

Minutes of a 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, June 18, 2013 at 7:00 p.m.

PRESENT:

Sean M. Walter	Supervisor
John Dunleavy	Councilman
James Wooten	Councilman
George Gabrielsen	Councilman
Jodi Giglio	Councilwoman arrived at 7:14 p.m.

ALSO PRESENT:

Diane M. Wilhelm	Town Clerk
Robert Kozakiewicz	Town Attorney

The meeting was opened at 7:02 p.m. by Supervisor Walter with the Pledge of Allegiance. Supervisor Walter announced that Councilwoman Giglio was on her way to the meeting. She had a flat tire and would be arriving shortly.

Invocation was given by Deacon Dan Walowski from St. John Evangelist Church in Riverhead.

Councilman Dunleavy made a motion, which was seconded by Councilman Gabrielsen, to approve the minutes from the June 4, 2013 Town Board meeting and the special Town Board Meeting of June 14, 2013. Motion carried, minutes were approved.

CORRESPONDENCE

- Peter Danowski, Esq. – letter requesting town to issue clearing permit to Knightland Inc.
- Gordon Danby – letter in agreement with the Town Board’s consideration of an addition to the zoning code [excavations]
- Deborah Wetzal – letter of support for the proposed “Zip Line” project
- 3 letters in support of the Town matching funds of \$75,000 to preserve 15 acres of land at Park Road and Sound Avenue

REPORTS

Tax Receiver – Total Tax Collection to date June 5, 2013 - \$130,364,033.12
 Tax Receiver – Total Tax Collection to date June 12, 2013 - \$130,560,746.26
 Tax Receiver – Utility Collection Report May, 2013 - \$281,230.47
 Building Department – Monthly Report May, 2013 - \$181,787.30
 Sanitation Department – Monthly Yard Waste Report May 2013 - \$5,750.00

FIRE DISTRICTS

Jamesport Fire District 2012 Financial Statements

Public Hearing opened: 7:06 p.m.

Supervisor Walter: “No other Reports, we’ll go into our first Public Hearingscheduled for 7:05 and 7:05 having arrived we’re going to open the public hearing for the Consideration of a Proposed Local Law to Amend Chapter 108 of the Riverhead Town Code “Zoning”, Article VIII Accessory Apartments. Bob, do you want to talk about this a little bit?”

Robert Kozakiewicz: “A little bit. This is actually the second time this has come up for consideration at least in the Town Board’s Agenda. The reason being there was some discussion and concern about 108-34 which dealt with the question of amnesty and although it was our opinion that the amnesty provision applied from the effective date of the original adoption of this article that it would be easier to delete it therefore making clear there would be no further amnesty.

The other subtenant change would be to remove the Reviewing Board, the Accessory Apartment Review Board that currently is comprised of three members, it had been up to five but it’s been reduced to three, and instead substituted through an administrative process which would be a composition of a Building Planning Administrator, a Planning Director or designate and the Building Inspector and his designate to review these applications.

The other provisions, which deal with the size of the accessoryapartment, would remain the same and that’s the hearing in I guess.”

Supervisor Walter: “Ok, sounds good. Yes. Could you state your name and hamlet for the record?”

Chrissy Curtis: “I’m Chrissy Curtis. I live in Riverhead and I’ve been on the Accessory Apartment Review Board since its inception in May of 2008.

While we’ve had a few applications, I will tell you that every application’s properties was visited by all members of the Board; first the five like Bob was saying and now the three. They were all given serious consideration and discussion as James can attest, he was there for most of the time, we all worked well together. I’m not here to fight for my job but I am here to ask a couple of questions with respect to taking this away from a Review Board and putting it into the hands of Town Employees.”

Supervisor Walter: “Ok.”

Chrissy Curtis: “Ok. I would want to ask Mr. Dunleavy and Mr. Wooten because they were here why it was created in the first place; Accessory Apartment Review Board?”

Councilman Dunleavy: “Accessory Apartment was created because of all the illegal apartments that we have and we tried, that was the amnesty period, to get the property owners to come and legalize their accessory apartments. I don’t think it’s worked because some have been legalized but we still have a lot of illegal accessory apartments.”

Councilman Wooten: “Actually it was a multi-problem we were facing. In Brookhaven Town, well through LION, Long Island Organizing Network, it was shown that there was a need for housing that would fit the working family whether it was an older person that wanted to downsize and move into a smaller apartment, rent their house, just for sustainability.

It worked really well in Brookhaven and we were hoping because that need, at least looked like it existed in Riverhead, that we would start the accessory apartments. We wanted to capture some of the illegal ones as well but that wasn't really the genesis. The genesis was to create more work force housing and it never really took off here for whatever reason. We've kicked this around having meetings.”

Chrissy Curtis: “I agree that it didn't take off.”

Councilman Wooten: “Never really needed them in Riverhead Town for some reason.”

Chrissy Curtis: “Right.”

Councilman Wooten: “But that was the genesis. Not only was it trying to legalize illegal apartments but it was trying to create more sustainability for those people who were homeowners here.”

Chrissy Curtis: “Ok, so the Board was created because you thought there'd be more applications”

Councilman Wooten: “We wanted to look at it, (inaudible) absolutely.”

Chrissy Curtis: “Ok. And the Board is being replaced by a committee and as Bob read, it's a committee of the Building and Planning Administrator. Who are these people who are going to comprise this committee?”

Supervisor Walter: “It's somewhat (inaudible) that other towns don't have Accessory Apartment Review Boards. Towns larger than we are; Southhampton for instance, goes to the Building Department. The Building Department and Jeff Rafery, who was part of the Planning Department and he'll be part of this Accessory Apartment Review Board but in that case it is, one individual gets it, reviews it and if it meets the minimum qualifications after an inspection, much like any other permit, they issue it and it's a very streamline process.”

Chrissy Curtis: “So then it won't be the same process as the Accessory?”

Councilman Dunleavy: “No, our process here.”

Supervisor Walter: “It's going to be a little bit different because it will be looked at by this Committee, which really are employees of the Town. Southhampton has an employee that reviews it.”

Chrissy Curtis: “There will be public hearings still, no?”

Supervisor Walter: “No.”

Chrissy Curtis: “I thought it said there would be?”

Councilman Dunleavy: “The process never really worked well because of the process. The first thing the applicant had to do was go to the Building Department and give his plans to the Building Department and then after the Building Department took a look at the plans and sent them back to the homeowner to fix things up that had to be fixed and then it went to the Accessory Review Board after that.

So actually the Accessory Review Board was another step in the process which could take two months for the Accessory Department to go out and look at the house and the building then come back and set a meeting up, have the homeowner come in, speak before them and then they would make a decision.

So the process, what we’re doing is they are still going to the Building Department right? But what we did, we cut one of the steps out and that was going to the Accessory Department Review Committee before they could get approved which could save someone two months, it could, or three months. It all depends because then you had questions and they had to go back and fix your questions. So this way they’ll go to the Building Department, they’ll put their application in; the Building Department will look at it and then they will end up, the Committee will approve it. So that’s one of the reasons, it will flow.”

Chrissy Curtis: “Ok, so then there won’t be set meeting dates, there won’t be Public Hearings.”

Councilman Dunleavy: “No, there won’t be any Public Hearings.”

Supervisor Walter: “There’s going to be an administrator review. The Town has set forth minimum qualifications for an accessory apartment. If you meet those qualifications, much like any other permit in the town, if you meet those qualifications under the permit, it will be granted the permit.”

Chrissy Curtis: All right and who besides Mr. Murphy will be on this committee?”

Supervisor Walter: “It’s the Building Department Administrator, Planning Director or his or her designee and the Building Inspector. So it’s going to be a combination of the Planning Department and the Building Department which for all intent and purposes have been merged.”

Councilman Dunleavy: “The Town Board is the ones that put these people on this committee.”

Chrissy Curtis: “Ok. So it’s specific people though or just? Could it be?”

Councilman Wooten: “No, it’s departments.”

Chrissy Curtis: “Ok, it’s just departments, it’s not specific people?”

Councilman Wooten: “Well, it’s department head or his designee.”

Chrissy Curtis: “Right so it may not necessarily be the same person let’s say for two applications.”

Councilman Wooten: “Which is why we preferred what we did five (inaudible)

Supervisor Walter: “I’m sure it’s going to be the same person. We’re really not that deep in any of these departments so it’s probably going to be the same person.”

Councilwoman Giglio: “But I know that the town attorney’s office is going to be taking a closer look at these applications and vetting the applications before it’s getting any further so. The Town Attorney’s office will also be overseeing the application process.

Chrissy Curtis: “Thank you. Is there going to be any compensation to these people or departments? No financial compensation whatsoever?”

Supervisor Walter: “No.”

Councilman Wooten: “No, not from us.”

Chrissy Curtis: “All right. The only other thing I would say to that is, I have to agree with what John said. There’s still so many out there that are illegal and unsafe and it was always out goal to try and work with the people and try and get them approved really because of the safety factor and.”

Supervisor Walter: “I think the goal is the same. We’re just trying to streamline the process. The criticisms that we’ve heard in my office is that fewer people want to be involved in a process that takes longer and I can tell you in Southhampton, having represented people that did it in Southhampton, less than thirty days you can get an Accessory Apartment Permit.”

Chrissy Curtis: “Well that’s great, no it is and if that can be done here it should be. It should be that simple.”

Supervisor Walter: (inaudible)

Chrissy Curtis: “The only thing I say is there’s got to be a way for the Town, maybe Code Enforcement or whoever’s job it is, to really go after these people harder because really it’s not so much about the process. If you really put your ears out there what people say is *Why would I come forward to increase my taxes?* You know.”

Councilman Dunleavy: “Code Enforcement, we did have, I guess (inaudible) was hit and they went out especially for the accessory apartments and I think there were over a hundred that we gave summonses to and some we sent to Supreme Court. We’re still waiting for judgments

to be made on all those cases. They did have over a hundred that they investigated. So, that was working. Will we continue to do that, I don't know."

Chrissy Curtis: "Why not, why not?"

Supervisor Walter: "Code Enforcement, that's what they do."

Chrissy Curtis: "Good"

Councilman Wooten: "Christine, if I could say as liaison to your committee, I thank you very much for your diligence. For five years you guys really worked good. You went to site visits and you took your job seriously and you're right. You worked very hard to make sure that they got the accessory apartment to stay within the guidelines but you very good."

Chrissy Curtis: "Thank you."

Supervisor Walter: "Thank you very much and thank you for serving."

Steve Romano: "Good evening. Steve Romano, Riverhead. I think this is a smart policy change. You know I've been pushing this for a long time. The question that I have is if there's no public meeting what's the purpose of the notification to the contiguous property owners?"

Bob Kozakiewicz: "I've actually been looking at that and I think that may need to be removed because I don't think that should have stayed in. I'm looking at went to public hearing and it is a little confusing. It does give the appearance that there would be a public hearing. I think that was an error."

Steve Romano: "Another question I had. I think from what I read when the initial permit is issued it's three years and then when you renew its five years. I guess what my question would be what's the difference between an accessory apartment rental and a regular rental? My understanding of a regular rental in the town it's a permit for two years and you renew it every two years. Why would one be so much different than the other. Is it the homeowner living in the house?"

Councilman Dunleavy: "The homeowner has to be living and the apartments are smaller. It only can take up to, I think, forty percent of the floor plan of the home where an apartment you can make it any size you want."

Steve Romano: "And for the community's edification if I remember correctly, we haven't issued many Accessory Apartment Permits."

Councilman Wooten: "No, that's what I said earlier. I don't know if you were here."

Steve Romano: "No I'm sorry, I came late."

Councilman Wooten: "It never really took off, we tried."

Steve Romano: “Yeah, it was well intended and it would have. In Brookhaven, other than the process is horrible, it seemed to work. What is the fine for someone who illegally rents either an accessory or regular house they rented without getting the permit? I mean is there?”

Supervisor Walter: “Yes there is a significant fine. My recollection is it’s either five hundred or a thousand dollars a day, I’m not positive but it’s substantial.

Steve Romano: “But yet we can’t get a lot of these illegals to comply.”

Supervisor Walter: “We do, we do.”

Steve Romano: “Thank you.”

Supervisor Walter: “Thank you. Does anybody else wish to be heard on this? All right, not seeing anybody, I’ll close the public comment portion and we’ll leave it open for written comment to June 28, 2013 Town Clerk’s office, 4:30 p.m. Thank you.

**Public Hearing Closed: 7:20 p.m.
Left open for written comment until June 28, 2013 at 4:30**

Public Hearing opened: 7:20 p.m.

Supervisor Walter: “7:10 p.m. having arrived, it now being 7:20 p.m. we will open the Public Hearing for the Consideration of a Proposed Local Law to Amend Chapter 62 of the Riverhead Town Code Entitled “Excavations.” Bob do you to just?”

Bob Kozakiewicz: “Yes. This version of Chapter 62 because this is the second one, I think we had a hearing on May 22nd if I remember correctly on a little bit different version of Chapter 62; would be limited to tying the Excavation Permit to an applicant who has received an approval either by sub division or site plan as the case might be to have coterminous or at the same time of making an Excavation Permit a Building Permit on file with the Town.

There’s been some concern that excavations are issued, building permits never (inaudible) and therefore there should be a change in the policy. I think I’ve overheard at least one Board member or maybe others say that we’re probably the only town that allows that to happen where someone can come in and do an Excavation Permit and not link it to a Building Permit and the thought was to do that.

So this is a scaled down version taking away some of the issues that came up with the agricultural community with the prior version and we’re only linking it to the question of requiring an applicant of a Chapter 62 to file or have on file a building permit at the same time.”

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

Sal Mastropaolo: “Sal Mastropaolo, Calverton. I have a question. What’s the difference between an Excavation Permit and a Clearing Permit?”

Supervisor Walter: “More or less the same.”

Bob Kozakiewicz: “They’re more or less the same but an excavation permit is involving materials being moved around.”

Sal Mastropaolo: “Well, it said in here *stumps, wood, lumber, timber in its natural or processed state.*”

Supervisor Walter: “This is our; if I’m not mistaken Bob this is sort of our tree clearing permit statute.”

Sal Mastropaolo: “Well shouldn’t we be coordinating this with the clearing and having only one, call it one thing because there’s a letter in here requesting Town to issue clearing permits to Knightland. Well, if Knightland doesn’t have a.”

Supervisor Walter: “This is still a Chapter 62.”

Bob Kozakiewicz: “It’s still a Chapter 62 Knightland has pending.”

Sal Mastropaolo: “Ok. I guess what I’m saying is shouldn’t we merge the two together?”

Supervisor Walter: “They are.”

Sal Mastropaolo: “And not have conflicting.”

Supervisor Walter: “This is the Permit you get.”

Sal Mastropaolo: “So we’re going to do away with the clearing?”

Supervisor Walter: “No, this is the Permit you get.”

Bob Kozakiewicz: “The Clearing Permit that Knightland is seeking is under Chapter 62.”

Sal Mastropaolo: “In the same section?”

Bob Kozakiewicz: “It’s the same chapter.”

Sal Mastropaolo: “Ok.”

Bob Kozakiewicz: “And also just, I know that there’s been something that’s been out there. Our Code company, General Code, has offered to look at the code and I know that they’ve just recently came up with some additional changes and thoughts about what we can do to maybe

make our code a little more, what's the word I want to use, easier to read and understand so hopefully a lot of this stuff will merge into that revisiting of the entire Code."

Sal Mastropaolo: "Ok, thank you."

Supervisor Walter: "Thank Sal. Does anybody else wish to be heard on this subject? Not seeing anybody I close the public comment portion and leave it open for written comment until June 28, 2013, 4:30 p.m. in the Town Clerk's Office."

**Public Hearing Closed at: 7:24 p.m.
Left open for written comment until June 28, 2013 at 4:30 p.m.**

COMMENTS ON RESOLUTIONS

Supervisor Walter: "Comments on Resolutions. Sal, how did we do?"

Sal Mastropaolo: "All right. Actually there's no errors just a couple of questions."

Supervisor Walter: "Ok."

Sal Mastropaolo: "My understanding was that we gave the Animal Shelter over to North Shore Animal League or whatever for a certain fee and they're running it."

Supervisor Walter: "Correct."

Sal Mastropaolo: "Then why do we have a Resolution to spend, it's only a thousand dollars, but the Town hired an animal behaviorist."

Councilman Wooten: "It predated the takeover. This is an old Bill."

Sal Mastropaolo: "Ok, good answer. Resolution 475. I guess the first question I have is; four thousand dollars, what did we put down, concrete barriers to keep the vehicles from driving on private beach property? I assumed that's Wading River, the property to the east of the town beach?"

Supervisor Walter: "We drove three pilings into the ground."

Sal Mastropaolo: "Three pilings in the ground for four thousand dollars?"

Supervisor Walter: "That's correct. That's something we don't have the equipment to do it."

Sal Mastropaolo: "It would have been cheaper to put a hundred feet of two by eight spikes and they nobody would have drove over it."

Councilman Gabrielsen: “Sal, do you know what you’re talking about, which area?”

Sal Mastropaolo: “I know which area, it’s the area just east of the. (Inaudible) Ok. Resolution 499.

First comment is two percent of twenty-one million seven hundred and forty thousand is four hundred thirty four thousand eight hundred, not four hundred thousand thirty one thousand eight hundred so three thousand dollars disappeared someplace. When you add the two numbers it comes to four thirty one, eight hundred not four thirty four eight hundred. That’s the first comment. The second comment is why did we settle? Isn’t that going to set a precedent in this Town?

Supervisor Walter: “No, what’s happened, we settled for a sum. Here’s what the problem was, we’re going to air Thurms dirty laundry, it’s not really Thurms, it’s a different company now but what they did; they were cute. They sold the property and they assigned a very small value to the real estate and a very large value to the good will of the company. Our Town Assessor, Laverne Tennenberg is really the one that caught this and said that doesn’t make any sense.

We know what the assess value is of the property the good will; there is always good will when you buy a corporation, but the good will is not the assessed valuation. It’s someplace between the value of the property and then there’s some good will. So we negotiated back and forth.

The Town would have to get an appraisal to determine the value of the property and the value of the good will but ah, there was something in their contract that led us to believe they knew what the value of the property was and something coincided with the assessor’s recommendations and they had a contingency in the contract that should the State of New York who did not, in case anybody is listening, go after this company for this.

They had a value set and an amount of money set to be paid if there was a challenge so we made a business decision based on the value they had set aside, the cost of the appraisal, the litigation that would have entailed to determine the good will and we came up with a settlement figure. So, we’re settling for a good number and we’re happy with this. The State of New York hasn’t done anything, hint, hint, Newsday. Thank you Lavern Tennenberg.”

Sal Mastropaolo: “Ok, Resolution 500. Just a question; it seems like every time I turn around we’re hiring another outside law firm to represent the Town. What do we spend on an annual basis for outside attorneys?”

Supervisor Walter: “We try to keep it, I think, at two hundred fifty thousand dollars a year. There was a point before I took office we were up around four hundred thousand and then Supervisor Cardinale gave then two fifty and I’ve continued to give them two fifty. They seem to outspend it but we’re doing a lot better with outside counseling cases. But this is a Zoning Board of Appeals case. We’re responsible to provide counsel for them. Some would say there’s an inherent conflict having the Town Attorney defend the Zoning Board of Appeals so typically we give them outside counsel.”

Sal Mastropaolo: “Ok, Resolution 502. We’re a little inconsistent in our procedure, ok. There’s about five or six Chapter 90 applications in this packet, ok and five of the six ask for

waver on the fee ok; the Special Event Fee, ok, and one did not. The one that did not, ok, the application was submitted, the fireworks permit was submitted by the pyrotechnic company. The other five the applications were submitted by whoever was running the event. OK.”

Supervisor Walter: “Well we would not, the one that, and you can correct me if I’m wrong, the Riverhead Raceway.”

Sal Mastropaolo: “No, that’s not, that’s for profit, they paid the fee, that’s no problem. I’m talking about the Peconic Bay Medical Center is having the event at Kenny Barra’s property but there’s a couple of others. One of the, it was a carnival but here’s my point. My point is we should either require that the pyrotechnic company make the application for the permit in which case we’re consistent and they always pay the fee; or we should make a statement that says despite who applies, if it’s a nonprofit, they shouldn’t pay the fee because in this case the fireworks company paid the fee but the event is for the Peconic Bay Medical Center.

Councilman Dunleavy: “They shouldn’t pay a fee then.”

Sal Mastropaolo: “That’s my point. I’m usually favoring everybody paying the fee but it’s just there’s an inconsistency in how we’re doing this.”

Supervisor Walter: “I understand. Thank you Sal. Anybody else wish to be heard on Resolutions? Not seeing anybody, Chris?”

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

Councilman Gabrielsen: “And seconded.”

Supervisor Walter: “Moved and seconded as to closing the Town Board meeting.”

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

Chris Kempner: “TheCDA meeting is now opened.”

Town Board Meeting Adjourned

Town Board Meeting Re-Opened

RESOLUTIONS

Resolution 471

Councilwoman Giglio: “21st Century Oncology Water Service Capital Project Budget Adjustment. 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 #472

Councilman Dunleavy: “1044 Parkway Street Laundry Riverhead Sewer District Capital Improvement Project Budget Adoption. So moved.”

Councilman Wooten: “Second.”

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

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

Councilman Dunleavy: “Yes. This is a fee that the developer paid and now we’re making an account so we can spend it. I vote yes.”

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

Resolution #473

Councilman Wooten: “Animal Shelter Donation 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 #474

Councilman Gabrielsen: “Calverton Recreation Park Capital Project Budget Adjustment. So moved.”

Councilwoman Giglio: “And seconded”.

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

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

Resolution #475

Councilwoman Giglio: “General Fund Budget Adjustment. So moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio, no; Gabrielsen.

Councilman Gabrielsen: “Wading River Beach. I say take those poles down, no.”

Vote Continued: “Wooten.

Councilman Wooten: “I say pay our bills, yes.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “Yes, we did this and the company deserves to be paid, so I vote yes.”

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

Resolution #476

Councilman Dunleavy: “Northville Commerce Park Associates Water Service Capital Project Budget Adoption. 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 #477

Councilman Wooten: “Phase II – Route 58 Retail stores – Headriver LLC Water Service Capital Project Budget Adoption. So moved.”

Councilman Gabrielsen: “And seconded.”

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

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

Councilman Dunleavy: “This is another one where the developer pays and we spend. Yes.”

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

Resolutions #478

Councilman Gabrielsen: “Saber Riverhead LLC Water Service Capital Project Budget Adoption. So moved.”

Councilwoman Giglio: “And Seconded.”

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

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

Resolution #479

Councilwoman Giglio: “Walmart – Old Country Road Water Service Capital Project Budget Adoption. 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 #480

Councilman Dunleavy: “Authorizes Execution of Home Contract Between the Town of Riverhead and Suffolk County. So moved.”

Councilman Wooten: “Seconded.”

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

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

Councilman Dunleavy: “We’re getting forty thousand dollars. I vote yes.”

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

Resolution #481

Councilman Wooten: “Authorizes Funding Application of New York State to Support I Love New York Tourism Funding. So Moved.

Councilman Gabrielsen: “And seconded.”

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

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

Resolution #482

Councilman Gabrielsen: “Appoints Seasonal Call-In Lifeguards to the Recreation Department. So moved.”

Councilwoman Giglio: “And seconded.”

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

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

Resolution #483

Councilwoman Giglio: “Appoints a Call-In Recreation Aide I to the Recreation Department.” (Jaron Greenidge) 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 #484

Councilman Dunleavy: “Appoints a Call-In Recreation Aide to the Recreation Department.” (Michael Van Bommel) 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 #485

Councilman Wooten: “Amends Resolution #418.” 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 #486

Councilman Gabrielsen: “Approves Extension of Performance Security Posted by Stoneleigh Woods at Riverhead LLC in Connection with the Condominium Project Entitled “Stoneleigh Woods of Riverhead, LLC” (Road and Drainage Improvements).”So moved.”

Councilwoman Giglio: “And seconded.”

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

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

Resolution #487

Councilwoman Giglio: “Appoints an Assistant Recreation Leader II to the Recreation Department. (Thomas Crabb) 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 #488

Councilman Dunleavy: “Appoints a Recreation Aide to the Recreation Department. (Amanda Commins) So moved.”

Councilman Wooten: “I’ll second.”

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

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

Resolution #489

Councilman Wooten: “Appoints a Seasonal Water Safety Instructor to the Recreation Department. (Lawrence Loesch) 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 #490

Councilman Gabrielsen: “Appoints Seasonal Recreation Aides to the Recreation Department. So moved.”

Councilwoman Giglio: “And seconded.”

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

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

Resolution #491

Councilwoman Giglio: “Approves Chapter 90 Application of Peconic Bay Medical Center (Family Festival – July 4, 2013 through July 7, 2013. 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 #492

Councilman Dunleavy: “Approves Application for Newton Shows Family Festival and Carnival, July 6, 2012. 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 #493

Councilman Wooten: “Appoints a Call-In Recreation Aide I to the Recreation Department. 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 #494

Councilman Gabrielsen: “Town of Riverhead Accepts Offer of Gift from Advanced Imaging Systems. So moved.”

Councilwoman Giglio: “And seconded”

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

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

Councilman Dunleavy: “Again this is an Advanced Imaging System and they’re donating it to us. I vote yes.”

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

Resolution #495

Councilwoman Giglio: “Authorizes the Supervisor to Execute an Agreement with Suffolk County for Traffic Control Devices at Shopping Center of Saber-Riverhead, LLC. So moved.”

Councilman Dunleavy: “And seconded.”

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

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

Councilman Dunleavy: “Yes and I think you’re going to look into this to see why?”

Supervisor Walter: “Yes, I think there was a legal opinion given many times that, as to why the Towns have to assume the responsibility for County traffic lights. I think it’s in the County Charter.

Bob Kozakiewicz: (Inaudible) it’s the highway law.”

Supervisor Walter: “There was legal opinion done through you.”

Councilman Dunleavy: “Anytime they put a traffic light there, on their highway, we have to do the maintenance on it.”

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

Resolution #496

Councilman Dunleavy: “Amends Resolution #99 of 2013 (Authorizes Sewer District Employee to Attend Course). 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 #497

Councilman Wooten: “Amends Resolution #98 of 2013 (Authorizes Sewer District Employee to Attend Course). 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 #498

Councilman Gabrielsen: “Authorizes Supervisor to Execute an Agreement with Sybatech, Inc. (Code Pal). So moved.”

Councilwoman Giglio: “And seconded”.

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

The Vote: “Giglio.”

Councilwoman Giglio: “IT recommended this so yes.”

Vote Continued: “Gabrielsen, yes; Wooten, yes; Dunleavy.”

Councilman Dunleavy: “This is so they can look at our system and we have to give them information so we want to keep it confidential so I vote yes.”

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

Resolution #499

Councilwoman Giglio: “Authorizes Settlement with MHC Thurms LLC and Hometown Thurms Estate, LLC. 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 #500

Councilman Dunleavy: “Appoints the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP to Act as Special Counsel and Authorizes the Supervisor to Execute a Retainer Agreement. 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 #501

Councilman Wooten: “Authorizes the Supervisor to Execute an Agreement with Suffolk County for Port Security Grant Program (PSGP). 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.”

Resolutions #502

Councilman Gabrielsen: “Approves the Application for Fireworks Permit of Riverhead Business Improvement District Management Association. (July 4, 2013)So moved.”

Councilwoman Giglio: “And Seconded.”

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

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

Resolution #503

Councilwoman Giglio: “Ratifies the Approval of the Chapter 90 Application of Abate of NY Long Island Chapter (Veterans Appreciation Run – Sunday, June 9, 2013). So moved.”

Councilman Dunleavy: “And seconded.”

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

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

Councilman Dunleavy: “There were six hundred motorcycles that drove from Riverhead to Montauk raising money for the veterans. So I vote yes.”

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

Resolution #504

Councilman Dunleavy: “Approves Chapter 90 Application of Cornell Cooperative Extension of Nassau County (Charity Polo Event for Hurricane Sandy Relief – June 22, 2013). 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 #505

Councilman Wooten: “Approves the Chapter 90 Application of Old Steeple Community Church (Annual Antique Fair – August 24, 2013). 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 #506

Councilman Gabrielsen: “Approves the Chapter 90 Application of Polish Town Civic Association, (August 16th through August 18th 2013). So moved.”

Councilwoman Giglio: “And seconded.”

Councilman Dunleavy: “I have a question. Do they have the proper insurance?”

Bob Kozakiewicz: “I understand they do.”

Councilman Dunleavy: “Did we ask them for a five million dollar policy?”

Supervisor Walter: “No we didn’t do that I think it’s to.”

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

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

Resolution #507

Councilwoman Giglio: “Approves the Application for Fireworks Permit of Riverhead Raceway (July 6, 2013). 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 #508

Councilman Dunleavy: “Approves the Application for Fireworks Permit of Riverhead Raceway (August 24, 2013). 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 #509

Councilman Wooten: “Authorizes the Release of Security of ARA Plumbing Corp. Drainlayer for Riverhead Sewer 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 #510

Councilman Gabrielsen: “Authorizes the Supervisor to Execute a Municipal Cooperation Agreement Renewal No. 4 with the Riverhead Central School District Regarding Unleaded Fuel Services. So moved.”

Councilwoman Giglio: “And seconded.”

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

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

Resolution #511

Councilwoman Giglio: “Approves Roadwork Construction Corp. as Drainlayer for Riverhead Sewer 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 #512

Councilman Dunleavy: “Extends Bid Contract for Quick Lube Maintenance for the 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 #513

Councilman Wooten: “Authorizes the Supervisor to Execute Stipulation with Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #852. 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 #514

Councilman Gabrielsen: “Appoints a Summer Recreation Aide I to the Recreation Department. (Max Goldfarb) So moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please”

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

Resolution #515

Councilwoman Giglio: "Pays Bills. So moved."

Councilman Dunleavy: "And seconded."

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

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

Councilman Dunleavy: "Am I taking Resolution 516 off the floor?"

Supervisor Walter: "Are there two of them or just one? This was in the packet but we just missed it. Authorizes a Change Order for Type III Ambulance for the Riverhead Ambulance District. This was the first thing they discussed when they came. (Inaudible) Can I have a motion?"

Councilman Dunleavy: I make a motion that we take Resolution 516 off the floor. 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 516 is taken off the floor."

Resolution #516

Councilman Dunleavy: "I move Resolution 516 Authorizes a Change Order for Type III Ambulance for the Riverhead Ambulance 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."

GENERAL COMMENTS

Supervisor Walter: That concludes the official Town business. We open it up for public comment, anybody wishes to address the public with anything within our purview or not within our purview but we would love to listen to you for a total of five minutes. Steve Romano."

Mr. Romano questioned the police presence in downtown Riverhead stating he thought there were more police then before. He asked if it was due to additional funds given in February. Supervisor Walter responded in the affirmative stating there was an increase in police presence due to the available funds. Mr. Romano then asked if the police officers actually leave the police precinct walking. Councilman Dunleavy told him that he drives, parks the police car in one of the parking lots or on Main Street and then walks. Supervisor Walter stated there is a deterrent having the patrol car in sight. He also stated that several "bad guys" were apprehended very quickly due to the fact that the patrol car was there.

Mr. Romano then wanted to know if the Town ever firmed up the deal with Treasure Cove which required boaters to maintain the permits for transient boats coming into the area. Councilman Gabrielsen said they were working on this matter however a work session was cancelled which compelled them to reschedule this issue for the next session.

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

Councilman Dunleavy: "I make a motion we adjourn this Town Board meeting."

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

Meeting Adjourned: 7:55 p.m.