

TOWN OF RIVERHEAD

Resolution # 796

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE RIVERHEAD BUSINESS IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION, INC. REGARDING 2018 CALENDAR YEAR EVENTS AND SERVICES**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, the Town of Riverhead, with the assistance of the Riverhead Business Improvement District Management Association, Inc. (BIDMA), wishes to continue to administer the District Plan as adopted by the Town of Riverhead pursuant to Local Law No. 222 of 1991, during the 2018 calendar year.

**WHEREAS**, BIDMA has recommended a series of events and services more fully delineated in the attached agreement.

**NOW THEREFORE BE IT RESOLVED**, that the Town Supervisor is authorized to execute the attached agreement with the Riverhead Business Improvement District Management Association, Inc. regarding 2018 calendar year events and services; and

**BE IT FURTHER RESOLVED**, that the Town of Riverhead Accounting Department is authorized to modify the budget for Fund 118-Business Improvement District to conform to Schedule A of the 2018 calendar year agreement; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be forwarded to Steven Shauger, President, Riverhead Business Improvement District Management Association, Inc., 200 Howell Avenue, Riverhead, New York 11901, the Accounting Department and the Office of the Town Attorney; and

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

Agreement

made between the

TOWN OF RIVERHEAD  
(Business Improvement District)

-and-

RIVERHEAD BUSINESS IMPROVEMENT DISTRICT  
MANAGEMENT ASSOCIATION, INC.

This Agreement made the 17th day of October 2017, between the Town of Riverhead Business Improvement District (“BID”), with principal offices located at 200 Howell Avenue, Riverhead, New York, 11901, and the Riverhead Business Improvement District Management Association, Inc. (“BIDMA”), a not-for-profit corporation organized under the laws of the State of New York, having its principal offices at 200 Howell Avenue, Riverhead, New York, 11901.

NOW, THEREFORE, the parties mutually agree that:

1. The BIDMA shall proffer projects, capital improvements, events and services in regard to the BID which are attached hereto as Schedule A. The calendar year 2018 projects/events/services delineated in the attached Schedule A shall be deemed co-sponsored by both the BID and BIDMA and are hereby approved. However, the BID reserves the unilateral right to require BIDMA to procure additional liability insurance, even in regard to co-sponsored events. BIDMA agrees to timely apply for, obtain approval and comply with all applicable Riverhead Town Code Chapter 255 conditions. BID, as a co-sponsor of such events, shall waive Chapter 255 permit fees regarding BIDMA’s Chapter 255 applications. BID shall provide all proper and reasonable funding regarding administrative services/expenses incurred by the BIDMA necessary to carry out the District Plan as adopted by the Town of Riverhead pursuant to Local Law #222 of 1991. Administrative services as specified herein are defined as payment of employee salaries and the associated payroll expenses, rent, purchase of incidental office supplies, telephone expenses, photocopier expenses, insurance and advertising expenses and any other expenses related to the actual administration of the BID. The BIDMA shall provide a detailed, comprehensive and exhaustive accounting of all actual and anticipated administrative services/expenses it has or anticipates it shall incur during the term of this Agreement prior to execution of this Agreement. The BID shall pay all legitimate, proper and necessary administrative expenses in a timely manner as addressed in Schedule A. The BIDMA agrees to provide all documentation, written, recorded or otherwise in support of its determination of administrative

services/expenses to the Chief Financial Administrator on a monthly basis and to any member of the Town Attorney's Office, if requested, within three business days, or if not available, within a reasonable time.

2. The BIDMA shall proffer and recommend to the BID-Town Board designated projects, including capital improvements, events and services designed for the purpose of promoting and enhancing the business improvement district in the interests of economic stimulus and/or betterment of the district as a whole.
3. The BIDMA shall submit a written list of projects, including suggested capital improvements, events and services, including actual or estimated costs with supporting documentation and projected dates of commencement/completion it recommends for approval to the BID on or before September 1 for those projects, events and services anticipated to occur on or after January 1<sup>st</sup> of the following calendar year. In addition, the BIDMA shall submit its budgetary request regarding its recommended list of projects, including capital improvements, events and services, as well as its projected administrative expenses to the Town of Riverhead's Chief Financial Officer on or before September 1. The recommendations of the BIDMA are not binding upon the Bid-Town Board which may approve or disapprove any or all of the recommendations. For those projects, events or services that the BIDMA wishes to recommend and becomes aware of after October 1, the BIDMA shall forthwith notify the BID of its recommendation in the same format addressed above. The BIDMA shall and must provide a valid and properly authorized written BIDMA resolution by its board approving the recommended projects, capital improvements, events, services, costs and budget allocations before the BID shall consider same for approval.
4. Notification Procedure of recommended projects, events or services.

The BIDMA shall notify the BID of all recommended projects, events or services by submitting in writing to each town board member a list of recommended projects, events, or services so recommended. The BID shall consider and address each of the recommended projects, events or services in work session and notify BIDMA of its decision in a timely manner. The BIDMA shall make available to the BID one or more persons who are familiar with the recommended projects, events or services whom shall be present at the scheduled work session. Said representative shall be made available for any subsequent meetings of the BID on an as-needed basis. The BID shall consider each recommended project, event or service and the anticipated cost of same. For those projects, events or services so approved by the BID, the BID shall provide the necessary funding to the BIDMA in a timely manner. The BID reserves the right to request additional information and/or documentation at any time and may withhold partial or full payment in the absence of same.

5. Location of meetings.

All BIDMA meetings shall take place at the Riverhead Town Hall board meeting room at dates and times to be determined by the parties to this agreement. All monthly meeting dates shall be provided in writing to each town board member and the town attorney's office no later than 30 days before any scheduled meeting, including all special meetings. In the event that the BIDMA schedules all of its monthly meetings before the subject calendar year, a schedule of same shall be provided to each town board member and the town attorney's office within 10 days of publication.

6. Minutes/Agenda of meetings.

The BIDMA secretary or designee shall keep an accurate record of all business that comes before the BIDMA, including but not limited to: subject matter, identification of all parties at the meetings (including directors, officers and members and nature of participation) and resolutions, including resolution number and identification of voting interests. An accurate record of all business that comes before the BIDMA shall be provided to the BID-Town Board, Town Attorney's Office and the Chief Financial Officer within seven (7) days of the subject meeting.

7. Attendees at meetings.

The BID and BIDMA hereby acknowledge and agree that every meeting shall be open to the general public, except that an executive session of such association may be called and business transacted thereat in accordance with the New York State Public Officers Law section 105.

8. Assignment

This Agreement may not be assigned by the BIDMA without the express written consent of the Town of Riverhead Business Improvement District.

9. Term of the Agreement.

The term of this Agreement shall commence on January 1, 2018, and expire on December 31, 2018, and shall not be renewed except upon the written consent of all parties.

10. Records.

The BIDMA further agrees to provide any and all documents, records, notes, or other information regarding all recommended projects, events or services regarding the business improvement district immediately upon request by the

BID-Town Board, Town's Financial Administrator and/or Chief Fiscal Officer and any employee of the Town Attorney's Office, or anyone so designated by the above parties to receive same within three (3) days of such request.

11. Insurance

The BIDMA shall procure insurance in amounts and at policy limits as may be determined by the BID notwithstanding any other insurance requirements or obligations pursuant to New York State Law.

12. Director/Officer Elections

The BIDMA shall notify the BID of all candidates for director and officer positions in writing no later than ten (10) days before the respective election regarding the respective classification and position; for example, commercial property owner or commercial tenant and/or officer position and the subject term. The BIDMA shall notify the BID in writing of all election results within three (3) days of the election, including classification, title and term of office.

13. Independent Contractor

Notwithstanding anything contained herein to the contrary, it is specifically understood and agreed that, in the performance of the terms, covenants and conditions of the Agreement, neither the BIDMA nor any of its officers, directors, employees, agents or independent contractors shall be deemed to be acting as agents, servants, or employees of the Town by virtue of this Agreement or by virtue of any approval, permit, license, grant, right or other authorization given by the Town of any of its officers, agents or employees pursuant to this Agreement, but shall be deemed to be independent contractors performing services for the BID or the BIDMA, as the case may be, without power or authority to bind the Town and shall be deemed solely responsible for all acts taken or omitted by them in the performance of or otherwise pursuant to this Agreement.

14. Indemnification

- (a) Except as otherwise expressly stated herein, the BIDMA hereby assumes liability for, and hereby agrees to indemnify, protect, defend, save and hold harmless, the BID-Town from and against any and all liabilities, obligations, losses, damages, penalties, claims, actions, suits, costs, expenses and disbursements, including, without limitations, reasonable legal and investigative fees and expenses, of whatsoever kind and nature (hereinafter called "Liabilities") which may be incurred or imposed at any time (whether during the Agreement Term or thereafter) on the BID-Town (whether or not also indemnified against by any other person) and in any way relating to or arising out of, or alleged (by a person other than the BID-Town) to in any way



relate to or arise out of any act, omission or error in judgment of any performance of the Agreement, actively, passively or otherwise by the BIDMA, its members, directors and/or officers. Such liabilities shall include, without limitations, the following: claims or penalties arising from any violation of any federal, state or local laws, rules or regulations or insurance requirements, as well as any claim resulting from latent, patent, and other defects, whether or not discoverable by the BID-Town, any claim the insurance as to which is inadequate, any claim for patent, trademark or copyright infringement, any tort claim or claim for damages, any claim or liability in respect to any adverse environmental impact or effects. The BIDMA shall assume full responsibility for the defense against or settlement of any such liability, and the BID-Town shall cooperate with the BIDMA by providing, at the expense of the BIDMA, such witnesses, documents and other assistance as the BIDMA may reasonably request; provided, however, that: (i) the BID-Town shall be consulted as to the legal counsel to be employed in respect hereof and may veto, for good cause shown, the employment of any legal counsel unacceptable to it and (ii) if the BID-Town shall give to the BIDMA notice that, in good faith judgment, an important general interest of the BID-Town is involved in such liability or potential liability, the BID-Town shall have the right to consult with the BIDMA in the defense against or settlement of such liability.

- (b) The BIDMA shall require each of its contractors and subcontractors to agree to indemnify the Town and assume liability for injuries on the same basis as the BIDMA under subsection (a) above.
- (c) The obligations of the BIDMA under this section shall survive the expiration or earlier termination of this Agreement and are expressly made for the benefit of, and shall be enforceable by the Town without necessity of declaring this Agreement in default.

15. Notice

Each written notice, demand, request or other communication in connection with this Agreement shall be either served in person, with delivery or service acknowledged in writing, by the party receiving the same, or deposited in the United States mail by certified mail, return receipt requested, postage prepaid and addressed to:

- (a) the Town Attorney's Office at the address hereinafter set forth:

(b) the Town and/or Supervisor at:

Supervisor Sean M. Walter  
Riverhead Town Hall  
200 Howell Avenue  
Riverhead, New York 11901

Town Attorney's Office  
Riverhead Town Hall  
200 Howell Avenue  
Riverhead, New York 11901

and to the BIDMA at: 200 Howell Avenue  
Riverhead, New York 11901

or such other addresses as may be specified by written notice sent in accordance herewith. Every notice, demand, request, or other communication hereunder shall be deemed to have been given at the time of mailing as aforesaid.

16. Amendments

Changes may be made to this Agreement by written amendment approved by the BID and the BIDMA. All such changes, modifications and amendments shall become part of the original Agreement.

17. Alcohol-Related Events

BIDMA acknowledges, understands and agrees, to the following conditions regarding any event delineated in the attached Schedule A, or amendments thereto, whereby alcohol shall be sold, served or consumed:

- (a) BIDMA shall require each alcohol vendor participating in the event, defined as any party or entity selling, or serving or providing alcohol for consumption, to provide sufficient insurance liability coverage, based upon the number of participants or attendees in the event, which shall be subject to approval by the Town Attorney's Office and its Insurance Administrator, in its discretion.
- (b) The BID, specifically, The Town of Riverhead, and BIDMA, shall be named in all certificates of liability insurance coverage, as additional insureds, regarding alcohol coverage, with proper endorsement.
- (c) The certificate of insurance must be provided to the Town Attorney's Office no later than fourteen (14) days before the scheduled event. The Town reserves the right to require additional insurance coverage it so deems in its best interests.
- (d) BIDMA shall provide to the Town copies of all applicable New York

State Liquor Authority licenses, certificates and other appropriate documents no later than fourteen (14) days before the applicable event, from each of the participating alcohol vendors.

- (e) BIDMA acknowledges, understands and agrees to obtain RTC Chapter 255 approvals in a timely manner.
- (f) BIDMA acknowledges, understands and agrees that failure to provide the requisite documents in applicable time frames may result in revocation of the subject Chapter 255 approval(s).

18. Entire Agreement

This Agreement contains all the terms and conditions agreed upon by the parties hereto and no other agreement, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

IN WITNESS HEREOF, this Agreement is effective as of the date this Agreement has been duly executed by the respective parties on the date last written herein.

RIVERHEAD BUSINESS IMPROVEMENT  
DISTRICT MANAGEMENT ASSOCIATION, INC.

\_\_\_\_\_  
By: Steven Shauger, President

\_\_\_\_\_  
Date

TOWN OF RIVERHEAD  
BUSINESS IMPROVEMENT DISTRICT

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

\_\_\_\_\_  
Date

# 2018 BIDMA Budget Cover Sheet

Schedule A		2018 B.I.D.M.A.	1st Payment	2nd Payment	3rd Payment	Final 2018 Budget	Comments
		Payment schedule	1/9/2018	3/9/2018	7/13/2018	Tax Payment	
		Tax Disbursement	\$ 31,309	\$ 52,325	\$ 27,567	\$ 111,201	
<b>Budget Breakdown</b>							
Administration	Accountant	\$ 2,700	\$ 2,700			\$ 2,700	
	Advertising	\$ 8,400	5,000	1,200	1,200	\$ 8,400	\$5,000 for EETA Marketing Grant, Local Monthly Ads (6 Mo), non event specific ads, Misc Legal Ads (Annual Election, Budget)
	Capital Improvements / Grant Match	\$ 27,811	9,271	9,270	9,270	\$ 27,811	\$10,811 for grant match/capital improvement project, \$13,000 for DTR Sign Grant, \$2,000 Refinish Taft Building, \$2,000 Lamp Post Banners
	Computer	\$ 1,000	1,000			\$ 1,000	Laptop Upgrade
	Insurance	\$ 581			581	\$ 581	Board of Directors Ins
	Supplies & Materials	\$ 600	200	200	200	\$ 600	Supplies for ED and Office
	ED Payroll	\$ 30,900	10,300	10,300	10,300	\$ 30,900	Executive Director (3% Increase)
	ED Payroll Processing	\$ 300	300			\$ 300	\$300/yr Intuit Quickbooks
	ED Payroll Taxes	\$ 2,364	788	788	788	\$ 2,364	7.65% FICA
	ED Unemployment	\$ 350	350			\$ 350	4.1% on first \$8,500
	ED Workers Comp	\$ 400	400			\$ 400	NYSIF or Paychex
	ED Disability Insurance	\$ 60			60	\$ 60	\$60 Minimum
	Rent	\$ -				\$ -	
	118.064100.543925	\$ 75,466	\$ 31,309	\$ 21,758	\$ 22,399	\$ 75,466	
<b>Events:</b>							
May - Sept	Cruise Nights	\$ -	-	-	-	\$ -	
June	Cardboard Boat Race	\$ 7,040	\$ -	\$ 7,040	\$ -	\$ 7,040	
July	Alive on 25	\$ -	\$ -	\$ -	\$ -	\$ -	
July	4th of July Celebration	\$ 21,527	-	21,527	-	\$ 21,527	
July	Friday Night Concert Series	\$ 1,000	-	1,000	-	\$ 1,000	
July	Paddle Battle	\$ 1,000	-	1,000	-	\$ 1,000	
August	JumpstART	\$ 1,000	-	-	1,000	\$ 1,000	
Oct	Halloween Fest	\$ 668	-	-	668	\$ 668	
Oct	Run for the Ridley	\$ 500	-	-	500	\$ 500	
Oct-May	Indoor Farmers Market	\$ -	-	-	-	\$ -	
Dec	Holiday Bonfire	\$ 3,000	-	-	3,000	\$ 3,000	
	118.064100.544160	\$ 35,735	\$ -	\$ 30,567	\$ 5,168	\$ 35,735	
	<b>Total 2017 Budget</b>	<b>\$ 111,201</b>	<b>\$ 31,309</b>	<b>\$ 52,325</b>	<b>\$ 27,567</b>	<b>\$ 111,201</b>	

<b>2018 Tax Disbursement</b>	<b>\$ 111,201</b>
<b>Budget Surplus/Shortage</b>	<b>\$ 0</b>

TOWN OF RIVERHEAD

Resolution # 797

**AUTHORIZES LEGAL ACTIONS AGAINST THE OWNERS, TENANTS, OCCUPANTS  
AND MORTGAGEE OF PREMISES LOCATED AT 769 HARRISON AVENUE,  
RIVERHEAD, NEW YORK**

Councilman Hubbard offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Town Board has determined that the property situated at 769 Harrison Avenue, Riverhead, New York (including, without limitation the structures known as 769A and/or 769B Harrison Avenue), further described as Suffolk County Tax Map # 0600-102-3-19.1, is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention, Building and/or Property Code.

**NOW, THEREFORE, BE IT RESOLVED**, that Robert F. Kozakiewicz, Town Attorney for the Town of Riverhead, is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the structure and property situated at 769 Harrison Avenue, Riverhead, New York, (including, without limitation the structures known as 769A and/or 769B Harrison Avenue) in the Supreme Court of the State of New York, to enjoin the illegal use, occupancy and/or maintenance of said property and the structure situated upon said premises; and be it further

**RESOLVED**, that it is left to the discretion of Robert F. Kozakiewicz, Town Attorney for the Town of Riverhead, whether said cause of action in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property should further seek monetary and/or punitive damages and/or civil penalties against the owners, tenants, occupants and mortgagee of the structure and property situated at 769 Harrison Avenue, Riverhead, New York (including, without limitation the structures known as 769A and/or 769B Harrison Avenue).

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 798

**ADOPTS A LOCAL LAW TO AMEND CHAPTER 301 ENTITLED "ZONING AND LAND DEVELOPMENT" OF THE RIVERHEAD TOWN CODE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**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 301, entitled "Zoning and Land Development" Article LII of the Code of the Town of Riverhead ("Riverhead Town Code"); and

**WHEREAS**, a public hearing was held on the 6th day of September, 2017 at 2:15 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board be and hereby, declares itself Lead Agency for SEQRA review and compliance for the amendments to Chapter 301, and hereby classifies same to be a Type II action for purposes of SEQR compliance; and be it further

**RESOLVED**, that the local law amending Chapter 301 entitled, "Zoning and Land Development" 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 and to post same on the signboard at Town Hall; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE**, that the Town Board of the Town of Riverhead adopted a local law amending the Chapter 301 entitled "Zoning and Land Development" of the Riverhead Town Code, at its regular meeting held on October 17, 2017.

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

CHAPTER 301

Zoning and Land Development

**Article XXIX: Downtown Center 1: Main Street (DC-1) Zoning Use District**

**§ 301-143 Supplementary guidelines.**

C. Storefronts and Façade Standards.

The storefronts and façades of building(s)/structure(s) shall be maintained in a way that does not provide Evidence of Vacancy. The interiors, when visible to passerby through storefront windows, shall be maintained in a way that does not exhibit Evidence of Vacancy. Any storage within the building(s)/structures(s) shall be concealed by means of storefront and/or window décor, displays, etc. Spray painting or frosting windows is not any acceptable means by which an owner of property may conceal that which is within.

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

Dated: Riverhead, New York  
October 17, 2017

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

**DIANE M. WILHELM, Town Clerk**



TOWN OF RIVERHEAD

Resolution # 799

**AUTHORIZES THE SUPERVISOR TO EXECUTE STIPULATION  
OF SETTLEMENT WITH CIVIL SERVICE EMPLOYEES ASSOCIATION, INC., LOCAL  
1000, AFSCME, AFL-CIO, RIVERHEAD UNIT  
OF THE SUFFOLK LOCAL # 85 (CSEA)**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town of Riverhead has been informed by Suffolk County Department of Civil Service that members of the CSEA operating buses for the Seniors who are currently classified in title as "Bus Driver" should be properly classified in title as "Minibus Driver"; and

**WHEREAS**, due to the forgoing notification, the Town Board and the CSEA agree that all of the aforementioned CSEA members be re-assigned from "Bus Driver" to "Minibus Driver" and that the Collective Bargaining Agreement be amended as needed; and

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

**NOW THEREFORE BE IT RESOLVED**, that the Town Board be and hereby ratifies the attached stipulation and authorizes the Supervisor to execute same; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Personnel Director, CSEA Unit President, the Senior Citizen Department, the Town Attorney's Office and the Financial Administrator; and

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

## STIPULATION

Made this     day of October, 2017, 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 Suffolk Local #852 having its principal office at 3 Garet Place, Commack, New York (CSEA); and

WHEREAS, the Suffolk County Department of Civil Service (Civil Service) has informed the Town by letter dated September 29, 2017 that CSEA members who are in positions driving buses in the Seniors Citizens' Programs currently classified as "Bus Drivers" should instead be classified as "Minibus Drivers"; and

WHEREAS, the Town & CSEA agree that all such positions be re-assigned from "Bus Driver" should instead be classified as "Minibus Driver"; and

WHEREAS, the Town & CSEA further agree that the contract between the parties be amended such that the title of "Mini Bus Driver" on the Clerical & Supervisory Salary Structure be moved from Group 3 to Group 4; and

WHEREAS, the Town & CSEA further agree that there shall be no change in salary or benefits to all those CASE members positions driving buses in the Seniors Citizens' Programs.

NOW, THEREFORE, it is mutually agreed as follows:

1. That the Town Board agrees that due to the directive from Civil Service that effective upon full execution of this stipulation that all CSEA members in positions driving buses in the Seniors Citizens' Programs shall be classified as a "Mini Bus Driver".
2. That effective upon full execution of this stipulation the contract between the parties

shall be amended by placing the title of “Mini Bus Driver” to Group 4 on the Clerical & Supervisory Salary Structure.

3. That except for the forgoing, that no other change shall be made to those CSEA members in positions driving buses in the Seniors Citizens’ Programs.
4. That this stipulation constitutes the entirety of the parties' agreement herein.
5. This stipulation shall not, in any way, constitute or be construed to constitute "past practice” for the parties now or in the future and shall remain specific to this matter

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Sean M. Walter, Supervisor

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Matthew E. Hattorff, for CSEA

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Labor Relation Specialist

**TOWN OF RIVERHEAD**

**Resolution # 800**

**APPOINTS GARRETT W. SWENSON, JR. AS SPECIAL COUNSEL IN THE MATTER OF OAK HILLS ASSOCIATION, INC. V. THE TOWN OF RIVERHEAD, ET AL.**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, an action brought in the nature of a Declaratory Judgment has been commenced by Oak Hills Association, Inc. , naming the Town of Riverhead, The Town Board of the Town of Riverhead and others as Defendants in the Supreme Court, Suffolk County, Index No. 16-614402; and

**WHEREAS**, in addition to the above referenced Defendants, that declaratory action also names Sean M. Walter, John Dunleavy, Jodi Giglio, Timothy Hubbard and James Wooten in their official capacities as Supervisor and Councilpersons of the Town Board; and

**WHEREAS**, Town of Riverhead, The Town Board of the Town of Riverhead, Sean M. Walter, John Dunleavy, Jodi Giglio, Timothy Hubbard and James Wooten have requested that the law firm of Garrett W. Swenson, Jr. be retained to appear to defend or appear on behalf of the Town of Riverhead, The Town Board of the Town of Riverhead, Sean M. Walter, John Dunleavy, Jodi Giglio, Timothy Hubbard and James Wooten in the Declaratory Judgment Action entitled Oak Hills Association, Inc. v. Town of Riverhead, et al. Index No. 16-614402; and

**WHEREAS**, the Town Board has determined that the law firm of Garrett W. Swenson, Jr. is qualified to serve the Town's needs and be retained to defend or appear the above named Defendants in the Article 78 Proceeding entitled Oak Hills Association, Inc. v. Town of Riverhead, et al. Index No. 16-614402.

**NOW THEREFORE BE IT RESOLVED**, that the law firm of of Garrett W. Swenson, Jr .,be retained as special counsel or appear on behalf of the Town of Riverhead, The Town Board of the Town of Riverhead, Sean M. Walter, John Dunleavy, Jodi Giglio, Timothy Hubbard and James Wooten in the action entitled Oak Hills Association, Inc. v. The Town of Riverhead, et al. Index No. 16-614402; and be it further

**RESOLVED**, that the Riverhead Town Board hereby approves the Supervisor executing a Retainer Agreement and such other forms needed for Garrett W. Swenson, Jr. to appear in such form deemed satisfactory to the Town Attorney and subject to the terms and conditions of this resolution; and be it further

**RESOLVED**, that Garrett W. Swenson, Jr. be compensated at the rate of \$225.00 per hour, and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Garrett W. Swenson, Jr., Attorney at Law, 76 Bay Road, Brookhaven, New York 11719; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to the Town Board, Town Attorney, and Accounting Department; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 801

**DECLARES M-GBC, LLC IN DEFAULT REGARDING  
THE SUBDIVISION ENTITLED "MAP OF CALVERTON CAMELOT II"**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Hubbard

**WHEREAS**, the Riverhead Planning Board, by resolution dated March 20, 2006, approved the final plat subdivision map entitled "Map of Calverton Camelot"; and

**WHEREAS**, Town Law Section 277 2(c) requires that:

(c) all streets or other public places shown on such plats be suitably graded and paved; street signs, street lighting standards, curbs, gutters, street trees, water mains, fire alarm signal devices (including necessary ducts and cables or other connecting facilities), sanitary sewers and storm drains be installed all in accordance with standards, specifications and procedures acceptable to the appropriate town departments except as hereinafter provided, or alternatively that a performance bond or other security be furnished to the town, as hereinafter provided.

**WHEREAS**, the Planning Board permitted the map to be filed with the County Clerk prior to the completion of the necessary public improvements conditioned upon the posting of a performance security in the amount of \$3,000,000, and

**WHEREAS**, M-GBC, LLC has posted Suffolk County National Bank Irrevocable Letter of Credit #061128 in the amount of \$3,000,000.00 for improvements to be completed within said subdivision; and

**WHEREAS**, by Resolution #10 dated February 5, 2009, the Planning Board requested the Town Board declare M-GBC, LLC in default of its obligation to timely complete the required improvements within the subdivision; and

**WHEREAS**, by Resolution #35 dated April 2, 2009, the Planning Board again requested that the Town Board declare M-GBC, LLC in default of its obligation for the timely completion of the required improvements within the subdivision; and

**WHEREAS**, pursuant to Planning Board Resolution #2011-0018, dated February 17, 2011, it is recommended that the Town Board call and draw upon the performance security posted in connection with this subdivision and retain the services of a licensed engineer to design the required improvements, suitable for public bid, and construct same at the expense of the developer; and

**WHEREAS**, the construction schedule for the Town to complete the public improvements during the 2011 construction season before the asphalt plants close in

November requires the immediate preparation of documents suitable for public bidding, and

**WHEREAS**, in or around June, 2011, The Raynor Group, P.E. & L.S. PLLC has estimated the professional engineering services necessary to prepare plans and specifications, bid opening and bid tabulation suitable for award at a fee of \$70,000.00; and

**WHEREAS**, by Resolution #500 dated June 14, 2011, the Town Board did declare M-GBC, LLC in default of its obligation for the timely completion of the required improvements within the subdivision; and

**WHEREAS**, on or about June 16, 2011, M-GBC, LLC did commence an Article 78 Proceeding in the Supreme Court, Suffolk County challenging the Town Board actions which declared M-GBC, LLC in default of its obligation for the timely completion of the required improvements within the subdivision; and

**WHEREAS**, on or about July 13, 2011, a Stipulation of Settlement was entered into by M-GBC, LLC and the Town of Riverhead wherein in pertinent part, M-GBC, LLC agreed to complete all outstanding subdivision improvements by a "finish" date; and

**WHEREAS**, from time to time the parties extended upon mutual agreement the "finish date"; and

**WHEREAS**, M-GBC, LLC has failed, or neglected to perform, the required site improvements within the subdivision entitled "Map of Calverton Camelot II"; and

**WHEREAS**, the lots within the subdivision have been sold by the developer and there is substantial traffic from New York State Route 25 and Grumman Boulevard accessing the site over, upon, through the roads that remain uncompleted and which constitutes a threat to public health and safety, and

**WHEREAS**, Suffolk County National Bank was acquired by People's United Bank in 2017; and

**WHEREAS**, M-GBC, LLC remains in default in connection with said subdivision, and

**WHEREAS**, by letter dated October 10, 2017, People's United Bank advised the Town of Riverhead that Irrevocable Letter of Credit # SB-061128 for the account of M-GBC, LLC in the amount of \$3,000,000.00 for improvements to be completed within said subdivision will expire on November 28, 2017 without being further renewed.

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Riverhead Town Board hereby declares M-GBC, LLC in default of its obligations to complete the public improvements required for the subdivision of Calverton Camelot II; and be it further

**RESOLVED**, that the Town Supervisor is hereby directed to present a sight draft to People's United Bank against Irrevocable Letter of Credit 06112 in the amount determined necessary for the completion of the public improvements by reason of default of M-GBC, LLC to fully complete ; and be it further

**RESOLVED**, that upon completion of bidding documents this Board shall authorize the public bid of the necessary public improvements of Calverton Camelot II; and be it further

**RESOLVED**, that upon receipt of public bids this Board shall adopt further resolutions to draft all necessary funds from the above referenced letter of credit to fund all costs related to the construction and dedication of the public improvements required by the realty subdivision of Calverton Camelot II; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Christopher E. Kent, Esq., Farrell Fritz, P.C., 100 Motor Parkway, Suite 138, Hauppauge, New York 11788; and People's United Bank, N.A., 850 Main Street RC 7-1225, Bridgeport, CT 06604; and be it further

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared TABLED



**TOWN OF RIVERHEAD**

**Resolution # 802**

**AUTHORIZING SETTLEMENT OF LAWSUIT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, Harriman Estates at Aquebogue LLC and Harriman Estates Development Corp. commenced an action against the Town, the Town Board and the Town Planning Board under Suffolk County Index # 10-44846, seeking reimbursement for certain fees paid to the Town; and

**WHEREAS**, a Stipulation of Settlement of all claims asserted by the plaintiffs against the Town has been agreed to by the plaintiffs; and

**WHEREAS**, in light of the cost attendant to proceeding to a trial with the attendant uncertainties of litigation, it is in the best interest of the Town to agree to the terms of the Stipulation of Settlement;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby agrees to the terms of the Stipulation of Settlement attached hereto and authorizes the Supervisor to sign all documents necessary to effectuate the terms of the settlement and to implement its terms;

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP, Attn: Frank A. Isler, Esq., 456 Griffing Avenue, Riverhead, New York 11901; and Anthony Pasca, Esq., Esseks, Hefter, Angel, Di Talia & Pasca, 108 East Main Street, P.O. Box 279, Riverhead, New York 11901.

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

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

-----x  
HARRIMAN ESTATES AT AQUEBOGUE LLC and  
HARRIMAN ESTATES DEVELOPMENT CORP.,

Assigned to  
Justice Joseph A. Santorelli

Petitioners/Plaintiffs,

-against-

TOWN OF RIVERHEAD, TOWN BOARD OF THE  
TOWN OF RIVERHEAD, and PLANNING BOARD  
OF THE TOWN OF RIVERHEAD,

Index No. 10-44846

Respondents/Defendants.  
-----x

**STIPULATION OF SETTLEMENT**

The Petitioners/Plaintiffs, Harriman Estates At Aquebogue LLC and Harriman Estates Development Corp. (hereinafter collectively referred to as "Harriman Estates") and the Respondents/Defendants Town of Riverhead, Town Board of the Town of Riverhead and Planning Board of the Town of Riverhead (hereinafter collectively referred to as the "Town"), hereby settle the above action in accordance with the terms set forth below.

1. In full and complete satisfaction of Harriman Estates' claims asserted herein, the Town shall pay the sum of Seven Hundred Fifty Thousand (\$750,000.00) Dollars, inclusive of all interest, costs and expenses (the "Settlement Amount"). The Settlement Amount shall be paid in two equal installments of Three Hundred Seventy Five (\$375,000.00) Dollars. The first installment shall be due and payable on or before ~~December 31~~, 2017. The second installment shall be due and payable on or before March 1, 2018. The payments shall be made by checks payable to HARRIMAN ESTATES AT AQUEBOGUE LLC.

November 30  
JE

2. Simultaneously with Harriman Estates' receipt of payment of the second installment, counsel for the parties shall execute a stipulation discontinuing this action with prejudice and without costs to either party. Counsel for Harriman Estates shall file the executed stipulation of discontinuance with the Supreme Court Clerk.

3. Simultaneously with the execution of this Stipulation, Harriman Estates will execute and deliver to the Town a General Release in the form and substance as attached hereto as Exhibit A which will be held in escrow by counsel for the Town until the payment to Harriman Estates of the second installment of the Settlement Amount.

4. This Stipulation may be executed in any number of counterparts and by facsimile or portable document format (PDF), each of which shall be deemed an original and all of which constitute one and the same instrument. Facsimile and emailed signatures shall be binding on the party delivering such signatures.

5. This Stipulation of Settlement can be submitted to the Court by either party without notice to the other for the purpose of having it "so-ordered".

HARRIMAN ESTATES AT AQUEBOGUE LLC

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

HARRIMAN ESTATES DEVELOPMENT CORP.

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

TOWN OF RIVERHEAD, TOWN BOARD OF THE  
TOWN OF RIVERHEAD

By: \_\_\_\_\_  
Sean Walter, Supervisor

PLANNING BOARD OF THE TOWN OF RIVERHEAD

By: \_\_\_\_\_  
Stanley Carey, Chairman

So Ordered, this \_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
Justice Joseph A. Santorelli

TOWN OF RIVERHEAD

Resolution # 803

**ORDER ESTABLISHING LATERAL WATER MAIN EXTENSION FOR  
PECONIC CARE RESEARCH, RECOVERY AND REHABILITATION CENTER**

Councilman Wooten offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, a petition has been filed by the developer of the proposed Peconic Care Research, Recovery and Rehabilitation Center requesting that the proposed research, recovery and rehabilitation center to be located at Jan Way, Calverton, New York, (SCTM No. 0600-135-1-7.56) be served by the Riverhead Water District; and

**WHEREAS**, the proposed development is located within the existing boundaries of the Riverhead Water District; and

**WHEREAS**, a map and plan detailing the necessary measures and costs associated with this proposed lateral water main extension of the Riverhead Water District to accommodate water connection to the proposed research, recovery and rehabilitation center has been prepared by H2M, consulting engineers to the Riverhead Water District; and

**WHEREAS**, the map and plan are available for review and inspection at the Office of the Riverhead Town Clerk, 200 Howell Avenue, Riverhead, New York, during normal business hours; and

**WHEREAS**, said map and plan call for a new twelve-inch hydraulic water main loop to be extended through the property, connecting to existing twelve-inch water mains on Jan Way and River Road. The additional supply from Well No. 12-1 or alternate source will also be required. In addition, a twelve-inch loop internal to the site shall be installed on the interior roadways of the development. The proposed services to the individual building shall also originate from this internal looped main. The total length of water main required is approximately 7,200 feet. Hydrants shall be installed in accordance with NFPA standards at every 1,000 feet on the entrance road from Jan Way and at a minimum of every 600 feet on the internal water main. Valves shall be provided to minimize future service disruptions to any building; and

**WHEREAS**, all costs associated with this lateral shall be borne by the petitioner with an estimated total project cost of \$1,580,000 and the petitioner will be required to pay estimated key money fees for water usage in the amount of \$156,001.30 (17,143 gallons x \$9.10/gallon); and

**WHEREAS**, the Town Board held a public hearing on the 3rd day of October, 2017 regarding this proposed extension, wherein all persons wishing to be heard were heard.

**NOW, THEREFORE, IT IS HEREBY**

**ORDERED**, that the Town Board of the Town of Riverhead as governing body of the Riverhead Water District, hereby approves lateral extension of the Riverhead Water District to accommodate water connection to the proposed research, recovery and rehabilitation center to be located at Jan Way, Calverton, New York, (SCTM No. 0600-135-1-7.56), subject to the following conditions:

1. Assessed key money fees of the property shall be posted with the Town of Riverhead Financial Administrator upon request of property owner for service by the Riverhead Water District; and
2. The petitioner has posted with the Town of Riverhead Financial Administrator the amount of \$1,580,000 which is the estimated cost of the establishment of the lateral water main.
3. Any additional monies required for the cost of construction will be the obligation of the petitioner and no district funds shall be expended for the lateral.
4. Prior to construction, a grant of a sub-surface easement to the Riverhead Water District covering all locations of the proposed water main installation in a form acceptable to Counsel to the Riverhead Water District.
5. This order shall take effect immediately.

**BE IT FURTHER RESOLVED**, that the terms and conditions of this order shall be accepted and agreed to by the petitioner owner whose consent shall be duly acknowledged and shall be binding on the heirs and assigns of the petitioner and shall run with the land, and

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

AGREED TO AND ACCEPTED BY:

\_\_\_\_\_  
Name:

Title:

BY ORDER OF THE RIVERHEAD  
TOWN BOARD

DIANE M. WILHELM, Town Clerk

Dated: October 17, 2017

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 804

PAYS BILLS

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Hubbard

<b>ABSTRACT #17-33 OCTOBER 05, 2017 (TBM 10/17/17)</b>			
			<b>Grand</b>
<b>Fund Name</b>	<b>Fund</b>	<b>Ckrun</b>	<b>Totals</b>
GENERAL FUND	1	11,595.28	11,595.28
RECREATION PROGRAM FUND	6	3,545.00	3,545.00
HIGHWAY FUND	111	1,508.41	1,508.41
WATER DISTRICT	112	9,042.44	9,042.44
RIVERHEAD SEWER DISTRICT	114	10,109.37	10,109.37
STREET LIGHTING DISTRICT	116	52.53	52.53
CALVERTON SEWER DISTRICT	124	884.04	884.04
RIVERHEAD SCAVENGER WASTE DIST	128	10,627.04	10,627.04
WATER DISTRICT CAPITAL PROJECT	412	5,250.00	5,250.00
RIVERHEAD SEWER CAPITAL PROJEC	414	178,526.73	178,526.73
CALVERTON SEWER CAPITAL PROJEC	424	21,964.68	21,964.68
TRUST & AGENCY	735	15,518.81	15,518.81
<b>TOTAL ALL FUNDS</b>		<b>268,624.33</b>	<b>268,624.33</b>

<b>ABSTRACT #17-34 OCTOBER 13, 2017 (TBM 10/17/17)</b>			
			<b>Grand</b>
<b>Fund Name</b>	<b>Fund</b>	<b>Ckrun</b>	<b>Totals</b>
GENERAL FUND	1	202,629.68	202,629.68
POLICE ATHLETIC LEAGUE	4	2,932.74	2,932.74
RECREATION PROGRAM FUND	6	24,406.75	24,406.75
HIGHWAY FUND	111	34,353.84	34,353.84
WATER DISTRICT	112	140,045.80	140,045.80
RIVERHEAD SEWER DISTRICT	114	59,242.52	59,242.52
REFUSE & GARBAGE COLLECTION DI	115	212,042.90	212,042.90
STREET LIGHTING DISTRICT	116	2,562.87	2,562.87
AMBULANCE DISTRICT	120	3,778.23	3,778.23
EAST CREEK DOCKING FACILITY FU	122	301.66	301.66
CALVERTON SEWER DISTRICT	124	6,691.12	6,691.12
RIVERHEAD SCAVENGER WASTE DIST	128	37,868.24	37,868.24



<b>WORKERS' COMPENSATION FUND</b>	<b>173</b>	<b>19,818.01</b>	<b>19,818.01</b>
<b>WATER DISTRICT CAPITAL PROJECT</b>	<b>412</b>	<b>9,732.94</b>	<b>9,732.94</b>
<b>RIVERHEAD SEWER CAPITAL PROJEC</b>	<b>414</b>	<b>1,165.13</b>	<b>1,165.13</b>
<b>TRUST &amp; AGENCY</b>	<b>735</b>	<b>-101,060.33</b>	<b>-101,060.33</b>
<b>CALVERTON PARK - C.D.A.</b>	<b>914</b>	<b>24,432.00</b>	<b>24,432.00</b>
<b>TOTAL ALL FUNDS</b>		<b>680,944.10</b>	<b>680,944.10</b>

**THE VOTE**

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

The Resolution Was  Thereupon Duly Declared Adopted