

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, October 20, 2015 at 7:00 p.m.

PRESENT

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

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 Rabbi Michael Rascoe of Temple Israel, Riverhead.

Supervisor Walter introduced Harriet Haas who sang two Halloween songs, the theme from the Addams Family and the Monster Mash. The Supervisor thanked Harriet for performing at the Town Board Meeting.

Councilman Dunleavy made a motion, which was seconded by Councilman Gabrielsen that the minutes of the October 6, 2015 Town Board meeting be accepted. Minutes were accepted with one abstention from Councilman Dunleavy who was absent from that meeting.

REPORTS

- Police Department – Monthly Reports August and September 2015
- Town of Riverhead 2014 NYS DOT Single Audit Report
- Town of Riverhead 2014 Single Audit Report
- Town of Riverhead 2014 Financial Statements

FIRE DISTRICTS REPORTS

- Manorville Fire District – 2016 Annual Budget Summary

APPLICATIONS

Special Permit

- Wireless Towers, LLC – New concealment pole, public utility wireless communications antenna.

COMMITTEE REPORTS

Councilman Wooten spoke on the Senior Health Fair Extravaganza which will be held on November 5, 2015, 10:00 a.m. to 3:00 p.m. at the Town of Riverhead Senior Center, 60 Shade Tree Lane, Riverhead. He urged everyone to attend.

Councilman Dunleavy: “I make a motion we close the Town Board meeting and open the CDA meeting, so moved.”

Councilman Wooten: “”Seconded.”

Supervisor Walter: “All in favor, aye, opposed, abstentions, motion carried. We close the Town Board meeting and open it as the Community Development Agency.”

Town Board Meeting is now closed

Town Board Meeting is now reopened

PUBLIC HEARINGS

Supervisor Walter: “Ok, the Town portion of the meeting is open and we’re going to open up the second public hearing which was scheduled for 7:05 and it is now 8:54 and we open up the Consideration of a Proposed Local Law to Override the Tax Levy Limit Established by and set forth in General Municipal Law 3-C. Does anybody wish to be heard on this matter? Not seeing anybody who wished to be heard on this matter I’m going to close the public comment portion and leave it open for written comment until October 30th at 4:30 p.m.”

**Public Hearing Closed at 8:55 p.m.
Left Open for Written Comment until October 30, 2015 at 4:30 p.m.**

Supervisor Walter: “Ok, so moving on to the third public hearing. The third public hearing was scheduled for 7:10 p.m. and it is now 8:55 and that is the Consideration of a Proposed Local Law Amending Chapter 46, Entitled “Alcoholic Beverages” of the Riverhead Town Code, Section 46-4. (Exceptions). We open that public hearing and that was housekeeping; it was, the original Town Code written way back when, allowed you to walk around with opened, unsealed containers in public but now we have allowed people to walk around with sealed and closed containers in public. Does anybody wish to be heard on that matter? It’s really a housekeeping issue. Not seeing anybody I’ll close the public comment portion and leave it open for written comment until October 30th at 4:30 p.m. in the Town Clerk’s office.”

**Public Hearing Closed at 8:56 p.m.
Left Open for Written Comment until October 30, 2015 at 4:30 p.m.**

COMMENTS ON RESOLUTIONS

Supervisor Walter: “Next we’re going to speak on Resolutions. Sal how are you doing? Councilwoman Giglio had a good idea and Diane brought it up at the Department Head meeting and we are going to try to get our Department Heads to proofread or have other staff members proofread their resolutions before they go out so Sal we’re going to try and do better.”

Sal Mastropaolo: “Resolution 742. The first comment I have is you’re going to sign this agreement today, tonight, right, that’s the date that will go on the Consultant Professional Services Agreement but on the second page you have a statement that says Town’s Audited Financial Statements are then available with Electronic Municipal Market Access System no later than June 30, 2015. How could you put a date in there before the date that you sign the contract?”

Supervisor Walter: “Bill, I’m not even on the Resolution because mine didn’t get stapled yet. Bill can you address that because I don’t think our audited financial statements where?”

Diane Wilhelm: “Do you need to see it?”

Supervisor Walter: “Oh was that our EUD? That may have been our EUD.”

William Rothaar: “That’s the FCC report.”

Supervisor Walter: “Did we file (inaudible).”

William Rothaar: “It was filed by June 30th.”

Supervisor Walter: “Ok, it was filed.”

Sal Mastropaolo: “The next comment I have is, I go to the Riverhead Central School District meetings and when they go out to bond they have Bond Counsel and their fees are usually a percentage of the amount that’s funded in the bonds ok and the percentage goes down as the bond gets bigger ok so either the Town is doing it right or the school district is doing it right, ok. Have you ever considered talking to the school district and discussing between the town and the school district which is better for the tax payer?”

Supervisor Walter: “We haven’t, Sal we haven’t bonded anything nor do we have any need to bond anything. What you have in the budget that we will have another public hearing on is just about every operational expense of the town is budgeted for now so, I’m not saying we’ll never bond but right now probably the biggest thing we might need the bond in the future is the additional wells for our water district so the town, there’s no need for us to even, I agree with you on the sliding scale. We can figure out which is better when we have a bond but we have no need to go to bond on anything.”

Sal Mastropaolo: “Well then what’s the reason for the Resolution? Why are we signing a professional services agreement with Munistat Services?”

Councilman Dunleavy: “What number?”

Supervisor Walter: “Oh they’re more than Bond counsel. Bill if you can come here and explain. If you can stand here Bill or sit; why don’t you sit at the table because. Munistat does more than just that and Bill if you could explain that.”

Sal Mastropaolo: “You mean Section 3 payment talks about all kinds of fees for recovery zone bonds, build America bonds.”

William Rothaar: “This is their standard contract that they’ve had, their professional service agreement that they’ve had. The only thing that Munistat has done for us over the last four years is file an annual FCC but once you have bonds outstanding you’re then required by the thirtieth of June to file an FCC which is just an update to the bondholders your financial status. It takes information from the previous audit, it takes other information that Wall Street is looking for and reports to them any outstanding issues or anything that’s going on with the Bonds that are currently out there. The only thing that Munistat has done as a matter of fact we went out for an RFP for this type of service we have not appointed someone from that RFP yet because Munistat was already in the process of filing this year’s FCC so we will then go forward with the RFP at some point in anticipation as to who’s going to be doing our next FCC report. As the Supervisor said we have no, we’re not looking at bonding anytime soon for anything for the Town.”

Sal Mastropaolo: “Ok. Section 12 the third line from the bottom of the section. It starts off with releases and holds (inaudible) consultants and its personnel. There’s a typo there. The word should be from not form. I guess spell checker doesn’t check and that’s all my comments.”

Supervisor Walter: “Sal, thank you. Ok, does anybody else wish to be heard on resolutions? Alright, not seeing anybody let’s start resolutions.”

RESOLUTIONS

Resolution # 728

Councilman Dunleavy: “2008 Wading River Creek Rock Jetty Project Closure, 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 #729

Councilman Wooten: “Riverhead Ambulance District Budget Adjustment, 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 #730

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

Councilwoman Giglio: “Second.”

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

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

Resolution #731

Councilwoman Giglio: “2014 Capital Project Closure CP 40186 – Grangebél Park, so moved.”

Councilman Dunleavy: “Second.”

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

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

Resolution #732

Councilman Dunleavy: “General Fund Senior Center Truck Budget Adjustment, 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 #733

Councilman Wooten: “General Fund Recreation Budget Adjustment, 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 #734

Councilman Gabrielsen: “Riverhead Water District Budget Adjustment, so moved.”

Councilwoman Giglio: “Seconded.”

Supervisor Walter: “Hold on just one second. We need to go back to the previous resolution. There was supposed to be a correction.”

Councilman Dunleavy: “This was not corrected. Oh, you added fifty thousand, it’s good, I think. Thank you.”

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

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

Resolution #735

Councilwoman Giglio: “Ratifies the Approval of the Chapter 90 Application of Home Depot Development of Maryland, Inc. (Tent Sale –September 15, 2015 through November 15, 2015), 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 #736

Councilman Dunleavy: “Amends Resolution #467 of 2015 and Approves Revised 5K Race Route for Riverhead Running Club Inc., 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 #737

Councilman Wooten: "Accepts the Resignation of a Part-time Bus Driver (David Murphy), so moved."

Councilman Gabrielsen: "And seconded."

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

Resolution #738

Councilman Gabrielsen: "Appoints a Provisional Assistant Senior Citizens Center Manager (Karen Westwood), so moved."

Councilwoman Giglio: "Second."

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

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

Resolution #739

Councilwoman Giglio: "Ratifies the Appointment of Recreation Aides-Youth Bureau to the Recreation 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 #740

Councilman Dunleavy: "Awards Bid for Collection and Recycling of Electronic Waste, 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 #741

Councilman Wooten: "Adopts a Local Law Amending Chapter 101 Entitled "Vehicles and Traffic" of the Riverhead Town Code, 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 #742

Councilman Gabrielsen: "Authorizes the Supervisor to Execute Professional Services Agreement with Munistate Services Inc. for 2015, as amended, so moved."

Councilwoman Giglio: "Second."

Supervisor Walter: "As amended. Moved and seconded as amended. Vote please."

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

Resolution #743

Councilwoman Giglio: "Authorizes the Release of Headriver LLC Performance Security for Wal-Mart Project, 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 #744

Councilman Dunleavy: “Authorizes the Supervisor to Execute an Agreement Authorizing the Town to Accept Funds from Suffolk County Office for the Aging to Supplement the Town’s Expanded In-home Services for the Elderly Program, 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 #745

Councilman Wooten: “Authorizes Town Clerk to Publish and Post Notice to Bidders for Water Services Materials, 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 #746

Councilman Gabrielsen: “2016 Renewal of Bid Award for Maintenance and Emergency Services Contract C - Controls for Riverhead Water 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 #747

Councilwoman Giglio: “2016 Renewal of Bid Award for Maintenance and Emergency Services Contract D – Distribution for Riverhead 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 #748

Councilman Dunleavy: “2016 Renewal of Bid Award for Control Valve Maintenance and Repair Services for Riverhead Water District, 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 #749

Councilman Wooten: “2016 Renewal of Bid Award for Maintenance and Emergency Services Contract E – Electrical for 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 #750

Councilman Gabrielsen: “Awards Bid for the Sale of Obsolete/Surplus Highway Department Vehicles/Equipment, so moved.”

Councilwoman Giglio: “Second.”

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

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

Resolution #751

Councilwoman Giglio: “Authorizes the Supervisor to Execute an Agreement with Corporate Plans, Inc., D/B/A CPI-HR, 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 #752

Councilman Dunleavy: “Pay the Bills, so moved.”

Councilman Wooten: “Second.”

Supervisor Walter: “Moved and seconded. Vote to pay the bills.”

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

PUBLIC COMMENT

Supervisor Walter: “Alright, now we open the public comment portion to matters that may be before the Town of Riverhead or if you’d like to bring it before the Town of Riverhead. We ask you to limit your comments to five minutes although I don’t think we’ve ever really accomplished that.”

Keisha Washington-Dean came forward stating she was about to speak on a matter that was important not only to the community of Riverhead but more specifically to the minority community residing in Milbrook Gables.

She continued by saying that she was under the impression that the Town had a one year moratorium for the purpose of exploring a different location for the medical marijuana facility and that she and her fellow residents of Milbrook Gables are in support of this moratorium. She also stated that she is working to find a reasonable and responsible location within the Town for this facility.

Supervisor Walter informed Ms. Washington-Dean that the Town did not have a moratorium.

Ms. Washington-Dean asked that the Town not rush into any action that would cut short the moratorium period as she feels this would be a disaster for local residential areas that are struggling to clean up its drug trade. She stated that she hoped the Board would proceed in a reasonable and responsible way so that all residents, those in need of medical marijuana and those in residential communities, would benefit.

Larry Williams came forward and presented to the Board a petition signed by the residents of Millbrook Gable and a letter from Gwendolyn Mark, Vice President of Millbrook Gables Civic Association opposing the establishment of a medical marijuana dispensary across the street from them. The letter stated that the residents have concerns about the dispensary being located across the street from their neighborhood that has approximately sixty homes and specifically a children’s park where dozens of neighborhood children play.

After reading the letter and distributing copies to the Board members Mr. Williams thanked the Board for their time.

Supervisor Walter: “Does anybody else wish to be heard tonight? Not seeing anybody can I get a motion to close?”

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

Councilman Wooten: “Second.”

Supervisor Walter: All in favor aye, opposite, abstentions. Motion carried, we stand adjourned.”

Meeting Adjourned at 9:20 p.m.