

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, November 17, 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 by Janet Wright, Interfaith Minister.

Supervisor Walter introduced Harriet Hass who sang Over the River and Through the Woods and then a song from the Sound of Music, These Are a Few of My Favorite Things. Everyone thanked her for her beautiful songs.

Supervisor Walter presented Mira Aldrich from the March of Dimes with a proclamation proclaiming Prematurity Awareness Day. The Supervisor thanked Ms. Aldrich for the work the March of Dimes has been doing in bringing awareness to premature babies and birth defects.

CORRESPONDENCE

- Frank Yakaboski, Esp., representing 400 Restoration Realty (Jedidiah Hawkins House) submitted a letter requesting a change in the zoning code definition of a “Country Inn”

Conservation Advisory Council CORRESPONDENCE

- CAC Res. #2015-23, McGrath, SCTM #0600-71-2-6

APPLICATIONS

Special Permit

- Stromski Architecture – Multi-use Center, Main Road, Jamesport SCTM #60068-1-35

REPORTS

- Building Department – Monthly Report October 2015 - \$188,074.75
- Tax Receiver – Utility Collection Report October 2015 - \$754,539.65

FIRE DISTRICTS REPORTS

- Manorville Fire District – Approved 2016 Budget Summary

Supervisor Walter: “Jeff Murphree can you come up to the podium for a second? I have two simple questions and since everyone wants to hear, hopefully the microphone is working. The first thing is; I guess we have to put, this is an interesting; ZBA requested that Jedidiah Hawkins submit a letter to the Town Board. Not quite sure how we handle that so I want you to talk to Jill, we’ll have to put that on Work Session to see how we handle a letter from the ZBA and the second, just a quick question; Stromski Architecture, what is the Multi-use Center, Main Road, Jamesport? Do you know what that application is?”

Jeffrey Murphree: “That would be the former jewel, I’m guessing. (inaudible)”

Councilman Wooten: (In audible)

Councilman Dunleavy: “He gets a special.”

Councilwoman Giglio: “Permit for a Bistro?”

Robert Kozakiewicz: “Two Bistros.”

Councilwoman Giglio: “Two Bistros?”

Robert Kozakiewicz: “That’s what the application says.”

Supervisor Walter: “So they’re trying to do the same application again so their Special Permits expired.”

Robert Kozakiewicz: “I didn’t see the physical layout but I did look at the application.”

Councilman Dunleavy: “At least it’s a different outfit now.”

Robert Kozakiewicz: “It is.”

Robert Kozakiewicz: “I didn’t get the name of the property owner but it’s something, something, something, Jamesport owner, LLC.”

Supervisor Walter: “And the Impact Statement is; did they ever finish that Impact Statement?”

Jeffrey Murphree: “No because there was a question about its density because they did not account for the steep slopes so they’re going to have to go back and revisit all that and all the data they have in there I’m sure is outdated as well so they’re going to have to update that as part of the SEQUA process.”

Supervisor Walter: “So we can’t do anything until they finish SEQUA?”

Jeffrey Murphree: “That is correct.”

Supervisor Walter: “Ok so if that’s the pleasure of the Town Board we’re happy to have your application but we can’t do anything until you finish your SEQUA analysis.”

Councilman Dunleavy: “Will you let them know that?”

Jeffrey Murphree: “Yes we will.”

Councilman Dunleavy: “Ok, thank you.”

Supervisor Walter: “Thank you very much and I look forward to putting that 400 Restoration Realty on. I don’t know what’s going to happen with that; alright are there any other Town Board reports?”

COMMITTEE REPORTS

Councilman Wooten reported that December 12th is the day of the bonfire and this year there will be a firework display ending at eight o’clock. He said Santa will be coming up the river in a boat and urged everyone to attend.

Councilman Dunleavy wanted to thank all the veterans who served for a job well done and for keeping us safe and making the USA a free country.

COMMENTS ON RESOLUTIONS

Supervisor Walter: “Alright, Sal?”

Sal Mastropaolo: “Sal Mastropaolo, Calverton; Resolution 803. First question I have is the town charges for use of Stosky Park, right?”

Supervisor Walter: “Yes.”

Sal Mastropaolo: “Ok, are we charging for the use of Veterans Memorial Park for this?”

Supervisor Walter: “I think so, George?”

George Gabrielsen: “This particular event, he volunteers, he’s done it now for two or three years. He’ll put up like six thousand dollars, for each event he holds there.”

Sal Mastropaolo: “Yeah but usually in the past it said that the proceeds were going to charity.”

George Gabrielsen: “Right”

Sal Mastropaolo: “And I think we didn’t even charge him the Chapter 90 application fee.”

George Gabrielsen: “He gives quite a bit of money not only to the Town of Riverhead Recreation. He’s given to a number of hospitals, Heidi Bear, most of the money made there goes right back out and the proof is in what he’s done the last two years.”

Supervisor Walter: “Well there should be a minimum fee we charge him.

George Gabrielsen: “I’m sure there’s probably a minimum filling fee he’s paying.”

Sal Mastropaolo: “No, no, no, no. Over and above the application, the Chapter 90 application fee because we charge the Chapter 90 application fee to anybody that has an event on their own property. In this case it’s on Riverhead Town property.”

Supervisor Walter: “No but there’s a fee structure for renting our parks that he should pay and we’ll make sure he pays it.”

Sal Mastropaolo: “Well that’s my question. So the answer is.”

Supervisor Walter: “He’s got to pay it, whatever that fee is we’ll make sure he pays it.”

Sal Mastropaolo: “Ok, next question.”

Robert Kozakiewicz: “We did that last year.”

Supervisor Walter: “He’s got to pay it, whatever it is he’s got to pay it.”

Sal Mastropaolo: “I see nothing.”

Supervisor Walter: “Hold on one sec. Just put a line in there whatever’s applicable for Town Park fees that he has to pay.”

Robert Kozakiewicz: “Ok.”

Supervisor Walter: “It’s not a hugh fee.”

Sal Mastropaolo: “I see nothing in here about alcoholic beverages. I’m assuming that there is no alcoholic beverages?”

Supervisor Walter: “Can’t do it unless we suspend it and we haven’t been asked to suspend it as far as I know.”

Councilman Dunleavy: “They can’t have alcoholic beverages.”

Councilman Gabrielsen: “In any of our town parks right now.

Sal Mastropaolo: “Alright so those comments are applicable for 804 as well because he has two in here?”

Councilman Wooten: “Yes.”

Sal Mastropaolo: “Resolution 806. The first question is did the Town give Cushman and Wakefield the minimum acceptable sales price and if so how much did we tell them that minimum acceptable sale price was?”

Supervisor Walter: “We had a well, we’re going to, we’re going to withdraw that or table that resolution for now. We had a base bid price that we offered them which was the hundred and forty thousand that everybody offered us and they had a cap that they thought the building was worth and we operated within that range because the building requires it to be; we require it to be built back to its historic grandeur and this actually, this contract, if we are so successful in doing it is they’re going to lease back the property that the historian is in at \$291.00 a month.”

Sal Mastropaolo: “Ok, I guess then you answered my second question which I didn’t ask but I’ll ask it anyway. I take it then there’s a stipulation in there that he can’t demolish the building and build new?”

Councilman Wooten: “Correct, right.”

Supervisor Walter: “Right.”

Sal Mastropaolo: “Ok.”

Supervisor Walter: “It’s a pretty restricted building which is why it’s not going to go for the best price that we might be able to get. We could probably get more people to knock it down than build it.”

Sal Mastropaolo: “That was my question, right.”

Supervisor Walter: “Does anybody else wish to be heard on resolutions? Ms. Carbone.”

Antoinette Carbone: “This is on Resolution 791. I live in the adjacent community Sunken Ponds Estate. Is this part of the agreement between the two private communities regarding the water?”

Supervisor Walter: “Yes.”

Antoinette Carbone: “Can you give me some detail on that. Is the Town going to assume any responsibility for this?”

Supervisor Walter: “Yes, we have, here’s the problem. The Town in theory says it owns the water mains that are installed in your community but we never got an easement. I think we did sign an easement now for this piece of property in favor of the (inaudible).”

Antoinette Carbone: “I think that’s the only way you can (inaudible).”

Supervisor Walter: “We’re going to be coming back at some point. We finally got the easement from Stoneleigh Woods. We’re going to be coming back to your community at some point telling you guys we really need an easement for our water mains in the streets. It should have been given to the town by the developer when we laid out that condominium complex and through a series of oversites is the best that I can say.”

Antoinette Carbone: “That’s being very polite Mr. Walters.”

Supervisor Walter: “We never attained that easement so I know that Frank Catani has stepped down. I look forward; I think I did meet the new President.”

Antoinette Carbone: “Mr. Fisher Kelly.”

Supervisor Walter: “Yeah, I think we’re going to have to sit down and talk to him about eventually obtaining easements because the reality is, you don’t want to own those water mains.”

Antoinette Carbone: “Well from what I understand that’s why I want to get this clear. We made an agreement with Stoneleigh so that issue is worked out but this if you go back has really been a goof up on the town’s part to approve a condo complex and not think about the water but now it’s all settled and so ok.”

Supervisor Walter: “That was really, that was the developer’s goof up.”

Councilwoman Giglio: “Yeah.”

Antoinette Carbone: “Same developer for both complexes.”

Councilwoman Giglio: “He didn’t give himself an easement.”

Antoinette Carbone: “Yes but he couldn’t give himself an easement. The real entity for the easement was the town.”

Supervisor Walter: “Yeah he should have given the town an easement to do this along with the easement for all of the other entire infrastructure that we have in there.”

Councilman Dunleavy: “The lighting and all that stuff.”

Supervisor Walter: “We don’t do the lighting in there do we?”

Councilman Dunleavy: “No but I mean there’s an easement for the lights (inaudible).”

Supervisor Walter: “No they do their own lights.”

Antoinette Carbone: “We do our own lights John; we take care of our own lights.”

Supervisor Walter: “And the roads. Yeah we just have the, the phone company should have an easement and cable should have an easement. It should be a general utility easement which at some point we’ll work that out.”

Antoinette Carbone: “Fine and no threats of eminent domain, ok.?”

Supervisor Walter: “No.”

Councilman Wooten: “You guys work that out.”

Supervisor Walter: “Thank you; Mr. Fischer, do you want to speak to us?”

Greg Fischer: “Greg Fischer, Calverton, NY. This is on 806 and I understand it has been withdrawn. I spoke to the agents when they were first named as responsible for selling this property, the 542 easement and they said they didn’t have a signed contract yet they had all my information I said call me when you get it, they didn’t call me.”

Supervisor Walter: “You’re going to offer a higher price than them?”

Greg Fischer: “Happy day, so it’s listed for one eighty so if you change the name and make it two hundred, there we go. So the other thing is not to be pesky or bid against myself but I’m not sure.”

Supervisor Walter: “Do I hear two twenty-five?”

Greg Fischer: “That’s funny, I like that. Patricelli could make the next one. I’m not sure that this follows legal process. I’m not sure if you have to list it publically again when the whole thing went south on the last bid. I don’t know if you can subvert the process of public notice so that’s something.”

Supervisor Walter: “(inaudible) referendum. I mean whoever we sell it to I guess you can go get signatures and try and block the sale.”

Greg Fischer: “Well yeah, a lot of work but I do bid higher, I do bid two hundred and I did call the agents after I saw this today. I saw this just today on line and left messages but I appreciate the Town’s putting them on notice also that there’s another interested bidder.”

Supervisor Walter: “Out of curiosity are you going to be able to restore that to its historic grandeur?”

Greg Fischer: “Absolutely and with the guarantee if you want a bond we’ll do that too.”

Supervisor Walter: “Ok.”

Councilwoman Giglio: “And within a certain timeframe too.”

Greg Fischer: “Six months.”

Supervisor Walter: “Call Cushman and Wakefield please and put your bid in.”

Greg Fischer: “Yeah I told them that. I mean everything I’m willing to stick to also including the town historian, every detail of 806.”

Supervisor Walter: “We’re happy to have it.”

Greg Fischer: “Yeah, I have great plans for it. As you know I’m the SCORE representative for Riverhead. SCORE needs an office, we can’t store stuff at the library even though we have meetings and consultations there. I’d like to set it up so I can be more effective in my work and make it a Main Street location so I’ve also had conversations with some other economic development entities in the area. I’d like to have an office to meet them at, I don’t want to meet them in my house and I don’t have an office in town so this would be very convenient so right now two hundred and.”

Supervisor Walter: “Call Cushman Wakefield.”

Greg Fischer: “Thank you.”

Supervisor Walter: “Thank you. Alright, does anyone else wish to be heard on resolutions? Not seeing anybody.”

RESOLUTIONS

Resolution # 783

Councilman Dunleavy: “Adopts a Local Law to Override the Tax Levy Limit Established by and Set Forth in Article Two 3-C of the General Municipal Law, so moved.”

Councilman Wooten: “I’ll second.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I just want to say that I’ve proposed several cuts and additions in revenue and I just can’t support this, going over the two percent. I would have liked to have worked with the Board and garnered support in order to bring this five percent or four percent tax increase down a bit and I wasn’t able to do so. I can’t support the two percent increase. I’m going to vote no.”

Vote Continued: “Gabrielsen, yes; Wooten.”

Councilman Wooten: “I too looked to trim as much as I could. I just couldn’t rise it to the level we need it to be so I think we’re really over a barrel with this and I think it’s about time after twenty years of having a flat tax in this town, it’s a good thing so I vote yes.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “Well I looked over the budget and knowing our Supervisor, he doesn’t give anybody anything that they don’t need so I looked, there are a couple of places I wanted to trim, the police department and the ambulance but I didn’t have any support for that so I have to vote yes because this is the leanest budget that he is going to submit to us.”

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

Resolution 784:

Councilman Wooten: “Authorizes Amendment to 2016 General Fund Preliminary Budget, so moved.”

Councilman Gabrielsen: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I just want to thank the Supervisor for taking the time yesterday to meet with me and I can say we are truly going to be working together towards the better for the residents of the Town of Riverhead and we are going to put everything in the past behind us and complement each other with the rest of the Town Board and moving the Town forward in a positive way and I really have a lot of respect for Sean. He won the election and I respect the tax payers and the voters of the town and I will do everything that I can to help him and the rest of the Town Board to make this town the best it can be and I thank you very much for this and I think it’s going to be an improvement in the quality of life issues. I think that it was an important part of the campaign and the Supervisor has recognized that and is willing to work with me to improve quality of life throughout the town and the rest of the Town Board and this is a step in the right direction this resolution so I thank you and I will vote yes.”

Vote Continued: “Gabrielsen.”

Councilman Gabrielsen: “I want to thank you Jodi for put this forward, you’ve always been trying to push this and want I to congratulate the Supervisor for working with you. This is like good stuff for next year so I absolutely vote yes, thank you.”

Vote Continued: “Wooten.”

Councilman Wooten: “It took George to not run again for them to get along. I vote yes.”

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

Resolution #785

Councilman Gabrielsen: 2008 Traffic Calming and Sidewalk Improvement Capital Project Budget Adjustment, 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 #786

Councilwoman Giglio: “Adopts Grant Policy for the Town of Riverhead, so moved.”

Councilman Dunleavy: “And second.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I’m going to vote no because I wanted in here that any Grants that were being applied for would be done by resolution. That was put in here and then it was taken out again but I know we need to get this adopted for our audit but I can’t support it the way it is.”

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

Resolution #787

Councilman Dunleavy: “Riverhead Ambulance District Budget Adjustment, 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 #788

Councilman Wooten: “EPCAL Sewer Upgrade Project #20042 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 #789

Councilman Gabrielsen: “Riverhead Central School District Water Capital Project #30128 Budget, 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 #790

Councilwoman Giglio: “Riverhead Police Athletic League 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 #791

Councilman Dunleavy: “Stoneleigh Retirement Community - Phase IV Water Extension Capital Project 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 #792

Councilman Wooten: “Authorizes the Release of Foundation Securities for Stoneleigh Woods at Riverhead, LLC – Phase 4, 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 #793

Councilman Gabrielsen: “Approves Execution and Submission of Grant Application to Suffolk County for Fiscal Year 2016 Community Development Block Grant Funds, so moved.”

Councilwoman Giglio: “Second.”

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

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

Councilman Wooten: “Are these numbers apt to change? Do we know that yet?”

Councilman Dunleavy: “I was going to ask that question. How come if we weren’t going to get all this money how come we’re increasing everything?”

(Inaudible)

Councilman Wooten: “It may go back down to the five?”

(Inaudible)

Councilman Wooten: “And then you just put administration, I understand that.”

Supervisor Walter: “Just come to the podium, nobody can hear you on TV.”

Councilman Wooten: “I realize you’re increasing the five that we give to but if we’re restricted to the five I guess you’ll put them into administration costs I guess.”

Chris Kempner: “Well I just wanted to make sure that we had an application in that actually covered what we lost last year plus regain this year and then we’ll keep working

with the Suffolk County Economic Development Department to see if they can work that into this year's application but if we don't put it in for that amount again they can always cut it back."

Councilman Wooten: "Which they've been doing."

Chris Kempner: "They've been very open to what we're."

Councilman Dunleavy: "But we don't have to give them this amount? We don't get it, we don't give it."

Chris Kempner: "No, we'll work with them. If they have to make cuts then we'll work with them on the cuts but at this point I wanted to make sure we put in for regaining last year and then getting back to where we were."

Councilman Gabrielsen: "Last year Chris I don't think last year was actually a cut. Didn't they designate to another town, into Brookhaven?"

Chris Kempner: "Yes."

Councilman Gabrielsen: "They didn't cut back generally they just moved the funds somewhere else."

Chris Kempner: "They were cut back on their three million I think by a hundred thousand but they ended up giving a hundred thousand to Brookhaven and then cutting several towns that they felt didn't spend enough but there's other reasons that we hold the money so that we, in case we have an emergency situation we can deal with it. So we're just trying to work with them through those issues because it's a new administration. The person who was there left so this person is learning what's going on so we're hoping they'll be open to what we're explaining."

Councilman Dunleavy: "Can I just ask you one more question? Are we the only town they cut back on?"

Chris Kempner: "No they cut back on a few towns and the problem is they cut back Southampton significantly too so some of the social services that we fund like Riverhead Cap are funded by Southampton as well so it creates double impact and I think they're looking at these cuts and they're trying to figure out ways to make up for last year so hopefully we'll be able to maybe get this money and move forward."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Thank you."

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

Resolution #794

Councilwoman Giglio: “Authorizes Attendance of Judge Elect at Training (Lori M. Hulse), 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 795

Councilman Dunleavy: “Appoints a Provisional Principal Accountant (Angelika Strahmann), so moved.”

Councilman Wooten: “I’ll second.”

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

The Vote: “Giglio, no; Gabrielsen.”

Councilman Gabrielsen: “I agree with the position that we need it but I wanted it to go out to advertisement and try and get somebody local again so I’m going to vote no.”

Vote Continued: “Wooten.”

Councilman Wooten: “This was after a second round of applicants and believe me they’re very qualified; everyone interviewed is qualified and I think it’s a needed position. I think to go out now and to re-advertise it almost lends itself to someone else to trying again so I’d rather stick to the process that we did, it’s aboveboard so I’m going to vote yes.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “Yeah this is the first one we tried to hire didn’t want to come to the Town of Riverhead and this is the second one that was approved by the personnel committee. I would like to get somebody from Riverhead but no one’s either they’re over qualified or they’re not qualified so I have to vote yes.”

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

Resolution #796

Councilman Wooten: “Terminates the Employment of a Maintenance Mechanic I in the Buildings and Grounds Division of the Town Engineer’s Department (Joe Ortiz), so moved.”

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “And we’re correcting it, the date was wrong, was that it?”

Diane Wilhelm: “Well no, it wasn’t the date it had said sustained on November 10th but it should say since November 10th on the first *whereas*.”

Robert Kozakiewicz: “Just to be clear in the first *whereas* we’re striking the word sustained on and inserting the word since.”

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

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

Resolution #797

Councilman Gabrielsen: “Ratifies Reappointment of Member to the Town of Riverhead Ethics Board (Jeanmarie Costello), so moved.”

Councilwoman Giglio: “Second.”

Supervisor Walter: “I really think that ratification is just a reappointment it’s just a holdover Bob. I’d love to get into one of those conversations with Annemarie Prudenti, she’s not here but I mean she’s a holdover and so we’re just reappointing her.”

Diane Wilhelm: “So we’re going to cross that out.”

Supervisor Walter: “I would take the ratifies out.”

Councilman Gabrielsen: “Take the ratifies out?”

Supervisor Walter: “Yeah.”

Robert Kozakiewicz: “I’m not sure if our Code of Ethics allows for a continuation of service. I would think probably most town; I’m not sure whether the question of holdover applies.”

Supervisor Walter: “I’m not wed to it, that’s fine, leave ratifies.”

Diane Wilhelm: “So we’ll leave it in, ok.”

Robert Kozakiewicz: (inaudible)

Councilman Wooten: “It makes sense. It wouldn’t be wrong if you said ratifies.”

Supervisor Walter: “That’s fine.”

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

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

Resolution #798

Councilwoman Giglio: “Adopts a Local Law Amending Chapter 46 Entitled “Alcoholic Beverages” of the Riverhead Town Code, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

Councilman Dunleavy: “Yeah I think this was the one where you can have an open can of beer and walk around with it. They changed it to it has to be closed and sealed. I vote yes.”

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

Resolution #799

Councilman Dunleavy: “Authorizes the Supervisor to Execute an Agreement with County of Suffolk Office for the Aging (AAA Transportation Program), so moved.”

Councilman Wooten: “Second.”

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

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

Councilman Dunleavy: “Yes, we’re going to get eight thousand dollars from the county so I vote yes.”

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

Resolution #800

Councilman Wooten: “Releases One Year Maintenance Security of Edward Carrera in Connection with the Subdivision known as “Edward Carrera at Old Field Court, 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 #801

Councilman Gabrielsen: “Appoints the Law Firm of Smith, Finkelstein Lundberg, Isler and Yakaboski, LLP to Act as Special Counsel in the Civil Action Entitled T-Mobile Northeast LLC v. Riverhead Water District and Authorizes the Supervisor to Execute a Retainer Agreement, 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 #802

Councilwoman Giglio: “Appoints the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP to Act as Special Counsel in the Civil Action Entitled Metro PCS New York, LLC v. Riverhead Water District and Authorizes the Supervisor to Execute a Retainer Agreement, 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 #803

Councilman Dunleavy: “As amended, Approves Chapter 90 Application of Riverhead Adventures, LLC (5K Trail Run at EPCAL Veterans Memorial Park – Saturday, June 4, 2016), so moved.”

Councilman Wooten: “I’ll second.”

Supervisor Walter: “Moved and seconded. We didn’t amend it. Do you have an amendment that they have to pay the rental fees?”

Robert Kozakiewicz: “What I was going to suggest is on the second resolve, the third resolve, I’m sorry, where it says execution of agreement and payment of rental fee I was going to put a bullet of utilization of Veterans Memorial Park comma EPCAL Riverhead police and then have Riverhead police personnel vehicles so they’re paying (inaudible) all four.”

Supervisor Walter: “Ok, so you’re just going to put say that again.”

Robert Kozakiewicz: “In between of and Riverhead police personnel I was going to insert Veterans Memorial Park comma EPCAL comma because I’m not sure if they’re using any of the Enterprise Park outside of Veterans Memorial Park (inaudible) just in case and then Riverhead police personnel and vehicles.”

Supervisor Walter: “Ok.”

Robert Kozakiewicz: “And I think we generally have a CDA resolution that may approve a separate agreement with them anyway.”

Councilman Wooten: “I think you’re right.”

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

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

Resolution #804

Councilman Wooten: “This is the same verbiage on the same bullet. Approves Chapter 90 Application of Riverhead Adventures, LLC (5K Trail Run at EPCAL Veterans Memorial Park – Saturday, September 17, 2016, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

Resolution #805

Councilman Gabrielsen: “Resolution to Change Town Board Meeting Time, so moved.”

Councilwoman Giglio: “Second.”

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

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

Councilman Dunleavy: "Yes, December 29th meeting is going to be at 2:00. We're moving it from December 29th to December 31st at 9:30 a.m. I vote yes."

Vote Continued: "Walter."

Supervisor Walter: "You know I was thinking ten o'clock because we have to review resolutions. You know we're not going to be able to review resolutions."

Councilman Dunleavy: "You want to amend that?"

Supervisor Walter: "Leave it alone. We might have to start resolutions for that meeting."

Diane Wilhelm: "We're going to leave it alone?"

Supervisor Walter: "Leave it."

Diane Wilhelm: "Ok."

(inaudible)

Supervisor Walter: "We didn't vote on it yet. Moved and seconded. Vote please."

Diane Wilhelm: "I think we got everybody, Sean we were just waiting for you."

Vote Continued: Walter, yes as amended. Let's revote this."

Diane Wilhelm: "Are we going to say Town Board room?"

Supervisor Walter: "We're going to say amend this, can we just revote that resolution as amended."

Diane Wilhelm: "Ok."

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

Resolution #806

Councilwoman Giglio: “I make a motion that we withdraw Resolution 806, so moved.”

Councilman Dunleavy: “And I second it.”

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

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 806 is withdrawn.”

Resolution #807

Councilman Dunleavy: “Authorizes Extension of Time to Remit Real Property Taxes for Senior Citizens Receiving Enhanced Star Pursuant to Section 425 or Section 467 of NYS Real Property Tax Law, 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 #808

Councilman Wooten: “Awards Bid for Calcium Hypochlorite Tablets for use in the 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 #809

Councilman Gabrielsen: “Adopts Town of Riverhead 2016 Annual Budget, so moved.”

Councilwoman Giglio: “Second.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I’m optimistic that we’ll walk away from here this evening and that we’ll do what we can to hold the line on spending and to increase revenues so that services pay for themselves but as I stated before there were several cuts that I would make to the budget and the Supervisor said if I would win the election that he would even support them.”

Councilman Dunleavy: “You just added to the budget.”

Councilwoman Giglio: “No I didn’t. We increased revenues because the Supervisor said that he’ll agree to double the rental permit fees so it’s neutral, it’s budget neutral. He is a good guy and we’re going to do good things for this town but for now because I was not able to get the support I can’t support the budget, no.”

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

Councilman Dunleavy: “Like I say if you knew, I worked for this man for six years and this is a real bony budget, you can’t get any more meat off this budget. I vote yes.”

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

Resolution #810

Councilwoman Giglio: “Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 “Vehicles & Traffic” of the Riverhead Town Code (101-13 Parking Time Limited to Three Hours, so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I’m going to vote yes to the public hearing but I know there are a lot of property owners within the downtown area that pay into the parking district that are upset about this and I’m sure they’ll be coming forward at the public hearing but I’ll vote yes for the public hearing.”

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

Councilman Dunleavy: “I only know of one who doesn’t like this. The rest of the storeowners are complaining that their customers have no place to park because employees are taking parking spots so I have to vote yes on this.”

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

Resolution #811

Councilman Dunleavy: Appoints a Recreation Aide to the Recreation Department (Faith Johnson-DeSilvia), 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 #812

Councilman Wooten: “Pays 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.”

PUBLIC COMMENT

Supervisor Walter: “Ok, now we open it up to the public comment to comments from the public on any matter that’s before the Town of Riverhead. We ask that you limit your comments to five minutes.”

Steve Romano came forward to ask if the Board needed a super majority to pass the budget that was presented with the five percent tax increase or if a three majority was sufficient. Supervisor Walter replied that they needed sixty percent (three in favor) yes votes to pass the budget. The Board voted four to one to pass the budget.

Steve also wanted to know how the Riverhead Water District will own the water main in the Stoneleigh Retirement Community but not in other condominium complexes. The Supervisor informed Steve that he wasn’t sure condominium complexes can own water mains any longer and that the law requires the towns to now own them.

Steve next wanted to discuss rental permits. He said if an owner rents and does not have a rental permit was he then in violation of town law and if this was the case what the penalty was. Supervisor Walter replied that was true for residential renters and thought the fine was probably around five hundred dollars. Steve then asked if a renter’s permit expired and he is still renting out the apartment but he is in the process of getting a renewal does he technically have an illegal apartment. Supervisor Walter said as long as he is going through the process of renewing his permit the town was not going to fine the renter. Steve said he understood that but asked if technically the renter could be fined. The Supervisor agreed with. Steve said the condominium complex he lives in wants to know what the town’s policy is on this matter and what flexibility they would be giving to renters renewing their permits. He continued by saying that it seems like the town does

not have a consistent policy on this matter and that his complex is appearing to be the bad guys when they fine a renter for a lapsed permit.

Supervisor Walter suggested that this conversation not continue with Councilwoman Giglio adding that the policy was going to change once the computer software was set up again adding that the permits would then be issued on a timely basis. The Supervisor then informed Steve that the Board is forming a Code Compliance, Code Enforcement Committee which one of the Council members will be a part of and that all these issues will be addressed at that time.

Steve next asked about the submittal the town made to the FAA Satellite Tracking at EPCAL. He wanted to know if the FAA ever decided where they were going to place the tracking center. Councilwoman replied that the funding had been pulled.

Harriet Haas came to the podium with what she considers a very serious problem. Harriet said one supermarket has closed; another is closing thus leaving only one supermarket in Riverhead. She felt this could lead to overcrowding, inflation of food costs and people not having choices of where to shop. Councilman said there actually are four markets residents can still shop in, Aldi, Walmart, Best and Stop and Shop. He continued by saying the area is zoned for supermarkets so anyone who wants to can open a supermarket in the area.

Antoinette Carbone came to the podium to speak about the visibility at intersections adding she will be back again and again if something is not done. She said she wanted to read the Code from the Town of Riverhead which was last amended in 1981 to the Board and then the Town of Brookhaven's Code. Councilwoman Giglio reminded Ms. Carbone that she, Ms. Carbone had attended a Code Revision Committee meeting this year when the matter of implementing changes at the intersections was brought up. Unfortunately the committee decided at that time not to implement any changes. Ms. Carbone pointed out that no other towns have exceptions to their codes regarding fences and plantings only Riverhead does. She asked that the Board look at the listing she gave them today adding she will be back again next month with another three intersections in violation of the code and she will continue to come back until something is done.

Supervisor Walter: "Does anybody else wish to be heard this evening? Not seeing anybody can I get a motion to close?"

Councilman Dunleavy: "I make a motion that we close the Town Board meeting, so moved."

Councilman Wooten: "Second."

Supervisor Walter: All in favor aye, opposite, abstentions. Motion carried, we stand adjourned."

Meeting Adjourned at 8:08 p.m.