

Minutes of the Town of Riverhead Board meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, December 31, 2013 at 2:00 p.m.

PRESENT:

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

ABSENT:

George Gabrielsen	Councilman
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ALSO PRESENT:

Diane M. Wilhelm	Town Clerk
Robert Kozakiewicz	Town Attorney

The meeting was opened at 2:00 p.m. by Supervisor Walter who officially opened the meeting with the Pledge of Allegiance followed by an Invocation given by Reverend Mary Cooper.

Supervisor Walter asked Annemarie Prudenti to come forward and accept an award. The Supervisor continued by saying that normally this award is given to an employee who is retiring but it is being given to Annemarie as well as Assemblyman Fred Field who together were the authors for the EPCAL Planning Legislation. Supervisor Walter said they truly appreciated the time and effort put forth by Annemarie in writing and rewriting this piece of legislation.

Councilman Dunleavy made a motion, which was seconded by Councilman Wooten to accept the minutes of the December 17, 2013 Town Board meeting. Motion carried, minutes were approved.

CAC CORRESPONDENCE

Conservation Advisory Council Recommendations to the Town Board

- CAC Res. #2013-23 – Tanger II Façade Renovations & Site Work – SCTM #191-1-38.1
- CAC Res. #2013-54 – Karen Caputo – SCTM #92-6-19.1
- CAC Res. #2013-53 – Simple Table – SCTM #128-3-48

REPORTS

- Tax Receiver-Tax Collection to date as of December 23, 2013 - \$10,304,759.37
- Tax Receiver-Tax Collection to date as of December 27, 2013 - \$15,590,846.39
- Police Department Monthly Report - November 2013

RESOLUTIONS

Councilman Dunleavy: “I make a motion that we untable Resolutions 841 and 854 so moved.”

Councilman Wooten: “I’ll second.”

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

The Vote: “Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolutions 841 and 854 are untabled.”

Resolution #841

Councilman Wooten: “Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagees of the Property Located at 1350 Main Road, Jamesport, NY, so moved.”

Councilman Dunleavy: “And Seconded.”

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

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

Resolution #854

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

Councilman Wooten: “And seconded.”

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

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

Resolution #856

Councilman Dunleavy: “Resolution Repealing Certain Previously Adopted Serial Bond Authorizations, so moved.”

Supervisor Walter: “This is closing out the Capital Projects. (Inaudible) You’re repealing Resolutions 524 of 2004, 1216 of 2004 and 563 of 2006.” (Inaudible)

Councilman Wooten: “Seconded.”

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

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

Resolution #857

Councilman Wooten: “General Fund Police Budget Adjustment, so moved.”

Councilwoman Giglio: “Seconded.”

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

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

Resolution #858

Councilwoman Giglio: “Extends Contract with Arthur J. Gallagher &Co. Vericclaim, 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 #859

Councilman Dunleavy: “Accepts the Resignation of a Crossing Guard, (Joseph Bock), so moved.”

Councilman Wooten: “Seconded”

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

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

Resolution #860

Councilman Wooten: “Approves a Request for a Leave of Absence, (Jill Hecker), so moved.”

Councilwoman Giglio: “And seconded.”

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

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

Councilman Dunleavy: “This is due to our contract so they’re guaranteed this leave of absence, I vote yes.”

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

Resolution #861

Councilwoman Giglio: “Awards Bid for Ford Replacement Parts, 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 #862

Councilman Dunleavy: “Authorization to Publish Advertisement for Police Department Uniforms for Town of Riverhead, so moved.”

Councilman Wooten: “Seconded.”

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

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

Resolution #863

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 101 (Vehicles & Traffic) of the Riverhead Town Code, 101-9, Installation and Maintenance County Road 105 and Riverside Drive, so moved.”

Councilwoman Giglio: “And seconded.”

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

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

Councilman Dunleavy: “Yes, you see we have to maintain all the county traffic lights in the Town of Riverhead. I vote yes.”

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

Supervisor Walter: “Bob, wasn’t there legal opinion drafted as to these traffic lights that the County really dumps upon the Town to maintain on County Roads?”

Bob Kozakiewicz: “I think Dan is looking into it, (inaudible).”

Supervisor Walter: “Probably before my time because I never saw it. Can you see if there’s something floating around because I’d like to know exactly why we have to maintain County lights.”

Councilwoman Giglio: “And we should be talking to them about the bus stops, the county bus stops.”

Supervisor Walter: “We don’t have to maintain them anymore the agreement expired in 2012 or 13. It either expired last year, I think it was this year so next year we don’t have to maintain them but I know we are not maintaining them anymore.”

Councilwoman Giglio: “That’s wonderful.”

Supervisor Walter: “But there’s also several County Roads in the Town that the Town of Huntington sued the County to force them to maintain County Roads that the Town of Huntington used to maintain and I don’t know if that’s still in litigation but the Town of Huntington won and there were some appeals taken back and forth when we looked into that.”

Councilman Dunleavy: “I thought he made an agreement with the County. I don’t know what kind of agreement he made but I asked him that question.”

Supervisor Walter: “A written agreement?”

Councilman Wooten: “No, you take care of this section; I’ll take care of that.”

Supervisor Walter: “And since we’re the guys funding that, Bob, I would like to see if you could have Dan McCormack research that out where the Huntington thing went. I guess I think it’s time to start pushing back a little bit. If we’re going to spend hundreds of thousands of dollars a year maintaining traffic lights maybe they can reimburse us for maintaining us the roads.”

Councilwoman Giglio: “That’s right and if we could have that for the Public Hearing that would be wonderful, right because this is authorization to Publish and Post .”

Supervisor Walter: “Yes, that one, this we have to do, the other thing we’ll have to bring to litigation but we want to find out what happened with Huntington. The appeals I think should be over. Wouldn’t it be great to have them maintain some of the roads? We’ll maintain them; just pay us, that’s’ all I’m asking.”

Resolution #864

Councilwoman Giglio: “Accepts Donation of Pavers and Concrete from Dennis Kenter and Connie Kenter, so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio, and we thank them, I vote yes; Wooten, yes; Dunleavy, yes; Walter, yes; thank you very much Dennis and Connie, very benevolent people. Resolution adopted.”

Resolution #865

Councilman Dunleavy: “Authorizes the Supervisor to Execute a Municipal Cooperation Agreement between the Town of Riverhead and the Riverhead Fire District for Sand and Salt Services, so moved.”

Councilman Wooten: “And I’ll second.”

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

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

Resolution #866

Councilman Wooten: “Authorizes the Supervisor to Execute an Agreement with Family Service League for Employee Assistance Program, so moved.”

Councilwoman Giglio: “And seconded.”

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

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

Resolution #867

Councilwoman Giglio: “Awards Bid for Disposal of Town Generated Construction and Demolition Material, 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 #868

Councilman Dunleavy: “Awards Bid for On-Site Grinding of Town Yard Waste, 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 #869

Councilman Wooten: “Awards Bid for Removal of Household Hazardous Waste, so moved.”

Councilwoman Giglio: “Seconded.”

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

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

Resolution #870

Councilwoman Giglio: “Awards Bid for Landfill Renewable Energy Project, so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “If George were here I would congratulate him because this would bring in a lot of money for the Town of Riverhead. I vote yes.”

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

Resolution #871

Councilman Dunleavy: “Authorization to Publish Advertisement of a Request for Proposals for Solar Photovoltaic Energy Projects on Town Owned Property, 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 #872

Councilman Wooten: “Approves the Chapter 90 Application of Competitive Events Group (2014 Deep Pond Triathlon – August 16 & 17, 2014), so moved.”

Councilwoman Giglio: “And seconded.”

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

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

Resolution 873

Councilwoman Giglio: “Approves the Chapter 90 Application of Competitive Events Group (2014 “Duathlon – Run/Walk/Run” – September 13, 2014, 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 #874

Councilman Dunleavy: “Authorizes the Supervisor to Issue a Letter to the Suffolk County Department of Health Services Allowing the Use of Pine Barren’s Credits Originating from Property Located in Riverhead for Use in Islip, 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 #875

Councilman Wooten: “Town Board Expression of Support for Project Oasis, a Community Art Project Highlighting Natural Resources and Beauty of Town Riverhead and Authorizes Display of Project Oasis Art Project, so moved.”

Councilwoman Giglio: “And seconded”

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

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

Resolution #876

Councilwoman Giglio: “Reappoints Marriage Officer (James Wooten), so moved.”

Councilman Dunleavy: “And seconded.”

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

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

Councilman Dunleavy: “I took a hard look at this and I don’t think it’s our job to give another Councilman a part-time job so I’m voting no.”

Vote Continued: “Walter, yes. Resolution is not adopted.”

Resolution #877

Councilman Dunleavy: “Reappoints Marriage Office, (Diane Wilhelm), so moved.”

Councilman Wooten: “And seconded.”

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

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

Resolution #878

Councilman Wooten: “Ratifies the Appointment of a Call-In Recreation Leader to the Recreation Department, (Lauren Berry), so moved.”

Councilwoman Giglio: “And seconded.”

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

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

Resolution #879

Councilwoman Giglio: “Authorizing Waiver of 30 Day Notification Required by the New York State Liquor Authority, so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “This isn’t fixed this is the Veil Levitt and Grind.”

Diane Wilhelm: “Oh, didn’t I give you the new one Jodi?”

Councilwoman Giglio: “I got it, ok, yes.”

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

Resolution #880

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

Councilman Wooten: “Second.”

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

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

GENERAL COMMENTS

Supervisor Walter: “This concludes the official business of the Town does anybody wish to address the Town Board? Mr. Biegler.

Eric Biegler President of the Sound Heights Civic Association approached the microphone, wished everyone a Happy New Year, and thanked the Board for working with the Association in 2013 and continued by saying they looked forward to working with the Board again in 2014.

Mr. Biegler spoke of the first Resolution brought up this afternoon concerning the adoption of litigation for a farm stand on Main Road. He continued by saying that according to the Planning Board there are two more farm stands that are coming up for approval by the Planning Board and this concerns him because in the past what was supposed to be a farm stand on Sound Avenue turned out to be a deli and now there is a supermarket that is guised as a farm stand on Main Road. He feels that approval for the other "farm stands" should be looked into more closely so that the tax payer's money does not have to be used for litigation. He would like to suggest that there be a better understanding on what farm stands are allowed or not allowed to do. He also extends this to vineries and suggests that all the Boards get together so they all have a clear understanding of what is and what's not allowed.

Mr. Biegler suggests that possibly as a Resolution for the New Year the Town Board, Planning Board, Zoning Board and Residents discuss the farm stands, vineries and how they could address things going forward.

Supervisor Walter: "Does anybody else wish to be heard today?"

Councilman Wooten wanted to respond to Resolution #876 which reappoints him as a Marriage Officer. Councilman Wooten stated he wanted to clarify the fact that if anyone thought he took the position as a Marriage Officer as a part time job or that he took the extra insurance because he doesn't have kids who have insurance that that was absolutely a lie. He continued by saying he took the job because Diane was overwhelmed by all the weddings and that there are very few people in the Town of Riverhead besides herself and a couple of Judges who do weddings. He continued by saying that he helps out on weekends when Diane is not able to perform a marriage. Councilman Wooten said that he does not charge town residents for performing their marriage so he is not making money. He concluded by saying that quite frankly he enjoys the ceremony.

Supervisor Walter: "With that being said, does anybody else wish to be heard? Can I get a motion to adjourn?"

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

Supervisor Walter: "All in favor?" Collective ayes.

Meeting Adjourned 2:23p.m.