

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, April 1, 2014 at 2:00 p.m.

**PRESENT:**

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

**ALSO PRESENT:**

Diane M. Wilhelm	Town Clerk
Robert Kozakiewicz	Town Attorney

The meeting was officially opened at 2:00 p.m. by Supervisor Walter with the Pledge of Allegiance. This was followed by the invocation given by Reverend Sean Murray from the First Congregational Church in Riverhead.

Diesel the Shelter Dog was introduced. He was adopted by a family but unfortunately was returned to the shelter. He is seven months old, housebroken, crate trained and is good with children. If you wish to adopt Diesel contact the Shelter.

Supervisor Walter asked Professor Diane Fabian to choose a student from her Business Communication Class from the Suffolk County Community College, Riverhead Campus to explain why the class was here.

James Peyton, a student from the class approached the podium and stated they were here to supervisor a business meeting from the Town Hall and to see how it was run.

Councilman Dunleavy made a motion, which was seconded by Councilman Gabrielsen to approve the minutes of the March 18, 2014 Town Board Meeting. Motion carried, minutes were accepted.

**REPORTS**

- Tax Receiver Total Tax Collection to date as of March 12, 2014 - \$72,383,271.74
- Tax Receiver Total Tax Collection to date as of March 19,2014 - \$72,510,453.79
- Tax Receiver Total Tax Collection to Date as of March 26, 2014 - \$72,677,476.17
- Building Department Monthly Report March 2014 - \$57,491.00
- Sewer District Discharge Monitoring Report February 2014
- Police Department Monthly Report February 2014
- North Fork Animal Welfare League Inc. Financial Statement December 2013
- Justice Court Auditors Report for Combining Statement of Collections and Disbursements Year Ending December 31, 2013

## PUBLIC HEARING

Supervisor Walter: “We have one Public Hearing and it’s a Consideration of a Proposed Extension of the Riverhead Parking District and it’s scheduled to start at 2:10 p.m. and it is now 2:10 so we’ll open up the Public Hearing and Bob do you want to give us a little overview of this?”

Robert Kozakiewicz: “Public Hearing is to hear from the public in regard to a proposed extension into Riverhead Public Parking District #1. There is a map that’s up on the wall which shows the existing parking district boundaries which are noted by a hash marking running northwest to southeast. The proposed extension is shown by a hash mark running from southwest to northeast and it consists of thirteen separate parcels primarily south of Second Street. Of those there’s also the firehouse which is depicted between Third Street and Second Street and then two parcels that are just south of the railroad which are 406 - 414 Roanoke Avenue which is the parcel that’s under contract from Suffolk County National Bank and 12 Third Street which is owned by, which is (inaudible) a single family house.

Of the thirteen parcels the majority are currently being used as single family residences and those are either used as either single family or two family characterized as two-ten and two-twenty in the assessors records. Two are owned by the Town of Riverhead; that’s the Riverhead Fire House and the parcel that was formerly used as an architect’s office which is on the corner of the parking lot on East Avenue; that’s 209 East and then of course the proposed parcel the town is looking to acquire.

At this point in time the cost would be to the district one hundred and seventy-five thousand dollars if this was done. That’s the cost to purchase the property from the Suffolk County National Bank which is this parcel on the corner, the northeast corner of Roanoke Avenue and Third Street and that’s the substance of the hearing.”

Supervisor Walter: “Alright, does anybody from the audience wish to be heard on this matter?”

Councilman Wooten: “All these parcels that are located on the south side of Second Street between East Avenue and Roanoke Avenue (inaudible); those are currently residents now? (Inaudible)

Robert Kozakiewicz: “All of them, all of them are. The only one on the south side of Second and East that’s not being used as a single family residence is the one that we acquired for, from Martin Selusky.”

(Inaudible)

Robert Kozakiewicz: “(inaudible) that little piece that pumps. That is presently in the parking district. That’s the (inaudible) building. It used to be Dr. Luce’s office; so that one is currently in the public parking district. There’s one parcel that’s located to the west of that and then the one, two, three, four, five, six, seven parcels that run from east of that parcel; east of that to the intersection (inaudible).”

Councilman Wooten: “They’re not currently in the parking district?”

Robert Kozakiewicz: “They are currently not in the parking district.”

Supervisor Walter: “I think it’s going to increase the value of these properties tremendously because potentially the logical; I mean; what’s this DC three or four over here?”

Robert Kozakiewicz: “That’s, I think it’s three.”

Supervisor Walter: “So now parking is our issue not their issue so they’re going to have a lot more lot coverage. This is going to increase the values.”

(Inaudible)

Councilwoman Giglio: “It’s also going to increase their taxes correct?”

Councilman Dunleavy: “We don’t know if there’s an opt out.”

Robert Kozakiewicz: “My understanding there is not. This is not the same as the Business Improvement District where.”

Councilwoman Giglio: “They can’t opt out.”

Robert Kozakiewicz: “The Business Improvement District the residential lot owner can opt out by filing a form.”

Supervisor Walter: “Ok, what we’ll do unless there’s other comments to be made, I don’t see anybody from the public wishing to speak we’ll close this open; we’ll close the public comment portion and leave it open for written comment until April 11, 2014 at 4: 30 p.m. in the Town Clerk’s office. Thank you. Does anybody wish to be heard of Resolutions?”

**Public Hearing Closed: 2:15 p.m.  
Left Open for Written Comment Until: April 11, 2014 at 4:30 p.m.**

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### **COMMENTS ON RESOLUTIONS**

Supervisor Walter: “Does anybody wish to be heard of Resolutions?”

Salvatore Mastropaolo: Sal Mastropaolo, Calverton; Resolution #193. In Resolution 192 you approved a thousand dollars for the Key Club for thirteen and fourteen. In Resolution 193 your moving two thousand dollars from recycling revenue to recycling program for the year 2013 why aren’t you just moving a thousand?”

Supervisor Walter: “We never paid them for the previous years.”

Salvatore Mastropaolo: “Well then you should have another Resolution changing the budget for 2012, right? Or you should at least say in this Resolution that the two thousand is to cover 2012 and 2013 because the implication is that it’s only for 2013 and it’s not for 14 because the next resolution is for 14; for the thousand dollars for the year 2014.”

Councilwoman Giglio: “So you’re saying just add the following?”

Councilman Dunleavy: “(inaudible) Resolution 671, 2012, 671?”

Councilwoman Giglio: “So on Resolution 193 Sal are you suggesting that we change the *now therefore* to read *the Supervisor being hereby authorized to establish the following 2013 and 2014 budget adjustment?*”

Sal Mastropaolo: “No, the 2012 and 2013.”

Councilwoman Giglio: “2012 is done on the subsequent one; 194.”

Sal Mastropaolo: “No, that’s for 14.”

Councilwoman Giglio: “Oh 14, so change that to 12 maybe.”

Sal Mastropaolo: “If you’re doing 193 to cover 2012 and 2013 you should say it on that Resolution.”

Councilman Dunleavy: “Right. The first Resolution says 2013 and 2014.”

Supervisor Walter: “Let Bill. (Inaudible) Let Bill address it please.”

William Rothaar: “The reason why we do it that way is we can’t go back and charge anything to 12, the books are closed so it’s all coming out of the 13 budget even though it was authorized back in 2012 so one Resolution is taking it out of 13 because we will pay it out of 2013 funds before we close the books and then we’ll have another one taking the one thousand out of 14.”

Councilman Dunleavy: “Ok, thank you.”

Sal Mastropaolo: “Ok, I think if you just change the statement to say to establish the following 2012-2013 budget adjustment.”

Councilman Dunleavy: “We can’t do that he just said.”

Sal Mastropaolo: “Ok, well you should at least make some kind of statement because.”

Supervisor Walter: “I think we just did it for the record with this Resolution.”

Sal Mastropaolo: “Ok, Resolution 232. The second whereas has the wrong date. It should be *has agreed to extend the contract until April 3<sup>rd</sup> 2015 per the attached bid sheet* because in the first now therefore you say *April 3<sup>rd</sup> 2015* so that’s a bad date in the second whereas.”

Supervisor Walter: “Ok; 232 second whereas.”

Sal Mastropaolo: “The third whereas. If you look at the attached bid sheet, the second paragraph; *the Town of Riverhead would like to extend this contract for a period of one year until April 3<sup>rd</sup> 2015* and that’s what the third whereas should say.”

Supervisor Walter: “Ok.”

Sal Mastropaolo: “Resolution 238 appears to be a dup of 237. I couldn’t see anything different other than the fact that in one of them it says *no person who by appointment or election* and the second one says *no elected Town official*. I mean if you’re saying no person who by appointment or election, that’s an elected official so why do you have two of them? It’s the same exact section and number. (Inaudible) Better yet, which one is number two because they’re both Chapter 18 Code of Ethics 18-4 Standards of Conducts Section K.”

Supervisor Walter: “We don’t know which one. We’re going to two proposals. One is supposed to capture the second; 238 is supposed to capture all elected officials. 237 is supposed to capture just the Town Board.”

Sal Mastropaolo: “Well then shouldn’t they be different numbers? They shouldn’t both be number two then.”

Supervisor Walter: “No because we don’t know which one we’re going to adopt.”

Robert Kozakiewicz: “They’re doing it in the alternative. They want to hear from the public as to both alternatives and then they’ll determine which one.”

Sal Mastropaolo: “I’m just wondering if it’s going to create more confusion for the public when they see both public notices in the paper.”

Tara McLaughlin: “That’s the way you wanted it to read.”

Supervisor Walter: “Right, this is the way we want it because what we’re trying to say is no person who by appointment or election because you can get appointed to the Town Board or you can be elected to the Town Board holds a position as member of the Town Board, ok, that makes sense right? No person by appointment or election holds a position Town Board. If you go to the other one it says no elected town official or member of the Town Board. You see the other one captures all elected officials.”

Sal Mastropaolo: “Ok, so let me ask you a question. Which one are we going to do a Public Notice on because we’re paying for the public notice?”

Supervisor Walter: “We’re paying on both because we don’t know which one. The Town Board agreed last Thursday at work session to go to public hearing on both because some of us like one and some of us like the other so we agreed to go to public hearing on both.”

Sal Mastropaolo: “Sounds like a waste of money.”

Councilwoman Giglio: “I agree.”

Sal Mastropaolo: “I mean one public notice should be enough and just discuss it at the Public Hearing. Why post two notices and pay for two public notices?”

Supervisor Walter: “You can’t adopt something you haven’t gone to public hearing on. Sal, there was no agreement as to which one to go forward with so the agreement was to go forward with both and then in the end one of them may get adopted but if you go forward with one and they want to adopt the other one then you have to go to public hearing again so we’re going to try and capture it all in one public hearing in one evening.”

Sal Mastropaolo: “I would think the verbiage would come out in a public hearing and it would get resolved in the public hearing.”

Supervisor Walter: “Yes, but you couldn’t adopt even if the verbiage came out.”

Sal Mastropaolo: “It still sounds like.

Councilman Wooten: “A public hearing may bring into some question we would have to rewrite and we would have to repost it anyway.”

Sal Mastropaolo: “It still sounds like a waste of money to me but I’ll let it go; I made my opinion known.”

Supervisor Walter: “Anyone else wish to be heard? No. Diane let’s take up Resolutions.”

Councilman Dunleavy: “I’d like to make a motion that we close the Town Board meeting and open the CDA meeting so moved.”

Councilman Wooten: “Seconded.”

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

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

**Town Board Meeting is Closed**

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### **Town Board Meeting is Reopened**

Supervisor Walter: “Before we call the Town Board resolutions I just want; this just in, though we didn’t issue a press release because people already knew about it; Senator LaValle did get five million dollars in the Governor’s budget for the Sewerage Treatment Plant at EPCAL. We found out officially, I mean we’ve been working on it for a long time but we found out officially yesterday.

Councilman Wooten: “A home run.”

Supervisor Walter: “So we have enough money to do the, I don’t know about that but we get to add tertiary treatment and remove the nitrogen discharge in the Peconic Estuary so that’s a very good thing. We thank Senator LaValle. This was a heavy lift for the Senator and he was able to bring home the bacon if you will so we thank him.”

### **RESOLUTIONS**

#### **Resolution #192**

Councilman Wooten: “Authorizes the Town of Riverhead to Donate Money to the Riverhead High School Key Club for Recycling Education Programs, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

#### **Resolution #193**

Councilman Gabrielsen: “Recycling Education Program Budget Adjustment 2013, so moved.”

Councilwoman Giglio: “Seconded.”

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

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

#### **Resolution #194**

Councilwoman Giglio: “Recycling Education Program Budget Adjustment 2014, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #195**

Councilman Dunleavy: “Highway District Budget Adjustment, so moved.”

Councilman Wooten: “Seconded.”

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

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

### **Resolution #196**

Councilman Wooten: “Appoints Temporary Secretary to the Board of Assessment Review (Mary Burns), so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

### **Resolution #197**

Councilman Gabrielsen: “Authorizes the Filing of an Application for New York State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and Signing of the Associated State Contract under the Appropriate Laws of New York State, so moved.”

Councilwoman Giglio: “Seconded.”

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

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



**Resolution #198**

Councilwoman Giglio: “Accepts the Resignation of a Bus Driver (Carol O’Kula), so moved.”

Councilman Dunleavy: “And seconded.”

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

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

**Resolution #199**

Councilman Dunleavy “Appoints a Call-In Recreation Specialist, Spanish Instructor to the Recreation Department (Aimee Padavan), so moved.”

Councilman Wooten: “Seconded.”

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

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

**Resolution #200**

Councilman Wooten: “Ratifies the Appointment of an Assistant Recreation Leader I to the Recreation Department (Mark Raplee), so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

**Resolution #201**

Councilman Gabrielsen: “Ratifies the Appointment of an Assistant Recreation Leader II to the Recreation Department (Ashley King), so moved.”

Councilwoman Giglio: “And seconded.”

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

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

### **Resolution #202**

Councilwoman Giglio: “Appoints a Call-In Beach Manager to the Recreation Department (Elizabeth Flood), so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #203**

Councilman Dunleavy: “Appoints a Call-In Recreation Specialist – Lifeguarding Instructor to the Recreation Department (Joyce Brown), so moved.”

Councilman Wooten: “Second.”

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

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

### **Resolution #204**

Councilman Wooten: “Authorizes the Town Clerk to Advertise for Bids Project No: RDWD 13-51 Installation of Water Main and Appurtenances Kristi Rose Court, Riverhead Water District, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

### **Resolution #205**

Councilman Gabrielsen: “Awards Bid – Scavenger Waste Roof Replacements Riverhead Sewer District, so moved.”

Councilwoman Giglio: “Seconded”

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

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

### **Resolution #206**

Councilwoman Giglio: “Town Board Direction to Personnel Director & Financial Administrator to Process Zoning Board of Appeals Member Request for Retirement Benefits (Otto Wittmeier), so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #207**

Councilman Dunleavy: “Amends Resolution #175 of 2014 (Approves the Chapter 90 Application of the Long Island Moose Classic Car Club Car Show – May 10, 2014), so moved.”

Councilman Wooten: “Seconded.”

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

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

### **Resolution #208**

Councilman Wooten: “Authorizes Appraisal Report in the Matter of the Tax Certiorari Proceeding of Fourth Garden Mobil, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

**Resolution #209**

Councilman Gabrielsen: “Authorizes the Change Order for Chevy Tahoe Z-71 or Equivalent Type Vehicle Chief Car with Complete Conversion for Use by the Riverhead Ambulance District, so moved.”

Councilwoman Giglio: “Seconded.”

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

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

**Resolution #210**

Councilwoman Giglio: “Authorizes a Change Order for Chevy Suburban Z-71 or Equivalent Type Vehicle for Use as First Responder with Complete Conversion for Use by the Riverhead Ambulance District, so moved.”

Councilman Dunleavy: “Seconded”

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

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

**Resolution #211**

Councilman Dunleavy: “Authorizes the Supervisor to Issue a Letter to the Suffolk County Department of Health Services Allowing the Use of Pine Barrens Credits Originated from Property Located in Riverhead (I & S Properties, Waverly Avenue, Holtsville, NY), so moved.”

Councilman Wooten: “Seconded.”

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

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

**Resolution #212**

Councilman Wooten: “Authorizes the Supervisor to Execute a Musical Works License Agreement with SESAC LLC, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

### **Resolution #213**

Councilman Gabrielsen: “Jaral East End Hotel Corp. Riverhead Sewer District Capital Improvement Project Budget Adoption, so moved.”

Councilwoman Giglio: “Seconded”

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

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

Councilman Dunleavy: “This is something the developer paid for and we’re just moving it so we can use it to pay for the engineering services. I vote yes.”

Vote Continued: “Walter, yes. Resolution adopted.”

### **Resolution #214**

Councilwoman Giglio: “Authorizes the Supervisor to Execute an Agreement with Island Urgent Medical Care, P.C., so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #215**

Councilman Dunleavy: “Authorizes the Town Planning Department to Accept Payment of Fees and Other Charges Via Credit/Debit Card Processing from Merchant Services Inc., dba EVO Merchant Services and Systems East, Inc., so moved.”

Councilman Wooten: “And seconded.”

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

The Vote: “Giglio, yes; Gabrielsen.”

Councilman Gabrielsen: “Did we put an extension on this, like it was only going to be for three months? Is it on here or it doesn’t have to be on here?”

Councilman Wooten: “A contract is a contract. This isn’t an extended contract.

Supervisor Walter: “We’re going to go to bid. That’s what we told them to do.”

Councilman Gabrielsen: “Attaching, we’re attaching to the other contract. That ends in July, oh, ok, alright, so yes.”

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

### **Resolution #216**

Councilman Wooten: “Town Declaration to Self-Insure for Workers Compensation Benefits, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

### **Resolution #217**

Councilman Gabrielsen: “Approves Chapter 90 Application of East End Arts & Humanities Council, Inc. (18<sup>th</sup> Annual Community Mosaic Street Painting Festival – May 25, 2014), so moved.”

Councilwoman Giglio: “And seconded.”

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

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

### **Resolution #218**

Councilwoman Giglio: “Establishes a New Bank Account for the Planning Department, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #219**

Councilman Dunleavy: “Approves Chapter 90 Application of Native Events Inc. (Country Fest – July 26<sup>th</sup> and 27<sup>th</sup>, 2014, so moved.”

Councilman Wooten: “Seconded.”

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

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

### **Resolution #220**

Councilman Wooten: “Authorizes the Supervisor to Execute Agreement between County of Suffolk and Town of Riverhead for Public Safety Answering Point Services and Allocation of E-911 Surcharge, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #221**

Councilman Gabrielsen: “Approves Chapter 90 Application of Peconic Bay Medical Center (19<sup>th</sup> Annual East End Garden Festival – May 8<sup>th</sup> through 11<sup>th</sup>, 2014), so moved.”

Councilwoman Giglio: “Seconded.”

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

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

Councilman Dunleavy: “It’s a good place to buy your plants, the hospital is deserving. It’s going to be held at Tanger. I wish everyone goes and supports it. I vote yes.”

Vote Continued: “Walter, yes. Resolution adopted.”

### **Resolution #222**

Councilwoman Giglio: “Ratifies the Reappointment of Member to the Riverhead Open Space/Park Preserve Committee (Janis Leonti), so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #223**

Councilman Dunleavy: “Ratifies the Reappointments of Member to the Riverhead Open Space/Park Preserve Committee (Kathy Goodale, so moved.”

Councilman Wooten: “Seconded.”

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

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

### **Resolution #224**

Councilman Wooten: “Ratifies the Reappointment of Member to the Riverhead Open Space/Park Preserve Committee (Marjorie Acevedo), so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

### **Resolution #225**

Councilman Gabrielsen: “Authorizes the Released of Site Plan Security of Charles Hydell (North Fork Wood Design), so moved.”

Councilwoman Giglio: “And seconded.”

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

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



**Resolution #226**

Councilwoman Giglio: “Authorizes the Release of Site Plan Security of McGann-Mercy Diocesan High School, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

**Resolution #227**

Councilman Dunleavy: “Authorization to Publish Advertisement for Snack Venders for the Town of Riverhead, so moved.”

Councilman Wooten: “Second.”

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

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

**Resolution #228**

Councilman Wooten: “Approves Chapter 90 Application of Starfish Junction Productions LLC (North Fork Horseradish Festival – April 12, 2014, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

**Resolution #229**

Councilman Gabrielsen: “Sets Date and Time of 5<sup>th</sup> Annual “Great Riverhead Cardboard Boat Race”, so moved.”

Councilwoman Giglio: “Seconded”

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

The Vote: “Giglio, yes; Gabrielsen.”

Councilman Gabrielsen: “It will be Sunday, June 29th, yes”

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

### **Resolution #230**

Councilwoman Giglio: “Reappoints Member to the Riverhead Landmarks Preservations Commission (James McManmon), so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #231**

Councilman Dunleavy: “Extends Bid Contract for Corrosion Control Chemical for the Town of Riverhead, so moved.”

Councilman Wooten: “And seconded.”

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

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

### **Resolution #232**

Councilman Wooten: “Extends Bid Contract for Well and Pump Testing for the Riverhead Water District, so moved as amended.”

Councilman Gabrielsen: “And seconded.”

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

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

Supervisor Walter: “Oh, I forgot to tell you guys something else. We won our standing case on the 182 regulations against the DEC.”

Councilwoman Giglio: “Yeah, that’s big news.”

Supervisor Walter: “This was a good day for Calverton for EPCAL. I only got that text message. We have to go back and argue on the merits. We lost one issue which was the; we won on the three procedural counts we lost on the substance of count because it’s not right yet. We didn’t have an application actually for the DEC. We could always bring that again but I think we’re going to try and see if the DEC would like to sit down and talk to us about what makes sense and what doesn’t make sense, we’ll see. That’s another good thing.”

### **Resolution #233**

Councilman Gabrielsen: “Awards bid for Dry Hydrated Lime (Calcium Hydroxide), so moved.”

Councilwoman Giglio: “Seconded.”

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

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

### **Resolution #234**

Councilwoman Giglio: “Authorizes Town Clerk to Publish and Post Notice to Bidders for Well and Pump Emergency Service for the Water District, so moved.”

Councilman Dunleavy: “And seconded”

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

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

### **Resolution #235**

Councilman Dunleavy: “Adopts a Local Law Amending Chapter 101 Entitled “Vehicles and Traffic” of the Riverhead Town Code (Article X, Snow Events), so moved.”

Councilman Wooten: “I’ll second.”

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

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

### **Resolution #236**

Councilman Dunleavy: “Authorizes the Supervisor to Execute an Agreement with Pace Analytical Services, Inc., so moved.”

Councilman Wooten: “And seconded.”

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

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

### **Resolution #237**

Councilwoman Giglio: “I’m not happy with the language with the way it is. I saw it for the first time today so I think it should be tabled and we should discuss it at a work session.”

Councilman Gabrielsen: “237 and 238?”

Supervisor Walter: “I don’t know why, it was mailed out, it was e-mailed to everybody on Friday before 4:30 as the Town Board discussed with all Resolution. When was this decision made?”

Councilwoman Giglio: “Well I discussed it with George before the meeting this afternoon and then John came into my office and I discussed it with him and Jim had expressed concerns with it last night when I spoke with him.”

Supervisor Walter: “So you saw it before this morning?”

Councilwoman Giglio: “I did see it before this morning yes but it was mentioned to me by Jim. I did not see it before this morning. Jim mentioned it to me last night that this is not the language that he agreed with either.

Councilman Gabrielsen: “Well all right, if you want to change the language. Do we have a motion to table? Did you make a motion to table?”

Councilwoman Giglio: “Yep.”

Councilman Dunleavy: “Both of them or just one?”

Supervisor Walter: “Wait, wait. If you want to amend the language we can amend the language. What’s the matter with amending the language? What’s the problem with the language?”

Councilwoman Giglio: “One of these was supposed to be just the Town Board so I would eliminate Planning Board, Zoning Board, Architectural Review Board, Board of Assessment Review, Conservation Advisory Council, Ethics Board.”

Supervisor Walter: “Alright, I’m ok with that for now. You want to eliminate that one?”

Councilman Gabrielsen: “Which one was that one?”

Councilman Dunleavy: “237.”

Councilwoman Giglio: “Yep.”

Supervisor Walter: “So you want to eliminate Planning Board, Zoning Board, Architectural Review Board.”

Councilwoman Giglio: “Actually George had a concern as to whether or not Zoning Board should be in here so that’s why I thought we should discuss it at a work session.”

Supervisor Walter: “We can discuss it now. That’s an easy fix if we pull all of those out.”

Councilwoman Giglio: “Except the Zoning Board right George?”

Councilman Gabrielsen: “Yes, that’s one of the concerns I had.”

Supervisor Walter: “Ok so do you want to pull out Planning Board, Architectural Review Board, Board of Assessment Review, Conservation Advisory and I would leave in the Ethics Board. I don’t think the Ethics code allows them to be in it anyway.”

Councilman Dunleavy: “I think you have to take out appointment too. (Inaudible) Yes you could get appointed if someone leaves.”

Supervisor Walter: “Ok, does that make sense eliminate the Planning Board, Architectural Review Board, Board of Assessment Review, Conservation Advisory Board and the Ethics Board or leave the Ethics Board in?”

Councilman Gabrielsen: ”I would leave that in; I would absolutely say it that way.”

Supervisor Walter: “Ok, so do you want to do the same thing on the other one? In the other one we’re going to take out the Planning Board, Architectural Review Board, Board of Assessment.”

Councilman Dunleavy: “Now this says only elected town officials; so that’s all the elected officials? That’s what we’re going to talk about?”

Supervisor Walter: “Right, that’s what we discussed last Thursday. So this would be *no elected Town official or member of the Town Board*. We’ll take our Planning Board, Architectural Review Board, Board of Assessment Review, Conservation Advisory, just like the

other one and leave the Ethics Board in. So it will say *No elected Town official or member of the Town Board, Zoning Board of Appeals and Ethics Board shall serve on the Executive Board of a town, county, state or national recognized political party* .I'll support that. So why don't we move it and see where it goes."

Councilwoman Giglio: "Do we; I mean do we know we have everybody in here that we want in here? No elected town official or member of the Town Board; I mean is."

Councilman Gabrielsen: "I agree with Sal; two public hearings and since it's probably not going to be adopted the way it is, I mean I could see; I'm just following the chatter on the Town Board here. You know maybe we should put that and combine it with; I know but we're changing things now so obviously."

Supervisor Walter: "It was brought up by Councilwoman Giglio to do both last Thursday so I say let's go forward with the hearing and see what happens. See what kind of comments you got."

Councilwoman Giglio: "I think I agree with George and Sal that we should make sure that the language is right so that we're not posting and publishing twice for a public hearing. I don't know that it's ready to be adopted with this language this way. John and Jim, do you want to weigh in?"

Supervisor Walter: "I think it's good to go for a public hearing and see what the public says."

Councilwoman Giglio: "Yes but it cost us money in advertising."

Supervisor Walter: "It's very little bit of money to advertise for this. What's it cost, twenty-five dollars to advertise for this in advertisement for this Diane?"

Diane Wilhelm: "About that."

Councilwoman Giglio: "Twenty-five dollars means a lot to a lot of people out there and."

Supervisor Walter: "I'll volunteer to pay the twenty-five dollars. (Inaudible) I just. Listen, you made a decision on Thursday."

Councilman Dunleavy: "Actually I think there's a motion on the floor. You have to withdraw your motion or."

Supervisor Walter: "I don't think she made a motion."

Councilman Dunleavy: "She did make a motion."

Supervisor Walter: “She said I’d like to table it she didn’t move to table it so the question becomes do we move these forward, let the public have input and you don’t have to adopt it.”

Councilwoman Giglio: “I don’t think they’re ready the way they are. I make a motion we table Resolutions 237 and 238.”

Councilman Dunleavy: “I second.”

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

Councilman Gabrielsen: “You’re moving for both of them?”

Councilman Dunleavy: “Yup.”

The Vote: “Giglio, yes; Gabrielsen.”

Councilman Gabrielsen: “Respecting my colleagues what not and I understand you have some concerns; I would have to say yes because we can bring it back.”

Vote Continued: “Wooten.”

Councilman Wooten: “I would entertain the table just for the basic purposes that I think we have to have one collaborated Board for the public to comment on. It makes no sense. This isn’t a taste test. You put something out there that we want to see them.”

Supervisor Walter: “This is what we agreed to on Thursday.”

Councilman Wooten: “I know but this is the first time that I’ve ever seen that. I’ve been here six years. I say yes to table.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “I have to agree with Councilman Wooten so I vote yes.”

Vote Continued: “Walter.”

Supervisor Walter: “I’m going to vote no but I can’t say I’m surprised that this got tabled, I just wonder where this decision was made.”

Diane Wilhelm: “Resolutions 237 and 238 are tabled.”

### **Resolution #239**

Councilman Dunleavy: “I would like to table Resolution 239.”

Supervisor Walter: “You’re tabling Resolution 239 also. Wow, I wonder when that decision was made.”

Councilman Wooten: “I’ll second.”

Supervisor Walter: “Moved and seconded as to table motion for 239.”

The Vote: “Giglio.”

Councilwoman Giglio: “As per my discussion with Jim Wooten, just Jim and I last night, we discussed it and this language was not the language he proposed to the Supervisor that’s been sitting on the Supervisor’s desk, it’s entirely different and I think that we as a Board should sit down and discuss this and as per a conversation that I had with Councilman Gabrielsen when he walked in before the Town Board meeting today.”

Supervisor Walter: “That would be inaccurate Jodie because this was exactly what we discussed and this was what was given to you before 4:30 on Friday which was what the agreement among the Board members were that if we discussed at work session and it gets to you by e-mail by 4:30 on Friday that it’s good to go and there were no comments on it so. Did we get a second as to table?”

Councilman Wooten: “Yes I seconded it.”

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

The Vote: “Giglio, yes; Gabrielsen.”

Councilman Gabrielsen: “As per the last work session, I know Jim had made some very good comments that I reflected on as far as the ZBA possibly, limits on it cause I think they’re somewhat policy makers. I’d like to see that included in here so I would vote; I think that next work session we should get the language that we want.”

Councilman Wooten: “I think we’re close.”

Councilwoman Giglio: “Right and also we have an Ethics Board decision. We sent this to the Ethics Board; we asked them to exam it. They came back to us and told us to define policy maker which we still haven’t so I think that we need to put that definition in place before we can vote on this resolution.”

Supervisor Walter: “Well actually that’s pretty much what the first two resolutions that you tabled did if you followed the Ethics decision. That’s what the first two resolutions intended.”

Councilwoman Giglio: “I would be happy to discuss it on Thursday.”

Supervisor Walter: “Ok, we’ll put all three back on Thursday.”



Councilman Gabrielsen: “Did we vote?”

Diane Wilhelm: “Up to you George.”

Councilman Gabrielsen: “To table, yes.”

Vote Continued: “Wooten, yes; Dunleavy.”

Councilman Dunleavy: “I got to vote yes because all the constituents that I speak to tell me that they’re the ones that want to make; we’re a small town, we’re close to the public and they’re the ones that want to make the decision as to when someone leaves or when someone arrives on the Town Board or elected official. I have to vote yes.”

Councilman Wooten: “That’s not the only reason (inaudible)>.”

Vote Continued: “Walter, once again I’m in the minority, no.”

Diane Wilhelm: “Resolution 239 is tabled.”

#### **Resolution #240**

Councilman Wooten: “Amends Resolution 283 of 2013 to Provide for Monitor Regarding Lane Clearing Permit to Heritage-Riverhead Retail Developers, LLC - The Shops at Riverhead (Costco), so moved.”

Councilman Dunleavy: “And I second it”

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

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 240 is adopted.”

#### **Resolution #241**

Councilman Gabrielsen: “Authorizes Town Clerk to Publish and Post a Public Notice to Consider a Local Law to Amend Chapter 37 Entitled ‘Retirement’ of the Riverhead Town Code 9 Article V), so moved.”

Councilwoman Giglio: “Seconded”

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

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

Councilman Dunleavy: “I’m going to vote yes to the hearing they’re trying to move all the high people out, paid people, and put lower paid people in to save the tax payers.”

Vote Continued: “Walter, yes. Resolution adopted.”

### **Resolution #242**

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

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded as to paying the bills.”

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

Supervisor Walter: “We opened the hearing of Town Board meeting; tried to make it interesting for you folks and we hope we did. Does anybody wish to address the Board; any matter that may be before the Board or before the Town. Can I get a motion to end the Town Board meeting?”

Councilman Dunleavy: “I make a motion that we end the Town Board meeting.”

Supervisor Walter: “All in favor of adjourning?”

Collective ayes.

**Meeting Adjourned 2:54p.m.**