

# Smithtown Town Board

## Regular Meeting

~ Minutes ~

Final

Smithtown, NY 11787  
[www.smithtownny.gov](http://www.smithtownny.gov)

Vincent Puleo  
(631) 360-7620

Tuesday, August 8, 2017

2:00 PM

Victor T. Liss Board Room

### CALL TO ORDER

The regular meeting of the Town Board of the Town of Smithtown was held in the Victor T. Liss Board Room, Town Hall, Patrick R. Vecchio Building, 99 West Main Street, Smithtown, New York on the 8th day of August, 2017 at 2:00 P.M.

Attendee Name	Title	Status	Arrived
Patrick R. Vecchio	Supervisor	Present	
Thomas J. McCarthy	Councilman	Present	
Edward R. Wehrheim	Councilman	Present	
Lynne C. Nowick	Councilwoman	Present	
Lisa M. Inzerillo	Councilwoman	Present	
Matthew Jakubowski	Town Attorney	Present	
Vincent Puleo	Town Clerk	Present	

### PUBLIC HEARINGS

#### **(RES-2017-865)**

The Town Board to consider a proposed amendment to Chapter 135 of Town Code, entitled "Dogs and Other Animals."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

### CORRESPONDENCE

2. Special Event - Borellas Farm Stand Fall Festival Third Reading
3. Parade/Run/Walk - Sgt John W. Cooke VFW Post 395 Veterans Day Parade First Reading

### I. RESOLUTIONS

1. **The Town Board to authorize the Town Clerk to advertise for the following bids to be returned to Town Hall, 99 West Main Street, P.O. Box 646, Smithtown, New York 11787, 11:00am on dates indicated:**

#### **(RES-2017-866)**

BID #17-070: Drainage Improvements at Clinton Avenue and Carow Place, St. James, August 24, 2017.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

#### **(RES-2017-867)**

Bid # 17-072: Demolition of two (2) Structures on Private Properties, September 21, 2017.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-868)**

Bid # 17-075: Truck - 10 Wheel with Dump Body, August 24, 2017.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-869)**

Bid # 17-062: Food Service Items, August 24, 2017.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-870)**

Bid # 17-071: Horizontal Wood Waste Grinder, August 24, 2017.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-871)**

Bid # 17-074: Polyethylene Bags, August 24, 2017.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**2. The Town Board to award the following bids and to authorize the purchase of associated goods/services:**

**(RES-2017-872)**

Bid # 17-059 for a Requirements Contract for Refuse Remediation from certain Private Properties to Watral Brothers, Inc. as per bid opening July 13, 2017 and to further authorize the Supervisor to sign an agreement on a form approved by the Town Attorney.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-873)**

Bid # 17-016 for Traffic Signal Installation to Commander Electric as per bids opened April 20, 2017 and to further authorize the Supervisor to sign an agreement on a form approved by the Town Attorney.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

### 3. The Town Board to approve the following:

Regular Meeting Minutes From Meeting Dated – Jun 22, 2017 7:00 PM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

Regular Meeting Minutes From Meeting Dated – Jul 11, 2017 2:00 PM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

Regular Meeting Minutes From Meeting Dated – Jul 25, 2017 10:00 AM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

#### (RES-2017-874)

Retention of services from John S. Goess Realty Appraisal, for a cost not to exceed \$3,450, for the purpose of preparing an appraisal for the possible acquisition of part of SCTM#: 800-6-1-6 on Sunken Meadow Road, Fort Salonga, pursuant the recommendation of the Planning Department.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

#### (RES-2017-875)

Adoption of Local Law #4-2017 Chapter 112 to amend the Town Code of the Town of Smithtown entitled "Chapter 112. Building Construction" as per public hearing held on July 11, 2017, SEQRA dated July 14, 2017 and pursuant to the recommendation of the Town Attorney.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

#### (RES-2017-876)

The Town Board to approve the levy of costs and expenses incurred by the Town in the amount of Forty Four Thousand One and 00/100 Dollars (\$44,001.00) in connection with the removal of violations pursuant to Chapter 112-25(A) of the Code of the Town of Smithtown, such levy to be made as against the real property situate at 943 Middle Country Road, St. James, Town of Smithtown, County of Suffolk, New York 11780 (SCTM#: 0800-114.000-02.00-024.000), reputedly owned by EDWARD J. RYAN, JR. and BRENDA MATTESON, per the recommendation of the Building Director and the Town Attorney.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-877)**

The Town Board to approve the levy of costs and expenses incurred by the Town in the amount of Thirty Four Thousand One Hundred Thirty Three and 00/100 Dollars (\$34,133.00) in connection with the removal of violations pursuant to Chapter 112-25(A) of the Code of the Town of Smithtown, such levy to be made as against the real property situate at 19 Walter Drive, Nesconset, Town of Smithtown, County of Suffolk, New York 11767 (SCTM#: 0800-170.000-0002-013.000), reputedly owned by JEANNE VERITY, per the recommendation of the Building Director and the Town Attorney.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-878)**

The Town Clerk to issue a Special Event permit to Borellas Farm Stand for their annual Fall Festival to be held at 485 Edgewood Avenue, St. James, NY on Saturday, September 30, 2017, Monday, October 9, 2017, and all Saturdays and Sundays in October 2017 from 11:00 A.M. until 5:00 P.M. subject to the conditions enumerated in the attached memorandum from Matthew V. Jakubowski, Town Attorney, dated July 6, 2017; and to notify the proper authorities.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-879)**

Modification of the Community Development Program Budget Year 42 to transfer \$43,000.00 from CD42-4 (Accessability Improvements to Disability Non Profits) and transfer \$43,000.00 to CD42-2 (Sidewalk Improvement Program) and further authorizes the Town Clerk to place a Public Notice in the Official Newspaper regarding authorization to modify budget line in Year 42 of the Community Development Block Grant; and further authorizes the Supervisor to sign any forms necessary to effect said budget modification.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-880)**

Town Attorney, or appropriate official, to enter into a stipulation of settlement or agreement and consent to the entry of an Order with regard to various tax certiorari matters (per the attached list) for various tax years, per recommendation of the Sole Assessor and Town Attorney.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-881)**

Fire Marshal Timothy Clark & Matthew Raia of the Department of Public Safety to attend the Fire/Arson Investigation Course at New York State Academy of Fire Science,

600 College Avenue, Montour Falls, New York from Monday, September 18th through Friday, September 29th at a total cost of \$565.00 each, and use of a town vehicle.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-882)**

Fire Marshal Matthew Raia of the Department of Public Safety to Attend the Introduction to Fire Investigation Course at New York State Academy of Fire Science, 600 College Avenue, Montour Falls, New York on Monday, August 28th at a total cost of \$200.00, and use of a town vehicle.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-883)**

Amendment to Resolution No. 2017-335 adopted by the Town Board on March 3, 2017 to increase the amount of Dr. Susan P. Zollo's fees for veterinary services to not to exceed \$50,000.00.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-884)**

Amendment to the 2017 Highway Road Program to add Old Mill Road and Long Beach Road in Saint James.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-885)**

Amend resolution #2017-650 to request Assemblyman Michael J. Fitzpatrick and Senator John Flanagan to introduce legislation to authorize alienation of 4,000 square feet of parkland via land transfer to Suffolk County, and an access easement from NYS Route 25A to the proposed pump station, to facilitate the placement and operation of a sewer pump station located at the Parks, Building & Grounds Department, 100 Rt. 25A, Kings Park per the attached plan prepared by the Planning Department in January, 2017.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-886)**

Amendment to Resolution #2017-107, adopted by the Town Board on February 7, 2017 regarding Agreement with Commack Volunteer Ambulance Corps. for emergency medical and ambulance services to amend total fee for 2017 calendar year to \$1,522,614.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**4. The Town Board to authorize the Comptroller to execute the following:**

**(RES-2017-887)**

Increase account B.3311.0451 (Motor Vehicle Maintenance) in the amount of \$4,870.00; and Increase account B.0000.2665 (Sale Of Surplus Equipment) in the amount of \$4,870.00(Traffic Safety)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-888)**

Increase account A.0000.2705 (Gifts And Donations-) in the amount of \$400.00; and Increase account A.7315.0494 (Special Programs) in the amount of \$400.00(Youth Bureau)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-889)**

Increase account H05.0000.2769.00000267 (Reimb PSEG Rebate Retrofit LED Lighting Recycling Buildings) in the amount of \$20,000.00; and Increase account H05.9901.0900 (Transfers to Other Funds) in the amount of \$20,000.00 and further authorize the transfer from H05.9901.900 into A..5031 for \$20,000.00(MSF)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-890)**

Increase account H05.0000.3910 (State Aid Environmental Conservation) in the amount of \$5,000.00; and Increase account H05.9901.0900 (Transfers to Other Funds) in the amount of \$5,000.00 and further authorize transfer from H05.9901.0900 into A..5031 for \$5,000.00(Public Safety)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-891)**

Transfer from account A.7317.0410 (Supplies) in the amount of \$3,000.00; and Transfer to account A.7317.0449 (Printing) in the amount of \$3,000.00

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-892)**

Transfer from account A.1620.0140 (Snow Remov. Overtime) in the amount of \$20,000.00; and Transfer to account A.7110.0413 (Parks Supplies) in the amount of \$20,000.00; and Transfer from account A.1620.0210 (Office Equipment) in the amount of \$2,000.00; and Transfer to account A.7110.0413 (Parks Supplies) in the amount of \$2,000.00; and Transfer from account A.1620.0434 (Copy Machine Rental) in the amount of \$2,000.00; and Transfer to account A.7110.0413 (Parks Supplies) in the amount of \$2,000.00 (Parks).

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-893)**

Transfer from account H02.5112.0261.00000332 (Road Improvements CP17 Road Improvement Program 2017) in the amount of \$203,000.00; and transfer to account H02.5112.0262.00000332 (Curb Improvements CP17 Road Improvement Program 2017) in the amount of \$203,000.00. (Highway)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-894)**

Increase account A.0000.1551 (Animal Shelter-S/N & Microchip Fees) in the amount of \$3,097.00; and Increase account A.3510.0485 (Veterinary Expenses) in the amount of \$3,097.00(Animal Shelter)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-895)**

Transfer from account A.3510.0434 (Copy Machine Rental) in the amount of \$300.00; and Transfer to account A.3510.0446 (Uniform Allowance) in the amount of \$300.00(Animal Shelter)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**5. The Town Board to authorize the Supervisor to execute the following on a form approved by the Town Attorney:**

**(RES-2017-896)**

Extension of agreements for one year to August 13, 2018 for use of Edward Mankuski Fire Training Center by Fire Districts and Village of Nissequogue as per the attached list.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-897)**

Agreement with Landscape Structures, Inc. to Furnish and Install a Splash Pad Safety Surface at Charles Toner Park.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-898)**

Agreement with Pamela Kissoondhan, Nurse Practitioner to provide services to the Town as the Nurse Practitioner on Staff for Horizons Counseling & Education Center.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**6. The Town Board to authorize the acceptance of the following:**

**(RES-2017-899)**

JP Morgan Chase check 1734912218 in lieu of a performance bond, in the amount of \$5,085.00 (Planning Receipt # 043321) (Comptroller ID#17072700 ) and a check in the amount of \$500.00 (Planning Receipt #04333) (Comptroller ID #17073100) posted by Peter Morris d/b/a PSM Long Island Corp., 190 Laurel Rd., East Northport, NY 11731, and a cash deposit in the amount of \$500.00 (Planning Receipt 04332) (Comptroller ID#:17072800) posted by Peter Morris d/b/a PSM Long Island Corp., 190 Laurel Rd., East Northport, NY 11731 for subdivision known as #1064 Miranda Estates. Certificate of Insurance: Southwest Marine General Inc., Expiration 3/10/2018

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-900)**

Accept the \$100 check donation from Christine and Joseph Laurentino (Ck# 1892, Rec# 177031) (Animal Shelter)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**7. The Town Board to authorize the release of the following:**

**(RES-2017-901)**

Bank of Smithtown passbook #010503134 (now known as Peoples United Bank) in lieu of a performance bond, in the amount of \$5,585.00 posted by Janet Miranda, 4116 Colonel Vanderhorst Circle, Mt. Pleasant, SC 29466 and a cash deposit in the amount of \$500.00 (Planning Receipt 030043) (Comptroller ID# 04063000 ) Janet Miranda, 4116 Colonel Vanderhorst Circle, Mt. Pleasant, SC 29466 (new address) for subdivision known as #1064 Miranda Estates.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**8. The Town Board to authorize the Town Clerk to advertise for the following Request For Proposals to be returned to Town of Smithtown Purchasing Department, 65 Maple Avenue, Smithtown, New York 11787 until 4:00 p.m. on the dates indicated:**

**(RES-2017-902)**



RFP #17-069: Planning and Implementation of an Enterprise GIS, August 31, 2017.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-903)**

RFP #17-079: Design Plan for Downtown Kings Park, September 7, 2017.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**9. The Town Board to approve settlement in the following matters per recommendation of the Town Attorney:**

**(RES-2017-904)**

Gary Raia v. Town of Smithtown in the amount of \$150.00.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-905)**

Christine Zambito v. Town of Smithtown in the amount of \$165.21.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-906)**

Lori Carragher v. Town of Smithtown in the amount of \$1,210.41.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**II. PERSONNEL**

**1. The Town Board to approve the following Personnel matters:**

**(RES-2017-907)**

Part time appointment of Christine D'Aurizio to the position of Senior Account Clerk in the Horizons Department, at a rate of pay of \$16.05 per hour, not to exceed 1/2 the normal work week, effective August 14, 2017.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-908)**

Part time appointment of Michael Childs to the position of Ordinance Inspector in the Public Safety Department, at a rate of pay of \$19.14 per hour, not to exceed 1/2 the normal work week, effective August 14, 2017.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-909)**

Full time appointment of Matthew Meszaros to the position of Planner in the Planning & Community Development Department, at a rate of pay of \$25.51 per hour, subject to a 26 week probationary period, effective August 9, 2017.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-910)**

Change the termination dates for the seasonal appointments of Daniel Conroy from 10/1/17, Matthew Piccininni from 9/10/17 and George Gonatas 8/4/17 in the positions of Laborers to 12/1/17.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-911)**

Medical Leave of Absence for Employee ID #004272, in the Department of Parks, Buildings & Grounds, for a period not to exceed 3 months, effective on August 1, 2017.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-913)**

Promotion of Dana Levanti to the position of Senior Account Clerk Typist in the School Age Child Care Department at a rate of pay of \$29.19 per hour, subject to a 12 week probationary period effective August 14, 2017.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Edward R. Wehrheim
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-912)**

Full time appointment of Joanne Overton to the position of Clerk Typist in the Engineering Department , at a rate of pay of \$17.50 per hour, subject to a 26 week probationary period, effective August 14, 2017.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-914)**

Promotion of Edward Spinella to the position of Construction Equipment Operator in the Department of Parks, Buildings and Grounds, at a rate of pay of \$40.09 per hour, subject to a 26 week probationary period, effective August 9, 2017.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-915)**

Salary Increase for Barbara Bombace, Rec aide II in the Recreation Department, to a rate of pay of \$15.00 per hour, not to exceed 1/2 the normal work week, effective 8/9/17.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-916)**

Full time appointment of Dominick Gaudio to the position of Laborer in the Department of Parks, Buildings & Grounds at Hoyt Farm, at a rate of pay of \$17.50 per hour, subject to a 52 week probationary period, effective date pending satisfactory pre-employment medical exam and drug screen results.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-917)**

Full time appointment of Kenneth Jones to the position of Laborer in the Department of Parks, Buildings & Grounds, at a rate of pay of \$17.50 per hour, subject to a 52 week probationary period, effective date pending satisfactory pre-employment medical exam and drug screen results.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**III. THE TOWN BOARD TO AUTHORIZE THE FOLLOWING AMENDMENT(S) TO THE UNIFORM TRAFFIC CODE AND AUTHORIZE THE TRAFFIC SAFETY DEPARTMENT TO INSTALL AND MAINTAIN THE NECESSARY SIGNS:**

**(RES-2017-918)**

Schedule J- Parking, Standing & Stopping

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**READ ON****(RES-2017-919)**

Agreement with the Smithtown Administrators Guild (SAG) concerning the oversight of the Animal Shelter Supervisor position by the Public Safety Director; and to further authorize amendment to the Collective Bargaining Agreement with SAG concerning the salary of the Public Safety Director.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**(RES-2017-920)**

Amendment to the Smithtown Landing Country Club Agreement with Michael Hebron

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

**TO BE HEARD**

SUPERVISOR VECCHIO: Meg Shutka.

MEG SHUTKA, 5 HITHERBROOK ROAD, ST. JAMES: Good afternoon, Meg Shutka, Hitherbrook Road, St. James. I just wanted to make you aware that there is a Legislative Resolution in the New York State Senate declaring September 16, <sup>2017</sup> as Microvillus Inclusion Disease Awareness Day.

SUPERVISOR VECCHIO: Can you repeat that?

MEG SHUTKA: It's Awareness Day, September 16, 2017.

SUPERVISOR VECCHIO: No, the Resolution name.

MEG SHUTKA: The Resolution is Microvillus Inclusion Disease Awareness Day in the State of New York and I would like the Town to also consider that day for Microvillus Disease awareness and the reason I'm asking this is because this was brought forward by a family that lives in Nassau County, with a son that is three years old. Microvillus Inclusion is a disease that is very rare, one in forty-million children are born with it. These children cannot absorb nutrients from food. They have to be fed from IVs. Unfortunately, there is a little boy in Kings Park named Bradley Edwardshucker, my grandson that also has this disease. He is seven years old. When he was born we were told, his parents were told, he would not live pass nine months. So, it's a miracle he is still alive and he is doing well. I wanted the Town Board to know this and also maybe recognize this disease. We are not asking for any money. There are two foundations, the one in Nassau County raises money for research and the one in, which is actually based in Florida started by my daughter who is in the Navy, we raise money for gift cards for the children. I'm not asking for money, I'm just asking for the Town Board to maybe consider this day as a special day in the Town of Smithtown being that there is a child also in Kings Park with this. There are about four children in the United States with this disease and I think about six children worldwide. That's how rare it is. There is no funding for cures for this. So, luckily this family has raised some money which I believe they are sending over to Switzerland because somebody is researching it. So, hopefully they will find a cure but, at this point there is nothing. I also, in a happy note, I would like to thank the Town Board for those wonderful concerts at the library and the beach. They are so much fun and they are great bands. I am also glad Summer Nights, the last night is tomorrow night. Yes, it does affect the businesses but, as my daughter-in-law who is the mother of this child says, "We choose happiness." Thank you.

SUPERVISOR VECCHIO: Thank you.

SUPERVISOR VECCHIO: Corey Geske.

COREY VICTORIA GESKE, 73 ATTERBURY DRIVE, SMITHTOWN: Corey Victoria Geske, 73 Atterbury Drive, Smithtown. Supervisor, Members of the Board speaking of signs, today I wanted to bring to your attention news of the proposed Town Hall National Register Historic District that appeared in the Smithtown News and my July 13<sup>th</sup> letter "Sign of the

Times" will brief you on the tourist signs that have been installed east and west of Town Hall and the Arthur House for George Washington's Spy Trail. The Arthur House is Main Street's only Revolutionary-era house on the 25A Spy Trail which turns north at the Library. The Spy Sign Project led by the Ward Melville Heritage Organization and North Shore Promotion Alliance required a Resolution that passed the State Senate and Assembly in May recognizing the contribution of America's first espionage network The Culper Spy Ring, Washington's chief operative Culper, Sr. was Abraham Woodhull of Setauket whose daughter Mary Woodhull Arthur called the Arthur House on West Main her home. That is a fact that now needs to be broadcast. Her family tree included William Floyd, signer of the Declaration of Independence. The Spy Trail would not exist if not for the father of Mary Woodhull Arthur of Smithtown, a true daughter of the American Revolution. According to Long Island Business, "more than one million tourists travel 25A each year and tourism officials believe" the region's economy will benefit from those seeking to visit the Trail. I've asked the New York State DOT to consider adding another sign just east of the bull, on West Main to inform travelers from 25 and 25A they're on the Trail. So, Smithtown is now one of the first Towns that have requested additional signage. These are vital signs; vital being the root of revitalization. They signal revitalization of downtown Smithtown has begun. Right now, Congressmen Suozzi and Zeldin are cosponsoring H.R. 3514 designating Washington's Spy Trail as a National Historic Trail. H.R. 3514 was introduced on the Floor of the House just days ago and is now in Committee. The National Historic Trail would guide tourists right to the center of the proposed Town Hall National Register Historic District in downtown Smithtown. I'm asking you to draft a Resolution to explore establishment of the Town Hall National Register Historic District with the application process to be expedited by the Town Planning Department in cooperation with SPLIA, New York State's Historic Preservation Office and the community. Let Smithtown lead the way, in a big way, capitalizing on its own special history and world class architecture added to the heritage now being recognized at State and National levels for all Towns along the 25A Washington Spy Trail from Great Neck to Port Jeff. I'm asking you to make the most of the eight month head start I gave the Town when first proposing this National District which offers a critical component in a master plan for Smithtown's vital future. Please add local support to this historic effort. Any questions?

SUPERVISOR VECCHIO: No. Thank you.

COREY VICTORIA GESKE: I have copies of the article and this is the proposal, Mr. Vecchio.

SUPERVISOR VECCHIO: Okay, thank you.

COREY VICTORIA GESKE: Thank you.

SUPERVISOR VECCHIO: William Holst.

WILLIAM HOLST, 47 NICHOLS ROAD, NESCONSET: Good afternoon, I'm William Holst, H-O-L-S-T, I was before you the end of April talking about the Budget process specifically the Capital Budget. I read, that it was reported last month that the Supervisor asked all the Department Heads to provide their budget requests on or before August 4<sup>th</sup>. And, I also noted that it was reported that the Town Comptroller said that in conjunction with that request that there was a process that he was working on to have the Capital Budget requests also supplied on or before that date. So, it would be a coordinated effort between the Capital Budget and the Operating Budget. So, when I spoke in April, I was talking about how the Town Board as a whole could have a Citizens Advisory Committee in terms of Capital Budget if you're combining both Budgets I would suggest that there be an open Citizens Advisory Committee on the budget process and that there be the opportunity, real opportunity for public input. I know that school districts do that, it's done at other governments that there be this open process. I think that not only would it be good for the public to have their input but, I think that what I witnessed between April 27<sup>th</sup> and May 7<sup>th</sup> where suddenly there was another item that was left off the Capital Budget and there was confusion among the Members of the Town Board, I think it would not just be good for the public, it would be good for the Members of the Town Board in terms of having an open process. The process as you may recall was so bad between April 27<sup>th</sup> and May 7<sup>th</sup> that there was the Smithtown News Editorial of May 11<sup>th</sup> noted the failure of the

current Board to “understand even the basics of the Town Budget.” I don’t think that the Town Board really wants to project that image that they’re not communicating with one another, they’re not opening things up to the Public. So, this would be a real opportunity and I would ask that members of the public and members of the press upon request be given copies of what the Department Heads requested on or before August 4<sup>th</sup> and that there be a Citizens Advisory Committee set up so we can have the process be not just more transparent for the public but also that it works better for the Town Board as a whole. So, I would hope that you would consider those requests and particularly in light of the fact of any sort of combination of a Capital Budget and the Operating Budget. This would seem to be the time to consider that. Thank you very much.

SUPERVISOR VECCHIO: Thank you.

SUPERVISOR VECCHIO: Patty Stoddard.

(PATTY STODDARD DID NOT SPEAK)

SUPERVISOR VECCHIO: Amy Fortunato.

(AMY FORTUNATO DID NOT SPEAK)

COUNCILMAN MCCARTHY: John Urbancik.

JOHN URBANCIK, 31 CYGNET DRIVE, SMITHTOWN: Good afternoon Town Board. Here to bring a few things up. My first is <inaudible 20:08> Mel Cohen’s investigation George Beatty. I did a FOIA Request of George Beatty making Karen keep the luncheonette freezer with the dead animals and Mel Cohen’s investigation and the FOIA Request came back denied, see explanation on back. The back of the paper was empty. I have two phone calls in to Matt with no return phone calls yet.

SUPERVISOR VECCHIO: Continue.

JOHN URBANCIK: Well, I want to know why I’m being denied my FOIA Request.

SUPERVISOR VECCHIO: You don’t ask questions here. You put it in writing and you will get the answer from the Town Attorney.

JOHN URBANCIK: Okay. I’ve been getting notifications that the dogs have not been getting walked. One of the reasons why Sue Hansen was terminated was because she had the workers walking the dogs. So, the workers of the Shelter are not allowed to walk the dogs. I went out there yesterday and did a live video, unannounced, showed up, I was there for half an hour and there were two dog pens outside visible from the street and no dogs in either pen. Not one dog entered or left the building. Can we hire someone specifically to walk the dogs? Since the employees cannot walk dogs then you’re not relying on volunteers that might not show up that day.

COUNCILWOMAN INZERILLO: I was there yesterday, not when you were there and there were dogs being walked and there were dogs in the, in that area over there. I’m there three to four days a week and I see a different story.

JOHN URBANCIK: I’m just saying what I saw yesterday. I want to continue on because they didn’t stop the clock when others were speaking. Many people have been telling me....

SUPERVISOR VECCHIO: You have a minute and twenty-four seconds.

JOHN URBANCIK: There are a lot of these spas going on in the neighborhood. People have been in boxing me telling me that there have been like prostitution and brothels. I spoke to Mr. Wehrheim yesterday, there is one above a nursery school, down on Main Street across the street from Capital One Bank the address is 109 D. There is a sign that says “open” and it doesn’t tell

you what they're doing so if it was a legitimate business, I think they would have a sign. There is a wig salon down in Commack, 1088 there again, it is heavily guarded with cameras and people and neighbors have said that they actually spoke to you in Rudy's gas station, personally spoke to you and you haven't done anything about it. Mr. Wehrheim said that he would look into it. Again, it's 1088 on Commack Road, it's above the wig salon.

COUNCILMAN WEHRHEIM: Both of those addresses Mr. Urbancik, after we spoke, have been turned over to the Public Safety Department for investigation along with the Suffolk County Police.

JOHN URBANCIK: Thank you very much, and I have another thing...

COUNCILWOMAN INZERILLO: If you see anything you can call the Police as well.

JOHN URBANCIK: I've reported some action. Main Street, there is a bus stop right outside here a block up where there are weeds that are five foot tall, there are pictures on helping dogs and cats. On Belle Meade Avenue, they're eight feet tall. There is a broken sidewalk outside the Fred Astaire Dance Studio, the curb is sunken in, the red pavers, a dangerous situation, three feet deep. You could fall and also those pictures are on helping dogs and cats for everyone to see. We need to clean up Main Street, there are broken curbs everywhere.

SUPERVISOR VECCHIO: You're finished Mr. Urbancik, your time is up. Thank you.

SUPERVISOR VECCHIO: Amy Fortunato.

(AMY FOTUNATO DID NOT SPEAK)

SUPERVISOR VECCHIO: I'll move to close the Hearing.

COUNCILMAN MCCARTHY: Second.

**ADJOURNED**

The following motion was offered by Supervisor Vecchio and was seconded by Councilman McCarthy:

BE IT RESOLVED, that the Regular Meeting of the Town Board of the Town of Smithtown, held at the Town of Smithtown Town Hall, Patrick R. Vecchio Building, Victor T. Liss Board Room, 99 West Main Street, Smithtown, NY on the 8th day of August, 2017 at 2:00 PM, is hereby adjourned.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick R. Vecchio, Supervisor
<b>SECONDER:</b>	Thomas J. McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Nowick, Inzerillo

TIME: 2:24 PM

FILED: \_\_\_\_\_

\_\_\_\_\_  
VINCENT PULEO - TOWN CLERK  
TOWN OF SMITHTOWN