

2/5/2013

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, February 5, 2012 at 2:00 p.m.

**PRESENT:**

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

**ALSO PRESENT:**

Diane M. Wilhelm,	Town Clerk
Robert Kozakiewicz,	Town Attorney

Supervisor Walter opened the meeting with the pledge of allegiance at 2:07 p.m.

The invocation was provided by Rev. Dr. Sean Murray from the First Congregational Church in Riverhead.

Jessica Eips Stankaitis, the Animal Control Officer introduced a newly found small dog who is available for adoption at the Riverhead Animal Shelter.

The January 15, 2013 Town Board Minutes were approved. Councilman Dunleavy made a motioned to approve the minutes, Councilman Gabrielsen seconded. Motion carried, minutes were approved.

Agenda Items were announced by Diane Wilhelm, Town Clerk:

**PLAN FILED**

An Environmental Management and Construction Plan (EM&CP) has been filed with the New York Public Service Commission (PSC) by LIPA for the replacement of the existing insulators on the existing 10.6 mile electric

transmission line between Wildwood and Riverhead Substations in Brookhaven and Riverhead.

### **REPORTS**

- Sewer District Discharge Monitoring Report December 2012
- Tax Receiver Total Tax Collection to date, Jan. 16, 2013 - \$63,900,896.81
- Tax Receiver Total Tax Collection to date, Jan. 23, 2013 - \$66,667,113.23
- Tax Receiver Total Tax Collection to date, Jan. 31, 2013 - \$67,125,231.72
- Town Clerk Monthly Report January 2013 - \$9,658.23
- Building Department Monthly Report January 2013 - \$110,174.00
- Annual Report of the Central Pine Barrens Joint Planning and Policy Commission for Years 2009-2010 Submitted
- 2012 Annual Report of the Town Historian Submitted

### **CORRESPONDENCE**

Jamesport-South Jamesport Civic Association, letter regarding proposed site plan for “The Village at Jamesport”.

### **APPLICATIONS**

#### **Chapter 90 (Special Events)**

- All for the East End “AFTEE” – Two part music festival August 19, 2013 at Martha Clara Vineyards, Jamesport
- Peconic Bay Medical Center – 18<sup>th</sup> Annual East End Garden Festival, May 9 – 12, 2013 at Staples Shopping Center, Riverhead
- American Cancer Society – 5K Fundraiser, April 28, 2013 at Martha Clara Vineyards, Jamesport

Supervisor Walter: “All right, any Town Board reports?”

Councilman Wooten: “No.”

Supervisor Walter: “No, all right, Public Hearings, we have one public hearing scheduled for 2:05.”

#### **Public Hearing opened: 2:15 p.m.**

Supervisor Walton: “One public hearing scheduled for 2:05 and this is in consideration of a local law amending Chapter 58, Dogs of the Riverhead Code. I believe this is, I don’t want to say housekeeping, this is to make our town code in

conformance with the contract that we have with North folk Animal Welfare League and I think the largest change was really the voluntary surrender of dogs.”

Councilman Wooten: “Right, right, application of”.

Supervisor Walter: “So now it’s more of an application whereas before we just took voluntary surrender of dogs. Does anybody wish to be heard on this matter? Just stand up and state your name. Just stand up, state your name and”.

Mary Egan: “My name is Mary Eagan, I am a resident of Riverhead and I live on Ostrander Avenue, I have a dog. We have a lot of foot traffic that comes back and forth in front of our house, we’ve had loitering in front of our house and,”

Supervisor Walter: “Are you talking about this public hearing about the animal shelter?”

Mary Egan: “No I’m talking about the prohibited acts, is this for the animal shelter or this for the entire”?

Councilman Wooten: “No, a code.”

Supervisor Walter: “This is a code for our dogs and animals, Chapter 58

Mary Egan: “Right”

Supervisor Walter: “OK, go ahead.”

Mary Egan: “This is going to cover the town code for everyone in the entire town.

Supervisor Walter: “For animals”.

Mary Egan: “Right for animals. My dog does bark at passersby that go down my street. We’ve had situations where people have decided they’re going to sit on my front lawn and relax. And when they see my dog, they leave.”

Supervisor Walter: “That’s a good thing”.

Mary Egan: “That’s a good thing. I’m not very happy about the language that says that any passerby who’s intimidated by my dog can say I’m in violation of the town code”.

Supervisor Walter: “I think this is in the code now, is it not Bob, wasn’t that in the original code?”

Mary Egan: “I didn’t see anything in the original,

Supervisor Walter: “In the original code”

Mary Egan: “There’s something under noise control about dogs that,”  
(inaudible)

Robert Kozakiewicz: “I think the phrase from” *were otherwise harassed, any person*, that’s the new wording under 58-9A4; the current provision which is 589 states that *the dog can be seized where it shows vicious habits or molests passersby who are lawfully on a public street, public park or school ground, whether or not said dog or domestic farm animal on public street*, and that’s where it ends. So the wording that begins with *or* and continues thru to *bodily harm* that’s new.”

Councilman Dunleavy: “Are we talking about intimidation then”?

Robert Kozakiewicz: “The part from, the new phraseology would be under Sub Part 4: *or otherwise harass any person in such a manner as reasonable to cause intimidation or to put such person in reasonable apprehension of bodily harm*”.

Supervisor Walter: “I think that’s really the reasonable, just because your dog barks at somebody if your dog is behind a fence and your dog barks even loudly and viciously, if the dog’s behind the fence, the dog’s behind the fence and I think legally it wouldn’t be reasonably intimidated by this because your dogs behind a fence.”

Mary Egan: “Well I think that a passerby going down my street should not be able to dictate the behavior of my dog. I think my neighbors now, I think my neighbors have every right to say what happens on my property and if they are going to be being disturbed by a dog in my yard they should have a say but people that are walking down my street, which are in large numbers on some days, should

not able to complain that my dog is barking at them if they are loitering in front of my house.”

Supervisor Walter: “But I don’t think that that comes under, is it reasonable if someone is loiter in front of your house harassing your dog if you will because there’s somebody that does not belong on your property, if the dog’s behind a fence, I’m assuming your dog your dogs behind a fence?”

Mary Egan: “Yes.”

Supervisor Walter: “Or in the house.”

Mary Egan: “Or on my property, yes.”

Supervisor Walter: “Well, if your dog’s running loose, then that’s a problem.”

Mary Egan: “He’s not running loose to my knowledge.”

Supervisor Walter: “Ok do you have an electric fence.”

Mary Egan: “No.”

Councilwoman Giglio: “No, a visible fence.”

Mary Egan: “I have a fence in my back yard.”

Supervisor Walter: “OK, so, that’s, that’s my point.”

Mary Egan: “When I’m gardening in the front yard I’ll put a post next to me when I’m gardening.”

Supervisor Walter: “Right, that would be my point, is that I don’t think that, if your dog is restraining behind a fence or on a lead,”

Mary Egan: “Well, just, I’m worried about the general language that’s being used, that it’s not specific enough. When you say that a disturbed comfort piece, you know, in the vicinity, what’s the vicinity? Is that my adjacent property owners or is that somebody who lives, you know, two hundred feet up the road who decided one day they’re going to walk passed my house and didn’t like my

dog barking at them you know, so I think that it should be more specific. That people in the community or the neighborhood, my adjacent neighbors should be able to complain about my dog but not somebody who's walking down the street who doesn't live there."

Supervisor Walton: "I understand your point."

Councilman Gabrielsen: "Put in some exception that as long as the dog is contained in yard, I mean it shouldn't be he's going to intimidate someone in the street even if he is behind a fence, it should be allowed, it should be allowed,"

Mary Egan: Right, I just think that the law should be more specific."

Councilman Gabrielsen: "Right, some language to protect you. Right."

Mary Egan: "Right, you know, especially in times we've been having lately, you know, I'm very happy that I have a dog that when these people walking back in front of my house, who are just hanging out and looking in my backyard, they know that there's a dog there and they're not just going to,"

Councilman Gabrielsen: "Well, they should be intimidated."

Mary Egan: "They should be intimidated."

Supervisor Walton: "They should be intimidated exactly."

Councilman Gabrielsen: "And then it works."

Mary Egan: "Yes".

Councilman Gabrielsen: "So, I think she's just looking for some fine print to protect it."

Councilman Wooten: "Yes I guess."

Councilman Gabrielsen: "On the premises."

Supervisor Walter: "I thought this was part of the original code."

Councilman Gabrielsen: "The under line is the new right?"

Councilman Wooten: “The new the first three sentences are already in the code.”

Councilman Gabrielsen: “Right but the bottom that says *to cause intimidation*.

Councilman Dunleavy: “I thought all the underline is all new, all the underline is all new.”

Councilman Gabrielsen: “All new right?”

Councilman Dunleavy: “Yes, right all the underline is supposed to be new.”

Robert Kozakiewicz: “Well, well no not the whole paragraph. If you look, just to be clear, just to be clear, paragraph 59 is being broken into two parts. Paragraph 589 is one section and its being broken into a Sub Part A and Sub Part B. Four, that’s under Sub Part A, includes some of the wording that’s number four and now Sub Part B, the portion that is not underlined, is what exists in the code now.”

Councilman Dunleavy: “That’s what I’m saying, all the underline is supposed to be new, that’s what we said, all the underlined is new.”

Councilwoman Giglio: “Right, all the underline is new.”

Councilman Gabrielsen: “Ok just to be clear ok, ok.”(Inaudible)

Councilwoman Giglio: “It says to cause intimidation.”

Councilman Wooten: “The first sentence is almost verbatim.”

Councilman Gabrielsen: “its bodily harm were concerned about in a public street, so I think, Can we just leave the” (inaudible)

Councilman Giglio: “Yes.”

Supervisor Walter: “Are there any other comments? Alright then thank you.”

Mary Egan: “That’s it I guess.”

Councilman Dunleavy: “I have only one comment, it says *Chapter 58 Dogs and Other Animals*, I thought we were just talking about dogs here, what other animals are we talking about?”

Supervisor Walter: “Well farm animals that might run around in Calverton.”

Councilman Gabrielsen: “Jamesport we took that out right, we took that out? I had my cows out once.”

Councilman Dunleavy: “No we’re not taking that out,” (inaudible)

Councilman Gabrielsen: “Have fun catching them.”

Supervisor Walter: “All right does anyone else wish to be heard on this? What I’m going to do is close the public hearing and leave it open for written comments until February 15<sup>th</sup> and that’s, comments have to be filed in the Clerk’s office by 4:30. Thank you Miss.”

Public hearing closed: 2:23 p.m.  
Left open for 10 days for written comment to  
February 15, 2013 at 4:30 p.m.

Supervisor Walter: “Sal Mastropaolo, take comments on Resolutions.”

Councilman Dunleavy: “Hi Sal.”

Sal Mastropaolo: “Good afternoon, just a general comment somebody’s space bar doesn’t work I can probably find 25 to 30 instances in here where words are squashed together.”

Supervisor Walter: “Ok.”

Sal Mastropaolo: “Resolution number 102, my first question is when we give out a bid do we request a bond so that if the winner of the bid doesn’t deliver he forfeits something?”

Supervisor Walter: “I don’t think, not in this type of situation and the deliverable, certain bids we had bonds but I don’t think in the fuel oil bid.”



Sal Mastropaolo: “So therefore Metro Fuel got no penalty for not delivering on his contract.”

Supervisor Walter: “They went bankrupt. Put it this way Sal, there wouldn’t be a penalty anyway because if we were holding a bid bond it belongs to the trustee.”

Sal Mastropaolo: “Alright so I guess we don’t have to worry about him bidding next year.”

Supervisor Walter: “Probably not.”

Sal Mastropaolo: “Under the same name.”

Supervisor Walter: “That I don’t know about but yes, you’re probably right, Metro,”

Councilman Gabrielsen: “I think, I think there was a bid bond filed by all the bidders when they submit a bond.”

Supervisor Walter: “When they submit a bond. I don’t think we have it when we award it.”(Inaudible)

Sal Mastropaolo: “The reason I ask the question, so maybe we should consider taking a bond because in this situation. Ok, we’re now going to spend probably a lot more money for fuel because we don’t have a contract and the prices have changed so maybe we should consider, in an instance where somebody is delivering services to the town and we agree on a price up front, he should have a bond so that guarantees delivery and if he doesn’t deliver he forfeits the bond?”

Supervisor Walter: “The way, well in this case the bond would go to the trustee but the other thing is they don’t bid it like a set price, most of these bids are,”

Sal Mastropaolo: “They usually bid it so much over rack.”

Supervisor Walter: “Correct, so the price, it’s not a bid where we’re getting a better price because it went down or up it fluctuates just like everybody else’s.”

Sal Mastropaolo: “105, What do we advertise?”

Supervisor Walter: “Can we check Bob? I don’t think we take a bond on this I really don’t and if we do we need to tell the trustees.

Robert Kozakiewicz: “Yes.”

Supervisor Walter: “One O what, five?”

Sal Mastropaolo: “105. What do we advertise with Suffolk on Line Advertising?”

Robert Kozakiewicz: “Well they do our web.”

Sal Mastropaolo: “Oh Ok.”

Robert Kozakiewicz: “Our e-mail and our stamps.”

Sal Mastropaolo: “So they maintain our web site?”

Councilman Walter: “Not the web site.”

Robert Kozakiewicz: “The purpose of the e-mail, they do the e-mail and they also are, do the domain name for the Town of Riverhead and Town of Riverhead Rec. Department.”

Sal Mastropaolo: “Ok, thank you.”

Supervisor Walter: Does anybody else wish to be heard on Resolutions? Not seeing anybody, Diane.”

### **Resolution #83**

Councilman Dunleavy: “2013 Wading River Dredging Project Budget Adoption. So moved.”

Councilman Wooten: “And Seconded”.

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

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

### **Resolution # 84**

Councilman Wooten: “Closure of Account in Capital One. 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. The resolution is adopted.”

### **Resolution #85**

Councilman Gabrielsen: “2011 Wading River Dredging Project Closure. 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. The resolution is adopted.”

### **Resolution # 86:**

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

Council Dunleavy: “And seconded.”

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

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

Supervisor Walter: “I’m going to pull this one back off the floor. I don’t know where it came from, it wasn’t in the pack. You may pull the last one back.”

Councilman Dunleavy: “Last one?”

Councilwoman Giglio: “This is for the E-Code, isn’t it?”

Diane Wilhelm: “85?”

Supervisor Walter: “No, no 85.” That was not in our package.

Diane Wilhelm: “Can I finish?”

Supervisor Walter: “Oh, I’m sorry, yes.”

The Vote Continued: “Walter, yes”. The resolution is adopted.”

Diane Wilhelm: “Do you want me to go back to 85?”

Supervisor Walter: “Yes, I should have read it quicker, I don’t know where this came from. (inaudible) Keep 85, keep going.”

### **Resolution #87**

Councilman Dunleavy: “General Fund Budget Adjustment, So moved.”

Councilman Wooten: “And seconded.”

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

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

### **Resolution #88:**

Councilman Wooten: “Authorizes Attendance at the Government Finance Officers’ Association Annual Conference. 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 #89:**

Council Gabrielsen: “2012 NYS Environmental Facilities Corp Clean Vessel Act Assistance Program Budget Adjustment. So moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded.”

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

**Resolution #90:**

Councilwoman Giglio: “Risk Retention Fund 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 # 91:**

Councilman Dunleavy: “Worker’s Compensation Fund Budget Adjustment. So moved.”

Councilman Wooten: “And Seconded.”

Supervisor Walter: Moved and seconded. Vote please.”

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

**Resolution #92**

Councilman Wooten: “Grants Excavation Permit as Provided by Chapter 62 of the Riverhead Town Code to Southold Medical Arts Inc. A/K/A East End Eye Associates. 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 #93:**

Supervisor Walter: “Riverhead Town Board Supports Suffolk County Land Bank Application to Empire State Development Corp. 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.”

Councilman Dunleavy: “We’re running out of money here.”

**Resolution #94:**

Councilman Gabrielsen: “Classifies Action on Special Permit of Dr. Jeffrey Nazar and Calls Public Hearing. 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 #95**

Councilman Gabrielsen: “Resolution for Establishment of Preference for Workforce Housing for the Summerwind Project. So moved.”

Councilman Wooten: “And seconded.”

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

Councilman Wooten: “I think there has to be an amendment

Robert Kozakiewicz: “Is the first paragraph four (inaudible)

Supervisor Walter: “Just give us the new one, on the paper that’s bright, must be used paper.”

Diane Wilhelm: “These are the bad ones.”

Supervisor Walter: “George, you moved that?”

Councilman Gabrielsen: “I moved it.”

Councilman Wooten: “And seconded”

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

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

**Resolution #96:**

Councilman Dunleavy: “Order Calling Public Hearing Regarding Extension and Improvements to Facilities of Riverhead Sewer 21<sup>st</sup> Century Oncology – Old Country Road, Riverhead. So moved.”

Councilman Wooten: “And seconded.”

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

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

**Resolution #97:**

Councilman Wooten: “Order Calling Public Hearing Regarding Improvements to Facilities of Riverhead Sewer District to Relocate Existing Sanitary Sewer 841 Old Country Road – Stop & Shop Fuel Facility. 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 #98:**

Councilman Gabrielsen: “Authorizes Sewer District Employee to Attend Course (June 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 #99:**

Councilwoman Giglio: “Authorizes Sewer District Employers to Attend Course (May 2013). So Moved.”

Councilman Dunleavy: “What?”

Diane Wilhelm: “One’s May, one’s June.”

Councilwoman Giglio: “There are two separate courses, one’s May and one’s June.”



Councilman Dunleavy: “Ok, and seconded.”

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

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

**Resolution #100:**

Councilman Dunleavy: “Awards Bid – Sanitary Pump Station Upgrades Hangar Pump Station – Calverton Sewer District Contract No. CASD 05-04 HPS. So Moved.”

Councilman Wooten: “And seconded,”

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

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

Supervisor Walter: “This is the upgraded Pump Station,

Councilman Dunleavy: “Is this the?”

Supervisor Walter: “The Calverton Sewer District.

Councilwoman Giglio: “This is what they were talking to us about this morning.”

Councilman Dunleavy: “I didn’t talk to them.”

Supervisor Walter: “I talked to them, we’re ok, this contractor, meets the bid specs.”

Councilman Dunleavy: “Does he?”

Supervisor Walter: “What we’ll do is wind up having interviews done with a couple of employees just to make sure everything is correct.”

Councilman Dunleavy: “Well ok, I’ll vote yes on that stipulation.

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

Supervisor Walter: In fact, Bill, oh he went out, Mike, you can let Bill know that I want to make sure that we go the whole, you know. We should be doing that periodically anyway, doing the employees griefs, all right.”

**Resolution #101:**

Councilman Wooten: “Resolution Termination Bid Award/Contract with Metro Fuel Oil Corp. 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 #102:**

Councilman Gabrielsen: “Authorizes Emergency Purchase of Diesel Fuel. 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 #103:**

Councilwoman Giglio: “Authorization to Publish and Post Advertisement for Diesel Fuel for the Town of Riverhead. 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 #104:**

Councilman Dunleavy: “Authorization to Publish and Post Advertisement for Heating Fuel for the Town of Riverhead. So moved.”

Councilman Wooten: “And seconded.”

Councilman Dunleavy: “Advertising or bidding?”

Supervisor Walter: “Advertising for bidding, right?”

Councilman Dunleavy: “Well, I don’t know, it doesn’t say that Publish Advertisement for Heating Fuel.”

Supervisor Walter: “No, it’s a bid.”

Councilman Dunleavy: “Then the top has to be changed.

Supervisor Walter: “Publish Advertisement, it should be in the top caption, but the first word says it’s an authorization to publish an advertisement, I think we’re ok. Jim did you second?”

Councilman Wooten: “I think so.”

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

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

**Resolution #105:**

Councilman Wooten: “Amends Resolution #59 of 2013 (PSA with Suffolk Online Advertising). 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 #106:**

Councilman Gabrielsen: “Expresses Support for the Relocation and Construction of a New Animal Shelter on Town Property. So Moved.”

Councilwoman Giglio: “And Seconded”

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

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

Councilman Dunleavy: “Does this say where or just?”

Supervisor Walter: “No, it doesn’t have a where, no. Cornered me in the parking lot the other day, we were freezing out there.

Councilman Dunleavy: “We’re just going to donate the land.”

Supervisor Walter: “Someday, somewhere, maybe.”

Councilman Dunleavy: “I vote yes.”

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

**Resolution #107:**

Supervisor Walter: “We don’t have to do anything with 85 they sent me a texted and it’s ok.”

Councilwoman Giglio: “Authorizes the Supervisor to Execute an Agreement with Nelson, Pope & Voorhis, LLC. So moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio, yes this is a grant for a study from Tanger all the way down through East Main Street and we are getting started, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes, it’s something we need for Main Street, I vote yes; Walter, yes. Resolution adopted.

**Resolution #108:**

Councilman Dunleavy: “Authorizes the Supervisor to Execute an Agreement with Family Service League for Employee Assistance Program. 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 #109**

Councilman Wooten: “Authorizes Town Clerk to Re-Refer Change of Zone Application of Genrac Associates, LLC to the Suffolk County Planning Commission. So moved.”

Councilman Gabrielsen: “And seconded.”

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

The Vote: “Giglio, No not at this time; Gabrielsen, No; Wooten, No; Dunleavy, yes; Walter, yes. Resolution is not adopted.”

**Resolution #110:**

Councilman Gabrielsen: “Declares Public Emergency Regarding Culvert on Washington Avenue, Jamesport, NY. 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 #111:**

Councilwoman Giglio: “Requests that New York State Legislature Authorize the Creation of Special Legislation Giving the Town of Riverhead the Discretion to Change Speed Limits within the Town of Riverhead. So moved.”

Council Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded. Please vote.”

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

**Resolution #112:**

Councilman Dunleavy: “Peconic Avenue Pedestrian Crossing Capital Project Budget Adjustment. So moved.”

Councilman Wooten: “And seconded.”

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

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

**Resolution #113:**

Councilman Wooten: “Resolution Amending Professional Services Agreement with George J. Hochbrueckner Associates, Inc. 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 #114:**

Councilman Gabrielsen: “Ratifies Execution of an Addendum to Professional Services Agreement for Placement of Commemorative Items at Grumman Memorial Park. So moved.”

Councilwoman Giglio: “And Seconded.”

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

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

Councilman Dunleavy: “Is this the?” (inaudible)

Supervisor Walter: “No.” (inaudible)

The Vote Continued: Dunleavy, I vote yes; Walter, yes. Resolution adopted.”

**Resolution #115:**

Councilwoman Giglio: “Ratifies the Authorization for the Supervisor to Execute an Agreement with an Employee. 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 #116:**

Councilman Gabrielsen: “Officially Naming Field Two at Veterans Memorial Park as “SFC Anthony Venetz Jr. Field. So moved.”

Councilwoman Giglio: “And seconded.”

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

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

Councilman Dunleavy: “Yes and I think we do owe these veterans something from the Town of Riverhead, naming a field after them is just something very small for what they did for this country and gave their lives so I vote yes.”

The Vote Continues “Walter, yes. Resolution adopted.”

**Resolution #117:**

Councilman Gabrielsen: “Officially Naming Field One at Veterans Memorial Park as SGT Jonathan Keller Field. So moved.”

Councilwoman Giglio: “And seconded.”

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

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

Councilman Dunleavy: “Yes for the same as the last one these fellows gave their life for this country.”

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

**Resolution #118:**

Councilman Dunleavy: “Authorizes the Supervisor to Execute an Agreement with Arleen Bobal for Transcription of Town Meetings. So moved.”

Councilman Wooten: “And seconded.”

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

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



**Resolution #119:**

Councilman Wooten: “2013 Renewal of Bid Award for Maintenance and Emergency Services Contract C – Control, Riverhead Water District. So moved.”

Councilman Gabrielsen: “And seconded”.

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

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

**Resolution #120**

Councilman Gabrielsen: “2013 Renewal of Bid Award for Maintenance and Emergency Services Contract D –Distribution Riverhead Water District. 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 #121:**

Councilwoman Giglio: “2013 Renewal of Bid Award for Maintenance and Emergency Services Contract E-Electrical Riverhead Water District. So moved.”

Councilman Dunleavy: “And seconded.”

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

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

**Resolution #122:**

Councilman Dunleavy: “2013 Renewal of Bid Award for Maintenance and Emergency Services Contract M – Mechanical, Riverhead Water District. So moved.”

Councilman Wooten: “And seconded.”

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

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

**Resolution 123:**

Councilman Wooten: “Authorizes the Supervisor to Execute an Agreement with the Riverhead Business Improvement District Management Association Inc. Regarding 2013 Calendar Year Events and Services. 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 124:**

Councilman Gabrielsen: “Grants Saber Riverhead 58, LLC Importation/Grading Permit as Provided by Chapter 62 of the Riverhead Town Code. 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 125:**

Councilwoman Giglio: “Appoints Two Maintenance Mechanic II Employees to the Sewer District (Joseph Densieski, Thomas Gallo, Jr.). 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 #126:**

Councilman Dunleavy: “Authorizes Attendance at the 2013 Training School and Annual Meeting held by the Association of the Towns. So moved.”

Councilman Wooten: “And seconded.”

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

The Vote: “Giglio, yes; Gabrielsen.”

Robert Kozakiewicz: “I think Bill Duffy may also want to be included. Do you think it’s too late to amend it to include him?”

Supervisor Walter: “No I guess not.”

Councilman Dunleavy: “Who is that?”

Robert Kozakiewicz: “Fellow from my office, have to ask to amend it to include him.”

Councilman Dunleavy: “Ok, do you want me to call it again as amended?”

Robert Kozakiewicz: “Yes please.”

Councilman Dunleavy: “I’m going to call Resolution 126 again as amended, add in.”

Supervisor Walter: “William Duffy.”

Councilman Dunleavy: “William Duffy.”

Supervisor Walter: “Deputy Town Attorney”

Councilman Dunleavy: “William Duffy, Deputy Town Attorney to the people that are going, so its’ Authorized Attendance at the 2013 Training School and Annual Meeting Held by the Association of Towns, which includes, Sean Walter, John Dunleavy, James Wooten, Robert Kozakiewicz (inaudible) and Bill Duffy, William Duffy. So moved.”

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

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

### **Resolution #127:**

Councilman Wooten: “Ratifies Authorization for the Supervisor to Execute an Intermunicipal Agreement with the Town of Brookhaven for Disposal of Emergency Disaster Debris at the Brookhaven Landfill Complex. 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 #128:**

Councilman Gabrielsen: “Declares Certain Traffic Light to be Surplus Property and Authorizes the Disposal Thereof. So Moved.”

Councilwoman Giglio: “And seconded.”

Supervisor Walter: “Moved and seconded.”

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

Councilman Dunleavy: “It’s my understanding there’s a traffic light that does not work?”

Supervisor Walter: “Yes, it’s sitting in the woods (inaudible)”

Councilman Dunleavy: “Yes, it’s sitting there (inaudible) it doesn’t mean anything. I vote yes.”

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

### **Resolution #129:**

Councilman Giglio: “Riverhead Downtown Revitalization Improvement 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 #130:**

Councilman Dunleavy: “Authorizes Supervisor to Execute Agreement with Riverhead Youth Sports, Inc. for Referee/Umpire Services for Town of Riverhead Police Athletic League Girls and Boys Lacrosse and Football Program for 2013 Calendar Year. So moved.”

Councilman Wooten: “And seconded.”

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

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

**Resolution #131:**

Councilman Wooten: “Calls to Pay the Bills. 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.”

Diane Wilhelm: “And we have one off the floor.”

Councilman Dunleavy: “I make a motion that we pull off the floor, Amends Resolution #844 from 2012, are you going to it number 132?”

Diane Wilhelm: “Yes.”

Councilman Dunleavy: “Resolution #132.”

Councilman Wooten: “I’ll second it off the floor.”

Supervisor Walter: “Moved and seconded as to taking it off the floor. This is for the Mentoring Matters Program to reappoint certain additional returning staff to Mentoring Matters.”

Councilman Wooten: “Good deal”.

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution has been taken off the floor, 132 for judgment.

**Resolution #132:**

Councilman Dunleavy: “Amends Resolution #844 from 2012. 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.”

Councilman Wooten: “I have to say something, since I think the first week although we’ve been trying to do this forever, that you had Resolutions be in by certain time on Friday, it was nice last night to take these home to be able to read them instead trying to scurry ten minutes before to reading.”

Supervisor Walter: “Well only one department had messed that up and she won’t do it again.”

Councilman Wooten: “It certainly does help me (inaudible).”

Supervisor Walter: “All right Sal, we’ll take comments on other stuff.”

Sal Mastropaolo: “Yes, just quick for the record, Resolution 126 did not have Bill Duffy’s name in it.”

Councilman Wooten: “No we added, amended it”

Sal Mastropaolo: “OK.”

Council Dunleavy: “We amended, that’s we added an amendment to it.”

Supervisor Walter: “Anyone else wish to be heard?” Not seeing anyone, can I have a motion to adjourn?”

Council Dunleavy: “I make a motion to adjourn.”

Supervisor Walter: “All in favor?”

Collective Response: “Aye.”

Supervisor Walter: “All right, thank you everyone.”

Meeting adjourned: 2:50 p.m.

