

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 Wednesday, June 1, 2011 at 2:00 p.m.

PRESENT:

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

ALSO PRESENT:

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

Supervisor Walter: "Welcome to the June 1st town board meeting. Mitch Friedman, can you lead us in the Pledge of Allegiance?"

(The Pledge of Allegiance was recited, led by Mitch Friedman).

Supervisor Walter: "And we're going to have invocation by Sister Mary from Grace Episcopal Church. Sister Mary, would you like us to sit or stand- what would you want?"

Sister Mary: "It doesn't matter. Whichever- "

Supervisor Walter: "Okay. Reverend- the Venerable Reverend- "

Mother Mary: "It's just plain old Mother Mary.

The Lord be with you."

Collective response: "And also with you."

Mother Mary: "Let us pray. Lord, you have called us together

in this place to show your glory and to request your presence in all that we do. Fill our hearts with thankfulness for this time and season in which we live.

Help us to enable all our neighbors to fully enjoy this season and do so with joy and safety.

And give us the patience and forbearance with each other to give the time we need so that when we leave this place, we leave as brothers and sisters until the next time that we meet.

All this we ask in your name. Amen."

Collective response: "Amen."

Supervisor Walter: "Thank you Reverend Mother Mary. I'm going to give you every venerable, every title."

Mother Mary: "Okay, let's start divine- "

Supervisor Walter: "We can't give you that one. Mother Mary, thank you for coming, from Grace Episcopal Church.

And the next- can I get the labor management committee up and our favorite employee of the year, right? All right. Mike, you are a fantastic town employee. It is with great pleasure that I give this award to you and I think the labor management committee I'm sure feels the same way.

Mike is one of these guys- I deal with him- I've dealt with you before when I was in the town attorney's office and he's one of these people that work for the town that if something needs to be done and you ask him, he'll do it. As long as he can do it, he'll do it.

It's never- Mike is never somebody that comes in and says this is the problem with no solution. He knows the solution and he implements it. I can't say enough nice about him. I know if my car gets that (inaudible) you've got to fix it."

Councilman Wooten: "And you just have to approve the money to do so."

Supervisor Walter: "Where's Tara? It- when we made a

decision to— and it was, you know, a tough decision even with the police cars and we had to put extra miles on them to get through the year, I knew that as much as Mike probably was not happy under his breath that we were doing this, I knew that he and the staff with (inaudible) were going to get us through, and they've done that.

So I mean, I just— you are fantastic. You are doing a fantastic job for the town garage and who from labor management wants to butter him up a little more? All right."

Jan McKenna: "On behalf of all of us in Mike's department, we congratulate him. You so deserve this award.

Mike is not your typical civil servant. While you might find others looking at the clock and running out the door at 3:30, he is in early every day and will always stay a little extra if need be.

He is efficient and quick. He constantly beats the industry standard for the time it takes to do a job, whether it's an oil change, a brake job, or head gasket. He is our expert when it comes to wiring all the police vehicles for their computers, light bars and sirens.

He always steps up the plate and is a real team player. You can count on him to do impound at midnight, again at 3:00 a.m. and then he still gets here before seven.

One time one of our employees drove a car into a huge puddle in the middle of a parking lot, had to be towed out and ended up with a thousand dollars worth of damage. Unless you do something that stupid, Mike always has a big smile for you.

He is a great mechanic and the town is lucky to have him."

(Inaudible comment by Supervisor Walter)

Councilman Dunleavy: "I just want to say something. If you go up to our municipal garage and we get these new cars or we get—we have old cars that really break down and Mike will have a book out. If he doesn't know what to do, he gets his old trusty book out, whatever model it is, whatever diesel engine it is, whatever gas engine it is, he'll go through that book and read it, get into that car and repair it or wire it.

We've got new police cars that have new wiring. Mike never saw it before. He got out the directions that the manufacturer sent to him; he followed the directions and he had this car wired up.

So that's the dedication that he has. And I just want to thank him for doing a great job."

Maryann Tague: "I need to say that I was the one that counted the ballots for Mike. It was— I didn't even have to count them, they were numerous. Everybody, everybody in the town knew who Mike Curtis was and we at labor management would like to honor employees like this because these are the kind of people that keep our town running.

Thanks, Mike."

Councilman Wooten: "Mike, you were just coming in as I was leaving. I appreciate what you do at the garage but I always wondered when attorneys can bill out 80 minutes in an hour, how we can bill out 24 hours in a day and now we know why. He does the work so efficiently and so quickly, we appreciate what you do."

Supervisor Walter: "All right, Mike. In addition to a day off, I guess we give you this lovely town seal and your own parking spot. You get your own parking spot— all right, Mike, we appreciate your time. Thank you. Do you want to say— "

Mike Curtis: "Just thank you."

Supervisor Walter: "Well, thank you for keeping us all safe."

Councilwoman Giglio: "Thank you."

Supervisor Walter: "Back to work is right. All right. Where were we?"

Councilman Dunleavy: "Okay. I make a motion we approve the minutes of the town board meeting of May 18, 2011, the special town board meeting on May 26, 2011 and an amendment to the minutes of the town board meeting on April 20, 2011. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Supervisor Walter: "Okay. Diane, Reports."

REPORTS:

Tax Receiver	total tax collection dated May 19, 2011 - \$77,199,957.17
	total tax collection dated May 26, 2011 - \$93,985,598.52
Sewer District	discharge monitoring report April, 2011

CORRESPONDENCE:

April Pokorny	letter expressing concerns of proposed developments in Wading River and support of short term moratorium
Kathleen Pantaleo	letter expressing concerns of proposed developments in Wading River and support of short term moratorium

APPLICATIONS:

Special event	Railroad Museum of Long Island - annual railroad festival, May 27 and May 28, 2011
Special event	Martha Clara Vineyards, LLC - temporary tent on grounds - May 26 through July 21, 2011
Parade permit	Jamesport Fire Department - Sound to bay 10K run - August 28, 2011

Diane Wilhelm: "And that's it."

Supervisor Walter: "Okay. Is there other reports from the town committees? Okay. Then we'll move on to the town board first public hearing which was scheduled for 2:05."

Public hearing opened: 2:15 p.m.

Supervisor Walter: "That's for the consideration of a proposed local law to amend Chapter 48 of the Riverhead town code, entitled beaches and recreation centers, Article I, use of designated beach and Article II, use of recreation centers and public beaches.

I believe if I'm not mistaken this was more of a housekeeping because— oh, that's what it is. All right. Well, we opened the hearing. Let's close the hearing temporarily because we have a cute adoptable dog to bring up."

Public hearing closed

Supervisor Walter: "What's this dog's name? Jackson. Wow. Look how cute. All right. Come on. Somebody in this room is going to adopt this dog. What's the facts on Jackson?"

Unidentified: "Jackson is approximately four years old. He comes from a broken home."

Supervisor Walter: "Hold on a second. We're going to get this— so Jackson is four years old, comes from a broken home. Needs a new home. And he's very cute, cuddly and affectionate.

How old is Jackson?"

Unidentified: "Four years."

Supervisor Walter: "Four years and what— male— "

Unidentified: "A male Maltese."

Supervisor Walter: "Darlene, don't you have Malteses?"

Councilman Dunleavy: "I had one."

Supervisor Walter: "There you go. There's a new one."

Councilman Dunleavy: "Also (inaudible)."

Supervisor Walter: "Look at how cute this dog is. If this dog doesn't get adopted by the end of the day, something is wrong here."

Councilman Dunleavy: "And they're so lovable."

Supervisor Walter: "Look at how cute. Wow. All right. Well, animal shelter- Jim, what's the animal shelter's phone number."

Councilman Wooten: "Oh, boy, 369-6189."

Supervisor Walter: "369-6189, 369-6189. Is that Supervisor Stark sitting back there? Supervisor Stark, looking good."

Okay, well, thank you for coming out.

All right. John, you want to take him home? That's a good looking little dog."

Councilman Dunleavy: "They are so lovable."

Supervisor Walter: "Back to the public hearing."

Public hearing re-opened

Supervisor Walter: "So this is a public hearing-- I believe that our fees that we were charging were not properly reflected in the code and we were charging 45 which is what was adopted but for whatever reason it was never changed in the code so many years ago and so we are now making the code match the charges. And that's the use of designated beach, beach permit fees, and seasonal resident parking permits."

Does anybody wish to be heard on this subject?"

Eric Biegler: "Eric Biegler, 110 Park Road, Riverhead."

So this- everybody keeps saying it's a housekeeping or housekeeping kind of task. I've got some objections to that and I'd like to bring up some points.

This is kind of- we've been charging these fees for- I don't know, since 2004, 2002? Has anybody found out when it was originally changed in the plans or- "

Supervisor Walter: "My guess is that this was sent up through the Secretary of State, probably was changed but it was never changed by general code publishers."

Robert Kozakiewicz: "What I know is that for the last couple of years it was done by town board resolution in January setting fees. So there was a town board action which established the fees at 45 and 15 without a reference being made to the actual chapter, Chapter 48.

So there was a town board action taken to establish the fees but there was not a commensurate change to the actual code provisions which are being now changed."

Eric Biegler: "No. That's great. There's two parts to this. There's the Article I which addresses beach driving, and then there's Article II which addresses parking lot. Correct? Okay.

I'd like to stay with Article I if I may just for a couple of seconds. And that's that it says that these permits in Article- in Chapter 48-9, it says the expiration dates of the permits will last from Labor Day of that year. It will expire Labor Day of that year, 48-9.

But in Section 48-7 it says it will run from January 1st to December 31st. So you have a conflict here in the code of when this permit, now we're only talking about beach driving permits now, expire."

Councilman Gabrielsen: "That's actually year round."

Eric Biegler: "Not according to Section 48-9 of the code. It says that it expires as of Labor Day. We're looking at the same thing. It's on line."

Councilman Dunleavy: "Ray, when do they expire?"

Ray Coyne: (Inaudible)

Councilman Dunleavy: "Are they good for a year?"

Eric Biegler: "And I agree with that. That's what it says on the permits but that's not what it says in the code. I just want to clarify that."

Robert Kozakiewicz: "You did mention that when the resolution was on but the resolution had already been done and I thought it was a little too late. So (inaudible) a further public hearing."

Eric Biegler: "So I am correct that there's a conflict- "

Robert Kozakiewicz: "I think you mentioned that and I did not look at that particular- "

Eric Biegler: "Okay. I really think that we need to take a look at this code and maybe address the code in its entirety and get some changes made because the other part of this is that this beach permit does not exist anymore. There is no way that I can buy a beach driving permit for \$45.00 or for \$35.00. It doesn't exist."

Councilman Dunleavy: "Ray, what does it cost?"

Eric Biegler: "It costs \$60.00 because it's a combination permit and there is no resolution that adopts a combination permit at this point in time. So we are being charge for a \$60.00 permit which reflects parking in the parking lot and a beach driving permit."

But should I just want to buy a beach driving permit, I can't do that."

Councilman Dunleavy: "Okay. You have to buy both of them so you can park."

Eric Biegler: "In the parking lot. But I don't want to park in the parking lot, I want to drive on the beach."

Supervisor Walter: "All right. Well, we're going to have- our department head answered the question so you've asked the question."

Eric Biegler: "Okay. So while we're looking at that regulation in this part of the section of driving on the beach, I also want to point out that there are very limited vehicle requirements for obtaining this permit."

It does not even say that it needs to be a four wheel drive vehicle to buy this permit. You can go and buy the permit if you have a Volkswagen Beetle or a Corvette for that matter, not that I suggest driving on the beach with a Corvette but you could because it says that there's no regulations.

In addition to regulations, I suggest that the town look very hard at Suffolk County regulations for driving on the beaches and adopt some of their regulations such as vehicles must be equipped with a jack, a jack (inaudible), a shovel, a rope, a chain, a snap chain, fire extinguishers, tire gauge, flashlight, something to get yourself out of the beach if you get yourself in trouble.

You should require vehicles not to drive- to only drive on designated roads and cuts and not on vegetation. That is not clearly spelled out in this code whatsoever. All vehicles must park perpendicularly to the dune and not parallel to the dune to protect our erosion problem which we all know we have up and down the beaches. Ruts, holes and dug outs done- created by stuck vehicles should be fixed and repaired by the people who got their vehicles stuck.

I still- I think this code has to be addressed in a lot more detail. It has to be looked at besides just bringing the prices up because now you have no regulation whatsoever. You are just giving out these permits and you're letting people drive on the beach who have no experience, no capabilities whatsoever. They don't even have the proper vehicles.

And I've got to tell you myself and a lot of the members of the fishing clubs around here have to pull them off the beach."

Councilman Dunleavy: "I think you're right."

Eric Biegler: "I also think you should look at the insurance required by the vehicles who drive on the beach because insurance levels, it says that you have to have coverage of \$10,000 to \$20,000 worth of liability. I certainly don't think that's enough for some of the vehicles that are down on the beach.

If I tow a Mercedes Benz and I happen to bend their axle, the guy is going to sue me for a lot of money. So I think this really has to be looked at, at least Article I of it has to be looked at real hard.

I want to refer now back to Article II which is the parking lot fees which are going up from \$10.00 to \$15.00 or going to be corrected from \$10.00 to \$15.00.

These are the ones that we switched to seasonal permits at this point in time. I still think we are going to be looking at or the board has promised they would look at going back to a year round permit and they'll analyze that but that's got nothing to do with this issue. At the moment, it's just (inaudible).

I believe that in this article, it talks about non-resident parking permits. I want to mention a change that took place and I appreciate it because I think last year I brought up the fact that a lot of them were being duplicated and counterfeited.

You've adopted a new rule that says only the parking lot attendant on duty will be selling parking lot day passes. I think those day passes need to go up in price as well as the rest of the community and the residents are paying more. I think non-residents should pay more. It needs to be addressed. It needs to be— "

Councilman Wooten: "It's \$35.00, isn't it?"

Eric Biegler: "You can go from \$25.00 to \$50.00."

Councilman Dunleavy: "No, it's 35."

Councilman Wooten: "I think it's 35, isn't it?"

Councilman Dunleavy: "It's 35."

Eric Biegler: "Well, if it's 35 a day you have another code that you have to look at because according to the code, it says it's \$25.00 a day."

Councilman Dunleavy: "It's 35, because my son came out to visit me. He went to the beach and he almost had a heart attack when he had to pay \$35.00 for the day pass so it is 35."

Eric Biegler: "Well, Section 3 Part B of it says that it is \$25.00, \$75.00 and \$50.00 so that needs to be addressed also."

Supervisor Walter: "Who put this resolution forward?
I'm— "

Eric Biegler: "I think this entire section should be re-looked at."

Councilman Dunleavy: "Actually- and you're right. This code with all our other codes have to be looked at because there are a lot of misinformation in our other codes too."

Eric Biegler: "I mean it's just- we're asking people to pay more money than we have down on our books and somebody is going to turn around and sue us and say no, I don't want to pay this kind of money and you're going to have a whole big fight about it."

Supervisor Walter: "All right, Eric, before we adopt- maybe we adopt this code provision, maybe we don't, but, Bob, I'd like the town- don't worry about code revision. The town attorney's office ought to be able to figure out how to make sure all the fees and everything are correct."

Robert Kozakiewicz: "This was an effort to get it done quickly. All these issues have been brought to attention. We'll do it."

Eric Biegler: "I'll be more than happy to sit and volunteer my time to go through this code with anybody who wants to listen and talk about it."

Supervisor Walter: "Well, I think we could probably go through it and try and figure out where our- you know, if we're setting- I don't know why we set permit fees by resolution because the resolution doesn't overrule a local law, so let's go back and take a look at this and see whether there's some other things that need to be done."

I think that this- you disagree with what?"

(Inaudible comment)

Supervisor Walter: "No. You can't update a town- you have to adopt a local law."

But I mean, Bob, if we can go forward- "

Robert Kozakiewicz: "We just did our taxicab ordinance. You want- we'll go back- "

Supervisor Walter: "Let's go back and look at it. We may adopt this because it may fix some of the problem, but let's look at the code- that section of the code."

Eric Biegler: "I think that whole section could be looked at."

Supervisor Walter: "Let's look at the whole section of the code and see whether there's other things that need to be addressed and I don't disagree and Mr. Densieski may come up and say something, but I think that it's a good idea to require jack boards and jacks and chains and things as Suffolk County requires."

And the chief of police and I discuss this many times and when I was in the town attorney's office we almost put that in the code and so I'm not opposed to having certain safety requirements. I think that it's good for the safety of the guy driving on the beach and it's good for the residents. Because you could be stuck behind the buy stuck and not be able to get off the beach. So we will- "

Councilman Gabrielsen: "And we may want to also restrict it to 4 by 4's. Like you say these cars- that's important. That will eliminate half the equipment because it's there to pull them out probably more (inaudible)."

Eric Biegler: "I agree and I know I'm going to go off the subject just a little and I hope you indulge me here."

We're going to be increasing the costs and, again, I know it's not increasing the charges to the residents. This is charges we've been experiencing for a long time. But this money needs to be applied to our beaches. It needs to go out there and it needs to protect our beaches.

It needs to go out there and replenish the facilities that we hold a lot of pride in in this community and I bring some pictures with me today and it's only of Reeves because we've talked about scenic vistas and I want to point out that this is a scenic vista of Reeves beach. It's an erosion. It's a sign of sand piled up. It's a bath house that was built in the 1970's that is falling apart and has more rats living in it than it does people using it.

Coupled with a wonderful and it really is a nice memorial to a gentleman who spent a lot of time up at Reeves beach. It's a

wonderful little plaque of stone, the family comes up and puts wonderful decorations on it. And this is what they did for Memorial Day. They came up and they celebrated it and I want to point out that right behind where the celebration is, there's three port-a-potties and a stack of garbage cans.

So on Memorial Day weekend when Reeves beach- it's the third busiest holiday during the summer, we take out three port-a-potties and a stack of garbage cans.

We have other scenic vistas."

Supervisor Walter: "Do you want to make those part of the record?"

Eric Biegler: "I'll make them part of the record."

Supervisor Walter: "You're a little off topic, but- "

Eric Biegler: "I know. I'm drifting off topic. But I want to make it clear that there's some improvements that need to be made. There's exposed electrical wires down at Reeves beach that have been there for years on the lighting that's down there.

If you can't fix it, remove it. It's that simple. If just leaving the wires loose and there's pictures of the wires, somebody is going to get electrocuted, somebody is going to have problems down there."

Supervisor Walter: "All right. We're going to ask our recreation- "

Eric Biegler: "I'll make it part of the record. You can all take a look at them as you want but I think you should add that when you're considering looking at revitalizing or renovating beach code, doing different things, making some improvements."

Supervisor Walter: "Well, we've made some improvements and I think the police chief has indicated- do we start- the end of June. Okay. So we are starting with our beach patrols, the police officers, which is something we said we would do. I thought we were starting it- what happened to Memorial Day?"

(Inaudible comment)

Supervisor Walter: "Til July 4th weekend?"

(Inaudible comment)

Supervisor Walter: "Okay. So we— you are going to have police patrols along the north shore and I think it's going to be two officers at a time, or is it one?"

Eric Biegler: "Let me recommend that you look at doing that. That you don't send them necessarily there at 12:00, 1:00 in the afternoon because obviously nobody can drive on the beach because the parking lot attendants who are great by the way, stop them from entering the beach.

It's that magic hour of 5:00, 6:00, just before 6:00 starts when the lifeguards leave and the parking attendants leave or earlier in the morning."

Supervisor Walter: "We said we'd do it and we're doing it. All right, Eric, thank you.

Mr. Densieski— "

Councilman Dunleavy: "Can I just ask Ray a question?"

Supervisor Walter: "I was going to have Ray come up at the end in case there's more questions."

Ken Densieski: "Ken Densieski, president of the East End Surf Fishing Club, we were founded here in the town of Riverhead in 1931."

Supervisor Walter: "We should swear you in. Hold on, Ken. It's a public hearing, don't we— no, you're right."

Ken Densieski: "The other problem with the issue of signage at all the 4 by 4 entrances to the town. Number one states that we're to drive between the high tide and the low tide mark. I believe it should be below the mean high tide mark. That brings a problem. Where do we drive at high tide?

Same thing with the rights of the private homeowners. They own I believe to the mean high tide mark, not the high tide mark.

Same thing, I'd like to join Mr. Biegler in any questions or anything that may need any revisions to the town code. This was done in the early '70's by Joe Hall who I know his son is on your planning board.

Would be more than happy to help you with these codes. Same thing to mirror the towns around us and the Suffolk County code.

Thank you."

Councilman Dunleavy: "Thank you."

Councilwoman Giglio: "And thank you for all your help with the beach cleanup."

Ken Densieski: "(inaudible). A 30 yard dumpster and a 40 yard dumpster we filled up at Reeves and Roanoke. Geo did not have a dumpster for Iron Pier. I was at Iron Pier. We got permission to go into the state park. We cleaned everything right to Hallockville state park.

To my amazement, there's horse poo all over the beach in that state park. Aren't we trying to make the Sound a no discharge zone? Okay."

Supervisor Walter: "We tried to get the state to allow us to continue to drive on the beach in the— when they came out with their proposed amendments and at the time they didn't allow driving on the beach and they didn't allow the horses on the beach. They relented. I think the horses are allowed on the beach but the driving is not and I agree with you. I think that driving is less probably hazardous to the beach than the horses.

But we were not successful and we did ask them in writing. Actually Joe Hall spearheaded that."

Ken Densieski: "It was quoted in Riverhead local at the very end of that hearing, that public hearing that we held up at Hallockville, the state parks were not aware that horse riding was a previous use, that it was— well, I came up and I said that we've been driving on that beach under the town of Riverhead code long before they allowed the horses. They amended the park rules to allow the horses on the beach but they're not letting us on the beach."

Supervisor Walter: "You're right."

Ken Densieski: "Where is the sense in that?"

Supervisor Walter: "You have to speak to your state representative."

Ken Densieski: "I have spoke to Mr. LaValle and he is working on it."

Supervisor Walter: "I mean we have done what we could. All right. Does anybody else- are you done, Ken?"

Ken Densieski: "Just one issue. I'd like to note that since there was not a dumpster at the Iron Pier, we had 22 volunteers at the Iron Pier. We carted all that garbage back to the dumpster at Reeves beach. We did not leave it at the Iron Pier. It was totally cleaned."

Councilman Dunleavy: "Thank you."

Councilwoman Giglio: "Thank you."

Supervisor Walter: "Nice work."

Susan Reeve: "My name is Susan Reeve and no, I'm not married to John. I see that smile. I'm from Riverhead on Sound Avenue specifically. I lend my support as a member of this community to both of the gentlemen who just got through speaking with a footnote.

I've joined the fishing club because these guys go down with their vehicles like I did as a private citizen and picked garbage up. I put lawn chairs that were in the water on top of the hood of my truck. I- Ken put all kinds of garbage on the back of his truck and take it out.

I haven't seen anybody that walks the beach do that until I've asked them. I also go up to Spanish people and ask them to please not throw their (inaudible) on the ground. No (inaudible) means no garbage. Nobody is down there doing anything. I hope your police officers that come down will get to know those of us that are local and care about the Sound because I'll tell you what.

Right now it's a totally different story than what I grew up

seeing. There's almost no fish. Nobody cares about anything. I caught two people climbing the bank last week and I said please don't climb up and down the bank. It causes erosion. The guy said well I'm a Riverhead resident. I can do this. It's not the first time.

So you've got to get it clear to people, no running up and down the banks by sign or whatever. No garbage and I don't care if you have to put it in Spanish or English or what. It doesn't matter. You can put it in Greek for all I care. Just make sure somebody knows that they've got to pick up and take up whatever they brought down and better to take up more than what they brought down."

Supervisor Walter: "Well, it is my hope that by having the two police officers patrol the beaches during the summertime that this is going to change the culture a little bit down there. It has in other places in the downtown areas and I'm sure the officers will get to know some of you and I'm sure they're not going to go just that one time. The police know how they have to do what they have to do and I think that's going to make a difference. I'd be surprised if it didn't."

Susan Reeve: "Now concerning the price of the stickers. I do not park in the parking lot. Why do I have to pay for a combination sticker? That's my question to (inaudible)."

Supervisor Walter: "We're going to-- that's a question we're going to ask."

Susan Reeve: "Thank you. That's one. The other thing is why is it that all of us that are in the know about what's needed and not needed down there have licenses but I bet you go down there any day of the weekend and you don't find too many of the people that are down there that have licenses for fishing. Even though we don't have to pay for them, we have to have that little yellow card that says we're licensed to fish. Even though there's no fee for the next two years."

Supervisor Walter: "I mean this is way off the scope of the public hearing but it's more of a DEC enforcement issue than a town of Riverhead enforcement issue."

Susan Reeve: "Will we have availability of a-- "

Supervisor Walter: "Jim Divan (phonetic). Jim is out there patrolling the beaches and the bays but if we could focus on the fees. The purpose of the public hearing was the fees."

Susan Reeve: "Okay. Well, I guess my point is if you're going to charge me or anybody else in this town, we've got to work on keeping that beach cleaned up and lawful. And keep some of these people that are not lawful off the beach one way or the other, whether you've got to give them tickets or whatever."

Supervisor Walter: "Okay."

Councilman Dunleavy: "I agree."

Councilman Wooten: "Thank you, Susan."

Supervisor Walter: "All right. Does anybody else wish to be heard? Ray, you're up."

How are you doing, Ray? I guess the question-- we had a couple questions and I think you're going to be part of going through the code with the town, one of the deputy town attorneys, to try to get all the fees together.

But if we're charging \$45.00 for a beach fee, driving on the beach, why would we make them buy a parking fee if they don't chose to?"

Ray Coyne: "All right. This is how we came to that conclusion."

For many years we analyzed the stickers and who buys them and the complaints, we measure all the complaints. The overwhelming majority of the complaints were that the people had to buy two stickers. They had to buy one to drive and then one to park.

And our numbers indicated over 90 something percent of the people got the combination. And they complained. They don't want to put one sticker on their car let alone two. So we came up with the idea of combining it to one sticker.

And, again, we have gotten a lot of praise over the last year for doing that and people like that.

They have— people do have the ability and if you were told no, let me know. We have the ability in the office to give you a separate sticker. I have an ability with my signature to give you a sticker just to drive on the beach as well.

So I don't know if you've asked for that or if they told you that, but you can come in and see me and I can give you a separate sticker for that."

Supervisor Walter: "Well, that works fine."

Ray Coyne: "We followed the code in this case by the book."

Supervisor Walter: "Problem solved."

Councilman Dunleavy: "What's the difference between the two stickers?"

Councilman Wooten: "Thirty dollars."

Ray Coyne: "Well, yeah, it's 45 and— "

Councilman Dunleavy: "I know the price. But I mean if someone passes them and is parked in the parking lot, how can they tell that they only paid \$45.00?"

Ray Coyne: "Oh, well they wouldn't— basically you have to put the sticker, the 4 by 4 sticker, into a— we inform the cops, you have to put it in a certain spot on the car."

Councilwoman Giglio: "But, Ray has a separate sticker if they just want to drive on the beach."

Councilman Dunleavy: "That's what I'm asking him."

Ray Coyne: "Yeah, no, we would give them a placard for their car and they put it right in the same spot. You know what I'm saying? They would put it in the back."

Councilwoman Giglio: "And it's different than the universal sticker that would allow them to drive on the beach and park in the parking lot."

Ray Coyne: "So if Jim Divan was to go up to him, he would see it. It's a special placard from my department. Only my department can do this with my signature on it.

And, again, you're talking about a lot of people. Ninety-five percent of them get the combination sticker, we didn't feel like the expense of getting a second sticker."

Councilman Dunleavy: "The only- "

Supervisor Walter: "You have to come up. All right, Ray."

Ray Coyne: "What else? Anything? Oh, about the port-a-potties. I want to address that because I agree with you. Memorial Day weekend was not the weekend we wanted to put those port-a-potties out. But we were told of a problem in those bathrooms which we have been trying to replace. I'll address that in a second.

In that we had to wait and wait the weekend and there was issues going on inside the bathrooms which I didn't want people to see. So I decided not to wait and have the issue being solved right a way. That made it a danger to the kids and I didn't want- when it comes to danger, I'd rather look at port-a-potties than have any kid hurt. So I decided to put the three port-a-potties up for the weekend. The problem has been solved. Those port-a-potties are gone.

And as far as the bathroom, we put in for a new bathroom in 2007. The DEC has given us tons of problems with footprint and where to put it as far as where we have to hook up. It's been a nightmare but the money was sitting there. I don't like looking at those bathrooms nor cleaning them either so but we're not going to give up on that. (Inaudible)."

Supervisor Walter: "I think we covered so much more than beach stickers.

Does anybody else wish to be heard on beach stickers and fees? Not seeing anybody, we will close the public comment portion, leave it open to written comment until the 9th- June 9th, is that a Friday- anybody have a calendar out here- yeah, that's June 9th. June 10th at 4:30 p.m. at the town clerk's office.

All right. Well, thank you for coming."

Public hearing closed: 2:43 p.m.
Left open for written comment for
10 days to June 10, 2011 at 4:30 p.m.

Supervisor Walter: "We are going to take up resolutions. Does anybody wish to be heard on the resolutions? No. Diane, let's get started."

Councilman Dunleavy: "I'd like to close the town board meeting and open the community development agency meeting. So moved."

Supervisor Walter: "Can I get a second on opening this?"

Councilman Gabrielsen: "And seconded."

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

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

Meeting adjourned

Meeting reopened

Supervisor Walter: "Okay, Diane."

Resolution #422

Councilman Dunleavy: "2011 Chips town truck refurbishing capital project budget adoption. So moved."

Councilman Wooten: "This is 422 I believe, right?"

Councilman Dunleavy: "Yes."

Diane Wilhelm: "No, 423."

(Some inaudible discussion)

Councilman Wooten: "I'll second."

Supervisor Walter: "All right, we have it moved? Moved and seconded. Vote please."

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

Resolution #423

Councilman Wooten: "Awards bid for Henry Pfeifer community center 500 gallon above ground oil tank installation and 1,000 gallon underground oil tank removal. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #424

Councilman Gabrielsen: "Awards bid for Jamesport town beach boardwalk and pavilion. So moved."

Councilwoman Giglio: "And seconded."

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

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

Resolution #425

Councilwoman Giglio: "Awards bid on 2007 ASV 100 HP track skid loader. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #426

Councilman Dunleavy: "appoints part time call in recreation leader to the youth bureau. So moved."

Councilman Wooten: "Second."

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

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

Resolution #427

Councilman Wooten: "Appoints a call in recreation aide to the recreation department. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #428

Councilman Gabrielsen: "Appoints seasonal call in beach attendants to the recreation department. So moved."

Councilwoman Giglio: "And seconded."

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

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

Resolution #429

Councilwoman Giglio: "Appoints seasonal call in lifeguards to the recreation department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #430

Councilman Dunleavy: "Appoints a call in recreation aide I to the recreation department. So moved."

Councilman Wooten: "Second."

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

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

Resolution #431

Councilman Wooten: "Should do all of these together.

Appoints a call in recreation aide I to the recreation department. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #432

Councilman Gabrielsen: "Appoints a call in park attendant III to the recreation department. So moved."

Councilwoman Giglio: "And seconded."

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

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

Resolution #433

Councilwoman Giglio: "Appoints a call in park attendant III to the recreation department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #434

Councilman Dunleavy: "Appoints a summer recreation program leader to the recreation department. So moved."

Councilman Wooten: "Second."

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

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

Resolution #435

Councilman Wooten: "Appoints a scorekeeper Level IV to the recreation department. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #436

Councilman Gabrielsen: "Appoints seasonal recreation aides to the recreation department. So moved."

Councilwoman Giglio: "And seconded."

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

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

Resolution #437

Councilwoman Giglio: "Appoints a recreation Aide I Level I skate park to the recreation department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #438

Councilman Dunleavy: "Authorize the town supervisor to enter into a renewal of professional engineering services agreement (H2M). So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #439

Councilman Wooten: "Appoints a hearing officer. So moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio, no; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #440

Councilman Gabrielsen: "Adopts a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead town code. That's one way street. So moved."

Councilwoman Giglio: "And seconded."

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

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

Resolution #441

Councilwoman Giglio: "I make a motion we table Resolution #441."

Councilman Dunleavy: "And I second it."

Supervisor Walter: "Moved and seconded. Vote on tabling."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, no; Dunleavy, yes; Walter, yes. The resolution is tabled."

Resolution #442

Councilman Dunleavy: "Appoints member to Board of Ethics. So moved."

Councilman Wooten: "Seconded."

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

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

Councilman Dunleavy: "Yes. And I think Jeanmarie Costello will make a great another person on the Ethics Board. I vote yes."

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

Supervisor Walter: "Yes. And Thomas Costello was a former town justice here for many years, that was her father, and he was a town-- was he a town board member as well? I think he might have been a town board member as well. So Jeanmarie is following in the family tradition."

Diane Wilhelm: "The resolution is adopted."

Resolution #443

Councilman Wooten: "Extends a bid contract for quick lube maintenance for the Riverhead water district.. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #444

Councilman Gabrielsen: "Authorize the supervisor to execute a license agreement with Sun Never Sets Productions LLC utilize portions of town of Riverhead Enterprise Park at Calverton western runway/taxiway, Grumman Boulevard/River Road, Calverton for Top Gear series. So moved."

Councilwoman Giglio: "And seconded."

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

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

Resolution #445

Councilwoman Giglio: "Approves the chapter 90 application of Abate of NY Long Island Chapter for Veterans Appreciation Run June 12, 2011. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "And it's at the Riverhead Elks Lodge. Yes."

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

Resolution #446

Councilman Dunleavy: "446, ratifies approval of the chapter 90 application of Riverhead Elks Lodge #2044 for lawn mower event and children's bicycle races, May 29, 2011. So moved."

Councilman Wooten: "I'll second."

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

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

Resolution #447

Councilman Wooten: "This establishes a location for the farmer's market for 2011 season. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #448

Councilman Gabrielsen: "Authorize the supervisor to execute a professional services agreement with the Raynor Group, P.E. & L.S., PLLC for construction monitoring and inspection services for EPCAL recreational facility. So moved."

Councilwoman Giglio: "And seconded."

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

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

Supervisor Walter: "Yes. And I just want to point out that they paved the main road now so things are moving in the right direction."

Diane Wilhelm: "The resolution is adopted."

Resolution #449

Councilwoman Giglio: "Amends Resolution #407. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #450

Councilman Dunleavy: "I make a motion to pay the bills. So moved."

Councilman Wooten: "Second."

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

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

Supervisor Walter: "Three to take off the table. Can I get a motion to- "

Councilman Wooten: "I make a motion to un-table Resolutions 412, 413 and 417."

Supervisor Walter: "And a second?"

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolutions 412, 413 and 417 are untabled."

Resolution #412

Councilman Wooten: "Okay. I'd like to move Resolution 412 which amends Resolution #371. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #413

Councilman Gabrielsen: "413 amends Resolution 372. So moved."

Councilwoman Giglio: "And seconded."

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

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

Resolution #417

Councilman Gabrielsen: "Changes status of an employee. So moved."

Councilwoman Giglio: "And seconded."

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

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

Supervisor Walter: "We have one to come off the floor- wants to do it. I don't know if Annmarie had a chance to speak to you."

We had two bids that came in from- to do our market study. One was RKG and the other one I'm not quite sure of. VHB has evaluated both of the bids. We gave out information last week to the board members and I think the recommendation of VHB and the town attorney's office is to award this to RKG and we can have Annmarie come in and talk about it.

I just didn't want to let any grass grow between the cracks if you will. I wanted to try and move this as quickly as possible. It's our standard consulting services agreement and I don't know if

anybody has any questions."

Resolution #451

Councilman Wooten: "I'll move it.

Authorizes the supervisor to execute agreement with RKG Associates, Inc. So moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is taken off the floor."

Supervisor Walter: "And now we need to get— can we have a motion to adopt? Councilman Wooten, looks like you're on there."

Councilman Wooten: "Motion to what?"

Supervisor Walter: "Take it off the floor. We took it off the floor."

Councilman Wooten: "That was to take it off the floor? All right. Then I'd like to move Resolution #451 authorizing the supervisor to execute agreement with RKG Associates, Inc. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Councilman Dunleavy: "I wasn't in favor of this in the beginning, to begin with, and I just think that we had a re-use plan once and we didn't seem to follow it. We're doing another re-use plan but the town board has voted for it so I'll have to go along and I'm going to vote yes to this RKG."

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

Supervisor Walter: "Shall we take up the zoning board of appeals stuff from this calendar? Is that why this is here? The ZBA."

All right. Does anybody wish to be heard on any other matter before the town? Yes."

Sue Hansen: "My name is Sue Hansen from Rocky Point. And I guess before I make any comments, I came a little late. Did I miss anything with regard to the animal shelter?"

Councilman Wooten: "You almost missed a record meeting. But, no."

Sue Hansen: "So basically everything is still status quo?"

Councilman Wooten: "From your (inaudible), but not from mine."

Sue Hansen: "So personnel hasn't changed?"

Councilman Wooten: "Not yet."

Sue Hansen: "And the euthanasia policy has not changed?"

Councilman Wooten: "Not officially."

Sue Hansen: "Okay. And there's no movement on putting anybody new in charge as a director or some sort of figurehead that would be in charge of management?"

Councilman Wooten: "Not officially."

Sue Hansen: "Okay."

Councilwoman Giglio: "You missed Jackson. He was a cute little puppy for adoption."

Sue Hansen: "I think you're going to have a lot of cute little puppies for adoption if things don't start changing soon."

I have an email that I was asked to submit at this meeting as a matter of personal record— as a matter of record, from Gina who's been volunteering at the animal shelter. Gina has been going up on

weekends. She's a professional trainer and she's been having some terrific success with the dogs."

Councilman Wooten: "Sure has."

Sue Hansen: "In particular, the dogs with issues that are typically kept in the back, that are not up for adoption, and who are not taken out as frequently as maybe they should be because people don't feel comfortable handling them.

Pat forwarded— Pat Lynch forwarded this email to me and Gina gave a very detailed account on the progress that some of those dogs are having.

However, I won't take the time to read this, it's about four pages long. But— "

Councilman Wooten: "Is that also addressed to me?"

Sue Hansen: "Yes."

Councilman Wooten: "Because I'll share that with the board."

Sue Hansen: "What she does point out though is that she recognizes that there aren't very many volunteers up there and as a result the dogs are not getting out very frequently and this is having an adverse effect on their behavior.

The dogs are getting stir crazy. There's something that's called kennel rage that can develop over time when dogs are kept in the same spot without rotation and without any interaction and, again, this is something that the board really needs to look at seriously and start to make some changes, some progressive changes.

So I'd like to submit that.

And, again, I'd just like to emphasize the fact that Gina has been working diligently. She's been doing this as a volunteer and that's in contrast to the fact that you have paid personnel that are not even present at their job and that are costing the town money and Gina would like to be able to work with these dogs more frequently but as it stands now she's volunteering a day of her week free of charge.

She is available to work more frequently but I know that you

are restricted financially but at the same time I want you to recognize that there are finances that could be used if they were shifted and if you- "

Supervisor Walter: "If RSVP raised some money, we would happily probably used those services."

Sue Hansen: "RSVP raises not a lot of money and everything that they raise, goes toward the dogs unlike the money that's used for the animal shelter, 80% of which is used for personnel. One hundred percent- "

Councilman Wooten: "Sue, I know what you mean."

Sue Hansen: "One hundred percent of our funds go towards the dogs as it's an all volunteer group."

So, again, at the risk of being redundant, I just want to point out the fact that we've been here time and time again waiting for changes to occur and we're still waiting and hopefully something will happen within the very near future.

Thank you."

Councilman Wooten: "Thank you."

Supervisor Walter: "Does anybody else wish to be heard today?"

Councilman Wooten: "Yes, I want to be heard. I want to be heard. I move we adjourn."

Supervisor Walter: "All in favor."

Collective response: "Aye."

Supervisor Walter: "The town board meeting is adjourned. Thank you."

Meeting adjourned: 3:04 p.m.

Clare M. Philbeck
Town Clerk