

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 Tuesday, December 17, 2013 at 7:00 p.m.

**PRESENT:**

Sean M. Walter	Supervisor
John Dunleavy	Councilman
James Wooten	Councilman
George Gabrielsen	Councilman

**ALSO PRESENT:**

Diane M. Wilhelm	Town Clerk
Robert Kozakiewicz	Town Attorney

The meeting was opened at 7:00 p.m. by Supervisor Walter who stated he was suspending public comment due to the inclement weather. He continued by saying the Supervisor could use his discretion to cancel public comment on Resolutions. He also stated that the Resolution the public was at this Town Board meeting to discuss was going to be tabled and would possibly be placed on the agenda of the December 31, 2013 Town Board meeting. Supervisor Walter now officially opened the meeting with the Pledge of Allegiance followed by an Invocation given by Dr. Enrique Lebron from the Riverhead United Methodist Church.

Supervisor Walter mentioned that Councilwoman Giglio's daughter Jessica is very ill. She had an operation on her back and has been transferred from Stony Brook Hospital to St Charles Hospital. He asked that Jessica and the Giglio family be kept in everyone's prayers.

Councilman Dunleavy made a motion, which was seconded by Councilman Gabrielsen, to approve the minutes of the December 3, 2013 Town Board meeting. Motion carried, minutes were approved.

**FIRE DISTRICT INFORMATION**

- Jamesport Fire District has submitted their Certificate of Result of Canvas for the 2013 Fire District Election
- Manorville Fire District has submitted their Certificate of Result of Canvas for the 2013 Fire District Election
- Riverhead Fire District has submitted their Certificate of Result of Canvas for the 2013 Fire District Election

**APPLICATIONS**

- East End Tourism Alliance - Canoe, Kayak & Standup Paddle Board Race on the River at Peconic Riverfront - July 26, 2014
- Competitive Events Group - Triathlon at Schiff Boy Scout Reservation, Wading River, NY August 16 - 17, 2014
- Competitive Events Group - Decathlon Race - at Schiff Boy Scout Reservation, Wading River, NY - September 13, 2014

### **REPORTS**

- Tax Receiver Utility Collection Report November 2013 - \$443,690.25
- Building Department Monthly Report November 2013 - \$136,495.25
- Town Clerk Monthly Report November 2013 - \$9,421.79
- Sanitation Department Waste Disposal Licensing Fees as of 12/5/13 - \$7,200.00
- Sanitation Yard Waste Permit Sales September - \$360.00; October - \$380.00; November - \$305.00
- Police Department Monthly Report November 2013
- Sewer District Monthly Report November 2013

### **CORRESPONDENCE**

- Riverhead Garden Club - letter addressing their concerns about lighting in the Davis - Corwin Gardens at East End Arts and the need to address security issues
- Mr. & Mrs. Martin Keller (Gold Star Parents of Sgt. Jonathan Keller) - letter expressing gratitude for the work that was provided by Guy Cawley (Buildings and Grounds Dept.) for the Installation of a memorial bench and bronze plaque at Veterans Memorial Park honoring their son.

### **CAC CORRESPONDENCE**

#### Conservation Advisory Council Recommendations to the Town Board

- CAC Res. #2013-52-Duggan - SCTM #0600-113-4-3

### **RESOLUTIONS**

Supervisor Walter: “Can I get a motion asking that Resolutions 819 and 820 be untabled and withdrawn?”

Councilman Dunleavy: “I make a motion that we untable Resolutions 819 and 820 so moved.”

Councilman Gabrielsen: “And seconded.”

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

The Vote: Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolutions 819 and 820 are untabled.”

Supervisor Walter: “Can I get a motion to withdraw Resolutions 819 and 820?”

Councilman Wooten: “I make a motion that 819 and 820 both be withdrawn so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolutions 819 and 820 have been withdrawn.”

Supervisor Walter: “As again due to the fact that the roads are freezing over as we speak if there are any Resolutions that are in question, we’ll just table them ok and we’ll move them forward on the thirty-first.”

Councilman Dunleavy: “I make a motion that we close the Town Board Meeting and open the Community Development Agency meeting, so moved.”

Supervisor Walter: “Moved and seconded, vote please.”

The Vote: “Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The CDA meeting is now opened.”

### **Meeting Adjourned**

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### **Meeting Opened**

#### **Resolution #828**

Councilman Wooten: “1998 Peconic LLC Water Service Capital Project Budget Adjustment, so moved.”

Councilman Gabrielsen: “And Seconded.”

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

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

#### **Resolution #829**

Councilman Gabrielsen: “Parking District Repair Budget Adjustment, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #830**

Councilman Dunleavy: “General Fund Information Technology Budget Adjustment, so moved.”

Councilman Wooten: “Second.”

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

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

### **Resolution #831**

Councilman Dunleavy: “Awards Bid for Purchase of Ventrac Power Unit, so moved.”

Councilman Wooten: “I’ll second it.”

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

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

### **Resolution #832**

Councilman Wooten: “Authorizes the Town Supervisor to File State Form TE 9-A (Peconic Bay Blvd. Meetinghouse Creed Rd. & Hubbard Ave.)”

Councilman Dunleavy: “I want to amend this from twenty to thirty.”

Councilman Wooten: “Ok, I’ll move as amended to thirty miles an hour, so moved.”

Councilman Gabrielsen: “I’ll second as amended.”

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

The Vote: “Gabrielsen, yes; Wooten, yes; Dunleavy, yes, Walter, yes. Resolution adopted as amended.”

### **Resolution #833**

Councilman Gabrielsen: “Authorizes the Town Supervisor to File State Form TE 9-A (Sound Shore Road) as amended from twenty to thirty, so moved.”

Councilman Dunleavy: “And seconded”

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

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

### **Resolution #834**

Councilman Dunleavy: “Awards Bid for Paint, so moved.”

Councilman Wooten: “Second.”

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

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

### **Resolution #835**

Councilman Dunleavy: “Appoints an Assistant Recreation Leader to the Recreation Department (Ashley King), so moved.”

Councilman Wooten: “And seconded.”

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

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

### **Resolution #836**

Councilman Wooten: “Appoints Call-In Personnel for the Riverhead Recreation Department, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

### **Resolution #837**

Councilman Gabrielsen: “Authorization to Publish Extension of Submission Deadline for a Request for Proposals for the Installation and Maintenance of an Internet Protocol (IP) Wireless Video Security System in Designated Locations within the Town of Riverhead Parking District and Other Town of Riverhead Locales, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #838**

Councilman Dunleavy: “Accepts the Donation of Winona Media Blasting Cabinet for Use by the Riverhead Buildings and Grounds Department, so moved.”

Councilman Wooten: “I’ll second.”

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

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

### **Resolution #839**

Councilman Dunleavy: “Authorizes the Supervisor to Act on Behalf of the Town of Riverhead and the Community Development Agency Regarding a Site Access Agreement with National Grid Electric Services, LLC to Use Property at EPCAL to Store Vehicles and Equipment to Respond to Power Outages, so moved.”

Councilman Wooten: “And I’ll second.”

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

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

**Resolution #840**

Councilman Wooten: “Authorizes the Supervisor to Execute an Agreement with County of Suffolk Office for the Aging (AAA Transportation Program, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

**Resolution #841**

Supervisor Walter: I’m going to make a motion to table Resolution 841; 841 Authorizes Legal Action against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 1350 Main Road, Jamesport, New York, so moved.”

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded as to table. Vote please.”

The Vote: “Gabrielsen, abstain; Wooten, yes to table; Dunleavy, yes to table; Walter, yes. Resolution adopted.”

**Resolution #842**

Councilman Dunleavy: “Authorizes the Supervisor to Execute a License Agreement with Broadcast Music, Inc. (BMI), so moved.”

Councilman Wooten: “I’ll second.”

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

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

**Resolution #843**

Councilman Dunleavy: “Authorizes the Supervisor to Act on Behalf of the Town of Riverhead and the Community Development Agency Regarding a Site Access Agreement with Keyspan Gas East Corporation D/B/A National Grid to Use Property at EPCAL to Store Vehicles and Equipment to Respond to Power Outages, so moved.”

Councilman Wooten: "I'll second it"

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted."

#### **Resolution #844**

Councilman Wooten: "Authorizes the release of One-Year Maintenance Security of Birchwood at Wading River, LLC in Connection with the Subdivision Entitled, "Birchwood at Wading River – Section 4", so moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted."

#### **Resolution #845**

Councilman Gabrielsen: "Declares Certain 1985 Ford 555A Backhoe Loader Tractor to be Obsolete/Surplus Property and Authorizes Town Clerk to Publish Advertisement for Sale of 1985 Ford 555A Backhoe Loader Tractor, so moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted."

#### **Resolution #846**

Councilman Dunleavy: "Discontinuance and Abandonment of a Section of the Cul de Sac of the Terminus Of 105 the Preserve Pursuant to Highway Law 207, so moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted."

**Resolution 847**

Councilman Dunleavy: “Approves Chapter 90 Application of East End Tourism Alliance (“Paddle Battle” Water Race – July 27, 2014, so moved.”

Councilman Wooten: “I’ll second.”

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

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

**Resolution #848**

Councilman Wooten: “Offers Support to New York State Legislature for an Act to Amend the Environmental Conservation Law in Relation to Authorizing the Towns of East Hampton, Riverhead, Shelter Island, Southold and Southampton in the County of Suffolk to Adopt Local laws in Certain Cases Related to the Taking of Wild Deer; and Providing for the Repeal of such Provisions upon Expiration Thereof 9 Senate Bill #S.4419 – Assembly Bill #A.6428), so moved.”

Councilman Gabrielsen: “And seconded.”

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

The Vote: “Gabrielsen.”

Councilman Gabrielsen: “I just want to say the initiative of Al Krupsky to push this bill through the Assembly, and this bill is only for one year; from now until the end of the year and all their really adding is local law that allows Saturday and Sunday hunting and the bow hunting from five hundred foot to a hundred fifty foot for the five eastern towns so each town would have to adopt their own law so we don’t have to adopt all of this just some of it. The hundred and fifty we could say two hundred fifty. It gives us the authority for town rule to write this. I vote yes.”

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

**Resolution #849**

Councilman Gabrielsen: “Discontinuance and Abandonment of 100 Feet of the Terminus of Marine Street Pursuant to Highway Law 207, so moved.”

Councilman Dunleavy: “And seconded”

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

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

### **Resolution #850**

Councilman Dunleavy: “Authorization for Building Department to Waive Application Fees for Suffolk County Historical Society Signs, so moved.”

Councilman Wooten: “Second.”

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

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

### **Resolution #851**

Councilman Dunleavy: “Resolution to Correct Resolution No. 247 Adopted on March 19, 2013 to Include Land Use Ecological Services Inc. and Reddan Surveying Inc. as Approved to Perform Services Related to the Declaration of Public Emergency Requiring Immediate Restoration of Wading River Creek, so moved.”

Councilman Wooten: “And seconded.”

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

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

### **Resolution #852**

Councilman Wooten: “Amends Resolution #817, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

### **Resolution #853**

Councilman Gabrielsen: “Pays Bills, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

Councilman Dunleavy: “I make a motion we take two Resolutions, 854 and 855 off the floor, so moved.”

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded as to taking off the floor. Vote please.”

The Vote: “Gabrielsen. Yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 854 and 855 are taken off the floor.”

#### **Resolution #854**

Councilman Dunleavy: “Awards Bid for Disposal and Recycling of Municipal Solid Waste, so moved.”

Councilman Wooten: “And I’ll second.”

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

The Vote: “Gabrielsen, yes; Wooten, yes; Dunleavy.”

Councilman Dunleavy: “Wait a minute, this is the one you said you didn’t like; (inaudible) you said they were charging us too much.” (inaudible)

Councilman Gabrielsen: “Who wasn’t comfortable with the numbers, Jim? We can table it if you like.”

Councilman Dunleavy: “Yeah, I make a motion we withdraw because we’re not finished with it, and table this.”

Supervisor Walter: “We need a second on tabling the Resolution. Let’s recall the Resolution. (inaudible) Can I get a motion to table this Resolution?”

Councilman Wooten: “You made a motion to table, I’ll second.”

Councilman Dunleavy: “I’m confused. I don’t want to vote on something I’m confused about.”

The Vote: “Gabrielsen, yes to table; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 854 is tabled.”

**Resolution #855**

Councilman Wooten: “Grants Special Permit Petition of Long Island Cauliflower Association, so moved.”

Councilman Gabrielsen: “I’ll second.”

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

The Vote: “Gabrielsen, yes.”

Councilman Gabrielsen: “I think we’re good right because that’s a pre-existing nonconforming use? The expansion is less than ten percent of the overall building and property. Is that why it becomes special? Ok, good, yes.”

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

Supervisor Walter: “As I said, due to weather conditions we’re going to suspend public comment for the rest of the meeting and obtain a motion to adjourn the meeting so everybody can get home safe. Can I get a motion?”

Councilman Dunleavy: “I make a motion that we adjourn the Town Board Meeting, so moved.”

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

Councilman Wooten: “I’d like to say since we’re not going to see you before, have a very Merry Christmas with your families.”

Supervisor Walter: “Yes, Merry Christmas, Happy New Year and thank you for coming. Safe home everybody.”

**Meeting Adjourned 7:20 p.m.**