

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, March 21, 2017 at 7:00 p.m.

**PRESENT**

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

**ALSO PRESENT:**

Diane Wilhelm	Town Clerk
Robert Kozakiewicz	Town Attorney

The meeting was officially opened at 7:00 p.m. by Supervisor Walter with the Pledge of Allegiance followed by an Invocation by Fr. Larry Duncklee, St. John the Evangelist, Roman Catholic Church, Riverhead.

Christine DuPree a resident and local artist explained her art work on display in the hall of Town Hall. The art work will be on display until the end of May.

Supervisor Walter welcomed Scoutmaster Phil Kenter and his troop, Troop 94, to the Town Hall meeting tonight. Matt Hanson, a senior scout from the troop thanked everyone for welcoming them to the meeting tonight. Scoutmaster Kenter said the boys were working towards their Citizenship in Community Merit Badge and attending a Town Board meeting would help them accomplish that.

Jim Deluca a Professor at SCCC Farmingdale brought several students from his Architectural Engineering class to the meeting tonight. Supervisor Walter told the students that tonight's meeting would be an interesting one for them since the public hearing tonight was for a site plan application of an art gallery.

James Janacek, an employer from the Recreation Department was given a proclamation upon his retirement after sixteen years of service to the Town. Supervisor Walter thanked him for his hard work and dedication to the residents and the Riverhead Recreation Department.

Councilman Dunleavy made a motion that the minutes of the March 7, 2017 meeting be approved. Motion was seconded by Councilman Wooten and carried.

**CORRESPONDENCE**

- Anonymous letter to the Town Board stressing the violation of several sections of Town Code, specifically the thirty-day rental law and the restriction of dogs on town beaches.

**REPORTS**

- Tax Receiver – total tax collection to date as of March 8, 2017 - \$79,294,950.29
- Tax Receiver – total tax collection to date as of March 16, 2017 - \$79,479,654.40

Councilman Wooten, Grand Marshal of the Jamesport parade announced that the parade will be on Saturday, March 26<sup>th</sup> on Main Street in Jamesport. Parade will begin at 1:00 p.m.

### **PUBLIC HEARINGS**

Supervisor Walter: “We have one public hearing. It’s scheduled for 7:05 and it is now 7:19 and we open the first public hearing which is the Consideration of a Site Plan Application of Viva L’ Arte proposing the Construction of a Two Story Building for use as an Art Gallery Located at 33-26 East Main Street, Riverhead, NY, SCTM #0600-128-06-58.1. Mr. Sendlewski are you going to present this application? Just state your name and affiliation for the record.”

Martin Sendlewski: “Martin Sendlewski, architect, 215 Roanoke Avenue, Riverhead, NY. I’m the architect here representing the applicant, Viva L’ Arte, thank you members of the Board. I would like to express an apology from John Carlo and Jill. They had to return to Italy a little bit early. They’re at their studio in Italy right now working on some sculpture projects as well as Gianna who is at their residence right now in New York City. She wouldn’t have been able to make it out here for the meeting time tonight. So they do apologize that their not here.

The project that we have is the studio gallery project located directly next store to Barth’s in that relatively narrow vacant lot. The project as you know had originally been approved back in 2005, sort of went on a break for a while, has be resurrected and now is full steam ahead, you know, now it’s the real deal. We’re looking to get a shovel in the ground as soon as we can. We were very happy that the project did have a delay because the scope changed from the original application which was a first floor gallery to a second floor studio artist loft. The new project is now for a gallery on the first floor with a small mezzanine office area. A second-floor gallery with a small mezzanine transient residential use which will be for visiting artists to stay while their exhibit is on display.

Although the project is relatively modest in size compared to some of the other things you see happening in downtown now, only being a little bit over four thousand square feet, it really is going to be a big project in what it does and what the impact is to Riverhead.

The artists are going to permanently relocate to their residence in Riverhead, they currently have a residence in Riverhead and this will now become the main home base of their operation. The home base will include now publishing their magazine Sculpture Review which is an international magazine that goes out quarterly and will now be published from Riverhead and they’re starting an additional publication about the arts from the Main Street location and that will also be a quarterly international publication about the arts. They have contact with artists throughout the world. Those are the types of people they’re going to bring here. They’re going to have many programs and outreaches within the community some of which are started already. There are already plans for different functions to start happening while the project starts construction until completion and they’re really looking forward to making downtown their home.

I know you’ve seen the project before. There’s a picture of them modeling in News Review a couple of weeks ago. We’re going through the nuts and bolts so if anyone has any comments or questions.”

Supervisor Walter: “Why don’t we do this? Why don’t we incorporate the records from the work session? Do you remember what date that work session was, February 16, 2017? So, we’re going to incorporate the record from the work session here because we have the model and sketches.”

Martin Sendlewski: “Thank you.”

Supervisor Walter: “Jeff Murphree, is there anything you want to add to this? Is the application largely completed through their site plan review process in terms of different comments back and forth? Ninety-nine percent, that’s what we want to hear. All right, would anybody like to be heard on this particular project?”

Barry Barth: “My name is Barry Barth and I own the property 32 East Main Street which is directly west of the proposed project. There a couple of issues I would at least like to put on the record. First off is that the parking behind Barth’s Drug Store and this proposed project is challenging at best. There’s parking that’s designated for I believe two hours and there’s only a limited amount of parking especially on days when the culinary school is very active so I would respectfully request that the contractor be sensitive to the fact that, you know, a large dumpster and employees and all manner of the construction project be sensitive to the fact that they’re trying to do business next store in the pharmacy, they’re trying to do business in flower alley and that we understand that they’ll be some issues but if they could be sensitive to the fact that we’re still trying to do business there and not block up traffic any more than is absolutely necessary; we would appreciate it. The issue I have.”

Supervisor Walter: “Sir, on that issue we’ve asked and what we’re trying to enforce now and we will enforce is that the employees of the construction site were not going to park up against the construction site and that’s going to be a requirement of any approval that we give. So, there be may be things, I mean there may be dumpsters, deliveries in spots but the employees, to the extent we can keep employees away and have them park and shuttle them back in, we will do that and we have started that recently.”

Barry Barth: “Ok, thank you.”

Councilman Hubbard: “Mr. Barth, also I just had a conversation with Mrs. (inaudible) from the Culinary Institute and we’re putting them on notice , students and the faculty, that are not to park any longer in the culinary parking area with the time restrictions. They’ve been using that parking pretty regularly and pretty much all day long. We are going to start enforcing that parking and the Culinary Institute was more than cooperative in asking their students and faculty to park out to the north side of the First Street parking lot. So that should help with the situation also.”

Barry Barth: “The culinary school actually has been very responsive to the parking issue notifying the faculty and the students where they should park. Enforcement unfortunately is another issue, they’re not reinforcing.”

Councilman Hubbard: “That’s changing, that’s changing.”

Barry Barth: “The other issue I have is when the culinary school was being built they used my building for staging area and I suffered some leaky roofs and some compromising of my roof structure. I didn’t realize that were going to do this and all of a sudden there they’re loading things with a fork lift and I’ve spoken with Mr. Sendlewski about this. I don’t know whether there could be a bond that could be?”

Supervisor Walter: “We’re not going to let them do it and if you’re not going to let them do it then that’s the end of it.”

Barry Barth: “Ok.”

Supervisor Walter: “So just tell them no and if they’re going to do it then they’ll have to post a bond with you to make sure you’re satisfied. That’s completely your discretion. You don’t let them on your roof then they do not go on your roof and if you want a bond or insurance then they will post a bond or insurance; that’s something you can control.”

Barry Barth: “Ok, all right. So those are the only two issues that I have. I hope the project goes forward. That property I think has been empty since 1978 so it’s a long time coming, thank you.”

Supervisor Walter: “Does anybody else wish to be heard on this matter. Ok Mr. Sendlewski, I think we talked about the parking. We discussed that a little bit when you were in the work session so we are probably going to make a requirement in the site plan that they have to park off.”

Martin Sendlewski: “Absolutely and if you also wanted that to be a condition of the resolution as well.”

Supervisor Walter: “We will.”

Martin Sendlewski: “As well and an agreement with Mr. Barth as part of that site plan resolution that would be fine also.”

Supervisor Walter: “I think if Mr. Barth is going to let you on his roof he does that under his own peril and it sounds like he’s going to let you on his roof.”

Supervisor Walter: “We’re not letting him on, that’s a separate issue for you guys to deal with. We can’t give permission.”

Martin Sendlewski: “It will be well taken care of in a very neighborly fashion.”

Councilwoman Giglio: “So, where are you going to do the staging for the property?”

Martin Sendlewski: “What we’re looking at doing is possibly take the two spaces directly behind the site. Most of the work will be onsite but we are going to need an area off of the site

temporarily. Fortunately, the front of the building is set back from the road, you know the front of the building is set back from Main Street so in terms of storage and other things we'll have room there but it's certainly going to be a tricky build but I think if we get, we close in the front and just take part of the front sidewalk still allowing pedestrians to go by and take the two parking spots directly behind temporarily with a fence I think we'll be able to do well. We'll manage with that as need be."

Supervisor Walter: "We understand that, we'll work with you."

Councilwoman Giglio: "Have you spoken to the Parking District about that and agreed with the parking district so that you can use that as a staging area?"

Martin Sendlewski: "Well we spoke about it as part of the site plan review. We discussed the staging as part of the site plan review so when I bring back the final plan after tonight, what I'll do because you're going to require an additional plan to be resubmitted now for the final approval, I'll do a staging and constructability plan as part of the final submission that can be reviewed and be agreed to by all parties."

Supervisor Walter: "That's what we've done in the past. We might not see it but that's what we've done in the past. That's something that staff feels."

Martin Sendlewski: "Ok."

Councilwoman Giglio: "Are you going to have any scaffolding on 25 on the sidewalk on 25."

Martin Sendlewski: "No, not on 25, we're actually set back from 25."

Councilwoman Giglio: "Ok."

Martin Sendlewski: "The face of the building, the closest part is eight feet and then it steps back further to I believe approximately twelve feet to the face of the building from the sidewalk so we do have room in the front and the back is pretty much right at the line but we have the buffer with the sidewalk and the parking there so."

Supervisor Walter: "Does anybody else wish to be heard: All right then, we're going to close the public comment portion on this public hearing and leave it open for written comment until March 31<sup>st</sup>, 4:30 in the Town Clerk's office."

**Public Hearing Closed at 7:27 p.m.  
Left Open for Written Comment until March 21, 2017 at 4:30 p.m.**

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**COMMENTS ON RESOLUTIONS**

Supervisor Walter: “We’re going to take up resolutions. Anybody have any comments on resolutions only?”

Sal Mastropaolo: “Sal Mastropaolo, Calverton, Resolution 194. My first question is, 194 awards bid for annual construction contract. My first question is if you have an item number can that specification ever change or is it a set specification for that item number?”

Supervisor Walter: “It’s a set specification for that item number.”

Sal Mastropaolo: “Ok, then my second question is, does anybody compare you know, like award number one to award number two and award number two to award number three because item number 112 is top soil and seed and the prices range in about five different awards from a dollar a square yard to twelve dollars a square yard. So first I thought maybe it’s because one of them is for the first five hundred square yards and the other one is for 501 to 1500 but I found two items, two lines where it was the same quantity at very different rates. I found a dollar, six dollars, eight dollars, seven fifty, ten dollars and twelve dollars a square yard.”

Supervisor Walter: “So we should take it from the cheapest one. I mean the town engineer goes through this. They set this up and they go through it and they make recommendations to the calculations”

Councilman Wooten: “A dollar is more. (inaudible)”

Councilwoman Giglio: “But it’s interesting that your bring it up because the existing contraction contract that we have, who it was awarded to which is Rosemar, they’re at ninety dollars a yard for excavation and for RCA now the new contract, he wasn’t the low bidder, but the new guy is ninety-five dollars a yard we’re going to try and get it for the ninety dollars a yard before this contract expires which is April 19<sup>th</sup>.”

Sal Mastropaolo: “Ok, but the point I’m trying to make is.”

Supervisor Walter: “I really don’t know why that is.”

Councilwoman Giglio: “You’re right.”

Sal Mastropaolo: “I mean somebody’s got to check one page against the next. In one case you’re paying dollars a square yard and another you’re paying a dollar, something’s wrong.”

Councilwoman Giglio: “(inaudible) I think when it came to the excavation, when it came to the RCA and when it came to the pavement it’s when it’s bulk. When it’s over two hundred and fifty yards of paving it’s one price. If it’s under than it’s another price.”

Sal Mastropaolo: “I can understand that. That’s why I mentioned the fact that I found prices for the first five hundred square yards and prices for 501 to 1500 so I said that explains why there’s a difference but then when I find two lines on two different pages for the same 501 to 1500

at two different prices somebody's not comparing one award to the next, ok, and that's only one single item." I mean I didn't go."

Supervisor Walter: "I do see that."

Sal Mastropaolo: "I didn't go through all the others. That was nice and simple and clear. I would suggest somebody goes through it because I mean you're giving out contracts."

Supervisor Walter: "First issue, Larry, you make sure Drew Dillingham is here when he has items like this on. I don't have an answer for you so you can make a phone call but I don't know whether he's going to be able to answer that question but in the future Larry any member who has resolutions Drew Dillingham or Ernesto need to be here. So, I don't have an answer for it and we may, we rely on the town engineer to do the comparison, put the chart together and tell us who to award it to."

Sal Mastropaolo: "I think what happens is he looks at two columns the competing bids and awards."

Supervisor Walter: "I have no idea what happens."

Sal Mastropaolo: "Ok and says this is the cheaper of the two, take that one."

Councilman Wooten: "You can't speak for him, you don't know."

Sal Mastropaolo: "Ok, Resolution 196. For the advertisement, put the word operator, after the word boat in the second line. You're looking for a pump-out boat operator, not a pump-out boat. In the advertiser that's going into the newspaper."

Supervisor Walter: "We can add that. What else have you got Sal?"

Sal Mastropaolo: "Resolution 199, there was no attachment to the resolution. In the second *whereas* it said is attached hereto."

Supervisor Walter: "No, we have it. It may not be here but I'll get that too. It went out by email to the Town Board."

Sal Mastropaolo: "Resolution 204. The first *resolve*, the fourth line down strike, after the date May 7, 2017 *at the location of* because it's in there twice and at the fourth *whereas*, this is just a comment, in the past they've requested that application fees be waived now they're requesting that application fees and the temporary sign fee be waived. The next thing you know they'll be asking for the tent permit fee to be waived, that's just a comment. Resolution 205. The first *whereas*, the second line it says "board authorize the authorizes retention". That's got to be cleaned up. Something has to come out of there and on the fourth line after the word fee add the word that, for a fee that was not to exceed ten thousand."

Supervisor Walter: "Anything else Sal?"

Sal Mastropaolo: “Resolution 208, the first *whereas* just take the d off the word between commenced and action and on the second *whereas* in the second line take out the word which judgement because that’s in there twice and the comment. We went to court. We obviously won. We got a judgment. The guy partially paid leaving a balance of four thousand and seven dollars and thirty cents why are we walking away accepting only two thousand dollars of that?”

Supervisor Walter: “Negotiations, pretty standard?”

Sal Mastropaolo: “Why can’t just make him pay what he owes? The court says to pay it.”

Supervisor Walter: “We could.”

Sal Mastropaolo: “Those are my comments.”

Supervisor Walter: “Ok Sal, thank you. You have a comment on a resolution? Ok, step up.”

Marilyn Savo: “Marilyn Savo, Willow Ponds. I’m not sure if it’s 202 or 203 but it’s in reference to Sound Avenue and your (inaudible) in respect to other roads in Riverhead. Two years ago the United Riverhead Terminal expansion was denied.”

Supervisor Walter: “We need the resolution that you’re comment about.”

Marilyn Savo: “It’s either 202 or 203 in that you have weight limits on certain roads and you’re putting weight limits on certain roads and if I’m not mistaken because I’ve gotten a letter from Ms. Giglio that Sound Avenue is excluded from that. So, I had thought for the past two years that Sound Avenue was relatively safe with respect to gas trucks and I noticed a truck with a tremendous trailer behind it so Sound Avenue.”

Supervisor Walter: “Sound Avenue is not weight restricting. These other roads are being weight restricted because of the heavy trucks, there’s a lot of culverts, we had a count, seven or eight culverts that drain the northern side of Peconic Bay into Peconic Bay and the heavy trucks cannot traverse those culverts without creating serious damage and/or collapse so that’s why they’re being weight restricted. The Town Board has not made a decision into weight restrictions on Sound Avenue and quite frankly I think the majority of the Boards opinion is if you weight restrict Sound Avenue you are going to put, have the unintended consequence of putting so much traffic on Rt. 58 and other roads in the Town of Southampton that it would be unbearable especially rt. 58. So, the weight restrictions of Sound Avenue are not on the table tonight.”

Marilyn Savo: “Thank you.”

Supervisor Walter: “Does anyone else wish to be heard on resolutions?”

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## **RESOLUTIONS**

### **Resolution #186**

Councilman Dunleavy: “The Vistas of Baiting Hollow LLC Water Main Installation Water Capital Project Budget Adoption, so moved.”

Councilman Wooten: “I’ll second.”

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

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

### **Resolution #187**

Councilman Wooten: “Old Orchard at Baiting Hollow Water Capital Project #30131 Budget Adoption, so moved.”

Councilwoman Giglio: “Second.”

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

The Vote: “Hubbard, yes; Giglio.”

Councilwoman Giglio: “I’m going to vote no. This was an extension of the water district and seeing as we’re having so many problems with our water district I don’t think it’s wise to extend the water main to projects that are not in the water district. So I’m going to vote no.”

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

### **Resolution #188**

Councilwoman Giglio: “Highway Budget Adjustments, so moved.”

Councilman Hubbard: “Seconded.”

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

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

### **Resolution #189**

Councilman Hubbard: “Sewer Budget Adjustment, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #190**

Councilman Dunleavy: “Grants Excavation/Exportation Permit as Provided by Chapter 229 to Brixmor Riverhead Development LLC (The Shops at Riverhead), so moved.”

Councilman Wooten: “I second.”

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

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

Councilman Dunleavy: “Yes, we’re going to get fifty-two thousand dollars for this that we need in our budget.”

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

### **Resolution #191**

Councilman Wooten: “Accepts the Security from Brixmor Riverhead Development LLC (The Shops at Riverhead Foundation), so moved.”

Councilwoman Giglio: “Second.”

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

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

### **Resolution #192**

Councilwoman Giglio: “CDBG 2016 Program Budget Adoption, so moved.”

Councilman Hubbard: “Seconded.”

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

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

**Resolution #193**

Councilman Hubbard: "Awards Bid for Annual Procurement Contract, so moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "I'm going to make a motion to table this until we can get that, because I can't answer his question and I don't think the Board can."

Councilwoman Giglio: "And we don't to do anything until April 19<sup>th</sup> so I agree."

Councilman Hubbard: "I make a motion we table Resolution 193 which awards the bid for the annual procurement contract, so moved."

Councilman Dunleavy: "And seconded"

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

The Vote: "Hubbard, yes to table; Giglio, yes to table; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 193 is tabled."

**Resolution #194**

Councilman Dunleavy: "I make a motion we table Resolution 194, so moved."

Councilman Wooten: "I'll second."

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

The Vote: "Hubbard, yes; Giglio to table; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 194 is tabled."

**Resolution #195**

Councilman Wooten: "Approves the Attendance of One Police Department Employee to the Standard Marine Patrol Vessel Operation Course (SMPVOC), so moved."

Councilwoman Giglio: "Second."

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

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

**Resolution #196**

Councilwoman Giglio: “This is being amended. We changed the language in it and it reads Authorizes the Publication of a Help Wanted Advertisement for a Part-time Pump-out Boat Operator as amended, so moved.”

Councilman Hubbard: “Seconded.”

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

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

### **Resolution #197**

Councilman Hubbard: “Amends Resolution #2 (Sets Salaries of General Town Employees for the Year 2017), so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #198**

Councilman Dunleavy: “Accepts the Retirement of the Recreation Program Coordinator (James Janecek), so moved.”

Councilman Wooten: “I’ll second.”

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

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

### **Resolution #199**

Councilman Wooten: “Resolution Authorizes Feasibility Study Map and Plan for Extension of the Riverhead Sewer District to Riverside, Southampton, so moved.”

Councilwoman Giglio: “And seconded as amended to include the feasibility study proposal.”

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

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

**Resolution #200**

Councilwoman Giglio: “Resolution Confirming Sewer Rent Flow for Manufactured Home Expansion Glenwood Section 2, SCTM #0600-119-1-23.2, so moved.”

Councilman Hubbard: “Seconded.”

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

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

**Resolution #201**

Councilman Hubbard: “Authorizes the Supervisor to Execute Professional Services Agreement with East End Accounting Services Corp., so moved.”

Councilman Dunleavy: “And seconded.”

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

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

**Resolution #202**

Councilman Dunleavy: “Adopts a Local Law to Amend Chapter 289 Entitled “Vehicles, Traffic and Parking Regulations” of the Riverhead Town Code (289.7) Weight Limit of Eight Tons), so moved.”

Councilman Wooten: “I’ll second.”

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

The Vote: “Hubbard, yes; Giglio.”

Councilwoman Giglio: “Because of the fact that we do have the pipes underneath the roads and they are very expensive to fix I am going to support the resolution but I am equally as concerned about the traffic that will be pushed over onto Sound Avenue once we have cut an east, west route to get further out east. So, I’m concerned about the traffic on Sound Avenue. I’ve asked the Board to look at it and address it. I’ve set up meetings with the Chief of Police and Councilman Dunleavy and I know that there doesn’t seem to be support on the Board now to weight limit Sound Avenue from Northville Turnpike to Edwards Avenue, but our roads are

getting torn up. There are trucks that are using our roads to get out east to Southold and Shelter Island and the taxpayers of Riverhead are having to pay for the repairs of these roads. I'm concerned about the truck traffic, I'm concerned about the traffic on Rt. 25. We've created a tourist destination with the vineyards and I just think that our roads are becoming more and more unsafe and I think our police Chief recognizes it also and I thank him for putting more patrols on Sound Avenue to make sure people are traveling the speed limit. So, please consider it, Board, because I think the time is going to come, especially with placing these restrictions on these roads. I vote yes."

Vote Continued: "Wooten, yes; Dunleavy."

Councilman Dunleavy: "We have only three east, west roads; Peconic Bay, 25/58 and Sound Avenue so you can only traverse this town on those three roads. If we weight limit Sound Avenue and Peconic Bay we're pushing everything to Rt. 58 and to Rt. 25 which cannot handle the traffic that they have right now. Even weight limits, we're not going to limit any gas trucks because local deliveries can proceed on weight limited roads so anyone that's going up Sound Avenue and doing a local delivery can also use that road. Peconic Bay is a real residential road, there's no commercial establishments on Peconic Bay Blvd. so I have to vote yes for this."

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

### **Resolution #203**

Councilman Wooten: "Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 289 "Vehicles, Traffic and Parking Regulations" of the Riverhead Town Code (289.17 Parking Time Limited to Three Hours), so moved,"

Councilwoman Giglio: "And seconded."

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

The Vote: "Hubbard, yes; Giglio, yes to a public hearing; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted."

### **Resolution #204**

Councilwoman Giglio: "Approves the Chapter 255 Application of Long Island Moose Classic Car Club (Car Show for the Wounded Warriors of Long Island, Saturday, May 6, 2017), so moved."

Councilman Hubbard: "Seconded."

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

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

### **Resolution #205**

Councilman Hubbard: “Amends Resolution 106-215 (15016) in the Matter of Sound View II Associates Tax Certiorari Proceedings v. Riverhead Town Assessors (Baiting Hollow Golf Club), so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Hubbard, yes; Giglio, abstain, I’m a member of the club; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #206**

Councilman Dunleavy: “Amends Excavation/Exportation Permits Provided by Chapter 229 “Excavation and Grading” of the Riverhead Town Code to Island Water Park Corporation, so moved.”

Councilman Wooten: “I’ll second.”

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

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

### **Resolution #207**

Councilman Wooten: “Approves Settlement of Legal Action by the Town of Riverhead Against Edward Partridge, T.S. Haulers, Inc. and Calverton Tree Farm, Inc., so moved.”

Councilwoman Giglio: “Second.”

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

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

### **Resolution #208**

Councilwoman Giglio: “Authorizes the Town Attorney to Execute a Satisfaction of Judgement in a Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 31 Northville Turnpike, Riverhead, NY, so moved.”

Councilman Hubbard: “Seconded.”

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

The Vote: “Hubbard, yes; Giglio, no; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

### **Resolution #209**

Councilman Hubbard: “Approves Chapter 255 Application of Riverhead Central School District (5K Run Entitled “R2R – Run 2 Remember” – Sunday, May 21, 2017, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #210**

Councilman Dunleavy: “Sets Date of Annual Riverhead Litter Awareness and Spring Cleanup Day, so moved.”

Councilman Wooten: “I’ll second.”

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

The Vote: “Hubbard, yes; Giglio.”

Councilman Giglio: “The date is April 29<sup>th</sup> so anybody that needs service hours you can show up this day and you can get it signed off that you accomplished those service hours and help maintain litter in the township so I vote yes.”

Vote Continued: “Wooten.”

Councilman Wooten: “Be here in the morning about eight o’clock. We have plenty of bags and a nice tee shirt you can wear, gloves, donuts and coffee and water and then we send you off to do a designated spot to clean. It’s only a couple of hours but it’s fun for all, yes.”

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

### **Resolution #211**

Councilman Wooten: “Authorizes Town Clerk to Publish and Post Notice for a Budget Modification to 2016-CDBG Program, so moved.”

Councilwoman Giglio: "Second."

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

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

### **Resolution #212**

Councilwoman Giglio: "Pays Bills, so moved."

Councilman Hubbard: "Seconded."

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

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

Supervisor Walter: "We have one off the floor. Authorizes the Publication of a Help Wanted Advertisement for a Senior Engineering Aide."

Councilman Hubbard: "Motion to take Resolution 213 off the floor, Authorizes the Publication of a Help Wanted Advertisement for a Senior Engineering Aide, so moved."

Councilman Dunleavy: "And Seconded."

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

The Vote: "Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 213 is taken off the floor."

### **Resolution #213**

Councilman Hubbard: "Authorizes the Publication of a Help Wanted Advertisement for a Senior Engineering Aide, moved."

Councilman Wooten: "And seconded."

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

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

Councilman Dunleavy: "If we have any recent graduates with an engineering degree we'd like you to submit an application to us. This is for a starting position in our Engineering"

department. This is a great position for a new engineer that's just starting and would like to work in this municipality and I vote yes."

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

### **PUBLIC COMMENTS**

Supervisor Walter: "So now we open the public comment portion for any matters you would like to discuss with the Town Board. We ask that you limit your comments to five minutes so Mr. LaFurno your five minutes."

Mr. LaFurno told the Board that he received two estimates; the first for five thousand two hundred dollars to remove the cupola and replace the roof and the second for eleven thousand dollars also to remove the cupola and replace the roof and to re-sheet rock the upstairs of his home. He continued by saying both bids were much lower than the thirty-three thousand dollar bid the town received. Supervisor Walter told Mr. LaFurno that he should get a building permit immediately because as soon as the company the town hired to remove the cupola and replace the roof at his home arrive there the work will begin immediately.

Sal Mastropaolo said that Sound Avenue is becoming wall to wall drinking establishments and feels the Board should consider limiting businesses of this type.

Marilyn Salvo returned to the podium again with concerns over the truck traffic on Sound Avenue. She wanted to know how the Board was going to handle the matter since Sound Avenue is part of the historical corridor. Supervisor Walter said Sound Avenue is a historical, agricultural, industrial road. He continued by saying the road has always had heavy truck traffic and since the 1950's the United Riverhead Terminal has always been on that road. Councilman Dunleavy added that the State made Sound Avenue a historical road and the town cannot do anything to the road other than repave it.

Jason Safford who is a property owner on Creek Road, Wading River Beach, submitted to the Town Board pictures from storm Stella. The pictures showed the that the bulkhead is exposed making an approximate five foot drop from the front of the houses to the beach thus making the beach inaccessible to the homeowners. He continued by saying because of this storm approximately five feet of sand has been lost from the beach. Supervisor Walter told Mr. Stafford that the sand would be replenished if they dredged the creek but since Mr. Popovich and not the town owns the creek bottom that will probably never happen. He continued by saying that at the present time the town is trying to get the county to dredge the mouth of the creek which is what the town owns. If this is done there will probably be some sand put back on the beach. Supervisor Walter suggested that Mr. Stafford hire someone from the EPA to refill the beach with sand but he did add that the Highway Department will be repaving Creek Road this summer. Mr. Stafford also wanted to discuss the thirty-day rental code that has been established. The Supervisor told Mr. Stafford that he is free to discuss this matter with each councilperson however the Board will be enforcing the thirty-day rental limitation and any concerns Mr. Stafford has should be taken up with his attorney.

The last person to speak was Charles Van Helmond from Jamesport. He asked that the Board possibly consider using the EPCAL Center property for a Riverhead Coliseum. He said the Islanders are looking for a home and thought a coliseum in Riverhead might be a good idea. Supervisor Walter said the property is for sale and if someone is interested they should contact the town's real estate broker.

Supervisor Walter: "Does anybody else wish to be heard tonight? Not seeing anybody can I get a motion to adjourn?"

Councilman Dunleavy: "I make a motion we adjourn, so moved."

Supervisor Walter: "All in favor, aye? Opposed? Abstentions? Town Board meeting is closed."

**Meeting Adjourned at 8:20 p.m.**