

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, July 2, 2013 at 2:00 p.m.

**PRESENT:**

Sean M. 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

The following is a summary of the minutes of the July 2, 2013 Town Board meeting.

The meeting was opened at 2:00p.m., by Supervisor Walter, with the Pledge of Allegiance.

Invocation was given by Father Larry Duncklee 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 18, 2013 Town Board meeting. Motion carried, minutes were approved.

**APPLICATIONS**

**SPECIAL EVENTS (CHAPTER 90)**

- PC Richard & Son, Route 58 Riverhead – Tent Sale - August 6 – 20, 2013
- Riverhead Foundation for Marine Research and Preservation – 5K Run for the Ridley – October 26, 2013
- Native Events Inc. – Live Country Music, Amusement Rides, Games and Craft Vendors - 4H Camp, Sound Avenue, Riverhead – July 27 & 28, 2012

**FIREWORKS**

- Jamesport Fire Department Annual Fireworks Display at Annual Carnival, Route 25 Jamesport– July 13, 2013

**PARADE/ASSEMBLY**

- Long Island Antique Power Assoc. – Assembly at 3637 Sound Avenue, Riverhead – July 13 & 14, 2013
- Riverhead High School – Parade from downtown to football field – October 26, 2013

**CORRESPONDENCE**

- Peter Danowski, Esq. –letter requesting approval for land clearing for property owned by TRW Properties, LLC (SCTM #0600-119-1-3 &5.1)

**REPORTS**

- Police Department Monthly Report May 2013
- Sewer District Discharge Monitoring Report May 2013

**FIRE DEPARTMENT**

- Wading River Fire District – 2012 Audit Report

**PUBLIC HEARINGS**

- No public hearings scheduled

**TOWN BOARD COMMITTEE REPORTS**

Councilman Gabrielsen shared the results from the June 29<sup>th</sup> Cardboard Boat Race in the Peconic River. Supervisor Walter was victorious against Southampton Supervisor Anna Throne Holst.

**COMMENTS ON RESOLUTIONS**

Sal Mastropaolo: “Sal Mastropaolo, Calverton, I just have one question. Resolution 541, the first question I...well I actually two questions, the first question I have, is it legal that you waive building department fees for *for profit* businesses? That’s the first question.”

Supervisor Walter: “We did the same thing for Hurricane Sandy and we waived the building department fees. We were probably one of the first towns that did it for a month and then it went on to two months and three months and four months to try to help people out. So considering that there were two structure fires on Main Street...”

Sal Mastropaolo: “Is the waiver just for the repairs to get it back to the condition it was in before the fire?”

Supervisor Walter: “Yes”

Sal Mastropaolo: “So they can’t do expansions?”

Supervisor Walter: “No”

## **RESOLUTIONS**

### **Resolution #517**

Councilman Dunleavy: “Theodore Roosevelt Council, Inc., BSA Water 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 #518**

Councilman Wooten: “General Fund Justice Court 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 #519**

Councilman Gabrielsen: “Kristie Rose Court Subdivision Water District 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 #520**

Councilwoman Giglio: “Stoneleigh Retirement Community – Phase III Water Ext. 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 #521**

Councilman Dunleavy: “Water Department 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 #522**

Councilman Wooten: “Amends and Updates Family and Medical Leaves of Absence Policy, 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 #523**

Councilman Wooten: “Grants Special Use Permit Petition of Atlantis Management Group (Atlantis Mart), 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 #524**

Councilwoman Giglio: “Awards Bid for Work Clothes. 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 #525**

Councilman Dunleavy: “Authorization to Publish Advertisement for Food for Senior Center, 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 #526**

Councilman Wooten: “Authorization to Publish Advertisement for 2013 Pick Up Truck, 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 #527**

Councilman Gabrielsen: “Ratifies the Appointment of Seasonal Water Safety Instructors, 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 #528**

Councilwoman Giglio: “Ratifies the Appointment of a Seasonal Recreation Aide to the Recreation Department, 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 #529**

Councilman Dunleavy: “Appoints a Call-in Recreation Aide to the Recreation Department, 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 #530**

Councilman Wooten: “Appoints an Assistant Recreation Leader 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 #531**

Councilman Gabrielsen: "Ratifies the Appointment of a Recreation Aide 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 #532**

Councilwoman Giglio: "Ratifies the Appointment of an Assistant Recreation Leader to the Recreation Department, 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 #533**

Councilman Dunleavy: "Authorizes the Supervisor to Execute an Agreement with Suffolk County for Operation Shield Grant Program, 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 #534**

Councilman Wooten: “Designates the Secretary of State as Agent for Service of Notice of Claim Under the Uniform Notice of Claim Act, 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 #535**

Councilman Gabrielsen: “Authorizes the Supervisor to Enter into an Inter-municipal Emergency Hazardous Materials Incident Mitigation Assistance Agreement with the Town of Southampton, 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 #536**

Councilwoman Giglio: “Approves the Chapter 90 Application of Garden of Eve, LLC (L.I. Garlic Festival – September 21<sup>st</sup> & 22<sup>nd</sup>, 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 #537**



Councilman Dunleavy: “Approves the Application for Fireworks Permit of Jamesport Fire Department, July 13, 2013, 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 #538**

Councilman Wooten: “Approves Chapter 90 Application of PC Richard & Son, Tent Sale – August 6<sup>th</sup> through August 20<sup>th</sup>, 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 #539**

Councilman Gabrielsen: “Authorizes Town Clerk to Publish and Post Notice to Bidders for Sensus Water Meters & Accessory Equipment, or Reasonable Equivalent for Use by the 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 #540**

Councilwoman Giglio: “Amends Resolutions #417 & #435, 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 #541**

Councilman Dunleavy: “Authorizes Waiver of Building Permit and Fire Prevention Fees for East Main Street Fire Damaged Premises, So moved.”

Councilman Wooten: “Seconded”

Supervisor Walter: “Moved and Seconded, vote please.”

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

### **Resolution #542**

Councilman Wooten: “Appoints a Maintenance Mechanic II to the 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 #543**

Councilman Gabrielsen: “Authorizes the Supervisor to Execute an Agreement with e-Green Recycling Management, LLC Regarding Electronic Waste Recycling 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 #544**

Councilwoman Giglio: “Pays Bills, 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.”

Supervisor Walter: “I make a motion that we take **Resolutions 545, 546, 547 and 548**  
off the floor, So moved.”

Councilman Dunleavy: “I’ll second.”

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

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes.  
Resolutions 545, 546, 547 and 548 are taken off the floor.”

**Resolution #545**

Councilman Dunleavy: “Authorizes the Supervisor to Execute a License  
Agreement with Jumping Fish, Inc. to Operate Fishing Charter at Ammerman Park  
Dock/Marina, 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 #546**

Councilman Wooten: “2013 Capital Project #45118 Closure, So moved.”

Councilwomen 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 #547**

Councilwoman Giglio: “Highway District 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 #548**

Councilman Gabrielsen: “Resolution of Additional Support for Pending Application by the Riverhead Sewer District to the Suffolk County Infrastructure Grant Program, 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.”

**GENERAL COMMENTS**

Steve Romano questioned the town board with regard to rental permits and inspections of rental properties. “Are we still doing an inspection process?” He read aloud an article from Newsday about the inspection process in the Town of Islip allowing the rental property owners to sign and have notarized a strict affidavit swearing under penalties of perjury that they have proper fire equipment and that the property has no deficiencies that would affect the safety of the prospective tenant. He continued with another question. In the town of Riverhead can a homeowner sign such an affidavit instead of requiring an interior inspection of the property by a town rental inspector.

Supervisor Walter answered that the town statute states that the inspection is done as a courtesy to the resident who doesn’t want to hire an architect or engineer to do the work. The architect or engineer can sign such an affidavit.

John Cullen, of Northville questioned the town board “is the bicycle path still being built? Also, the area has been left incomplete and equipment/supplies have been left at the site near Pier Avenue.”

Supervisor Walter indicated that that would be a DOT question.

Angela DeVito questioned the town board for an update as to where we are with the 15 acre parcel of property on Sound Avenue that had been proposed to be preserved for open space vs. farmland.

Jodi Giglio has indicated that Mr. Broidy has filed his application with Suffolk County to preserve it as farmland

Angela DeVito inquired about the process and how long it would take.

Councilwoman Giglio stated that she and Councilman Gabrielsen sent a letter to Legislator Krupski saying that they would support it as farmland preservation. The property has been appraised. Suffolk County has looked at the property and has determined that there is no contamination. It is going forward in the process for farmland preservation.

Councilman Gabrielsen stated that members of the community support the farmland preservation over open space for parkland

Angela DeVito spoke about the need for Suffolk County Legislature to look at their policy of preserving open space and farmland and the need to achieve some balance. She also reviewed the audit reports on our community preservation fund starting from 2009 and questioned the debt service

Supervisor Walter stated that debt service is about 6 million. Principal and interest is about 77 - 78 million. The 6 million dollars of debt service is done through bonds. The most recent bond was authorized about 2008

Supervisor Walter informed us that Chester the dog is available for adoption at the Riverhead Animal Shelter.

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

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

Supervisor Walter: “All in favor”

Collective Response: “Aye”

Meeting Adjourned: 2:37p.m.