

3/01/2011

Minutes of a Town of Riverhead water district meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, March 1, 2011 at 2:00 p.m.

**PRESENT:**

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

**ALSO PRESENT:**

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

**ABSENT:**

George Gabrielsen,	Councilman
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Resolution #154

Councilwoman Giglio: "Resolution calling for a public hearing regarding lateral water main extension for G&Z Retirement Community subdivision. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Meeting adjourned

Minutes of a Town of Riverhead board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, March 1, 2011 at 2:00 p.m.

**PRESENT:**

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

**ALSO PRESENT:**

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

**ABSENT:**

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(The Pledge of Allegiance was recited)

Supervisor Walter: "Thank you. Deacon Michael Bonocore is going to say our invocation and then we're going to say a few words about Deacon Bonocore."

Deacon Bonocore: "Let's begin as we always do: In the name of the Father, the Son and the Holy Spirit. Amen."

God of power and might, wisdom and justice, through you authority is administered, laws are enacted and judgments are rendered.

I ask you to assist with your spirit of counsel, wisdom and justice the members of the Riverhead town board. Give them wisdom in every decision. Help them to think clearly. Grant them discernment and common sense so they will be strong, effective leaders.

Guide them to follow your principles and not their own for their decisions greatly impact the lives of those who live in this community.

And finally, Father, I ask that you watch over and bless those who protect and serve this community, the members of our police department and our fire department. Protect them from all harm and lead them safely home to their loved ones.

We ask this in your name, Amen."

Supervisor Walter: "I'd like to have the town board, if the chief of police would come up, and I want to introduce you. Deacon Michael Bonocore is the gentleman we appointed to be the police chaplain. I don't know— some of you have met him, some of you have not. He's also the Riverhead fire department chaplain."

(Some inaudible comments)

Supervisor Walter: "I don't think if we've ever had a police chaplain. I don't know if you want to say a few words about where Michael Bonocore comes from."

Chief Hegermiller: "Yeah. Supervisor, I think this our first chaplain at least for me. I've been here for 39 years, so it's the first time that I know of that we've had a chaplain and I know Deacon Bonocore here for a long time, probably about close to 10 years.

His children and my children were actually in some of the same grades at St. Isidore's School. Mike is a great guy; he's a family guy. He's got three beautiful daughters, married to his lovely wife, Raina (phonetic). He's Mr. Insurance by trade, correct."

Supervisor Walter: "And by e-mail."

Chief Hegermiller: "And by e-mail, too. He's got a Masters in Theology and education and he actually took the hard course in (inaudible). So he's a first class guy here.

He (inaudible) counseling, (inaudible), Nassau County PD. What else do you have there?"

Michael Bonocore: "I'm a member of the New York State Fire

Department Chaplain Association."

Chief Hegermiller: "He's also a Riverhead fire department chaplain. But most of all, what's great about Mike is that he's a regular guy and he's got a motorcycle, and he usually wears a do rag, that's how we all know him. Doesn't have that on today.

But what's really great is when you talk to Mike, he makes you feel really good. And we're very fortunate to have him as our (inaudible)."

Michael Bonocore: "Well, thank you. I love Riverhead. I love the community. I love the fire department and I love living here, so to serve this way is an honor. So thank you very much."

Supervisor Walter: "Thank you, Mike. We have one other— you know, these microphones actually work. You're picking that up and that's a good thing because the other ones don't work that well.

We have another special guest. Buster is going to be coming in. Can we bring Buster back?

In our attempt to adopt dogs at the animal shelter, Buster is a returning dog and we didn't get Buster adopted and I think the owner of Buster is in this room some place.

Come on, look at this dog. How old is Buster? Buster is about six years old. He's a good dog, good with kids and with other dogs, doesn't necessarily want to be on that leash. He's housebroken and likes Denise Civiletti. I think you have a couple dogs."

Denise Civiletti: "I have three."

Supervisor Walter: "I was going to say you can't have three, you should have four. So if we— if anybody in our listening audience wants to come to our animal shelter, Buster is available for adoption. He's a good dog and he just wants to get out in the yard and run.

Anything else we need to know about Buster? Good with other animals. Good with kids, good with animals. Come on. Somebody in this room wants that dog. Come on. All right. Thank you very much.

All right. Everything all right? We are one council member short. George, Councilman Woodson had a death in the family- Gabrielsen, excuse me, Gabrielsen. There's too many Georges. Councilman Gabrielsen had a death in the family and is upstate. I think the funeral is actually today. So we- the town attorney is here. We wish him and his family the best.

All right. Can we get a- "

Councilman Dunleavy: "Can I make a motion we approve the minutes of the February 15, 2011 meeting. So moved."

Councilman Wooten: "I'll second."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The minutes are approved."

Supervisor Walter: "Okay. Applications, Diane."

#### **APPLICATIONS:**

Special event Permit  
Chapter 90

East End Arts Council Annual  
Community Mosaic street painting  
festival, May 29, 2011

Parade or Assembly  
Permit

Riverhead Central Faculty  
Association 5K run, April 30,  
2011

#### **REPORTS:**

Tax Receiver

total tax collection dated Feb.  
16, 2010 - \$64,228,699.42

Total tax collection dated Feb.  
24, 2011 \$64,334,170.46

Sewer District

discharge monitoring report,  
January, 2011

#### **CORRESPONDENCE:**

Jill Dejewski letter dated 2/16/11 - regarding Jamesport Manor Inn expansion of restaurant into catering facility

Antonio Valeri, ANV Realty Corp., Bohemia letter submitted 2/15/11 in support of the proposed wind turbine on sewer district property off Riverside Drive

14 letters submitted to the town clerk's office expressing concerns over the proposed wind turbine on sewer district property off Riverside drive:

Eva Salzman, Riverside Drive  
 David Zamber, River Avenue  
 Anthony Yarusso, River Avenue  
 James McAlister and Family, River Avenue  
 Beth Stefan-Peterson, Madison Street  
 Michael Walters and Tara Suswal, River Avenue  
 Elizabeth and Jerry Sobolewski, Riverside Drive  
 Ryszard Dubol, Riverside Drive  
 Barbara Vail, Brown Street  
 Eugene Frohnhoefer, Corwell Avenue  
 John Rather, Riverside Drive  
 Janet and Russell Burgess, Madison Street  
 Victoria and Albert Woolley, Riverside Drive  
 Lee Eskin, Riverside Drive

Diane Wilhelm: "There were 14, all regarding concerns for the wind turbine."

Supervisor Walter: "Okay. Thank you. Michael Walter with the "s", that's my father, but it's not.

Are there any reports from the board, committee?"

Councilman Wooten: "I remember I was watching television, I have a tendency to watch 22 when I have insomnia and I need to get some rest, but I- we had a discussion at a work session about the riverside- river front and whether it was called- "

Supervisor Walter: "We did get it."

Councilman Wooten: "We did research, right? We found out through the town historian it was, in fact, named after (inaudible) who lived where the Sears building is now. So actually the river front is named after her and it was done in the '90's. So it is called (inaudible)."

Supervisor Walter: "(inaudible) researched that for us. I called her up. I said who else is going to know this? All right. Any other committee reports? Okay. Then we will move to the— where is our town attorney?"

Councilman Wooten: "Probably at the department head meeting. It started at 1:00."

Supervisor Walter: "We will move to our first public hearing which is scheduled to start at 2:05."

Public hearing opened: 2:12 p.m.

Supervisor Walter: "2:05 having arrived, it is for the consideration of a proposed local law to amend Chapter 108 of the Riverhead town code, entitled zoning, Article XX, subdivision regulations, Section 108-97 major subdivisions.

And this public hearing is on to reduce the developer recreation fees from \$5,000 to \$3,000 and that's really the entire—the entirety of the public hearing.

Does anybody like to be heard on this matter? Yes, Sal."

Sal Mastropaolo: "Sal Mastropaolo, Calverton. Can you tell me why we're doing this? I mean costs are going up, not down. Why are we all of a sudden dropping it \$2,000?"

Supervisor Walter: "This was tied to land costs. When the town did the analysis of what it would cost to buy an acre of property, we were in a very steeply rising market and they— what they did is they tied the number of recreation credits if you will for subdivisions to the value of the land and they extrapolated out that it would be about \$5,000 for them to buy recreation credits-- instead of putting the recreation credit— it's not a credit, but paid recreation fees— instead of what the alternative is, you can put a recreation facility (inaudible) within the subdivision and since the land fees have drastically dropped, the board felt it was

incumbent that we should drop these— (inaudible) as well.”

Sal Mastropaolo: “Yeah, but the amount of available land has dropped as well, so with the supply going down, the price is going up. So I don’t understand why we’re dropping the fees.”

Supervisor Walter: “The price is not going up on the land, that’s the point. The price is going down on the land and these fees were tied to the price of the land.”

Sal Mastropaolo: “Okay. I have one other question.”

Supervisor Walter: “All right.”

Sal Mastropaolo: “About the fifth line up, it says the balance shall be payable in full on the second anniversary date. The balance of what? Are we taking partial payments at the beginning? It almost— after I read it, I almost thought you’re taking \$3,000 up front, and then the balance on the second anniversary.”

Supervisor Walter: “We’re not changing that part of the code and I know that’s not an answer but I’m just wondering if the entire section of the code is in here, just where these spaces are.

We’ve required them— the planning board is requiring these payments up front.”

Sal Mastropaolo: “That’s what I thought.”

Supervisor Walter: “Before your subdivision map is signed, they require the payments. They used to take and I think you can still do the passbook or CD but for the most part, the planning board is requiring them up front.”

Sal Mastropaolo: “Now is this going to open up a can of worms from people that have paid in the past demanding a refund?”

Supervisor Walter: “Sal, every time we do something, we open up a can of worms.”

Sal Mastropaolo: “Well, that’s my point. Why change it then?”

Supervisor Walter: "Well, because- "

Sal Mastropaolo: "Why not just leave well enough alone? I don't see all the builders in here- "

Supervisor Walter: "Well, it's time to- if you want to be truly fair about something, if this was tied to the value of land, we should continue to tie it to the value of land. If you- you don't want to just escalate your taxes and escalate your costs, there should be a point where the government can say, hey, wait a minute, costs have gone done. We should be able to reduce the costs as well.

I mean this is- I don't want to say this is a tax. It's not a tax. It's a fee. But I would think you actually of all people would be happy that we were reducing fees."

Sal Mastropaolo: "No. Because I don't see anything getting cheaper in the parks that we're going to put in and maintain. So why take away from the revenue portion of the town?"

Supervisor Walter: "You're entitled to that opinion."

Sal Mastropaolo: "Thank you."

Supervisor Walter: "Does anybody else wish to be heard on this matter? There being nobody, I will close- yes, sir. Do you want to talk about this public hearing?"

(Inaudible comment)

Supervisor Walter: "No. This is a public hearing on park and recreation fees."

(Inaudible comment)

Supervisor Walter: "Okay, sir, my- the chief of staff is going to talk to you. She'll take care of that and if there's a question you can come back.

Does anybody else want to speak on the issue of the park and playground fees? Not seeing anybody, we will close the public comment portion and leave it open for written comment until March 11<sup>th</sup>."

Public hearing closed: 2:16 p.m.

Left open for 10 days for written  
comment to March 11, 2011 at  
4:30 p.m.

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Supervisor Walter: "Okay. The next public hearing was  
scheduled for 2:10."

Public hearing opened: 2:16 p.m.

Supervisor Walter: "2:10 having come and gone, this is a  
consideration of a proposed local law to amend Chapter 108 of the  
Riverhead town code entitled zoning accessory apartments and this  
was— we were collecting a fee of \$150 but there was no provision in  
our code to collect a fee of \$150. Housekeeping.

Does anybody wish to be heard on this public hearing? Not  
seeing anybody, we will close this public hearing— the public  
comment portion and leave it open for written comment until Friday,  
March 11<sup>th</sup> at 4:30 p.m. in the town clerk's office."

Public hearing closed: 2:17 p.m.

Left open for 10 days for written  
comment to March 11, 2011 at  
4:30 p.m.

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Public hearing opened: 2:17 p.m.

Supervisor Walter: "Okay. Moving right along, the next public  
hearing is scheduled for 2:15, for the consideration of a proposed  
local law to amend Chapter 108 of the Riverhead town code, entitled  
zoning, Peconic River community PRC zoning use district, 108-147.

This section of the code was written in direct response to the  
New York State Department of Environmental Conservation designating  
a portion of West Main Street into a community river designation so  
things like the Blackman plumbing project can be constructed. So

we're adopting this section of the town code to sort of mirror what is allowed in the community rivers act designation from the DEC.

Does anybody wish to be heard on this one? Trying to extend it out so we get to 2:20 for the next one."

Councilwoman Giglio: "This is actually a little more lenient but this is what they gave Blackman plumbing. (Inaudible)."

So we're trying to make it so people want to come to West Main Street and build businesses, bed and breakfasts, restaurants."

Supervisor Walter: "Something. Take down those old buildings and give us something nice."

All right. We will close the public comment portion of the meeting and leave this open for written comment until March 11<sup>th</sup> at 4:30 p.m. in the town clerk's office."

Public hearing closed: 2:18 p.m.

Left open for 10 days for written comment to Friday, March 22, 2011 at 4:30 p.m.

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Supervisor Walter: "Okay. The next public hearing is scheduled to take place at 2:20 and 2:19 having arrived, we will read it and then open it."

This is for the consideration of a proposed local law to amend Chapter 101 of the Riverhead town code entitled Vehicles & Traffic, Section 101-8- these are weight limits on Connecticut Avenue, Line Road, River Road, Wading River Manor Road.

And, John, before we open it, do you want to- "

Councilman Dunleavy: "This is to protect our roadways. Our roadways are not built like the state and the county roads. They're not six inches thick and we have heavy trucks that are rolling up on our town roads from the expressway to EPCAL."

So it is disturbing for someone sleeping at 3:00 in the morning

to hear a truck run past their house.

So what we're doing is we're restricting those large trucks from using the town roads from the expressway to EPCAL."

Supervisor Walter: "I'm just commenting and the two of you are so tan from vacation. I on the other hand will say it's 2:20."

Public hearing opened: 2:20 p.m.

Supervisor Walter: "And so we'll open the public comment portion of the hearing.

Does anybody wish to be heard on this? I don't see anybody."

Councilman Wooten "Is this current weight still eight tons, I don't know if it was 18,000; 16,000- "

Councilman Dunleavy: "It was 18,000. But there's a mistake here, it's 18,000."

Councilman Wooten: "Is it 16 in the code? Yeah, I see that. All right. I have to look at it."

Supervisor Walter: "Okay. Well that's- it's eight tons, the eight tons is correct."

Councilman Dunleavy: "Yeah, the eight tons."

Supervisor Walter: "So, that 16 has to be changed. That's not- "

Councilman Wooten: "No. Well, eight tons is 16."

Supervisor Walter: "Unless it's metric tons. Okay. We're just moving right along here. We have three more public hearings we can't even start yet, so I will leave this- we'll close the public comment portion of this and leave it open to written comment until March 3<sup>rd</sup>."

Public hearing closed: 2:21 p.m.

Left open for 10 days for written comment to Friday, March 22, 2011

at 4:30 p.m.

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Supervisor Walter: "Bob, for the next three, if we move onto some other things, can we open up the next three all at the same time, if we wait to 2:45. They're all pretty much exactly the same thing."

Robert Kozakiewicz: "I don't see any reason why we couldn't."

Supervisor Walter: "Okay, so we're going to move on to public comments on the resolutions and at 2:35 we'll cut that off and then we'll do the-- we will open three public hearings at 2:35."

Does anybody wish to be heard on the resolutions? Sal, if you didn't stand up, I don't know what we would do for 10 minutes."

Sal Mastropaolo: "Okay, Resolution #5, the CDA one. You just have a typo in the fourth line of the second whereas."

Supervisor Walter: "Fourth line of the second whereas."

Councilman Wooten: (Inaudible)

Sal Mastropaolo: "Yeah."

Councilman Wooten: "Okay."

Supervisor Walter: "Chris, did you get that?"

Sal Mastropaolo: "149."

Supervisor Walter: "Yes."

Sal Mastropaolo: "I guess the question is what are the chances that Suffolk County downtown revitalization funds are not going to be available?"

Supervisor Walter: "We have other funds. Chris, where are you? Oh, do you want to speak to that? We have other grant money, I think, that we could tap into for this, we thought."

Sal Mastropaolo: "So then you really don't want to say town

funds will be the source, right?"

Supervisor Walter: "What was our thought, Chris, on this? There was some other--"

Chris Kempner: "This is on the East End Art Council?"

Supervisor Walter: "Yes."

Chris Kempner: "We have-- the Suffolk County contracting process takes quite a while so it's (inaudible), just routing through the county and just because it's not fully executed for audit purposes, it is something, just language that we put in there that should the funds not be available we would use capital funds to complete the project."

Supervisor Walter: "Were there other grant monies that we talked about or am I confusing an e-mail-- "

Chris Kempner: "We are using other grant funds to supplement the project, but the total of the project is the Suffolk County grant funds plus the CDBG grant funds that we put towards the project.

We don't anticipate any problem with the county funds."

Supervisor Walter: "Okay. And if the county funds don't come through, are we going to be obligated to do this project?"

Chris Kempner: "We would be paying as capital funds but we've spoken with Chris Kent and it takes a very long time for the contract to route-- "

Supervisor Walter: "But would we be obligated to do it?"

Chris Kempner: "We're-- we've awarded the contract and we're issuing the purchase order."

Supervisor Walter: "Nice. So that would be a yes."

Chris Kempner: "It would be yes but technically with any grant funded project we are reimbursing the funds after we accept them."

Supervisor Walter: "Right. I think you have your answer, Sal."

Sal Mastropaolo: "Yeah. I guess what I heard is you're going to be loaning them the money until you get it back from the County. I was looking out for your interests. I know you don't have it in the budget."

151. There's a budget adjustment in here. I hope we're not spending \$40,000 just to spend \$700 in programs. Is that just a portion of the budget?"

Supervisor Walter: "No. What-- they have and Bill Rothaar, I don't know if you're here, Bill, on the-- just listen, you don't have to come up."

The BID did not spend money for several years and has a fund balance of some \$300,000. Is that where this money is coming from?"

Bill Rothaar: "Yes."

Supervisor Walter: "And so what is happening is they collect about \$111,000- \$112,000 a year. We've been allowing the BID to do more and so we're taking the \$50,000 out of the fund balance to do more and that's what this is doing."

Sal Mastropaolo: "So, all right."

Supervisor Walter: "We're overspending in the BID (inaudible)."

Sal Mastropaolo: "No, I guess my only concern was if you look at this, it almost looks like they're spending \$40,000 in advertising and \$700 in programs."

Supervisor Walter: "Well, they are spending \$40,000 in advertising."

Sal Mastropaolo: "But they're spending a lot more on programs?"

Supervisor Walter: "Yes, yes."

Councilman Wooten: "This is on top of the budget (inaudible)."

Councilwoman Giglio: "There was already money in the program account from last year (inaudible)."

Sal Masropaolo: "Okay. 158. There's no mention of a fee on the extension. I'm assuming that we do charge a fee. Usually we put down, you know, that a fee has been paid and deposited."

Supervisor Walter: "I don't think we charged a fee on the extension."

Sal Mastropaolo: "No? Okay. Maybe we should be looking at that."

Supervisor Walter: "You really want us to (inaudible)."

Sal Mastropaolo: "Well, it creates work. I mean-- "

Supervisor Walter: "Well, this one didn't. This really created-- this was just this resolution, a couple e-mails."

Sal Mastropaolo: "That's it."

Supervisor Walter: "There are two resolutions we're going to take off the floor. One is a-- to execute an agreement with an employee which we really can't give more than that.

And the other one is Councilman Dunleavy has been working on this Chapter 108 for assisted living communities so I don't know if anybody wants to comment on those. I don't know if they're on the back table but there are-- do you want to put that, Tara, the assisted living community one on the back table in case somebody wants to take a look at it?

Okay. Does anybody else wish to be heard on resolutions? Well, Diane, you know what, let's take public comment-- we are going to get in the middle of-- do you think we'll get them all done? All right. Let's take them up. Yeah, let's do them.

Chris, do you want to introduce the CDA?"

Councilman Dunleavy: "I'd like to close the town board

meeting. Make a motion to close the town board meeting. So moved."

Councilwoman Giglio: "And seconded."

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

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

Supervisor Walter: "That's known as the Civiletti vote."

Diane Wilhelm: "The town board meeting is closed."

Meeting adjourned

Meeting reopened

Diane Wilhelm: "The town board meeting is reopened."

Resolution #149

Councilman Dunleavy: "2010 East End Arts Council site improvement project budget adoption. So moved."

Councilman Wooten: "Second."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #150

Councilman Wooten: "150 is a budget adoption for the 2010 local government records management improvement project. So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #151

Councilwoman Giglio: "Business Improvement District budget adjustment. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #152

Councilman Dunleavy: "Awards bid for 23 foot pump out vessel. So moved."

Councilman Wooten: "Seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #153

Councilman Dunleavy: "Authorizes submission of Main Street grant program application. So moved."

Councilman Wooten: "Seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #154

Councilwoman Giglio: "Resolution calling for a public hearing regarding lateral water main extension for G&Z Retirement Community subdivision. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #155

Councilwoman Giglio: "Authorizes execution of contract with seed clam administrator. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes. The resolution is adopted."

Resolution #156

Councilman Wooten: "156 amends hourly rate of pay for certain part time employees. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "After speaking to the supervisor about these changes and the number of calendar days these people actually work, I will vote yes."

The Vote (Cont'd.): "Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. We're paying them less hourly because of one more day in this year than last year. I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #157

Councilwoman Giglio: "Approves request for a leave of absence. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #158

Councilman Dunleavy: "Extends special permit of Theodora Cohen single family residence. So moved."

Councilman Wooten: "Seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #159

Councilman Wooten: "Authorizes submission of Main Street grant application to the New York State Division of Housing and Community Renewal. So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #160

Councilwoman Giglio: "Authorization to publish advertisement for fertilizer and lawn chemicals for the town of Riverhead. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #161

Supervisor Walter: "Why don't we make a motion to table this one?"

Councilman Dunleavy: "I make a motion to table this resolution, 161. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded as to table."

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution 161 has been tabled."

Resolution #162

Councilman Wooten: "Accepts 100% security of Lowe's Home Center. So moved."

Councilwoman Giglio: "And seconded."

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

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

Councilman Dunleavy: "Yes. And I want to welcome them to the town of Riverhead."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #163

Councilwoman Giglio: "Authorizes the supervisor to execute an amended agreement authorizing the town to accept funds from Suffolk County Office for the Aging for the purpose of supplementing the town's supplemental nutritional assistance program. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #164

Councilman Dunleavy: "Offers support to New York State Legislature to amend the public authorities law in relation to the creation of the Peconic Bay Regional transportation authority, Senate Bill #S.1450/Assembly Bill #A.1403. So moved."

Councilman Wooten: "I'll second."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #165

Supervisor Walter: "It's the same one, one for the Senate, one for the Assembly."

Councilman Wooten: "Well, you know, it's different bill numbers."

This offers support to New York State Legislature to amend the general municipal law in relation to the creation of the Peconic Bay Regional Transportation Council and provide for the repeal of such provisions upon expiration thereof, Senate Bill #S.1459/Assembly Bill #A.1412. So moved."

Supervisor Walter: "Did you second it? I'm sorry. Who's seconding this one?"

Councilwoman Giglio: "Second."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #166

(Inaudible comments)

Supervisor Walter: "Okay, let's move out- move back. We're done with our time out. Where were we, Diane?"

Diane Wilhelm: "We're still at Resolution 166."

Supervisor Walter: "166, I'm at 165. Okay."

Councilwoman Giglio: "Authorize the town clerk to publish and post a public notice to consider a local law to amend Chapter 26 entitled Officers and Employees of the Riverhead town code, Article III and Article IV. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "Yes, and a public hearing."

The Vote (Cont'd.): "Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #167

Councilman Dunleavy: "Authorize the town clerk to publish and post notice to bidders for dry hydrated lime, calcium hydroxide). So moved."

Councilman Wooten: "I'll second."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #168

Councilman Wooten: "Authorize the town clerk to publish and post notice to bidders for corrosion control chemical (PO4). So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #169

Councilwoman Giglio: "Authorizes publication of display ad re attendance at Suffolk County Police Academy. So moved."

Councilman Dunleavy: "And seconded."

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

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

Councilman Dunleavy: "Yes. This is good. If anybody out there wants to be a part time police officer, this is their opportunity to go to the Suffolk County Police Academy and be certified. But you have to pay for your own attendance."

Supervisor Walter: "What do you mean good luck? You got-- the police academy."

Councilman Wooten: "Twice."

Supervisor Walter: "Are you a part timer?"

Councilman Dunleavy: "So moved. Yes. Whatever it is."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #170

Councilman Dunleavy: "Pay the bills. So moved."

Councilman Wooten: "Seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Supervisor Walter: "We have two we're going to take off the floor. I think there's one off the table. Tara, Resolution 166, can you put that on for work session, have Ann Marie brief the board about what that is. I mean, just, yeah. I want to bring everybody else up to date on it. We're only for a public hearing, but- we'll

be good.

Okay. So- "

Councilman Dunleavy: "I make a motion to take two resolutions off the floor. So moved."

Supervisor Walter: "Which are the resolutions authorizing the supervisor to execute an agreement with an employee which is 171.

And 172 will be authorizes the town clerk to publish and post a notice to consider a local law to repeal and replace residence RC district retirement community chapter 108 entitled zoning of the Riverhead town code.

So a second to take that off the floor."

Councilman Wooten: "I'll second to take off the floor."

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

The Vote: "Giglio."

Councilwoman Giglio: "I vote yes for the public hearing."

Supervisor Walter: "Well, we're taking it off the floor."

Councilwoman Giglio: "Oh, yes, to take it off the floor."

Supervisor Walter: "We're taking both off the floor."

Diane Wilhelm: "Okay, so that's what we're doing. So Giglio is yes?"

Councilwoman Giglio: "Yes."

The Vote (Cont'd.): "Wooten, yes; Dunleavy, yes; Walter, yes. The resolutions 171 and 172 are taken off the floor."

Supervisor Walter: "Okay. So let's vote on 171 and 172."

Resolution #171

Councilman Wooten: "Okay. Authorize- Resolution 171

authorizes the supervisor to execute an agreement with an employee. So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #172

Councilman Dunleavy: "Authorize the town clerk to publish and post public notice to consider a local law to repeal and replace Article XXII which is 23, residential RC district retirement community of Chapter 108 entitled zoning of the Riverhead town code. So moved."

Councilman Wooten: "I'll second."

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

The Vote: "Giglio."

Councilwoman Giglio: "I have a problem with this in that it still states that the property has to be within a certain distance of the sewer district and I think that if a certain property can accommodate senior housing, that we should take that into consideration, and also take into consideration the number of senior housing units that we're going to be needing over the next 10, 20 years to make sure that we have ample room for these types of facilities.

I think that this is excluding a lot of the local parcels. I don't think that's going to be enough but-- "

Councilman Dunleavy: "It's only for a public hearing."

Councilwoman Giglio: "I know. But every time we get to a public hearing, it always turns out that we make changes and then we have to republish and post and it always seems to be a problem. So-- "

Supervisor Walter: "I like it this way."

Councilwoman Giglio: "I know you do. I know."

Councilman Dunleavy: "If we make changes."

Supervisor Walter: "So that's why you have a vote. I don't want to see a retirement community in Wading River, Aquebogue or Jamesport. I want to see it in our commercially developed area like Route 58 and Route 25. I'd like to see one on West Main Street where it's sewerred. I don't want to see it in those other hamlets.

I think I might have made a comment in the master plan about what I thought about that point, I won't make that comment again.

So we have to vote. You're in the middle of the vote. That's right, that's a no. I shouldn't say that."

Councilwoman Giglio: "Well, I mean if my comments at the public hearing are going to be taken into consideration if they need to be-- if this needs to be changed, then I hope it won't be a problem."

Councilman Dunleavy: "Well, there's five town board members. If three of them want to change it, it will be changed. If three of them don't want to change it, it won't be changed. I mean that's what we are, the majority rules."

Councilwoman Giglio: "Okay, yes to the public hearing."

The Vote (Cont'd.): "Wooten."

Councilman Wooten: "What?"

Supervisor Walter: "Wake up down there."

Councilman Wooten: "Yes."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. The resolution is adopted."

Supervisor Walter: "You know, some people have told us we're rather entertaining. I don't know if that's true.

All right. Jim, did you want to- "

Councilman Wooten: "Yeah, I have one more I want to untable. I want to untable Resolution #122-- I move to untable."

Councilwoman Giglio: "I'll second."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution 122 is untabled."

Councilman Wooten: "Okay. I'd like to propose Resolution #122. We tabled it last time and I think it's important that we do it now, at least for the interim.

Appoints a part time animal control officer I to the animal control division of the Riverhead town police department. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

(Inaudible comment)

Public hearings opened: 2:43 p.m.

Supervisor Walter: "Okay. We have three public hearings. Dan McCormick, why don't you come up and I'm going to introduce them. You are the mover and shaker on these three. You can just give us a brief history.

We have three public hearings scheduled, one for 2:25, one for 2:30 and one for 2:35, and they are the consideration of a local-proposed local law to amend Chapter 37 entitled Retirement of the Riverhead town code, Article II, early retirement incentive program for eligible non-union full time employees.

And the same-similar public hearing scheduled for 2:30 and this is eligible full time employees who are members of the Civil Service Employees Association and at 2:35 is a similar retirement incentive and this is for eligible full time police officers who are

members of the Riverhead PBA.

If you want to just give us a brief description of what we're doing here and see if anybody wants to be heard."

Dan McCormick: "Yes, fine, Mr. Supervisor. As per town board directive and in recognition of current fiscal restraint, the board has directed that we again proffer the early retirement incentive program as the board has done back in October.

It is similar and actually the same in scope as to its intent to encourage individuals who are thinking about retirement to do so at this time with respect to two benefits, one involving continued medical coverage for the dependents— for themselves, excuse me, for a period of four years as well as a \$400 monthly stipend for four years effective from the actual date of retirement with respect to those particular options.

Again, the highlights involve those individuals who have 20 years of service with the respected agencies and are at least 55 years of age as of March 15<sup>th</sup> of this year.

In addition, as a condition they would have to submit their intent to retire no later than May 2<sup>nd</sup> to this board and be actually retired no later than the 26<sup>th</sup> day of May."

Supervisor Walter: "Okay, thank you, Dan."

Dan McCormick: "You're welcome."

Supervisor Walter: "Does anybody wish to be heard on this matter? There being nobody, I'm going to close this out for public comment, leave it open for written comment until March 11<sup>th</sup>.

It is the intention of the board I think to adopt this on March 15<sup>th</sup>, so if, Dan, if you could check the clerk's office on the 11<sup>th</sup>. If there's no comments, prepare the resolution for the 15<sup>th</sup> for it to be adopted."

Dan McCormick: "I'll do so."

Supervisor Walter: "Okay, thank you very much."

Dan McCormick: "You're welcome."

Councilman Dunleavy: "Thank you, Dan."

Supervisor Walter: "Does anybody- now we open the town board meeting for comments on any matter that we may have jurisdiction over or even some that we don't. Mr. Hattorff."

Matt Hattorff: "Matt Hattorff. When you started the resolutions, you said you were pulling two off the floor."

Supervisor Walter: "We did."

Matt Hattorff: "And then you pulled another one off the floor at the end of the resolutions."

Supervisor Walter: "No, that was tabled. We untabled it."

Matt Hattorff: "So that doesn't get open for public comment after you- "

Supervisor Walter: "That was- I think you spoke about that last time."

Matt Hattorff: "I might have."

Supervisor Walter: "I think you did. I'm not positive."

Councilwoman Giglio: "Before I voted, I asked the supervisor if he had a conversation with you about this and he told me yes."

Supervisor Walter: "Last board meeting. Okay. Ms. Mott."

Sandra Mott: "Good afternoon, Sandra Lee Mott. I just have a few things. We just came on Route 58 and I just wanted some clarification of after the fact."

I guess Lowe's was not being remodeled, it was being demolished."

Supervisor Walter: "Correct."

Sandra Mott: "Oh. Okay. That's news to me. My other concern was regarding the letter that was written by Ms. Helga Guthy on- in the January 13<sup>th</sup>, 2011 Riverhead News Review regarding my comments about pollutants in downtown Riverhead from Brookhaven

National Lab.

Well, I think you all know me well enough I don't speak unless I know my facts are in order and I went back and I double checked it at the library. There actually are pollutants in the river.

I did write a letter to the News Review. I do not have a computer so thus I did not (inaudible) have the staff to print it, so I'm going to take- "

Supervisor Walter: "They don't- wait a minute. If you read us a handwritten letter to the News Review, they don't put it in the paper because if you don't send it by- Tim Gannon."

Sandra Mott: "And I actually hand delivered- "

Supervisor Walter: "Can you do me a favor and get a copy to Mr. Gannon so it's- "

Sandra Mott: "I actually hand delivered it to the News Review."

Supervisor Walter: "That's not appropriate for them not to put it in. Mr. Gannon will make sure, right, Tim?"

Sandra Mott: "Well, for whatever reason. Maybe they were short staffed. This will take a minute. I just want to put it on the record here.

It says in your January 13, 2011 edition, Helga Guthy stated that I was wrong regarding contaminants from Brookhaven National Lab being in the Peconic River behind downtown Riverhead.

According to Brookhaven National Lab's own clean up date article, that's the name of their little brochures, that I read at the library, both stated that plutonium (inaudible) 137, PCB's, mercury silver (inaudible), and other contaminants were found in samples up to and including those taken at the Route 105 bridge in Riverhead at the mouth of the Flanders Bay, which obviously goes past downtown Riverhead.

I was at the town hall meeting for other reasons not to support or to oppose the garden. My comments were made to alert the gardeners, their advocates- the advocates of potential health

issues.

The high risk of breast, prostate, colon and brain cancers are a known fact. Environmental reasons cannot be dismissed. The river does flood, look at FEMA's flood zone maps. Love Canal, Chernoble and Shoreham should be remembered. Contaminants have long (inaudible) lives.

Since quote unquote the garden has been approved and since free town property and grant money is supporting the project, full outreach to provide free plots and access and not to propose rental for space should be used as well as an open lottery system to choose participants with a limited number of plots.

The concept is nice but as with all projects, the details, full cost, security, liability should be specific.

Miss Guthy should know that I will always be concerned.

Thank you for printing my response. Well, thank you for listening to my response.

I just wanted that out there because I've had a number of people comment to me saying, what do you mean? That doesn't sound like you. And obviously it wasn't me. I think it's a wonderful idea but I really think that that should be checked out a little more fully."

Supervisor Walter: "Well- yeah, they raise beds and they're bringing in their own topsoil."

Sandra Mott: "Yes. But they're going to be kicking around the dirt that's already been surrounding the area. I'm only asking for health concerns."

Supervisor Walter: "I think that Cornell Cooperative- I don't think, I know we met with the Cornell Cooperative Extension and they were sending some samples- some dirt samples over there. I don't know what they're analyzing them for but that was something that Cornell- remember the lady with the grant? She said that they would look at it, so, if you remind me I will follow up on it."

Sandra Mott: "But on behalf of the town, I think whomever should be assigned and oversight of that project should remind them

that that's really a crucial piece."

Supervisor Walter: "It's probably Jill Lewis."

Sandra Mott: "Well, then it definitely will be handled properly."

Supervisor Walter: "That's if I remember to tell her. Can you remind me to tell her?"

Sandra Mott: "Remind you to tell her. I'll be happy to leave a note."

Councilwoman Giglio: "We understand that you have a bit of concern and not necessarily out of opposition to the project."

Sandra Mott: "Yes. I was not there for pro or con. It was just over the years listening to the different comments and, you know, so on.

My other concern was some of these things are really going back so forgive me. There's something called the deer shunter. It's a post that reflects onto the roadway where deer, you know, they have regular pathways because that's where they grew up.

On December 2<sup>nd</sup> of 2008 I brought it to the attention of Mr. Woodson who was the highway supervisor. I brought him a copy. It's from AAA car and travel October 2004. I was looking through some old stuff. And on February 2<sup>nd</sup>, 2010, Jim I gave you a copy of it.

I hope that those things will be considered so it will be less of a need for me to stop at different places to ask them to remove the dead deer off the roadways in the town. It's very difficult to see.

Another animal concern I have is the status of the animal shelter, if there's been any changes. I want to say something up front. Lou Cornasi (phonetic) has always been very good to me and to my concerns, whether it's been asking his advice on particular matters, discussing live dogs that might be running through Glenwood unleashed, or having the need to move dead animals off the street.

I don't know what happened at the animal shelter. I'm sorry what happened. I hope it won't be repeated. All I can say is on

his behalf I appreciated his efforts over the years. I don't know what's going to come out from all of this but I wanted to put that on public record, you know."

Supervisor Walter: "Thank you."

Sandra Mott: "You're welcome. But my concern also was about the status. Has there been any changes, you know, anything moving forward as to (inaudible)."

Supervisor Walter: "It's moving forward. Councilman Wooten and I are having a meeting in the not too distant future about something. If it works out, it will be— we think it will be a good thing. But it's not something we want to publicly discuss yet."

Councilman Wooten: "We have a lot of avenues actually but we're not (inaudible). Sometimes we don't see eye to eye but we're on the same wave length when it comes to (inaudible)."

Sandra Mott: "Anyway, but I also mentioned to Jim a few weeks ago about a fundraising opportunity that I was wondering if the town would consider at EPCAL. Basically a flea market, swap meet type situation, for people, private citizens (inaudible) many communities here cannot have any yard sales or anything in their communities unless they're, you know, moving or unless they die and their families have it.

And rental space of the area would be like \$20 for a car, \$30 for a truck, \$50 for a van. No big deal about this. All you do is advertise you're going to have it, first come, first served, you find the space, you set up, you set up with your own table.

I understand there's a port-a-potty thing on a back thing on a truck. Something to make money."

Supervisor Walter: "I'm liking it on Main Street more than at EPCAL."

Sandra Mott: "Wherever you like it, but understand that to help people especially nowadays financially and you're helping the animals. You can designate for the cat section, the dog section or general care. I mean it could be done monthly so people would know that it would be something to happen so people could come to it and wherever you like it.

I know that a lot of people have been asking me does the town have that kind of thing. I'm asking you as a consideration."

Supervisor Walter: "That's one of those Main Street things I'm thinking, Jim, where bring people down to Main Street, sell their wares, might be something to consider."

Sandra Mott: "But it can't be \$185 a space like the country fair type thing. That's, you know, above and beyond, more like the Baiting Hollow Congregational Church thing."

Supervisor Walter: "Well, it would be twofold. It would bring people downtown and people downtown get hungry so then they could go eat."

Sandra Mott: "True. I also had suggested at-- we had attended that no one in attendance-- ceremony at Calverton National Cemetery and I know what you've done to help the place (inaudible). It looks pretty good considering the winter conditions. We go over and visit it."

Perhaps-- I was thinking that the junior ROTC and whatever garden groups you have and so on, perhaps could plant daffodils throughout the Calverton cemetery (inaudible), because daffodils are much simpler to handle than a tree. You can get like two for a dollar and people can sponsor them and I just know that my mother and I plan to (inaudible), people who were brought to Calverton as part of our family-- "

Councilman Wooten: "Are you saying to plant flowers up at the national cemetery?"

Sandra Mott: "Yeah. They have the tree area that they just added quite a few trees, I don't know if you've been there recently, similar to the ones that you were all planting."

Councilwoman Giglio: "That might be a thing for the Boy Scouts to do."

Sandra Mott: "Well, Boy Scouts, Girl Scouts, garden club, senior groups, whomever. You could have it on one day-- I mean it couldn't be-- I mean daffodils are simple, you know, assign a (inaudible) to a senior, you know, and these could be done in memory of their family member or just someone they don't know."

Something- I'm really big as you can see into community oriented things where it's not going to cost an arm and a leg and people are going to have some forever satisfaction out of it."

Supervisor Walter: "I think the Van der Weterings have been putting daffodils on the corners because they do come back every year."

Councilwoman Giglio: "Yes. That was one of the first things that I did when I got into office, which he had been trying to do for years was plant daffodils in the right of ways up and down Sound Avenue so working with the highway department, we were able to get that done."

Sandra Mott: "Just cheerful you know and we go quite often and whoever- those who do not- I just recommend that they do stop in at least during Memorial Day time when the flags are there. I mean, Sean, you spoke there and I know how terribly touched you were by the whole event."

Supervisor Walter: "That's one of my favorite places in the town. It's such a sacred place, the national cemetery. I was stunned to learn it's the largest by land area in the country."

Sandra Mott: "And the busiest unfortunately."

Supervisor Walter: "Yeah. I don't know if they have the capacity to become the largest cemetery. They may."

Sandra Mott: "Well they have that extended land that was turned over to them after the EPCAL- or Grumman was subdivided.

And I only have one other concern and it is a very long outstanding concern and forgive me but I can't get here all the time.

Let me see if I can find it, (inaudible). A very long time ago, I had requested out of again a concern for the innocent animals and after articles were in the paper regarding the placement of animals with the (inaudible) family on Youngs Avenue. And on December 4<sup>th</sup> of '09 and I asked for some investigation- it's not even a complaint, it was basically a concern that the animals were being provided for housing and food, etc.

I'm not commenting negatively on anybody's efforts. I know that they all have a good heart. They've been involved in all kinds of rescues over the years but in compliance with such as the animal shelter must be with state regulations, etc., I've never had a response back outside of the fact that it was pending and I gave until August 20 of 2010, it was filed 12/4/09 because they called themselves an animal rescue center in the paper and August 20 of 2010 I didn't have any response. I was just told it was pending and it was being investigated.

I don't know if it's been resolved successfully and that everything is all right up there or not and all I'm saying is you don't have to advise me but if you just could please, you know, be protective of the creatures. That's my intent.

Okay, thank you very much, gentlemen and lady."

Supervisor Walter: "Okay. Does anybody else wish to be heard? Not seeing anyone— oh, Rex Farr, there you are. Almost closed the meeting without you coming up."

Rex Farr: "A very quick meeting."

Supervisor Walter: "It was until you got there."

Rex Farr: "I won't hold you up much longer. I just wanted to touch base. Mr. Supervisor, in lieu of our conversation over a week ago— "

Supervisor Walter: "You gave me 30 days."

Rex Farr: "Yeah, I gave you 30 days exactly but I heard from the animal committee that your proposal, okay, was out there so I just wanted to touch base, the proposal being somehow shuffling the problem down the road to Brookhaven. You want to work out a deal with Brookhaven and the shelter so I don't know if that's true or not but I'm touching base.

It was out there. It was put out there by the animal committee."

Supervisor Walter: "I don't know how the animal committee knows— I don't know that they know what's going on either."

Rex Farr: "I think Jim was at the meeting last night. You're second in command. Well, the bottom line is I just want to go on record as saying that is not the solution to the problem and I think that the animal committee and I will talk for RSVP. Tell me the update."

Supervisor Walter: "Rex, here's what I'm looking at since everybody seems to know more than I know."

Rex Farr: "Well, I'm looking at you sitting in this office right now."

Supervisor Walter: "What I'm looking at is Brookhaven, Mark Lesko and I have had preliminary conversations where they are interested in taking over animal shelter function. In fact so much so that they said that you could close your animal shelter, bring all the animals from Riverhead to Brookhaven.

I think that is a fantastic idea. The preliminary- "

Rex Farr: (Inaudible comment)

Supervisor Walter: "Rex, the preliminary numbers that I discussed would probably save the town about \$150,000 a year. It is exactly in line with what Gov. Cuomo's been talking about. It's exactly in line with every single municipality has been talking about. It's combining municipal services. There would be no duplication of effort. We would still have an ACO in this town, whether- "

Rex Farr: "And that's the problem."

Supervisor Walter: "-- whether it was a Brookhaven ACO or a Riverhead ACO remains to be determined. We haven't had- Jim and I haven't had the opportunity to meet formally with Mark Lesko. We've had- Supervisor Lesko and I have had these conversations (inaudible)."

Rex Farr: "We've heard some very good things about the Brookhaven situation, no doubt about it. But, again, you're not addressing the problem."

Supervisor Walter: "What's the problem?"

Rex Farr: "And it's going to be totally unacceptable if the present ACO is in any way, shape or form regarding anything on the animal issue. That's where your problem is.

And furthermore I would do numbers, sir."

Supervisor Walter: "Rex, what happened to the 30 days?"

Rex Farr: "How much do you think it's going to cost the town of Riverhead to do at- whatever, \$200 a pop. We took in 200 animals last year."

Supervisor Walter: "Brookhaven has- Rex, Brookhaven has 160 dogs at any one time. Supervisor Lesko, you know, I hate to say it, your- this committee could kill this deal by doing exactly what you're doing right now. And maybe you want to do that. But the taxpayers need to understand- the taxpayers need to understand that this deal could potentially save anywhere from 150 to \$200,000 a year. And I'm sorry. The dogs as you said would go to a- you said that shelter was a very good shelter- "

Rex Farr: "It's a low kill/no kill I think."

Supervisor Walter: "Okay. So we would send our dogs to a good shelter, save the taxpayers \$150 to \$200,000- "

Rex Farr: "Would this avoid you from dealing with the problem sir?"

Supervisor Walter: "No. It corrects all the problems."

Rex Farr: "So you think that- it's the facility that's the problem in Riverhead. That's why you're going to shuffle the problem down- you think it's the facility. It is not."

Supervisor Walter: "No, Rex. I think that- "

Rex Farr: "And all you're going to do, Sean, is shuffle the problem down the road. Remember the barge with garbage how many years ago? Well, that's the same kind of concept. It's wrong."

Supervisor Walter: "Okay. You may think that but I'm pretty certain, Rex, that the taxpayers- I'm certain the taxpayers are going to be in favor of saving between 150 and \$200,000 a year

knowing that the animals are getting as good care, maybe even better care, in Brookhaven. I see it as a win-win."

Rex Farr: "Okay. Well, as I said, the deal breaker is if the present ACO is still involved in any animal issue, you have a problem. Thank you."

Supervisor Walter: "Thanks for the 30 days, Rex."

Rex Farr: "Well, you shouldn't have mentioned it at the animal committee."

Supervisor Walter: "Yes, we shouldn't have mentioned it at the animal committee."

Rex Farr: "Well, since it was on the table, I'm going to make sure that it goes on record."

Supervisor Walter: "Okay, next."

Sal Mastropaolo: "Sal Mastropaolo, Calverton."

Supervisor Walter: "Sal, can I- "

Sal Mastropaolo: "I have something positive."

Supervisor Walter: "Good."

Sal Mastropaolo: "Thank you. Thank you, the fence is open so you have access to the entire walking path at EPCAL."

Supervisor Walter: "All right. You're welcome."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "How are you doing?"

Mark Osmon: "I just wanted to talk about the Peconic River community zone. I got here a few minutes late. Would you comment about that."

Supervisor Walter: "We actually had the public hearing already and it's open for written comment, if you want to make written comments."

Mark Osmon: "But I can't say anything right now about it?"

Supervisor Walter: "You can because this is the public comment period but it doesn't go into the official record unless you make a written comment. But we'll listen to you."

Mark Osmon: "I was just wondering why you don't extend it further."

Diane Wilhelm: "Could you say your name for the record?"

Mark Osmon: "Mark Osmon."

Diane Wilhelm: "Thank you."

Supervisor Walter: "This is mirroring what the New York State DEC did. This is how far they extended it. We may- we- there are some efforts to extend it further west."

Councilwoman Giglio: "Baby steps."

Councilman Wooten: "It was hard. It really- it pretty much stays along the community rivers guidelines which is hard enough to get after so many years (inaudible)."

Councilman Dunleavy: "It took us over two years to get them to agree to extend to Mill Road so we have to petition them again."

Mark Osmon: "But we're on the south side of the road and I noticed you're extending it to the north side- "

Supervisor Walter: "You're on the river side?"

Mark Osmon: "We're on the river side."

Councilman Wooten: "West of Mill Road?"

Mark Osmon: "Yes. Do you know where Buoy I is? Yeah, we own the building for Buoy I."

Supervisor Walter: "You are in an uphill battle with the DEC."

Councilman Wooten: "You're like in front of that hedge?"

Mark Osmon: "So it's the DEC that's the problem."

Supervisor Walter: "It's the DEC that has the regulations."

Councilman Dunleavy: "The DEC- they're the ones that have to agree and let us do it."

Mark Osmon: "Are you going to apply pressure to the DEC to keep this- you know- "

Supervisor Walter: "Yes. Working on it now."

Mark Osmon: "Okay. I appreciate that."

Councilman Dunleavy: "I'd like to extend all the way to the expressway."

Councilman Wooten: "The town has been stifled because- "

Mark Osmon: "I think it should be extended to the Green View Motel at least."

Councilman Wooten: "Yeah. I'd like to see it right down to the tracks."

Supervisor Walter: "But first you should speak with your state senator and assemblyman because that happens at the state level."

Mark Osmon: "Okay. Thank you very much."

Supervisor Walter: "You're welcome."

Councilwoman Giglio: "Mark, if you want to stay after a few minutes, I'll talk to you more about it."

Mark Osmon: "Okay, great."

Supervisor Walter: "Sandra, you want a second bite at the apple? Just not too- we try to limit to five minutes."

Sandra Mott: "(inaudible) 17 years worth of timing for free might I add."

Councilman Wooten: "I hear you."

Sandra Mott: "I wish people had heard me years ago because what you're suggesting now is what I suggested years ago during- prior to Southold actually being- "

Supervisor Walter: "Isn't it a great idea?"

Sandra Mott: "I'm going to- let me just finish my thought and then I'll comment on that."

It's a good overall idea. The problem is this is recommended probably not only by me but by other people but I know I specifically recommended it years ago but with Southold which is more akin to our neck of the woods, where the overlap of control and I had that word, I'm going to use care, of the creatures in the area would be more appropo than Brookhaven.

I know of Dorie Scoffield's (phonetic) reputation in Brookhaven haven spoken to her over the years on the phone several times and they're very blessed to have her there. And I've seen her on TV as well but I have not met her personally.

So if that would happen, that might very well be a good thing. But have you had any discussions with Southold in regard to- "

Supervisor Walter: "Yes. I have with Supervisor Russell. They don't control that shelter and at the time- and this goes back a year- "

Councilman Wooten: "Actually it goes back (inaudible)."

Supervisor Walter: "-- but the time that I spoke to him it was about this time last year, they had had their own issues to deal with. I don't know what they are. I just know that they have their own issues with the shelter. So, Supervisor- "

Sandra Mott: "Well, have you been to that shelter, Sean?"

Supervisor Walter: "At which shelter? Brookhaven?"

Sandra Mott: "Southold."

Supervisor Walter: "Not Southold, no. I've been to

Brookhaven shelter."

Sandra Mott: "Well, please take a visit to Southold because it's really important to see how it's maintained."

Councilman Wooten: "I was there when it was being built. (Inaudible)."

Sandra Mott: "Take him for a show and tell because going west it's just bigger and I always thought that that shelter up on Youngs Avenue wasn't really cost effective and that's why I kept recommending you know maybe finding a vet who could board and you pay- .

Basically what you plan to do with Brookhaven. But if you want a dog, and I haven't heard anything about cats or any other creature in need being adopted by Riverhead residents, you need to keep it a little more local. Rather than- Brookhaven is a bit of a schlep. It's bigger and I'm not going to foreclose that this idea is not a good one. I'm very big on saving money and consolidating and making money working with not for profits for many years.

But the bottom line of the story is before you jump to that, even with the person running it over there, I think consideration needs to be made for the people in this neck of the woods for visiting, the adopting, the placing, you know. I mean, I really think that that needs to be broadened out a little bit more.

I'm glad I stayed a little bit longer. I learned quite a bit. I would have been disappointed to have found this out in the News Review which has been covering this- "

Councilman Wooten: "We don't tell them anything. You need a computer."

Sandra Mott: "Well, I don't own one nor ever plan to."

Supervisor Walter: "You have to print her letter, Tim."

Sandra Mott: "The bottom line of the store is please expand your consideration, revisit perhaps Southold (inaudible), maybe Southampton because they have a foundation running it, although (inaudible)."

Supervisor Walter: "Brookhaven is closer than Southampton I think. Where is Southampton shelter? Oh- okay."

Councilman Dunleavy: "I think that the supervisor and the councilmen will give that due consideration."

Sandra Mott: "Please do because the people here need to know that the placement of the little ones that they're placing for whatever reason, can happen."

Supervisor Walter: "All right. Thank you. Does anybody else wish to be heard?"

Sue Hansen: "Hi, my name is Sue Hansen, Rocky Point, and I have a prepared statement. I wasn't aware that there would be so much attention drawn to the animal shelter today but I have to say it just boggles the mind how you can take such a small animal shelter as the one that Riverhead has and turn it into such a quagmire and such a complicated thing."

Supervisor Walter: "That's why if we send the dogs to Brookhaven it would be fantastic because we don't have to deal with it and it goes to a shelter that everyone has admitted has a good director, is a good facility. I don't see a downside to it."

Sue Hansen: "There is a downside and if you've been to the shelter recently, they have over 200 dogs there, most of which are pitbulls."

The shelter- the kennel attendants wear earmuffs when they walk through the kennels, the sound is deafening. And as great a job as Dorie is doing, she has got her hands full. And to try and throw another municipality on top of what she's already dealing with, it's just not going to work."

Supervisor Walter: "I think it's going to work fine if they'll do it."

Sue Hansen: "We'll see."

Supervisor Walter: "You're talking about less than 10% of their population- "

Sue Hansen: "I'll proceed with my statement."

Supervisor Walter: "Okay, let me just finish. Their population, we would represent less than 10% of the- "

Sue Hansen: "This is the public comment section of the meeting, correct?"

Supervisor Walter: "Well, you asked a question. You brought the issue up."

Sue Hansen: "But I wish to make a public comment and quite honestly I've gotten a lot of lip service from the town board and what I'd rather see is action."

Supervisor Walter: "Go ahead, bring your comment up. Go right ahead."

Sue Hansen: "Thank you. Okay. Today is day number 70 since Bruno, a dog at the Riverhead animal shelter was killed, and still no one has been held accountable."

In 2005 the town board passed a resolution and a euthanazia policy for dogs at the shelter. The essence of the policy was, and I quote, the questionable animal must be deemed aggressive and beyond rehabilitation. Those exact words are in the police twice.

The questionable animal must be deemed aggressive and beyond rehabilitation by an animal control officer and it's there a second time, the questionable animal must be deemed aggressive and beyond rehabilitation by a veterinarian.

The policy was a farce because there are no procedures in place to assess behavior and nothing was being done in the way of rehabilitation.

If a dog came into the shelter management at their sole discretion could put the dog quote in the back where interaction was minimal. Days, weeks, months could pass in virtual isolation and as long as two people signed a piece of paper, the dog would be killed and this has been used as the policy for euthanizing dogs at the shelter for over five years.

Two signatures. That's all it takes. That was all anyone ever focused on. And it appears that was all Supervisor Walter focused on when he was questioned at a town board meeting on

December 21<sup>st</sup>, the day Bruno was euthanized.

His reply was quote we follow the policy to the letter of the resolution. Last October, Mr. Walter was quoted in a local newspaper- I'm sorry a local news report on the issue of euthanasia and stated that as Supervisor he would be willing to make the tough decisions.

I have to wonder how tough it was when Mr. Walter authorized Bruno's death. Did he ever speak to anyone about alternatives? Did he even visit the shelter to see the dog firsthand?

I spoke to former animal control officer Sean McCabe about a week after the dog was killed. I wanted to know more about Bruno from Sean's perspective. Sean saw the dog regularly and knew him well. Sean told me that on some mornings he would bring Bruno into the office before he left to patrol his regions. He said Bruno was no problem. Bruno would just lie quietly under the desk.

We follow the policy to the letter of the resolution. Does that sound like a dog aggressive and beyond rehabilitation?

In the weeks that followed, more information came to light about the circumstances surrounding Bruno's death. The supervisor thought the dog bit a child and that the child was subsequently hospitalized. This information had been provided to him by animal control officer, Lou Carnesi, and was not true.

Apparently Bruno's owner was separating two of his dogs in a fight and the owner, not a child, suffered a minor abrasion. Bruno may not have even bitten anyone. It's not clear if Bruno was the dog that bit the owner.

On December 20<sup>th</sup>, the night before Bruno died, Chief of Police David Hegermiller stated that the dog's death was urgent. It is not clear- "

Supervisor Walter: "We give you the five minutes. You're just about five minutes- "

Sue Hansen: "I'm not done."

Supervisor Walter: "I know. But we give five minutes for public comment. If you could just- "

Sue Hansen: "It is not clear if the chief of police was given the same false information as the supervisor. If he was, then it stands to reason that the animal control officer should be dismissed. Clearly, lying to the town supervisor and the chief of police would be a serious offense.

If, however, he was not, if in fact the chief of police was aware of the circumstances and still authorized this fatal decision or worse in any way encourage it, then not only is the animal control officer to blame, but so is the chief of police and both need to be disciplined accordingly.

And the first course of action should be their complete removal from all responsibilities involving the animal shelter. And if at any time the supervisor either explicitly or implicitly gave the chief of police his blessing to run the shelter as he saw fit, then the supervisor should share the blame as well.

A few good men with a movie with the age old theme of right and wrong- "

Supervisor Walter: "I'm going to ask you to wrap it up, it's been five minutes. This has been discussed to death. We're going to ask you to wrap it up."

Sue Hansen: "It seems this town board could benefit from the story, particularly the end, and I would suggest you all watch it and remember Bruno is dead."

Supervisor Walter: "Thank you. Does anybody else like to be heard this evening? There being nobody, can I get a motion to adjourn?"

Councilman Dunleavy: "I make a motion we adjourn the meeting."

Supervisor Walter: "All in favor?"

Collective response: "Aye."

Meeting adjourned: 3:18 p.m.

*Cherie M. Skelton*  
*Town Clerk*