

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, June 16, 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 given by Deacon Peter Schultz of St. John the Evangelist Roman Catholic Church in Riverhead.

Supervisor Walter invited Lorraine Rimmelin to come up and say a word or two about her art work that is displayed in the hall in Town Hall. Lorraine is Riverhead's Resident Artist this month.

Lorraine thanked the Board for giving her the opportunity to speak. She said she is a member of the East End Art Council and she is a water colorist. She continued by saying it is a wonderful opportunity to be speaking at the Board and being able to display her art work.

Supervisor Walter asked the members of the Shoreham/Wading River Wildcat Athletic Club to come forward and accept a Proclamation presented by Supervisor Walter and the Town Board proclaiming June 2nd to be Tom Cutinella Scholarship Fund Day in the Town of Riverhead. Tom was a high school football player who passed away from a football injury suffered while playing high school football. In Tom's name the Fund has raised one hundred seven thousand dollars which has been awarded to exemplary high school seniors graduating from Shoreham/Wading River High School to help further their college education. He stated that the Board recognizes the positive impact of the Shoreham/Wading River Wildcat Athletic Club and the Tom Cutinella Scholarship Fund has had on students.

The Proclamation was accepted by the President of the Wildcat Athletic Club who stated that as a Booster Club most of their time is spent raising funds for the Athletic Program but the Club felt it was necessary to take some action to make sure Tom Cutinella's name would never be forgotten. On behalf of himself and the Board members of the Wildcat Athletic Club he thanked the Town Board for the Proclamation presented to him today.

Councilman Dunleavy asked if donations to the scholarship were still being taken. If anyone is interested in donating, checks can be sent to: 54 Fund, SWR Wildcat Athletic Club, POB 335, Wading River, NY 11792.

Councilman Dunleavy made a motion, which was seconded by Councilman Gabrielsen that the minutes of the June 2, 2015 Town Board meeting be approved. Minutes were approved

APPLICATIONS
(Pending Town Board Approval)

Special Events

- Bubble Palooza – 5K run with bubble and foam machines, September 26, 2015
- Riverhead Running Club – 5K fun run for Riverhead school children – October 31, 2015
- Carol M. Baldwin Breast Cancer Research Fund – Car/Motorcycle Show with music, September 20, 2015

REPORTS

- Tax Receiver - Total Tax Collection to date as of June 2, 2015 - \$110,488,805.87
- Tax Receiver - Total Tax Collection to date as of June 9, 2015 - \$139,030,832.13
- Tax Receiver – Utility Collection Report June 2015 - \$215,302.97
- Town Clerk – Monthly report May 2015 - \$9,660.80

FIRE DISTRICTS

- Jamesport Fire District 2014 Financial Statements

CORRESPONDENCE

- Estelle Robinson – letter to the Town Board referencing the decision not to dredge the (Wading River) creek
- Jamesport Fire District – letter to the Town requesting notification of future St. Patrick’s Day Parades which include Manor Lane, Jamesport

CONSERVATION ADVISORY COUNCIL CORRESPONDENCE

- CAC Res. #2015-5, Lighthouse Yacht Club, SCTM #0600-86-2-17.2, 27,28 & 29
- CAC Res. #2015-6, Rederscheid, SCTM #0600-93-1-23

COMMITTEE REPORTS

Councilwoman Giglio wanted to remind everyone June 20th is Sing for the East End, East End Hospice is having a karaoke sing night at Grangebél Park. She urged everyone to come down, enjoy the Peconic River and listen to some great music.

Councilman Gabrielsen wanted everyone to know that this Saturday his parents will be celebrating their 67th wedding anniversary.

PUBLIC HEARINGS

Supervisor Walter: “We’ve got three public hearings scheduled. I want to open the first two at the same time because they are related. The first public hearing we’ll open is scheduled for 7:05 and this is the Consideration of a Proposed Local Law to Amending Chapter 108 of the Riverhead Town Code Entitled “Zoning”, Article LVI Downtown Center 1: Main Street (DC-1) Zoning Use District Chapter 108-298 (Micro-Brewery, Micro-Cidery, Micro-Winery) and so we’ll open that hearing and it is now 7:15 so we will also open simultaneously the 7:10 public hearing and this is the Consideration of a Proposed Local Law Amending Chapter 108 of the Riverhead Town Code Entitled “Zoning”, Article I General Provisions Section 108-3 Definitions: Word Usage Beer, Cider, Wine, Micro-Brewery, Brew-Pub, Micro-Cidery, Micro-Winery) and I know Jeff Murphree from the Planning Department is going to make a brief introduction on these two hearings. Thank you Jeff.”

Jeffrey Murphree: “Good evening. The timing of this is very fatuitous because when we were drafting the laws to allow Micro-Breweries in our downtown areas this is an issue nationwide and by the American Planning Association the (inaudible) major publication in our recent magazine about how major cities such as San Diego and Port Collin were drafting laws to allow them in their downtown areas so the actual headline for it reads *welcome to beer countries small brewery are a big deal and some cities are courting them* so we’re right up there with San Diego and Port Collins and a whole bunch of other really cool and groovy cities. Yes we are competing with San Diego and Port Collins with our micro-breweries

As you know we have a number of small micro-breweries in Riverhead. We’ve been approached by several of them to expand or to open up new facilities in the downtown area which is great because it’s a walking community. We have restaurants and things that are a wonderful companion to them and the laws that you have before you this evening were in partnerships with those brewers that something that’s workable for them and also (inaudible) and safe guidelines for the residents of the area.

We have a definition in terms of how much they’re allowed to brew. We’re not going to allow big wholesale manufacturers to come in here. We limit the number of gallons that can be produced per year. They’re allowed to only sell prepackaged food unless they have a Certificate of Occupancy from a restaurant in addition to that.

We are not allowed to actually drink the beer, you can do the tasting from growlers and one of the give things (inaudible) actually through the Planning Magazine is they can discharge some pretty nasty stuff so one of the conditions was that before they could get a building permit they had to go to Michael Reichel because they needed to know what kind of discharges will be going into our sewer systems so not to clog it up.”

Supervisor Walter: “Ok, does anybody from the Board wish to inquire of Mr. Murphree? If not we’ll open it up to the public. Would the public like to be heard on the issue? Yes Mr. Fedun.”

Patrick Fedun: Good evening. My name is Patrick Fedun. I just have a couple of questions on it. Basically this is going to be a manufacturing situation?”

Supervisor Walter: “Small scale manufacturing limited by the number of gallons and Jeff you have the number of gallons?”

Robert Kozakiewicz: “Ten thousand barrels.”

Jefferson Murphree: “Ten thousand barrels or three hundred and ten gallons annually.”

Patrick Fedun: “Ok. So if someone were to build a facility would they go under the manufacturing schedule or restaurant.”

Supervisor Walter: “They’re in the parking district so.”

Patrick Fedun: “Not all of DC-1 is parking right?”

Supervisor Walter: “Probably a majority; there may be some that are outside. I don’t know that we have an answer to that question. I’m thinking probably not manufacturing but I don’t know if we have the answer to that question.”

Patrick Fedun: “And the next question is about production. Who’s going to regulate production?”

Supervisor Walter: “Probably for the most part the Sewer Department because we will require them to have a tank that they hold their effluent and they meter it into our sewerage treatment plant so that tank that the sewer plant will probably check on fairly regularly will determine what they can actually brew because it will be a regulated discharge.”

Patrick Fedun: “Ok so it’s regulated. I think before we take a step further we should figure out what fines are going to be because regulation without fines is basically a free pass.”

Supervisor Walter: “What fines for what?”

Patrick Fedun: “For producing more than ten thousand gallons per annually.”

Supervisor Walter: “Ok.”

Patrick Fedun: “So that’s something that should be addressed and what fines are going to be imposed.”

Supervisor Walter: “Ok, thank you. Does anybody else wish to be heard on the matter? Alright, not seeing anybody I’m going to close the public comment portion and leave it open for written comment till June 26th, 4:30 p.m. at the Town Clerk’s office.”

**Public Hearing Closed at 7:20 p.m.
Left Open for Written Comment until June 26, 2015 at 4:30 p.m.**

Supervisor Walter: “Moving right along. There’s a third public hearing and that was scheduled for 7:15 and it is now 7:20 and this is a public hearing regulating houseboat fees. Please take notice a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, New York on the sixteenth day of June 2015 at 7:15. It is now 7:20 to consider a Local Law Amending Chapter 106 of the Riverhead Town Code Entitled “Waterways”, Article II Houseboats and House Barges so I open the public hearing and the purpose of that is to create a houseboat application fee. The fee for the permit shall be five hundred dollars. A permit shall be valid for one year. The applicant shall be required to file a renewal of the permit each year within thirty days of the expiration of the annual permit. The fee for the renewal shall be \$50.00 dollars. Does anyone wish to be heard on this matter? Not seeing anybody I’ll close the public comment portion and leave it open for written comment until June 26th at 4:30 p.m. in the Town Clerk’s office.”

**Public Hearing Closed at 7:22 p.m.
Left Open for Written Comment until June 26, 2015 at 4:30 p.m.**

COMMENTS ON RESOLUTIONS

Supervisor Walter: “Moving right along does anyone wish to comment on resolutions, Ms. Stokes?”

Liz Stokes: “Hello, my name is Liz Stokes. I’d like to comment on Resolution 457 naming the bike and hiking trail in Calverton around the Veteran’s Memorial Park to Vietnam Veterans Way. I cannot thank you Mr. Walter and the Town Board for being so supportive of doing everything in this town for veterans.

If I may ask how many in this audience are veterans? Thank you for your service, thank your service, thank you for your service. This town has a heavy heart when it comes to veterans and this was an initiative, thank you Councilman Wooten for doing something for Vietnam Veterans in this town and I support this. There are thousands of vets out there that will support this also and I just want to say thank you.”

Supervisor Walter: “You’re very welcome. Does anyone else wish to be heard on Resolutions? Not seeing anybody Diane let’s take up the resolutions.”

RESOLUTIONS

Resolution #432

Councilman Dunleavy: “General Fund Budget Adjustment, 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 #433:

Councilman Wooten: “Riverhead Highway 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 #434

Councilman Gabrielsen: “Approves and Authorizes the Signature Agreement between Riverhead Water District and New York SMSA Limited Partnership D/B/A Verizon Wireless, 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 #435

Councilwoman Giglio: “Resolution Granting the State of New York Authority to Perform Adjustment for the Owner and Agreeing to Maintain Facilities Adjusted Via State-Let Contract, 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 # 436

Councilman Dunleavy: “Ratifies the Approval of a Leave of Absence for Military Reasons for a Police Department Employee, 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 #437

Councilman Wooten: “Terminates a Leave of Absence and Ratifies the Reappointment of Part-time Police Officers to Active Duty Status (Christie L. Smith, Robert T. Sproston), 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 #438

Councilman Gabrielsen: “Appoints a Part-time Public Safety Dispatcher I to the Police Department (Catherine Stotsky-Urevich), 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 #439

Councilwoman Giglio: “Appoints a Call-in Seasonal Clerk to the Recreation Department (Scala-Hayes), 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 #440

Councilman Dunleavy: “Appoints a Provisional Fire Prevention Inspector (Andrew Smith), so moved.”

Councilman Wooten: “Seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I feel this is very important. I feel that this person is qualified for the position, is a Riverhead resident it was a difficult decision based on qualifications but because he is a Riverhead resident and tax payer in the town I feel that it is important that any jobs that we give out that are of this nature we should be giving them out to Riverhead residents if they do qualify so I think we should be hiring a full Fire Marshall instead of a Fire Inspector but because a Fire Marshall can do so much more but because we are limited on funds and a Fire Inspector is being requested and I think the Board is in agreement so I will go along with the Board and hire a Fire Inspector because it’s a step in the right direction so I’ll vote yes.”

Vote Continued: “Gabrielsen.”

Councilman Gabrielsen: “I’m going to abstain.”

Vote Continued: “Wooten.”

Councilman Wooten: “I’ll vote yes.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “I’m going to vote yes. This is something that the Fire District wanted, we need help and they’re paying for it, we’re not paying for it. The fire districts are paying for this in the false alarm fees that we charge that we give seventy percent to the fire districts, they’re not accepting the seventy percent. They’re giving it back to the town to hire this fire inspector. So I want to thank the fire districts because we need that help and I vote yes for a fire inspector.”

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

Resolution #441-448

Councilman Dunleavy: “Can I make a motion that we combine 441 to 448? They’re all about the Recreation Department hiring summer help.”

Supervisor Walter: “Why don’t you move 441 to 448 altogether. That’s fine. Why don’t you make that motion to move.”

Councilman Dunleavy: “I did.”

Councilman Wooten: “I’ll second.”

Supervisor Walter: “Make the motion to move them all together and seconded.”

The Vote: “Giglio.”

Councilwoman Giglio: “If they’re all read aloud, yes.”

Supervisor Walter: “441 Ratifies the Appointment of a Call-in Assistant Recreation Leader to the Recreation Department (Chelsea Chizever), 442 Appoints a Seasonal Water Safety Instructor to the Recreation Department (Cristina Iannacchino), 443 Appoints Seasonal Beach Attendants to the Recreation Department, 444 Appoints Seasonal Lifeguards to the Recreation Department, 445 Appoints a Call-in Park Attendant to the Recreation Department (Sara Freeborn), 446 Appoints Call-in Recreation Program Aides to the Recreation Department, 447 Appoints Seasonal Recreation Aides to the Recreation Department and 448 Appoints Recreation Staff to the Recreation Department.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolutions 441 through 448 are adopted.”

Resolution #449

Councilman Wooten: “Authorizes the Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 18 of the Riverhead Town Code Entitled “Code of Ethics”, so moved.”

Councilman Gabrielsen: “And seconded.”

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

The Vote: “Giglio.”

Councilman Giglio: “I will always welcome a public hearing and public input on any law or code that we are trying to change so a public hearing I will vote yes however I think that this is something that was pressing and it was something that needed to be done it should have been pressed when it was brought up in April of 2014 but I’ll vote yes to a public hearing because public input is always welcome.”

Vote Continued: “Gabrielsen.”

Councilman Gabrielsen: “I think it even goes back further. I think it goes back to 2013 and I think it should have been done then so I think it’s long overdue so I’ll vote yes to a public hearing.”

Vote Continued: “Wooten, yes; Dunleavy.”

Councilman Dunleavy: “I’m going to vote yes to the public hearing. Right now I don’t support this but to a public hearing, listen to the public I will vote yes. This is just a hindering resolution hindering people who want to help the town come forward. The Town of Babylon doesn’t have it and I don’t think the Town of Riverhead should have it either because we need people to come forward to help us so I’ll vote yes to the public hearing.”

Vote Continued: “Walter.”

Supervisor Walter: “I’ll vote yes and if I had had the votes in 2013 when we discussed it initially we would have pushed it forward but nobody would vote for it besides George, Councilman Gabrielsen and I.”

Councilman Gabrielsen: “I don’t know we had a (inaudible) I think the just concept got left on the table I know there was a committee; I was a committee man, I was the elected official who served on that committee back in ’13 but I gave the position up I felt uneasy about it and I have a brother Carl, the Suffolk County Commission who was also on the committee and he resigned his position so I think elected officials could probably, should probably stay away from the committees.”

Supervisor Walter: “I agree wholeheartedly with you.”

(Inaudible)

Councilwoman Giglio: “Although I have to say”

Councilman Dunleavy: “It’s your personal decision like you made a personal decision, your brother made a personal decision. I think it has to be a personal decision.”

Councilman Gabrielsen: “That’s where I’m coming from.”

Councilwoman Giglio: “Although I have to say that we sent it to the Code of Ethics, the Code of Ethics or the Ethics Board came back and said that the Town Board should decide who is the policy maker before moving forward with this legislation and the Town Board hasn’t done that as of yet. We haven’t defined what a policy maker is and I think that that should be the first step before a public hearing but because the Board is supporting the public hearing I will support a public hearing. I think the Town should define what a policy maker is because the Ethics Board had a conflict with that and that’s who we sent it to originally requesting information from and support in order to make this decision and we haven’t gone through the steps that they asked us to.”

Councilman Wooten: “I still want to hear what the public has to say.”

Supervisor Walter: “Ok, let’s move to the next resolution.”

Diane Wilhelm: “Resolution 449 is adopted.”

Resolution #450

Councilman Gabrielsen: “Extends Bid Contract for Fire and Security Alarm Systems, 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 #451

Councilwoman Giglio: “Local Law to Update and Adopt Procurement Policy Pursuant to General Municipal Law, 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 #452

Councilman Dunleavy: “Amends Resolution #417 of 2015 (Awards Bid for Snack Vendors), 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 #453

Councilman Wooten: “Approves Extension of Performance Security of Riverhead Sound Associates, LLC a/k/a Aquebogue Golf Resorts (Road and Drainage Improvements), so moved.”

Councilwoman Giglio: You know what? Can we table this because Vinny Bordello is going to call me. He said the first lift was put on more than five years ago and he fears that the first lift is.”

Supervisor Walter: “I think there’s a memo from Jeff Murphree that addresses that. Jeff can you?”

Councilwoman Giglio: “Because we talked about it today at planning work session this morning and I don’t know if Vinny had gotten back to Jeff.”

Supervisor Walter: “He sent you an e-mail.”

Jefferson Murphree: “I received a note from Vinny Bordello and he was fine with it.”

Councilwoman Giglio: “He’s fine with it, ok great so we can go with it.”

Councilman Wooten: “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. Resolutions adopted.

Resolution #454

Councilman Gabrielsen: “Authorizes the Supervisor to Issue a Letter to the Suffolk County Department of Health Services allowing the use of Pine Barrens Credits which Originated from Property Located in Town of Riverhead (O’Shea Properties), so moved.”

Robert Kozakiewicz: “There has to be one change to this. On the second *whereas* the certificate number is 600-103 and after the Town of Riverhead all the Suffolk County Tax Map information should be deleted. I have a copy of it.”

Supervisor Walter: “Do you have the amended one?”

Robert Kozakiewicz: “Yeah.”

Robert Kozakiewicz: “It’s certificate 600-103 that’s being used.”

Supervisor Walter: "Ok."

Councilwoman Giglio: "Second."

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

The Vote: "Giglio."

Councilwoman Giglio: "Property coming off the tax rolls which we can't afford right now so I'm going to vote no."

Vote Continued: "Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "I'm going to vote yes. We're sending them to the Town of Islip for a sanitary density, he want to increase the sanitary density commercial, I vote yes."

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

Resolution #455

Councilwoman Giglio: "Authorizes the Supervisor to Execute a Professional Services Agreement with Converged Technology Group, Inc. (CTG), 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 #456

Councilman Dunleavy: "Authorizes the Supervisor to Execute a Municipal Cooperation Agreement Renewal No. 6 with the Riverhead Central School District Regarding Unleaded Fuel Services, so moved."

Councilman Wooten: "Second."

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

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

Councilman Dunleavy: "This is something we've been doing for years to help our tax payers what they're doing so they don't have to put gas tanks in at the expense of the tax payer. They're coming to our municipal garage and using our pumps for their municipal vehicles that use gas so I vote yes."

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

Resolution #457

Councilman Wooten: “Authorizes the Naming of the Recreation Trail at the Enterprise Park at Calverton “Vietnam Veterans Bicycle and Walking Trail”, so moved.”

Councilman Gabrielsen: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I’d like to thank the Alternative Transportation Committee that’s been working on the recreational trail for the last five years in trying to get the funding for this project and I’d like to thank Suffolk County and Legislator Al Krupski who helped us secure two hundred thousand dollars and our Community Development Agency Director and Joe (inaudible) in the Community Development who is in the process of trying to get us an additional four hundred thousand dollars to complete the trail and once the trail is complete I’ll be proud to name it the Vietnam Veterans Bicycle and Walking Trail so I’ll vote yes.”

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

Councilman Dunleavy: “Yeah this was the trail that was built three or four years ago and had no name to it. The Vietnam Veterans when they came home they were really disregarded by America and I think that they should be honored by this trail being named after them in our Veterans Memorial Park so I vote yes.”

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

Resolution #458

Councilman Gabrielsen: “Authorizes Sale of Building Located at 542 East Main Street, Riverhead, NY (SCTM #600-129-3-35.2) known as East Lawn Building to Second Bidder “I’m a Ruralpolitan Inc.”, moved.”

Councilwoman Giglio: “Second.”

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

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

Resolution #459

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; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; “Walter, yes. Resolution adopted.”

Resolution #460

Councilman Dunleavy: “Awards Bid for Sale of a 1985 Detroit Diesel Generator, 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 #461

Councilman Wooten: “Approves the Chapter 90 Application of George M Bartunek (17th annual Antique Car Show) September 27, 2015, 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 #462

Councilman Gabrielsen: “Approves the Chapter 90 Application of Jamesport Fire Department (5K and 10K Race Sunday August 23, 2015) 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 #463

Councilwoman Giglio: “Approves the Application for Fireworks Permit of Newton Shows (Family Festival/Carnival – July 3, 2015), so moved.”

Councilman Dunleavy: “And seconded.”

(Inaudible)

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

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

Resolution #464

Councilman Dunleavy: “Approves Chapter 090 Application of Peconic Bay Medial Center (Family Festival – July 1, 2015 through July 4, 2015), 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 #465

Councilman Wooten: “Authorizes Town Clerk to Publish and Post a Public Notice to Consider a Local Law to Amend 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 #466

Councilman Gabrielsen: “Approves Chapter 90 Application of Polish Town Civic Association (Polish Town Street Fair and Festival – August 15 and August 16, 2015), 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 #467

Councilwoman Giglio: “Approves Chapter 90 Application of Riverhead Running Club Inc. (5K Run Entitled “Trick or Trot” 5K Race – Saturday, October 31, 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 #468

Councilman Dunleavy: “Authorizes Town Clerk to Publish and Post a Public Notice to Consider a Local Law to Amend Procurement Policy Pursuant to General Municipal Law, 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 #469

Councilman Wooten: “Offers Support to County of Suffolk for Acquisition of SCTM #600-128-3-49 and Authorizes Partnership between Town and County such that the Town will Maintain Property and any Improvements made by County of Suffolk for Parkland/Passive Recreation (Trail, Canoe Launch, Parking), so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

Councilman Dunleavy: “All the open space we can get I enjoy so I vote yes.”

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

Resolution #470

Councilman Gabrielsen: “Appoints Member to the Agricultural Advisory Committee (Robert Kern), 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 #471

Councilwoman Giglio: “Appoints Member to the Agricultural Advisory Committee (David McLarin), so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio, yes; Gabrielsen, I’ll abstain, that’s a brother-in-law; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #472

Councilman Dunleavy: “Appoints Member to the Agricultural Advisory Committee (Frank Beyrodt), 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 #473

Councilman Wooten: “Appoints Member to the Agricultural Advisory Committee (Jeff Rottkamp), 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: “Appoints Member to the Agricultural Advisory Committee (Lou Carriciola) so moved.”

Councilwoman Giglio: “Second.”

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

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

Resolution #475

Councilwoman Giglio: “Appoints Member to the Agricultural Advisory Committee (Matthew Pendleton), so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio, yes; Gabrielsen, I’ll abstain, that’s a brother-in-law; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #476

Councilman Dunleavy: “Appoints Member to the Agricultural Advisory Committee (Phil Schmitt), 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 #477

Councilman Wooten: “Appoints a Temporary Substitute Automotive Equipment Operator to the Sanitation Department (Arthur Reichel), 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 #478

Councilman Gabrielsen: “Authorization to Publish Advertisement for Lubricant Items for the Town of Riverhead, so moved.”

Councilwoman Giglio: “Second.”

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

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

Resolution #479

Councilwoman Giglio: “Accepts the Resignation of a Principal Accountant so moved.”

Councilman Dunleavy: “And seconded.”

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

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

Councilman Dunleavy: “I want to thank Mr. Harrington for all his work; he’s leaving us to go to a school district. Actually we’re going to have to hire someone to replace him but I want to thank him very much. I vote yes.”

Vote Continued: “Walter, yes and Scott did a great job for us, thank you Scott. Resolution adopted.”

Resolution #480

Councilman Dunleavy: “Authorizes Publication of Help Wanted Advertisement for a Principal Accountant, so moved.”

Councilman Wooten: “And second.”

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

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

Supervisor Walter: “It’s a ninety million dollar budget and we can’t have just one person in charge of it, yes.”

Diane Wilhelm: “Resolution adopted.”

Resolution #481

Councilman Wooten: “Supports and Endorses Pursuit of Suffolk County Downtown Revitalization Round 13 Funding for Downtown LED Lights with Security Cameras, so moved.”

Councilman Gabrielsen: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “This is something that the Business Improvement District has been working on for quite some time and I think that it will definitely help security downtown so I will absolutely support it, yes.”

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

Councilman Dunleavy: “Yes this is the cameras attached to the lights which will make two things happen with one so we can light up and save money and we’re going to have security downtown with these cameras. I vote yes.”

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

Resolution #482

Councilman Gabrielsen: “SEQRA Resolution Regarding Application for Suffolk County Downtown Revitalization Round 13 Funding for LED Street Lights with Security Cameras, so moved.”

Councilwoman Giglio: “And seconded.”

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

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

Resolution #483

Councilwoman Giglio: “Pays the Bills, so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I’ll abstain because my husband has a golf clinic at Indian Island for the Recreation Department and there’s a check in there for his Corporation so I will abstain.”

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

Resolution #484

Councilman Dunleavy: “I want to make a motion to take Resolution 484 Authorizes Removal of Dead Bunker Arising from Emergency Circumstances off the floor, so moved.”

Councilman Wooten: “And second.”

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

The Vote: “Giglio, off the floor yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 484 is taken off the floor.”

Councilman Wooten: “I’d like to move 484. Authorizes Removal of Dead Bunker Arising from Emergency Circumstances, so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “This is a crisis that has affected our estuary and our Peconic Bay and a lot of residents that are on the shoreline and in the creeks and the river and it is unfortunately it happened in 2009, it happened a few weeks ago and now we have to declare it an

emergency. I hope that the Town Board will work together to come up with a plan for the future if this should happen again so it doesn't have to be an emergency. We don't know how much it's going to cost to do this so I think that we should be putting a cap on it, maybe thirty thousand dollars based on the tonnage that may have to come out of there. From what I'm being told from our Engineer is that they're going to be taking a net and they're going to be dragging the fish and then they're going to be taking the fish and putting them into the back of a boat and then taking them from the boat and putting them into a container and then taking them from the container and putting them into the back of a truck so I don't know how we're going to be monitoring that or the expense of that and I think that it would be wise to put a limit on it and revisit it in a week if we need to do more removal. I think that that thirty thousand dollars should cover it but if the Board doesn't see to put a limit on the cost then."

Councilman Gabrielsen: "That might be interesting. They're saying thirty-two cents a pound does anybody have a crazy idea how many bunkers per pound, three of them?"

Supervisor Walter: "Quite frankly it has not been; I don't think we'll get to anywhere near thirty thousand dollars but we have not. The wind could blow them all out into the Bay as it has done before and he could get there tomorrow morning and have very few things to clean up so it's sort of a moving target. I'm hoping we're nowhere near thirty thousand dollars to pay this gentleman but I can tell you this is a moving target. We're not planning to pull out, harvest the live bunker just the dead bunker and we shouldn't be making any sort of. We've got to move forward."

Councilman Gabrielsen: "(inaudible) the wind from the northwest."

Councilwoman Giglio: "So then nobody has an objection to the thirty thousand dollar cap?"

Supervisor Walter: "A northwest wind would be fantastic."

Councilman Gabrielsen: "Would that be your comfort level, thirty thousand dollars?"

Supervisor Walter: "Are you going to vote for it if we put a thirty thousand dollar cap on it?"

Councilwoman Giglio: "Yes."

Supervisor Walter: "Then a thirty thousand dollar cap to Jim (inaudible) that's fine."

Councilman Wooten: "He can go find bunker all over the place."

Councilwoman Giglio: "Well hopefully it's being monitored Jim. (Inaudible)"

Supervisor Walter: “We’ve been monitoring this for the past two and a half weeks. How would I know as the Town Supervisor when the fish are all going to die and not be blown out to sea?”

Councilwoman Giglio: “This happened three weeks ago, I think we should have had a plan in place.”

Councilman Dunleavy: “We have a motion on the floor. No one asked for a question.”

Supervisor Walter: “That’s right so let’s move it as amended with a thirty thousand dollar cap.”

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

Councilman Wooten: “If I lived on the river and I had that outside my house and the Town is willing to come in and do what they got to do (inaudible) yes absolutely.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “I was down there; I inspected it tonight. What happens is when its high tide the fish comes in with the tide. When it’s low tide they go out, they’re going out now. I think we’re responsible to keep this healthy. You go down there you smell them, they’re bringing mosquitoes in. It’s our responsibility to clean up. How do I know they’re going to put on these trucks? The plan is to load a town truck up and take it up to the weigh station and weigh the town truck. We know what the truck weighs so that’s how we’re going to monitor how we’re going to pay this gentleman so I don’t think we’ll reach thirty thousand but when we do reach thirty thousand and there’s still fish in the river we’ll have a problem. I’m going to vote yes because one of our Council persons wants a limit on it and we’ll see what happens when we reach, if we reach thirty thousand and there’s still fish out there. I doubt we’ll spend fifteen thousand on this. I vote yes.”

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

PUBLIC COMMENTS

Supervisor Walter: “Alright, so now we open it up for public comment. How many folks want to talk Medical Marijuana growing raising your hand? Ok so I want to take those folks first. I would like to take those folks first from Calverton so the one thing that Councilman Dunleavy has stated we don’t control who gets selected. I don’t believe anybody on the Board gave any letters of recommendation or anything. Sir if you want to come up to the podium and state your name and your affiliation we’d be happy to hear from you. Does anybody want to be heard? If you want to talk about medical marijuana the line’s forming there.”

Bob McBrian from Landing Lane stated there were several people who wanted to know what the process was in selecting a site to grow medical marijuana and how it was going to be awarded.

Supervisor Walter said there were three companies that contacted him regarding this matter. He said there was a two hundred thousand dollar application fee, possibly a two hundred ten thousand dollar application fee, ten thousand of which the State retains, two hundred thousand dollars returned to the companies not chosen. The growers and the distribution system will be at different locations meaning if you're a grower you can't be a distribution center. The entire procedure is entirely regulated by the State of New York. He said the Town Board does not control the growing or distribution. He said two companies wanted to use EPCAL and the last being in the Baiting Hollow, Calverton area, the Van de Wetering Farm by Edwards Avenue.

He continued by saying the Board is in a holding pattern because the State of New York has not chosen a grower or distributor. He did add that two of the companies that approached him are marijuana growers in Colorado.

Mr. McBrian wanted to know what recourse the community would have to vote against medical marijuana or at least learn more about it. Supervisor Walter responded by telling Mr. McBrian that if the State awards it to a location the Board felt was improper they have the power to rezone. He also said he does not think the Board is behind growing marijuana anywhere but perhaps EPCAL but he himself is not in favor of growing it anywhere including EPCAL.

Mr. McBrian thanked the Board for their time and consideration on this matter.

Marilyn Fricke Marcillio stated she is the daughter of a resident who resides adjacent to Ivy Acres north of Sound Avenue which is the proposed area for growing marijuana. She said she attended the Greater Calverton Civic Association meeting on June 10th where Jack Van de Wetering and his son answered questions regarding their plan, if chosen, to grow medical marijuana in the greenhouses at Ivy Acres on Edwards Avenue. Ms. Marcillio continued to say that the members present at the Civic Association meeting that evening unanimously agreed that the location to grow medical marijuana was not advantageous since it is in a residential area. She also said the group is not in opposition of medical marijuana as supported by the New York State Department of Health but stated the group is not in favor of the location and stated the many concerns the Association has regarding air quality, odor, increased lighting, security and fencing to name a few.

In closing, Ms. Marcillio pleaded with the Board to take into consideration the zoning of this facility due to the closeness of the many residential homes and the many concerns the residents have. She thanked the Board for listening to her tonight.

Supervisor Walter said if growing marijuana does come to past it will be prohibited in any place other than the industrial corridor of EPCAL. He said the biggest issue for the Board is to research whether New York State has preempted the Board regarding zoning.

Councilman Wooten said this is one application of many and he believes the State is only going to approve five locations. He also said one of the main components of that application is public support and he feels the Edwards Avenue location will be nixed due to the opposition.

Councilman Gabrielsen added that he feels due to the odors etc. the Edwards Avenue location is definitely not the right location.

Supervisor Walter said it seems like the Board members are in agreement regarding the location and feels the Town Attorney's office should begin researching to see if there's any preemption standards in the Bill that was created.

Beth Cornachio stated she lives on Silver Beach Lane adjacent to the Edwards Avenue property and felt that the residents needed to be at the Board meeting because it's been widely circulated that three of the Board members gave the Van de Wetering letters of support and asked if that was true.

Supervisor Walter said he himself did not give a letter of support but stated a letter was drafted and given to him but the letter was never sent. Councilman Gabrielsen said he did not draft nor did he give out a letter of support.

Councilwoman Giglio said she was told by Mr. Van de Wetering that a member of the Board did give him a letter of supporting the Van de Wetering's and Ivy Acres Farm but not necessarily supporting medical marijuana for a moral purpose.

Councilman Dunleavy said he did not give a letter of support to Mr. Van de Wetering however Councilman Wooten said he gave a letter of support for medical marijuana not necessarily at that location but for the concept of it. He said his letter was very general but that there were several facts that were not given to him at the time he wrote the letter.

Ms. Cornachio said she wants to be clear that the Board does not approve the location.

Councilman Dunleavy stated again that he did not send a letter but that he does support medical marijuana for cancer treatment and other illnesses.

Supervisor Walter said he is opposed to it at any location while Councilman Wooten said he sees the benefits of it but not on Edwards Avenue.

Ms. Cornachio thanked the Board for their time.

The last person to speak was Gary Pelis who said he was attending the Board meeting on behalf of his father who has been a resident of Baiting Hollow for the last sixty-five years and at one time owned and farmed property on Edwards Avenue and Sound Avenue. He continued by saying that the part of Baiting Hollow in question does not need this type of farming as there are still many children in the neighborhood who play and rides bikes in the area. He said he also wanted to bring to the Board's attention that probably less than two hundred yards on the west side is the Boys Scouts of America camp. He said the odor and the strong winds could affect the camp.

Councilman Gabrielsen said federal regulations prohibit growing marijuana within a thousand feet of any church, school, park, etc.

Supervisor Walter asked Jeff Murphree if he could put in a request to the Town Engineering Department to determine what areas fall into the thousand feet radius from the Van de Weting property line.

Mr. Pelis feels the wet lands could be affected as well as fishing with any run off from the farm. He said he did not know what type of environment effect growing marijuana could have but stated he wanted to bring these matters to the Board's attention. He also thanked the Board for listening to him on this matter.

Supervisor Walter: "Does anybody wish to be heard of medical marijuana? Does anyone wish to be heard on any other subject? Not seeing anyone can I get a motion to adjourn?"

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

Supervisor Walter: "All in favor, aye?"

Collective ayes, meeting adjourned.

Meeting Adjourned at 8:10 p.m.