

Minutes of the Town of Riverhead Board meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Wednesday, January 22, 2014 at 7:00 p.m.

PRESENT:

Sean M. Walter	Supervisor
James Wooten	Councilman
George Gabrielsen	Councilman
Jodi Giglio	Councilwoman

ABSENT:

John Dunleavy	Councilman
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ALSO PRESENT:

Diane M. Wilhelm	Town Clerk
Robert Kozakiewicz	Town Attorney

The meeting was opened at 7:00 p.m. by Supervisor Walter who officially opened the meeting with the Pledge of Allegiance followed by an Invocation given by Pastor Jerry Halpin from the North Shore Christian Church.

Supervisor Walter asked Chief David Hegermiller and Detective Sgt. Joseph Loggia and his family to come forward for an award presentation.

Councilman Wooten, who worked with Detective Sergeant Loggia presented him with a plaque in honor of his retirement. Councilman Wooten stated that he and all the officers working with Detective Sergeant Loggia thoroughly enjoyed the time they spent on the force together.

Chief Hegermiller presented Detective Sergeant Loggia with a Proclamation stating that the Town Board chose to honor him for his thirty-three years of leadership and dedication to the Town of Riverhead.

Councilman Wooten made a motion, which was seconded by Councilman Gabrielsen to approve the minutes of the January 7, 2014 Town Board meeting and the Special Town Board Meeting of January 9, 2014. Motion carried, minutes were accepted.

CORRESPONDENCE

- Sal Mastropaolo – letter requesting changes to the Town Code in regard to posting and removal of political signs

CONSERVATION ADVISORY COUNCIL CORRESPONDENCE

- CAC Res. #2014-1, Allen Smith SCTM #600-113-3-5

APPLICATIONS

(Pending Town Board Approval)

Special Events (Chapter 90)

- North Fork Environmental Council, 5K Earth Day Run at EPCAL on April 26, 2014
- Suffolk County Homefront, Walk/Run to Benefit Suffolk County Veterans at the Peconic Riverfront on May 17 & 18, 2014
- Polish Town Civic Association Annual Polish Town Fair on August 16 & 17, 2014

REPORTS

- Tax Receiver- Total Collection to Date as of January 8, 2014 - \$49,655,397.97
- Tax Receiver - Total Collection to Date as of January 14, 2014, \$68,364,630.03
- Sanitation Department – 2013 Recycle Fund Revenue - \$8,734.11
- Sewer District Discharge Monitoring Report December 2013

COMMITTEE REPORTS

Councilman Gabrielsen reported that the ice rink is now open. Thursday and Friday the hours of operation are three to nine, Saturday is one to ten and Sunday is one to nine. Due to the weather the rink should be open for a while.

Councilwoman Giglio is asking for gently used bicycles to be turned into Twin Forks Bikes on Main Street. These bikes will be presented to the winners of the essay contest held by the Riverhead School District.

PUBLIC HEARING

Supervisor Walter: “There is one public hearing that is supposed to start at 7:05 p.m. and 7:05 p.m. having arrived, its 7:14 p.m. we’re going to open up a Public Hearing for the Consideration of a Proposed Local Law to Amend Chapter 101 of the Riverhead Town Code Entitled “Vehicles & Traffic” Article IV, Traffic Control Signals (101-9 Installation and Maintenance). Does anybody wish to be heard on this subject?”

Not seeing anybody; this traffic light is at the intersection of County Road 105, Cross River Drive and Riverside Drive. I’m going to say some things about this.

I have not been convinced over the past several months that the local municipalities are required to take over operation and maintenance of county traffic lights and I’m going to leave this public hearing open for ten days after and ask that the County Attorney submits a brief to the Town of Riverhead as to why they think the Town of Riverhead, or any town on Long Island, should be taking over traffic lights on county owned roads.

We have a statute, a VTL statute which I don’t have but our Town Attorney will put this into the public hearing, that dates back to 1972 and there was a County Superintendent of Highways. It is my belief that the town should not be maintaining county traffic lights on county roads and I will give you a preview of my vote if the County Attorney’s office does not submit a brief that convinces me that we’re supposed to take over these traffic lights. I will be voting and asking the Board to vote against taking over this traffic light and what is today? It’s the twenty-

second so we will leave the public hearing open for the county attorney to respond to this public hearing as of January 31st at 4:30 in the Town Clerk's office and I believe the Town Attorney, Bob, is going to write an opinion similar to, hopefully my beliefs hopefully, but I just don't see it and I don't necessarily believe that the Comptroller's office is the final say on this. It's the Comptroller's office's opinion that."

Bob Kozakiewicz: "It's the Comptroller's 1980 Comptroller's opinion but it's also sites case law therein which (inaudible)."

Supervisor Walter: "Well, I'm hoping the county attorney will brief this fully on point because without them here saying why we should do this I don't see that the Town Board has any evidence that we should be taking this over. So I leave that to the local press because I'm sure they may write on this and maybe the County Attorney will get wind of this but it was published at their behest and does anybody else wish to say anything on the matter?"

Councilman Gabrielsen: "They installed initially right? It's their cost to install, we do the maintenance?"

Supervisor Walter: "Correct."

Councilman Gabrielsen: "It's a maintenance issue which could be very expensive. I agree with you, they should do the maintenance too."

Councilwoman Giglio: "Has the County been made aware that we were having the public hearing this evening?"

Supervisor Walter: "They asked for it."

Councilwoman Giglio: "Ok, so they know that it was on for tonight."

Supervisor Walter: "Absolutely."

Councilman Wooten: "I can see the rationale behind it myself."

Supervisor Walter: "I think it's incumbent on the County Attorney to prove the case, not the Town Attorney of Riverhead to prove why we should take this over. So I'm leaving it to the County Attorney. If the County Attorney does not respond in the time frame that it's open I suspect that this light will not be taken over by Riverhead and I expect in the future other lights won't be taken over."

Councilman Wooten: "We already do maintenance on some."

Supervisor Walter: "We do maintenance on just about every county light on the turnpike in Riverhead."

Councilwoman Giglio: "And the Bus Terminal too on the county roads, right?"

Supervisor Walter: “The Bus Terminal agreement is over and the bus terminals, the bus shelters will have to be maintained by the county and I think that ended in. If nobody else wishes to be heard on the matter, I don’t see anybody, I’ll leave this open for written comment and I look forward to what the County Attorney has to say; January 31, 2014, 4:30 at the Town Clerk’s office.”

**Public Hearing Closed: 7:17 p.m.
Left Open for Written Comment until January 31, 2014 at 4:30 p.m.**

RESOLUTIONS

Supervisor Walter: “We have Resolutions we’re going to untable and withdraw, why don’t we start with that one, Diane?” Can I get a motion to untable and withdraw this Resolution we have one to replace it?”

Councilwoman Giglio: “I make a motion we untable and withdraw Resolution #31.”

Councilman Wooten: “I’ll second.”

Supervisor Walter: “Moved and seconded to untable and withdraw. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution 31 is untabled and withdrawn.”

Resolution #35

Councilman Wooten: “2013 Salt Barn Project Budget Adjustment, so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #36

Councilman Gabrielsen: “Calverton Sewer District Budget Adjustment, so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #37

Councilwoman Giglio: “Awards Bid for Electric Motor Repair/Replacement Including Emergency Repair for Riverhead Water District, so moved.”

Councilman Wooten: “And seconded”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #38

Councilman Wooten: “Woolworth Revitalization, LLC Water Capital Project Budget Adoption, so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio.”

Councilwoman Giglio: “I will abstain due to the fact that my partner is the architect for this project.”

Vote Continued: “Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #39

Councilman Gabrielsen: “Authorizes Supervisor to Execute an Agreement with Riverhead Youth Sports, Inc. for Referee/Umpire Services for the Town of Riverhead Police Athletic League Girls and Boys Lacrosse and Football Program for 2014 Calendar Year, so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #40

Councilwoman Giglio: “Amends Resolution #7 of 2014, so moved.”

Councilman Wooten: “And I’ll second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #41

Councilman Wooten: “Accepts the Retirement of Detective Sergeant Joseph Loggia, so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #42

Councilman Gabrielsen: “Appoints a Maintenance Mechanic II to the Riverhead Water District, so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #43

Councilwoman Giglio: “Classifies Action on Special Permit of Mainstream House (Robert Hartmann, Jr.) and Calls Public Hearing, so moved.”

Councilman Wooten: “And I’ll second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #44

Councilman Wooten: “Appoints an Assistant Recreation Leader to the Recreation Department (Kenneth Drumm), so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #45

Councilman Gabrielsen: “Appoints a Recreation Aide Level II to the Recreation Department (Ryan Heins), so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #46

Councilwoman Giglio: “Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled “Zoning” of the Riverhead Town Code, so moved.”

Councilman Wooten: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #47

Councilman Wooten: “Amendment to Travel Policy and Procedures, so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded as to the Prudente amendment. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #48

Councilman Gabrielsen: “Appoints a Town Attorney (Robert Kozakiewicz), so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #49

Councilwoman Giglio: “Authorizes Attendance at the 2014 Training School and Annual Meeting Held by the Association of Towns, so moved.”

Councilman Wooten: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #50

Councilman Wooten: “Authorizes the Supervisor to Execute an Agreement with Sidney B. Bowne & Sons, LLP, so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio.”

Councilwoman Giglio: “This is for the Storm Water Pollution Plan Review which we took out of the Engineering Department and we are having outside engineers review plans that come in for storm water pollution control and its saving our Town Engineer a significant amount of time so that he can work on town projects and the developers are getting their plans approved much quicker so I will vote yes.”

Vote Continued: “Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #51

Councilman Gabrielsen: “Authorizes the Supervisor to Execute an Agreement with D&B Engineers and Architects, P.C., so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #52

Councilman Wooten: “Authorizes the Supervisor to Execute an Agreement (Thomas Parris), so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #53

Councilman Gabrielsen: “Authorizes Legal Action against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 13 Duryea Street, Riverhead, New York, so moved.”

Councilwoman Giglio: “And seconded”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio:

Councilwoman Giglio: “It’s a quality of life issue, yes.”

Vote Continued: “Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #54

Councilwoman Giglio: “Awards Bid for the Sale of 1985 Ford 555A Backhoe Loader, so moved.”

Councilman Wooten: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #55

Councilman Wooten: “Authorizes Co-Sponsorship of Weekly Saturday Farmer’s Market from February 1, 2014 to May 17, 2014 with the Riverhead Business Improvement District Management Association, Inc. at 117 East Main Street, Riverhead, so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Good job, thank you Chris. Resolution adopted.”

Resolution #56

Councilman Gabrielsen: “Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled “Zoning” of the Riverhead Town Code, so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #57

Councilwoman Giglio: “Approves Highway Superintendent Expenditures, so moved.”

Councilman Wooten: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #58

Councilman Wooten: “Authorizes the Refund of Community Preservation Money Erroneously Paid, so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #59

Councilman Gabrielsen: “Authorizes the Retention of VHB Engineering, Surveying and Landscaping Architecture, P.C. as an Expert in the Matter of Traditional Links LLC vs. Riverhead Town Assessors, so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #60

Supervisor Walter: “So this is for Chris Cuddihy and I was at a function this weekend; Chris is rowing a boat and I want to say somebody told me to Barbados from some place in the continental United States. I’m stunned and I don’t know how many miles it is but that’s a pretty amazing feat that he’s going to do this.”

Councilwoman Giglio: “Approves Chapter 90 Application of Suffolk County Homefront, Inc. (24 Hour Run/Walk to Benefit Suffolk County Veterans – May 17and 18, 2014), so moved.”

Councilman Wooten: “And I’ll second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #61

Councilman Wooten: “Waives the Showmobile Application Fee for Suffolk County Homefront, Inc. (24 Hour Run/walk to Benefit Suffolk County Veterans – May 17and 18, 2014, so moved.”

Councilman Gabrielsen: “And seconded”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #62

Councilman Gabrielsen: “Authorizes the Town of Riverhead in Cooperation with Cornell Cooperative Extension to Conduct a Bicycle Essay Contest, so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #63

Councilwoman Giglio: “Authorizes the Supervisor to Execute a Professional Services Agreement with Bench Strength Partners, Inc., so moved.”

Councilman Wooten: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #64

Councilman Wooten: “Authorizes the Acceptance of New York State Funding to Support Enhanced Sewer Infrastructure at EPCAL Subdivision, so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #65

Councilman Gabrielsen: “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), so moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #66

Councilwoman Giglio: “Pays the Bills, so moved.”

Councilman Wooten: “And I’ll second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Resolution #67

Supervisor Walter: “Off the floor, this Ratifies the Execution of a Construction Staging Agreement for Woolworth Revitalization, LLC. Bob did you want to say anything about this, this is.”

Bob Kozakiewicz: “Yes. The contractors at the job site discovered that they need some additional space, some of the soil because of the rings they’re sinking into the soil (inaudible) part of the building they need a little more area than they originally anticipated so they asked if we’d be willing to (inaudible).”

Councilman Wooten: “They did it quickly.”

Bob Kozakiewicz: “I think they’re working Friday and Saturday, maybe Monday.”

Supervisor Walter: “Can I get a motion to take this off the floor?”

Councilman Wooten: “I’ll make a motion to take Resolution 67 off the Floor, so moved.”

Councilman Gabrielsen: “And seconded”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution #67 is taken off the floor.”

Councilman Wooten: “I’ll move Resolution #67 which Ratifies the Execution of a Construction Staging Agreement for Woolworth Revitalization, LLC, so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Giglio, abstain; Gabrielsen, yes; Wooten, yes; Walter, yes. Resolution adopted.”

Supervisor Walter: “That concludes the business of the Town Board. Is there anybody who wishes to be heard tonight? Not seeing anybody can I get a motion to adjourn?”

Councilman Wooten: “I make a motion that we adjourn.”

Supervisor Walter: “All in favor?” Collective ayes.

Meeting Adjourned 7:33p.m.