

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, July 6, 2016 at 2:00 p.m.

**PRESENT**

Sean Walter	Supervisor
John Dunleavy	Councilman
James Wooten	Councilman
Jodi Giglio	Councilwoman

**ABSENT**

Timothy Hubbard	Councilman
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**ALSO PRESENT**

Diane 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.

Ricky from Shoreham Boy Scout Troop 161 spoke telling the Board he is working on his Communication Badge and another Scout spoke saying he was working on his Citizenship Badge. Supervisor Walter welcomed the Troop and thanked the Scoutmaster for bringing them to the Board meeting.

Councilman Dunleavy made a motion that the minutes of the June 21, 2016 Town Board meeting be approved. Motion was seconded by Councilman Wooten and carried. Councilwoman Giglio abstained from voting as she had not read the minutes prior to the meeting.

**REPORTS**

- Tax Receiver total tax collection to date as of July 5, 2016 - \$145,671,187.52
- Sewer District Discharge Monitoring Report May 2016
- Town Clerk June Monthly Report - \$11,356.15
- Building Department June Monthly Report - \$78,821.25

**APPLICATIONS**

**Special Permits**

- J. Petrocelli Development Associates – restaurant/hotel, East Main Street, Riverhead

**Fireworks Application**

- Native Events Inc. – 3186 Sound Avenue, Riverhead (4H-Camp) – July 30, 2016

## FIRE DISTRICTS

- Riverhead Fire District Auditors Report of Financial Statements of 2015
- Jamesport Fire District Audit of Financial Statements of 2015

## COMMITTEE REPORTS

Councilman Wooten reported that the Summer Concert Series will begin Friday, July 8<sup>th</sup> at Grangebel Park. There will be eight shows this year with various groups performing. The Concerts are free. Councilwoman Giglio added that Councilman Wooten and the committee go above and beyond to bring in the best bands to play. She urged everyone to take advantage of these free concerts.

Councilman Dunleavy thanked the (inaudible) Association for the fireworks and songs that were on the river on Sunday, July 3<sup>rd</sup>. He said everyone who attended had a great time listening to the bands play and watching the fireworks.

Councilwoman Giglio said she is getting a lot of complaints from residents who are seeing people dumping household garbage at the town beaches and parks. She asked if anyone sees this to please take a picture of the person and their car license plate and report them. She added that the Town will investigate the matter since it is illegal to dump household garbage at Town facilities.

## COMMENT ON RESOLUTIONS

Supervisor Walter: “Does anybody wish to be heard on resolutions, Sal?”

Sal Mastropaolo: “Resolution 510. Under *notice to bidders* change the word purchase to printing.”

Supervisor Walter: “Where is that?”

Sal Mastropaolo: “On the *notice to bidders* the attachment. It says *sealed bids for the purchase of* it should be *for the printing of recreation brochure*, right? You’re going out for bids for printing the brochures not for purchasing them.”

Supervisor Walter: “Right.”

Councilman Dunleavy: “Right, we are.”

Sal Mastropaolo: “Resolution 525. There’s no mention of food being served. There’s no mention of vendors temporary food permit or public gathering EMS permit or a New York State Department of Labor permit, or a Certificate of Insurance or an outdoor public safety plan. I would think if they’re going to get a big crowd you should have requirements for all of that stuff.”

Supervisor Walter: “I don’t think they get a very big crowd.”

Councilwoman Giglio: “But (inaudible) safety plan is to be submitted but there should also be something in here that says if any food service or alcohol beverage or anything which I doubt alcohol beverages is being served at the church event but any food (inaudible).”

Sal Mastropaolo: “I’m sure there’s going to be food in a six hour.”

Councilwoman Giglio: “(Inaudible) health department so maybe we can amend that one Bob.”

Councilman Wooten: “If there’s food (inaudible) I know they’re kitchen is certified. I don’t know if they’re going to bring outside vendors.”

Supervisor Walter: “Wait a second; I, we can’t amend it because we don’t have the information for it in front of us.”

Councilwoman Giglio: “Well we could just put a fifth resolve, a sixth resolve.”

Councilman Dunleavy: “Yeah, we can put that if outside vendors are serving they have to have.”

Supervisor Walter: “Bob, can you just call Laura and see if she can come down and.

Robert Kozakiewicz: “What are we doing?”

Supervisor Walter: “Just call Laura and see if she can come down and tell us exactly what they’re doing?”

Robert Kozakiewicz: “Ok.”

(Inaudible)

Councilman Wooten: “I can’t imagine them bringing in outside. They do all their cooking there and I know it’s a health department approved kitchen in the church.”

Supervisor Walter: “Ok, let’s call Laura and see if she can tell us what this is.”

Robert Kozakiewicz: “Ok.”

Supervisor Walter: “Before we jump all over the place on this. Ok, what else you got for us Sal?”

Sal Mastropaolo: “Resolution 532, the way I read this the Town commenced proceedings against Baiting Hollow Farms, Et. Al. Why is the town retaining the law firm to defend the defendants?”

Robert Kozakiewicz: (Inaudible)

Sal Mastropaolo: “Well read it, it says *whereas the Town Board has determined that the law firm of Smith, Finkelstein, Lundeberg, Isler and Yakaboski, LLP is qualified and be retained to defend or appear on behalf of all he named defendants.*”

Robert Kozakiewicz: “You’re right.”

Councilman Dunleavy: “You’re right again.”

(Inaudible)

Sal Mastropaolo: “That’s it.”

Supervisor Walter: “Anyone else wish to be heard on resolutions? Not seeing anyone let’s take up resolutions.”

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

Councilman Wooten: “I second.”

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

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

**Town Board Meeting is Closed**

**Town Board Meeting is Reopened**

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## **RESOLUTIONS**

### **Resolution #499**

Councilman Wooten: “Riverhead Water District Capital Project #30098 Plant No. H2M Proposal No. LP151231 Budget Adjustment, so moved.”

Councilwoman Giglio: “Second.”

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

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

**Resolution #500**

Councilwoman Giglio: “Hallock State Park Preserve, Sound Avenue, Jamesport Water Capital Project #30136 Budget Adoption, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

Councilman Dunleavy: “Yes this is the development fees (inaudible) and we’re just putting in for, so they can build a fire hydrant there so I vote yes.”

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

**Resolution #501**

Councilman Dunleavy: “Authorizes Publication of Notice to apply for Official NYS DOS BOA Designation, so moved.”

Councilman Wooten: “I’ll second.”

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

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

**Resolution #502**

Councilman Wooten: “Authorizes Town Clerk to Publish and Post the Attached Notice to Bidders for Grangebel Park Sidewalk Improvement Project, so moved.”

Councilwoman Giglio: “Second.”

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

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

**Resolution #503**

Councilwoman Giglio: “Ratifies Approval of a Leave of Absence for Public Safety Dispatcher (John Seus), so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “Military leave so thank you, yes.”

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

#### **Resolution #504**

Councilman Dunleavy: “Accepts Retirement of Town Engineer, so moved.”

Councilwoman Wooten: “Second.”

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

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

Councilman Dunleavy: “Listen, he did a wonderful job for over thirty years. I'm going to miss him but he wants to go on and do other things so I vote yes.”

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

#### **Resolution #505**

Councilman Wooten: “Appoints a Seasonal Call-in Pump-out Boat Operator (Keith Davis), so moved.”

Councilwoman Giglio: “Second.”

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

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

#### **Resolution #506**

Councilwoman Giglio: “Ratifies the Appointment of a Seasonal Pump-Out Boat Operator (Katherine Hegermiller), so moved.”

Councilman Dunleavy: “Second.”

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

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

Councilman Dunleavy: “We’re an equal opportunity town, one male and one female. I vote yes.”

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

**Resolution #507**

Councilman Dunleavy: “Appoints a Bingo Inspector (Joseph Lombardino), so moved.”

Councilman Wooten: “Second.”

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

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

**Resolution #508**

Councilman Wooten: “Reappoints a Part-time Crossing Guard (Brian Moody), so moved.”

Councilwoman Giglio: “Second.”

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

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

**Resolution #509**

Councilwoman Giglio: “Authorizes the Town Clerk to Publish and Post Notice for a Public Hearing for a Special Permit for The Cage, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

**Resolution #510**

Councilman Dunleavy: “Authorization to Publish Advertisement for Printing of Recreation Brochure for Town of Riverhead as amended, so moved.”

Councilman Wooten: “I’ll second.”

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

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

**Resolution #511**

Councilman Wooten: “Awards Bid for Sporting Goods 2016, so moved.”

Councilwoman Giglio: “Second.”

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

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

**Resolution #512, 513, 514, 515, 516, 517**

Councilwoman Giglio: “Appoints a Call-in Clerk to the Recreation Department (Donna Danowski), so moved. Are we going to do these all together?”

Councilman Dunleavy: “Yes, can we do them?”

Supervisor Walter: “Can we get a motion to move Resolution 512 Appoints a Call-in Clerk to the Recreation Department; 513 Appoints a Water Safety Instructor to the Recreation Department; 514 Appoint Seasonal Lifeguards to the Recreation Department; 515 Appoints a Call-in Recreation Specialist to the Recreation Department (John King); 516 Ratifies the Appointment of Seasonal Recreation Aides to the Recreation Department; 517 Appoints Seasonal Beach Attendants to the Recreation Department. I make a motion we move 512 through 517.”

Councilwoman Giglio: “I’ll second.”

Supervisor Walter: “Moved and seconded. Can we vote on 512 through 517?”

The Vote: “Giglio; Wooten, yes; Dunleavy, yes; Walter, yes. Resolutions 512 through 517 are adopted.”

**Resolution #518**

Councilwoman Giglio: “Authorizes the Supervisor to Execute an Agreement Authorizing Suffolk County Community College (SCCC) to Participate in the “Alive on 25” Street Festival on Thursday Nights, July 14, July 28, August 11 and August 25, 2016, Rain Date September 1, 2016, 5:00 p.m. to 9:30 p.m. Solely for the Purpose to Distributing College Informational Brochures, so moved.”

Councilman Dunleavy: “And second.”

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

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

**Resolution #519**

Councilman Dunleavy: “Extends Bid Contract Nunc Pro Tunc for Disposal of Town Generated Construction and Demolition Material, so moved.”

Councilwoman Wooten: “I’ll second.”

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

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

### **Resolution #520**

Councilman Wooten: “Authorizes Town Clerk to Publish and Post a Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 289 Entitled, “Vehicles, Traffic and Parking Regulations” of the Riverhead Town Code, so moved.”

Councilwoman Giglio: “Second.”

Supervisor Walter: “John is this right now?”

Councilman Dunleavy: “Yeah from the point and intersection with Marcy Avenue in a southeasterly direction to its intersection with Hamilton Avenue. That’s correct.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I’ve actually noticed, they must have heard because they haven’t been parking there, yes.”

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

### **Resolution #521**

Councilwoman Giglio: “Authorizes the Supervisor to Execute an Agreement with Auctions International, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #522**

Councilman Dunleavy: “Awards 2016 Annual Fire and Security Alarm Contract, so moved.”

Councilman Wooten: “I’ll second.”

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

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

### **Resolution #523**

Councilman Wooten: “Ratifies the Approval of the Application for Fireworks Permit of Riverhead Business Improvement District Management Association (Sunday, July 3, 2016), so moved.”

Councilwoman Giglio: “Second.”

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

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

### **Resolution #524**

Councilwoman Giglio: “Authorizes Settlement of a Lawsuit, so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I abstain and I hold myself away from all of these meetings and all of these discussions and Executive Sessions having to deal with this because they were a client of mine at one time so I will abstain from the vote.”

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

### **Resolution #525**

Councilman Dunleavy: “Approves Chapter 255 Application of Family Community Life Center, Inc. (Family Fun Day – Saturday, July 30, 2016).”

Robert Kozakiewicz: “Does include food concessions so we’re going to add our usual language that it’s going to be subject, the approval for this event shall be subject to receipt of required Suffolk County Department of Health Vendor’s Temporary Food Service permit.”

Councilman Dunleavy: “As amended, so moved.”

Supervisor Walter: “Can I get a second?”

Councilman Wooten: “I’ll second.”

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

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

### **Resolution #526**

Councilman Wooten: “Approves Chapter 255 Application of Jamesport Fire Department to Conduct a Firemen’s Carnival (July 13 through 16, 2016) so moved.”

Councilwoman Giglio: “Second.”

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

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

### **Resolution #527**

Councilwoman Giglio: “Approves the Application for Fireworks Permit of Jamesport Fire Department (Saturday – July 16, 2016), so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #528**

Councilman Dunleavy: “Approves Chapter 255 Application of Bishop McGann Mercy High School (5K Run – Saturday, October 1, 2016), so moved.”

Councilman Wooten: “I’ll second.”

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

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

### **Resolution #529**

Councilman Wooten: “Approves Chapter 255 Application of Native Events Inc. (Country Festival – July 29, 30 and 31, 2016), so moved.”

Councilwoman Giglio: “Second.”

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

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

### **Resolution #530**

Councilwoman Giglio: “Approves Chapter 255 Application of Riverhead Free Library (120<sup>th</sup> Birthday Celebration – Saturday, July 23, 2016), so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #531**

Councilman Dunleavy: “Amends Resolution and Approves Additional Events under Chapter 90 Application of Riverhead Raceway Inc. (Drive-in Movie Series), so moved.”

Councilman Wooten: “I’ll second.”

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

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

Councilman Dunleavy: “I heard their first one was almost a sellout and we had no complaints so I think that’s a good thing people getting out to see more movies so I vote yes.”

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

### **Resolution #532**

Councilman Wooten: “How did you reword this Bob?”

Robert Kozakiewicz: “The second *whereas*, it will say *on behalf of the named plaintiff*.”

Councilman Wooten: “Named plaintiff, ok. Authorizes Substitution of the Law Firm of Smith, Finkelstein, Lundberg, Isler ad Yakaboski, LLP in the Civil Action Entitled Town of Riverhead v. Baiting Hollow Farms, LLC, Et. Al. and Authorizes the Supervisor to Execute a Retainer Agreement, so moved as amended.”

Councilwoman Giglio: “I’ll second.”

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

The Vote: "Giglio."

Councilwoman Giglio: "Is this at the rate of a hundred and seventy-five dollars an hour?"

Supervisor Walter: "Everything is still at one seventy-five we haven't passed that resolution but we will."

Councilwoman Giglio: "Yes."

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

### **Resolution #533**

Councilwoman Giglio: "Authorizes Notice of Public Hearing Regarding Rate Restructure of the Riverhead Water District, so moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yeah this is to save our tax payers money and the more water you use the more money you're going to pay so I vote yes."

Vote Continued: "Walter, yes. Resolution adopted."

### **Resolution #534**

Councilman Dunleavy: "Ratifies the Appointment of a Call-in Registered Nurse to the Recreation Department (Catherine Seuling), so moved."

Councilman Wooten: "I'll second."

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

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

### **Resolution #535**

Councilman Wooten: "Pays Bills, so moved."

Councilwoman Giglio: "Second."

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

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

### **GENERAL COMMENTS**

Supervisor Walter: “Alright so we open the Town Board meeting up to public comment. We ask you to limit your comments to five minutes, not that anybody ever enforces it but. How are you doing Miss?”

Patricia Holland from Northville came forward and thanked the Board for repairing the sidewalk adding that those who walk with canes and walkers were have a difficult time.

Sal Mastropaolo spoke about his concerns regarding parking on Gregory Way in Calverton. He wanted to know what he had to do to get the Safety Committee to look at the parking situation there. He continued by saying the corner house is a medical office and patients are parking right to the corner thus blocking the driver’s view when turning onto Gregory way. He continued to say that he would like a sign stating No Parking within seventy-five feet of the Sound Avenue intersection.

Councilwoman Giglio said she and Councilman Dunleavy sit on the Public Safety Committee and they have had public safety meetings with the Chief and the highway Superintendent. She said she will bring this issue up to the committee at their next meeting where it will be discussed and a resolution will be drafted.

Supervisor Walter: “Alright, can I get a motion to adjourn?”

Councilman Dunleavy: “I make a motion we adjourn.”

Supervisor Walter: “And seconded, all in favor aye, opposite, abstentions. Town Board meeting is closed.”

**Meeting Adjourned at 2:35**