

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 Wednesday, September 18, 2018 at 2:00 p.m.

PRESENT

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| Laura Jens Smith | Supervisor |
| James Wooten | Councilman |
| Jodi Giglio | Councilwoman |
| Timothy Hubbard | Councilman |
| Catherine Kent | Councilwoman |

ALSO PRESENT:

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| Diane Wilhelm | Town Clerk |
| Robert Kozakiewicz | Town Attorney |

The meeting was officially opened at 2:05 p.m. by Supervisor Jens Smith with the Pledge of Allegiance.

ANNOUNCEMENTS

Councilman Hubbard announced that today's Board meeting was changed from 7:00 p.m. to 2:00 p.m.

There is a blood drive going on today, September 18th, at the Riverhead Fire Station on Roanoke Avenue. Walk-ins are welcome however if you wish to make an appointment contact Lauren at 631-369-9136. All donors will be entered into a raffle for a gift certificate to the Suffolk Theater in Riverhead.

The town is doing a second cleanup at the Riverhead Train Station on Saturday, September 29th at 8:30 a.m. All volunteers are welcome and all volunteers are appreciated.

The Supervisor's office, along with the town has partnered with New York State to help bring the New York State Citizen Preparedness training to Riverhead. Courses are offered to the residents on how to be prepared for any type of disaster that may occur. A preparedness kit will be given out, one per family. This will take place Thursday, September 20th at 6:30 p.m. at the Riverhead Senior Center located at 60 Shadetree Lane. Due to limited space you must sign up online if you wish to attend. The website is www.prepare.ny.gov.

The Riverhead Country Fair will take place in downtown Riverhead on Sunday, October 7th from 10:00 a.m.-5:00 p.m.

Councilman Wooten announced that as part of the Fair a children's section has been added. This will be at Grangebel Park where there will be storytelling, magicians, etc. for the children to enjoy.

The Out of Darkness East End Walk to help fight suicide will be held on Sunday, September 30th at 10:00 a.m. The walk will raise awareness and funds for the American Foundation of Suicide Prevention and thus allow them to invest in new research, create educational programs, advocate for public policy and support survivors of suicide loss. For more information there is a website available, www.wafsp.org/eastendli.

Councilwoman Giglio stated that September is National Suicide Prevention Awareness month and a proclamation will be presented to the American Foundation of Suicide Prevention probably on September 30th during the walk that Councilman Hubbard spoke about.

Councilman Wooten announced that the annual North Fork Health Breast Cancer Coalition Walk will be held Sunday, September 30th at 9:00 a.m. This walk has been done for the past eleven or twelve years and helps raise money and brings awareness of breast cancer.

Councilman Wooten asked Reverend Enrique LeBron from the Riverhead United Methodist Church to come forward and give the invocation.

Councilman Wooten made a motion that the minutes from the August 7, 2018 Board meeting and the minutes from the September 5, 2018 Board meeting be approved. The motion was seconded by Councilman Kent and carried.

REPORTS

- Tax Receiver August Utility Collection Report - \$581,130.47
- IDA and the Riverhead IDA Economic Job Development Corp – 2019 Proposed Budget

CORRESPONDENCE

- Larry Simms – Letter Regarding Special Permit Application by Glass Greenhouse, SCTM #600-68-1-20
- Peter Danowski, Esq. – Letter Regarding Evelyn Alexander Wildlife Rescue Center, Inc.
- John McAuliff – Letter Requesting Update on the EPCAL Situation
- David Gale – Letter Regarding June 19th Public Hearing and September 6th Work Session on the Proposed Special Permit of URT
- Kathy McGraw – Letter Regarding the June 19th Public Hearing and September 6th Work Session on the Proposed Special Permit Application of URT
- Eileen and Ken Globus – Letter Regarding the Proposed Special Permit Application of URT

RESOLUTIONS

Resolution #730

Councilman Wooten: “Authorizes the Supervisor to Execute an Agreement to Extend Contract with Prestige Data, Inc. so moved.”

Councilwoman Giglio: “Second.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #731

Councilwoman Giglio: “Authorizes Town Clerk to Publish and Post Notice to Bidders for Calcium Hypochlorite Tablets for the Riverhead Water District, so moved.”

Councilman Hubbard: “Seconded.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #732

Councilman Hubbard: “Accepts the Resignation of a Building Permits Examiner so moved.”

Councilwoman Kent: “Seconded.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio.”

Councilwoman Giglio: “Yes, we’re going to miss her but she got a job in the Town of Islip making a lot more money than we can afford to pay so we’ll miss her and I wish her good luck.”

Vote Continued: “Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #733

Councilwoman Kent: “Authorizes Acceptance of a Donation, so moved.”

Councilman Wooten: “I’ll second.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent.”

Councilwoman Kent: “I’d like to thank Griffing Hardware because they donated blue paint for our handicap spaces and I vote yes.”

Vote Continued: “Hubbard.”

Councilman Hubbard: “Yes, same thing. I appreciate their donation for sure.”

Vote Continued: “Giglio, yes; Wooten, yes; Jens Smith, yes and thank you. Resolution adopted.”

Resolution #734

Councilman Wooten: “Appoints a Part-Time Public Safety Dispatcher I, so moved.”

Councilwoman Giglio: “Second.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #735

Councilwoman Giglio: “Authorizes Town Clerk to Publish and Post Attached Notice to Bidders for Street Light and Traffic Signal Maintenance Repair Parts, so moved.”

Councilman Hubbard: “Seconded.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #736

Councilman Hubbard: “Terminates the Employment of a Temporary Laborer, so moved.”

Councilwoman Kent: “Seconded.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #737

Councilwoman Kent: “Authorization for the Supervisor to Execute a License Agreement with Woodside Orchards, Inc. so moved.”

Councilman Wooten: “I’ll second.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes and thank you. Resolution adopted.”

Resolution #738

Councilman Wooten: “Adopts a Local Law to Amend Chapter 289 entitled “Vehicles, Traffic and Parking Regulations” of the Riverhead Town Code (289-6 Weight Limit of Five Tons – Parkway Street), so moved.”

Councilwoman Giglio: “Second.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #739

Councilman Hubbard: “Approves the Chapter 255 Application of Little Flower Union Free School District (“Run to Save Young Lives 5K Run/Walk” – Saturday October 13, 2018), so moved.”

Councilman Hubbard “Seconded.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #740

Councilwoman Kent: “Approves Chapter 255 Application of Railroad Museum of Long Island (Wooden Toy Train Play Days – October 6, 2018 and October 7, 2018, so moved.”

Councilman Wooten: “I’ll second.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #741

Councilman Wooten: “Approves the Chapter 255 Application of East End Rowing Institute LTD. (Snowflake Regatta – Sunday, November 4, 2018), so moved.”

Councilwoman Giglio: “Second.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #742

Councilwoman Giglio: “Approves the Chapter 255 Application of Wading River – Shoreham Chamber of Commerce (“Wading River Fall Fest and Zombie Walk” – Saturday, October 13, 2018), so moved.”

Councilman Hubbard: “Seconded.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio.”

Councilwoman Giglio: “It includes a parade, costumes, zombie walk, musical entertainment, food vendors, craft sales and the sale and service of alcohol on Wading River Manor Road and North Country Road and Sound Road so it’s down by the duck pond do hopefully we’ll see you out there on October 13th, yes.”

Vote Continued: “Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #743

Councilman Hubbard: “Authorizes the Supervisor to Execute a License Agreement with Darkside Productions, Inc.), so moved.”

Councilwoman Kent: “Seconded.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #744

Councilwoman Kent: “Authorization to Publish Advertisement for Chapter Coach Transportation 2018 for the Town of Riverhead, so moved.”

Councilman Wooten: “I’ll second.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #745

Councilman Wooten: “Notice to Bidders for Heating Fuel, so moved.”

Councilwoman Giglio: “Second.”

Councilman Hubbard: “We may have to table this because I received information earlier today that the bids were opened up but we were able to get bids on the County bid for fuel oil at a tremendously reduced rate. So, we went out to bid, we received bids but then our purchasing department found out that we can join the bid from the County and from what I read briefly it looks like it’s about fifteen cents a gallon cheaper to purchase the fuel off the County bid then what we received on the bids that we sent out for. I’d like to make a motion to table this.”

Councilwoman Giglio: “I second.”

Supervisor Jens Smith: “I think this is supposed to go out, go out.”

Councilman Hubbard: “For new bids, ok.”

Supervisor Jens Smith: “Yeah, this isn’t accepting.”

Councilwoman Giglio: “And I think we can pull off from either one, whichever is less, either the county or the town.”

Councilman Hubbard: “Ok, I spoke with the Town Attorney’s office this morning. Ok, all right, then lets.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #746

Councilwoman Giglio: “Bid for Hardware Items, so moved.”

Councilman Hubbard: “Seconded.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #747

Councilman Hubbard: “Approves the Attendance of Two Police Department Employees to a Marine Patrol Vessel Operation Course (MPVOC), so moved.”

Councilwoman Kent: “Seconded.”

Councilman Hubbard “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #748

Councilwoman Kent: “Approves the Chapter 255 Application of Chicken Kidz, Inc. (Children’s Retail Consignment Event – September 19 through 23, 2018), so moved.”

Councilman Wooten: “I’ll second.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #749

Councilman Wooten: “Authorizes the Acceptance of Donations for K-9 Related Expenses, so moved.”

Councilwoman Giglio: “Second”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard.”

Councilman Hubbard: “Yes, I really appreciate the community’s outpouring with this. Juan (inaudible) and Colleen O’Brien and Island Federal Credit Union along with other individuals made tremendous donations to the town in the tragic situation where we lost one of our K-9 dogs, Rocky, and it’s just something that makes all of us proud to be a member of the Town of Riverhead when you see the community come together in situations like this. So, I thank everybody very much and yes is my vote.”

Vote Continued: “Giglio.”

Councilwoman Giglio: “Ditto. Everything that Tim said and thank you for the donations. It will go a long way towards training and equipment and you know supplies and materials that K-9 will need in order to do its job, yes.”

Vote Continued: “Wooten, yes; Jens Smith, yes and once again I echo everybody’s comments, thank you. Resolution adopted.”

Resolution #750

Councilwoman Giglio: “Ratifies the Authorization Allowing On-Site Productions to Provide Additional Audio-Visual Production Services for the Town Board, so moved.”

Councilman Hubbard: “Seconded.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #751

Councilman Hubbard: “Accepts the Resignation of a Part-Time Legislative Secretary, so moved.”

Councilwoman Kent: “Seconded.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

Resolution #552

Councilwoman Kent: “Accepts Donation of Additional Plants from Riverhead Home Depot, so moved.”

Councilman Wooten: “I’ll second.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent.”

Councilwoman Kent: “Once again thank you to our generous community. I vote yes.”

Vote Continued: “Hubbard, yes absolutely; Giglio, yes; Wooten, yes; Jens Smith.”

Supervisor Jens Smith: “Yes and Home Depot has been instrumental in providing plants for the train station cleanup so if you go by and you see all of the plants that are blooming there and the new plants that will be going in, Home Depot was instrumental in making that happen so thank you.”

Diane Wilhelm: “Resolution adopted.”

Resolution #753

Councilwoman Giglio: “Pay the bills, so moved.”

Councilman Hubbard: “Seconded.”

Councilman Hubbard: “Moved and seconded. Vote please.”

The Vote: “Kent, yes; Hubbard, yes; Giglio, yes; Wooten, yes; Jens Smith, yes. Resolution adopted.”

PUBLIC COMMENTS

Councilman Hubbard: “At this time we’d like to open up the microphone to anybody who has any comments for the Board. Sir step up and state your name and your affiliation and/or your place of residence.”

Art Binder spoke about the growth and traffic in Riverhead. Mr. Binder, who lives on Deephole Road in Baiting Hollow, stated that the road is an early farm road with no street lights at night, many blind spots and the sun in your eye’s morning and night. He feels the road is dangerous to joggers, bikers, walkers and residents and believes for the safety of all that the speed limit be reduced from 40 miles per hour to 25 miles per hour. Councilwoman Giglio said this matter will be brought up at the next Traffic Safety Committee meeting. Supervisor Jens Smith added that the town has written to the state to have the speed limit. The state reviewed the accident however they denied the request to reduce the speed limit. She continued by saying the town will continue to pursue the matter.

Marilyn Binder came to the podium and stated that she spoke to the State and was informed that Deephole Road is not a state road and therefore it is the town’s responsibility to look into the matter and determine if the speed limit should be reduced. Ms. Binder continued by saying she spoke to Chief Hegermiller two months ago and gave him the name of the person she spoke with at State along with the phone number she called. To date she has not heard from either the town or Chief Hegermiller in response to the information she had given him. Town Attorney Robert Kozakiewicz informed Ms. Binder that under the New York State Traffic Law the Town of Riverhead does not have the authority to set its own speed limits. When Ms. Binder replied to the contrary Mr. Kozakiewicz asked if she was given a section of law stating this because they’ve been trying for a number of years to get legislation adopted by the state that would allow towns like

Riverhead to set its own speed limits. Supervisor Jens Smith said they will review the matter again and then let Ms. Binder know their findings.

John McAuliff speaking on behalf of EPCAL Housing approached the podium. He said he had hoped that due to his letter regarding the EPCAL property the Supervisor would, at every Town Board meeting, give an update on what is happening with EPCAL. He said he had hoped that the status of the financial presentation that was made several weeks ago would have been either accepted or rejected or commented upon by the Board members or whether it is just on hold until the report by the Ethics Committee is made. He also wanted to know if there was any timeline on the ruling before the Ethics Board and an explanation as to why it is taking so long to reach a decision.

His next inquiry in his letter was whether there have been serious conversations with the town in Maryland and with the people in Miami who have also been dealing with the Gervais family.

He asked what the status is on the two above matters and whether there have been serious conversations and due diligence with other locations who have faced similar questions as to how to deal with them.

Councilman Hubbard said they are waiting for a decision from the Ethics Board before they, the Town Board, votes on whether CAT is qualified and eligible. He also stated that the Ethics Board works at its own pace adding that they did meet but a decision by them has not been made but when they, the Ethics Board does make a decision, the Board will then be able to proceed. He added that he has no idea when that might happen.

Sal Mastropaolo approached the podium stating that he had two editorial comments to make. He asked that the font be changed on the fiscal impact sheet so it fits on one page and that there was no schedule of future meetings in the packet and it was not printed on the back of the stapled sheet. Town Clerk, Diane Wilhelm stated that the future meeting dates will be added.

Sal commented that this was not an editorial comment but his opinion. He asked that if there should be a decision made on gambling in EPCAL that the matter be presented to the voters on election day and not made by one or more individuals but by all the tax payers in the town. He feels everyone should have a vote on anything relative to gambling.

Councilman Hubbard: “I wish everyone a good week and keep the people in North and South Carolina in your prayers. Can I have a motion to adjourn the Town Board meeting?”

Councilman Wooten: “Move to adjourn.”

Councilwoman Giglio: “Second.”

Councilman Hubbard: “All in favor?”

Collective ayes.

Councilman Hubbard: Town Board meeting is adjourned.”

Meeting Adjourned at 2:55 p.m.