

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, July 15, 2014 at 7:00 p.m.

PRESENT:

Sean M. Walter
John Dunleavy
James Wooten
Jodi Giglio

Supervisor
Councilman
Councilman
Councilwoman

ABSENT:

ALSO PRESENT:

Diane Wilhelm
Robert Kozakiewicz

Town Clerk
Town Attorney

The meeting was officially opened at 7:00 p.m. by Supervisor Walter with the Pledge of Allegiance.

Gale Baldwin accepted a proclamation presented by Councilman Wooten on behalf of the Lung Cancer Survivors Foundation. Councilman Wooten stated that August 1st is “World Lung Cancer Day. Gale spoke on how and why the Lung Cancer Survivors Foundation was founded.

Supervisor Walter acknowledged the attendance of several Boy Scouts from Troop 221, Manorville who were in the audience. The scouts were here to earn their Communications Merit Badge.

Councilman Dunleavy made a motion, which was seconded by Councilman Wooten to approved the minutes of the July 1, 2014 Town Board Meeting. Motion carried, minutes were accepted.

CORRESPONDENCE

- Charles Cuddy, Esq. representing Kathleen Johannsen – letter appealing revocation of rental permit (SCTM #0600-92-3-21)
- North Fork Environmental Council (NFEC) – letter of opposition to water skiing in Terry’s Creek
- Michael S. Scheibel, Senior Wildlife Biologist, NYSDEC – letter recommending the consideration of prohibiting water skiing and related activities in Terry’s Creek

Conservation Advisory Council CORRESPONDENCE

- CAC Res. #2014-13 – Robert Basso SCTM #0600-93-1-23

REPORTS

- Tax Receiver Utility Collection Report June 2014 - \$287,787.57
- Town Clerk Monthly Report June 2014 - \$10,670.57
- Sanitation Recycling Refund Quarterly Report – Refund \$2,081.68

COMMITTEE REPORTS

Councilman Wooten reported that the Friday Night Concert Series started July 11th and over two hundred residents turned out for this show. The Concert Series will continue every Friday night until the end of August.

PUBLIC HEARINGS

Supervisor Walter: “We have one public hearing and that is scheduled for 7:05 and it is now 7:16 and this is a Consideration of a Proposed Local Law to Amend Chapter 18 of the Riverhead Town Code, Entitled “Code of Ethics. Jodi did you want to speak about this?”

Councilwoman Giglio: “Yes. I felt it was important that every application that’s filed with the Town, whether it be for planning, building, grant applications that a disclosure form be filed with that application so that the public and everybody knows if they’re related to somebody that works in the Town. So this is for open government and everybody should know if there’s relations to someone that’s filing an application that works within the Town that can implement the application. So, this is a public hearing.”

Supervisor Walter: “Alright. Does anybody else wish to be heard on this matter? Not seeing anybody we will close the public hearing and leave it open for written comment until July 25th, 4:30 p.m. in the Town Clerk’s office. Thank you.”

**Public Hearing Closed at 7:17 p.m.
Left Open for Written Comment Until July 25, 2014 at 4:30 p.m.**

COMMENTS ON RESOLUTIONS

Supervisor Walter: “So we will move to Resolutions. Does anybody wish to be heard on Resolutions?”

Councilwoman Giglio: “I would just like to say Mr. Supervisor that on May 6th, Resolution #334 the Board adopted a Resolution four votes to one to authorize the Supervisor to sign a professional services agreement with BAS and to date that contract has not been signed so I would.”

Supervisor Walter: “That is actually correct because at a Board meeting that you were aware of but a work session the Town Board, all four members, determined that they wanted to get more information about BAS and evaluate the finances of the Town so they asked me to hold off on signing it until we could get some more information and I believe that we had the information and that we’re going to present that at a work session in August and move it forward.”

Councilwoman Giglio: “Ok, but I’d like to make a motion that we direct the Supervisor to sign the professional services agreement with BAS. Do I have a second?”

Supervisor Walter: “Do you have a written motion?”

Councilwoman Giglio: “You don’t need one. I make a motion that we direct the Supervisor.”

Supervisor Walter: “You can direct me but the Town Board.”

Councilman Dunleavy: “I second it.”

Councilwoman Giglio: “Ok.”

Supervisor Walter: “That’s nice but it’s not going to change anything.”

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

Supervisor Walter: “No. It’s still not going to change anything Jodi; quite honestly, if you had done your research.”

Councilwoman Giglio: “I did my research.”

Supervisor Walter: “Have you done your research?”

Councilwoman Giglio: “Yup.”

Supervisor Walter: “You would understand that there’s two issues here. One is the first that the Town Board asked me when we presented the information not to do it. The second issue is that we’re not certain that it can be done under professional services agreement that this might actually have to go out to complete bid and that has not been resolved yet but that’s one of the things that would have been discussed in August so even though you have passed this motion we still may not be able to go forward with it because it may have to be competitively bid. Had you waited until August when the Financial Administrator was here and the Town Attorney was here to brief you on that, you would know that at this point both GIS and BAS may have to be bid because they may not be professional services because software is not professional services. So it’s still not going to get signed until that gets resolved so I’ll keep you posted. Alright can we move on with motions, resolutions?”

Diane Wilhelm: “So that motion’s been passed?”

Supervisor Walter: "I guess."

Resolution #510

Councilman Dunleavy "Authorizes the Supervisor to Execute a Grant Extension for the New York State Department of Transportation Safe Routes to Schools Project, 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: "Authorizing Removal of Fixed Asset Records from System, 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 #512

Councilwoman Giglio: "Authorizes Highway Superintendent to attend 2014 APWA International Public Works Congress and Exposition, so moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "The Highway Superintendent does go out to these seminars as do our assessors and various other CPA's and the accounting office and they go and bring back helpful information that can help the town to save money and to do things in a more efficient, better way so I'll vote yes."

Vote Continued: "Wooten, yes; Dunleavy, yes; Walter, no; I'm not sending him to Toronto, Canada."

Diane Wilhelm: “That’s a no. Ok?”

Resolution #513

Councilman Dunleavy: “Increases the Rate of Pay of Part-Time Police Officers, so moved.”

Councilman Wooten: “I’ll second.”

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

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

Councilman Dunleavy: “Yes. People have to realize these part-time police officers paid their own money to go to the Police Academy, six months Police Academy at night. They also carry weapons to protect the citizens of the Town of Riverhead and I think that we were paying them less than any other town pays their part-time police officers and we’re still less. At least we raised them up a little from nineteen fifty, nineteen dollars to twenty-one dollars. It’s a two dollar raise and I think protecting the citizens and what they go through I think that’s the least we can do for these police officers. I vote yes.”

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

Resolution #514

Councilman Wooten: “Accepts Highway Superintendent’s Personnel Report and Request, (Eric Shaw), so moved.”

Councilwoman Giglio: “Seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “Which one is this one?”

Councilman Dunleavy: “This is Eric Shaw.”

Councilwoman Giglio: “No.”

Vote Continued: “Wooten, yes; Dunleavy, no; Walter.”

Supervisor Walter: “Honestly, this doesn’t really make a difference now does it? We had a meeting with the Highway Superintendent.”

Councilwoman Giglio: "I was always a no."

Supervisor Walter: "This was the gentleman that the Highway Superintendent wanted and you know I would vote yes but it really doesn't matter."

Councilwoman Giglio: "It was just a."

Supervisor Walter: "That's the motion that the police?"

Councilwoman Giglio: "Yup, you got it."

Diane Wilhelm: "The resolution is not adopted."

Resolution #515

Councilwoman Giglio: "Ratifies the Appointment of a Custodial Worker 1 to the Buildings and Grounds Division of the Town Engineer's Department, (George Mottern), so moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio, no; Wooten, yes; Dunleavy, no; Walter."

Supervisor Walter: "It's just amazing, yes."

Diane Wilhelm: "Resolution is not adopted."

Resolution #516

Councilwoman Giglio: "Ratifies the Appointment of a Temporary Cook to the Seniors Center, (Melissa Muller), so moved."

Councilman Wooten: "I'll second."

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

The Vote: "Giglio, no; Wooten."

Councilman Wooten: "You know it never ceases to amaze me that after; these are all internal movements between departments in order to better serve the departments and the department heads and this was all done through internal postings. This was done through interview processes. This was done with department heads requesting what they need in order to effectuate their duties to the tax payer and the services that they render whether it was Highway, whether it's

Senior Center. I don't know what transpired between Executive session on Thursday and today, whether it was something discussed that I wasn't at but I'm absolutely floored that not only a custodial worker who started yesterday I believe in the Senior Center from the Highway Department and a very capable (inaudible) driver that hires a cook to go to the Highway Department, at an elected officials request, I just. The work that was involved with screening, interviewing, the savings between moving people out and bringing people in at a lower salary, I don't know what happened with this. You know what, it's not good government, I can tell you that. But I vote yes on this Resolution."

Vote Continued: "Dunleavy, no; Walter."

Supervisor Walter: "See Jim here's the thing. You and I did not attend Mason Haas's Republican caucus."

Councilwoman Giglio: "There was no caucus. There were only two Board members there and I was always a no (inaudible)."

Supervisor Walter: "Excuse me, Miss Giglio."

Councilwoman Giglio: "If you can speak out so can I."

Supervisor Walter: "Miss Giglio your words at this point are not proper. You don't have the floor. You had the floor before; you don't; now we're voting. The Council members have the ability to speak when they vote as you always do and so I'm going to speak.

So the caucus was called; I understand that this subject was discussed quite extensively with the two members that showed up for caucus and now the decision that was made on Thursday was changed and this is exactly what was happening when we were having caucuses before that I stopped attending. We would make a decision on a Thursday; Mason Haas would call a caucus on a Monday and the very decisions that we made on Thursday were undermined by certain Council members that were not happy with the Town Board and they were able to do it at caucus.

This is not a way to run the Town Government; this is not a way to run the Republican Party. Now you have exactly Jim what you've said. George Mottern started on Monday I believe and now he's going to get shipped back to the Highway Department, Eric Shaw is going to stay where he was and somebody, I guess, politically is now going to get the job and unfortunately this is; we're right back to where we were when I wrote the letter to the editor to Denise Civiletti. This is not a way to run the government. I will not take part in it, I will not. I vote yes. Next motion please."

Diane Wilhelm: "Resolution not adopted."

Resolution #517

Councilman Wooten: "Classifies Action, Declares Lead Agency and Determines Environmental Significance on Special Permit of R&K Precision Autoworks, Inc. and Calls Public Hearing, 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 #518

Councilwoman Giglio: “Awards Bid for Lubricants, 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 #519

Councilman Dunleavy: “Authorizes the Supervisor to Execute a License Agreement with Hampton Jitney, Inc. for Staging of buses, so moved.”

Councilman Wooten: “I’ll second.”

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

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

Councilman Dunleavy: “Yes, this is for the Long Island Railroad goes on strike to help out we’re letting the bus company use the armory to store their buses for the length of the strike. I vote yes.”

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

Resolution #520

Councilman Wooten: “Authorization to Publish Advertisement for Charter Coach Transportation (Rebid) for the Town of Riverhead, 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 #521

Councilwoman Giglio: “Awards bid for 2014 Fertilizer and Lawn Chemicals, 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: “Authorization to Publish Advertisement for Printing (Rebid) for the Town of Riverhead, 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 #523

Councilman Wooten: “Ratifies the Appointment of a Call-In Park Attendant to the Recreation Department, (Sarah Freeborn), 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 #524, 525

Councilwoman Giglio: “Ratifies the Appointment of a Seasonal Summer Recreation Aide Level 1 to the Recreation Department Sailing Program (Vanessa Hettesheimer), so moved.”

Councilman Dunleavy: “Can you do 525 too with this?”

Councilwoman Giglio: “525 is Ratifies the Appointment of a Recreation Specialist to the Recreation Department Sailing Program (Marisa Sanninoto). I move Resolutions 524 and 525.”

Councilman Wooten: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please on both, 524 and 525.”

The Vote: “Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolutions 524 and 525 are adopted.”

Resolution 526

Councilman Wooten: “Appoints Members to the Senior Citizen Advisory Council, so moved.”

Councilwoman Giglio: “Second.”

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

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

Resolution #527

Councilwoman Giglio: “Adopts a Local Law Amending Chapter 14 Entitled “Community Preservation” of the Riverhead Town Code, 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: “Adopts a Local Law to Amend Chapter 108 Entitled “Zoning” of the Code of the Town of Riverhead (108-3 Definitions – Greenhouses), 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 #529

Councilman Wooten: “Authorizes the Law Firm of Anthony B. Tohill, P.C. to Act as Special Counsel and Authorizes the Supervisor to Execute a Retainer Agreement, 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 #530

Councilwoman Giglio: “Adopts a Local Law to Add a Chapter 38 Entitled “Smoking” of the Riverhead Town Code, so moved.”

Councilman Dunleavy: “Seconded and I want to thank Councilman Wooten for doing this, thank you.”

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

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

Resolution 531

Councilman Dunleavy: “Amends the Membership Status of Members of the Riverhead Farmland Preservation Committee, 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 #532

Councilman Wooten: “Authorizes Town Clerk to Publish and Post Public Notice and Calls for Public Hearing, 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 #533

Councilwoman Giglio: “Authorizes the Supervisor to Execute an Agreement with Ry-Lecia Corp, d/b/a/ American Recreational Products Regarding the Purchase of Playground Equipment at Nadel Drive Park, 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 #534

Councilman Dunleavy: “Authorizes Town Clerk to Public and Post Public Notice to Consider a Local Law to Amend Chapter 108 of the Riverhead Town Code Entitled “Zoning” (108-3 Definitions – Commercial Solar Energy Production System), 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 #535

Councilman Wooten: “Authorizes the Supervisor to Execute a License Agreement with the East End Arts Council and Martha Clara Vineyards, 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 #536

Councilwoman Giglio: “Waives Rules and Regulations for Use of Runway at Calverton Executive Airport, 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 #537

Councilman Dunleavy: “Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law for the Addition of a New Chapter 98A Entitled “Drop-off Bins” of the Riverhead Town Code, 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 #538

Councilman Wooten: “Motion to Pay Bills, so moved.”

Councilwoman Giglio: “Seconded.”

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

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

PUBLIC COMMENTS

Supervisor Walter: “Ok, now we open up for general comment for anything that you wish to address to the Board. We ask that you keep your comments to five minutes. Does anybody wish to be heard tonight, if you would just state your name and hamlet for the record that would be wonderful.”

Ron Schmidt approached the podium and stated that he was from Aquebogue. He then asked the Board if they were going to change the zoning on the firehouse and if they are, were they going to open it up to public bidding.

Supervisor Walter responded by informing Mr. Schmidt that the Town Board is working on a zone change pursuant to the Resolution that was passed a few meetings ago. He said it was opened for public bid and that there were two bidders. He continued by saying that neither bidder

was represented by Mr. Schmidt. He said of the two bidders the Town Board negotiated with one, increased the price to one hundred and twenty-five thousand dollars and is now moving forward with the contract and hopefully in the not too distant future he will sign contracts with Mr. Castaldi subject to rezoning and several other matters that were in the Resolution.

Mr. Schmidt asked that if the zoning is changed shouldn't it be opened up. Supervisor Walter said the Town Board always looked for uses for that building contemplating a rezone. He continued by saying if the Town doesn't rezone it or Mr. Castaldi doesn't sign the contracts the Town could rebid it.

Councilwoman Giglio added that when the request for bidders was made public it was for the building in the DC4 zoning district eliminating libraries, museums, etc. and that changing the zoning to DC1 would allow retail, apartments, restaurants, banks, etc. She felt if people had known that when the original request was put out there would have been a lot more offers on the building but because the uses were so limited they only received a couple of bids. She feels that if the zone is changed more people would respond because the building would be worth much more.

Mr. Schmidt thanked the Board for their responses.

Supervisor Walter: "Does anyone else wish to be heard tonight? Ok, can I get a motion to adjourn the meeting?"

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

Supervisor Walter: "All in favor of adjourning?"

Collective ayes.

Meeting Adjourned 7:39 p.m.