

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, December 27, 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
Bill Duffy,	Town Attorney

(The Pledge of Allegiance was recited.)

Supervisor Walter: "Reverend, would you like us to stand, sit?"

Rev. Larry Duncklee: "Standing, you might as well stay."

I'd just like-- on behalf of the Riverhead (inaudible) council, I want to thank you all for the opportunity to do this and pray with you. And to also let you know that on a consistent basis, you're prayed for in our congregations as well. We all need it.

Oh God, may a powerful spiritual awakening grip our nation and our communities. May you provide for the needy during times of economic challenge, particularly during the harsh winters.

May people of faith and all those people of good will stand strong together for morality and for greater sense of justice. May God grant strength and protection to those who are suffering and may God grant wisdom, courage and integrity to all who serve in government so that all we seek from our God may be more easily attained.

May God grant to our citizens a more grateful heart and a spirit of thanksgiving and cooperation to work with one another with government and with community organizations to better the lives of all.

We ask this to the Lord our God. Amen."

Supervisor Walter: "Thank you very much. That's Reverend Duncklee from St. John the Evangelist Church in Riverhead. Thank you very much, sir. Come again.

East End Arts Council- where are you? Do you want us to come down or how do you want us? Do we have the winners here? Well, we'll come down so we- "

Pat Snyder: "Hi, everybody. I'm Pat Snyder from East End Arts. We for the second year did a window decorating contest in empty storefronts on Main Street. We had 15 windows decorated and we have the benefit of our town board who contributed the funds for the prize money. So- "

Supervisor Walter: "Let's announce the winners. Do we know if anybody is here?"

Pat Snyder: "I don't know but I guess we'll find out."

Supervisor Walter: "It doesn't look like it."

Pat Snyder: "So the way it worked was our voters, we had 115 voters who voted first, second and third prize and we tallied up the numbers. Should we start with winner number one? Or do you want a little bit of- "

Supervisor Walter: "It's your show."

Pat Snyder: "Okay. So we had a tie for third place and the tie for third place was with both scoring 56 points, was the Red Collection. It's the new store on Main Street. And the window entitled J. Jam which was headed by Nancy Morrow. So each of these winners will get three tickets to Atlantis, Long Island Aquarium.

And the second prize with a score of 67 points was LaFace Construction, Ann Marie LaFace (phonetic).

And the first prize went to Occupy North Pole. The window that has a little Occupy North Pole with the little elves and their signs, why does Santa get all the milk and cookies? So that was the winner with 137 points.

So then the first prize was \$500; second prize was \$125; and that's all thanks to our town board."

Supervisor Walter: "Pat, thank you on behalf of the town board. Thank you for doing that. It brightened up Main Street and keep up the good work and congratulations to those winners. I'm sorry they weren't here to receive the checks. Thank you.

All right. Do we have- okay. Well, we're going to do the public hearing I guess."

(Some inaudible discussion)

Supervisor Walter: "Yes, sir. Come on up. Do you want to present something to the town board? Yes, up there."

Mike DePaoli: "2011 is rapidly closing. I want to wish the town board pleasant dreams for 2012 but as a Viet Nam veteran, I'm here to remind the board and remind the citizens of Riverhead that there is a new movie in town called War Horse and that War Horse represents war for the dough boys in World War I and past that, we now have World War II; we have the Korean conflict, we have Viet Nam, we have the wars in Afghanistan and Iraq, and the continuation of our men and women that are serving presently in uniform.

It's a forgotten-ness of those individuals that are presently serving and the idea that every day of every hour 24/7 there's somebody guarding our independence.

I recently or in the last year or two presented a Blue Star flag to the Suffolk County legislature that has it on display. In World War I and World War II, individual households used to display the Blue Star flag with a white field and a red border indicating a member of their household who is serving and the stars would increase by the number of individuals that would be serving from that household.

Sadly that star of blue would change to gold in case of their demise through war.

In any case, the Suffolk County legislature presently has it on display. The towns of Huntington, the towns of Brookhaven town - I recently gave the town of Babylon with Steve Ballone as former supervisor now presently county executive-elect.

I'm now on my verge of requesting Gov. Cuomo who is basically our chief in concern in association with military, Commander in Chief of New York State to display the Blue Star flag and to change the New York Thruway and the Long Island Expressway to the Blue Star Highway.

I'm here today to not only to display but to give Brookhaven-the Riverhead town board a Blue Star flag to display for the residents of the town who are serving."

Supervisor Walter: "Sir, could you give us your name?"

Mike DePaoli: "Yeah. My name is Mike DePaoli, I'm a Viet Nam veteran."

Supervisor Walter: "Mike, where would that be? Would that be appropriate for us to fly that below say our POW MIA flag?"

Mike DePaoli: "Yes. Yes, it would."

Supervisor Walter: "Okay."

Mike DePaoli: "Once again, it's the Blue Star flag. It can increase by the number of stars by those that are serving but I know it's a proud flag. I know it's something that reminds us every day of the individuals that are defending our democracy 24/7. And I hope that the town board displays it for our citizens that are presently serving."

Supervisor Walter: "I think we'd fly it over our town hall-well, not quite over our town hall but in front of our town hall."

Mike DePaoli: "I'd be most pleased to- "

Supervisor Walter: "Absolutely. Thank you, sir. Thank you for presenting that to us."

Mike DePaoli: "Thank you."

Councilman Wooten: "Thank you very much, sir."

Councilman Dunleavy: "Very nice."

Supervisor Walter: "Thank you for your service, sir."

(Some inaudible comments)

Supervisor Walter: "Sir, that was very nice. We will put that up and fly it proudly."

Councilwoman Giglio: "Thank you very much."

Councilman Dunleavy: "Can you give Diane your name and address? You have his address?"

Mike DePaoli: "In other words, can you display it and maybe indicate to do a write up on it, Suffolk County legislature has it in Riverhead and also in Hauppauge. Probably just display it so the town residents can see."

Councilman Dunleavy: "How can we- I tell you where I'd like to fly another flag is our Grumman memorial where we have the two fighter planes. So if there's a way to get another one- "

Mike DePaoli: "I'll see if I can get another one."

Councilman Wooten: "Is Mandi here?"

Supervisor Walter: "All right. Now we welcome for your viewing pleasure Mandi. Mandi is going to be dancing to a tune- oh, no, Mandi is a dog. That's a strong looking dog."

Mandi is two years old. It's a boxer American Staffordshire terrier, gender female, two years old, and she's looking for a loving home. How long has Mandi been at the shelter?

Mandi has been homeless now for six months at the shelter so if anybody wants to adopt Mandi, that's a good looking dog right there. Oh, you're going to find somebody? I thought somebody was coming in to see Mandi.

All right. Well, Mandi is available. Look how sweet she is. Very good looking dog and likes dog bones. Come on. The dog's got

your name written all over it. Paul, that dog looks like you. Doesn't it look like Paul?

All right. Well. Oh, really. Hey, last month's dog— what was last month's dog? Ben was adopted a day after her showing last month so you might want to get in there. Mandi looks like she's a good looking dog. You might want to get in there right away.

All right. I guess, John, you're ready?"

Councilman Dunleavy: "Yes. I'd like to make a motion we approve the town board meeting of December 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. Correspondence, Fire Districts."

FIRE DISTRICTS:

Manorville Fire
District

oath of inspectors of certificate
of election, certificate of
inspectors of election and
certificate of the fire district
secretary

CORRESPONDENCE:

6 emails and 25 signed
letters hand delivered

requesting the scheduling of a
public workshop for the Wading
River study

4 emails

requesting the adoption of a
short term moratorium for the
Wading River corridor

Diane Wilhelm: "And that's all I have."

Supervisor Walter: "Interesting. We had the public workshop, you went to the public workshop. We had two public workshops.

Maybe some people missed their opportunity. I don't know. We had it. They missed their opportunity.

The next thing is a public hearing."

Public hearing opened: 2:22 p.m.

Supervisor Walter: "And the public hearing is scheduled for 2:05 and it is now 2:20 and that is the consideration of a local law to amend Chapter 101 of the Riverhead town code entitled Vehicles & Traffic, Article III, traffic regulations, Section 101-3, stop and yield intersections, railroad crossings, parking fields.

John, this is another one out of your committee."

Councilman Dunleavy: "Yes. This is just to straighten out our town code. When developers put these developments up, they put stop signs up and they never come to us and get them under the town code.

So we checked on— Sandpiper Drive is the drive that goes up from Sound Avenue all the way to the end almost to the bluff and these are intersections streets through Sandpiper. So for safety there should be stop signs there. So we just like to put them in our code.

And that's it."

Supervisor Walter: "Okay."

Councilman Wooten: "So these are recognizing signs that are already there. We're just legitimizing them."

Councilman Dunleavy: "That's right."

Supervisor Walter: "Does anybody wish to be heard on this? Nobody wishing to be heard, we will leave this open until— is it the 7th next Friday— 6th. We'll leave this open for public comment until January 6th at 4:30 p.m. in the town clerk's office."

Public hearing closed: 2:24 p.m.

Left open for written comment for
10 days to January 6, 2012 at 4:30

p.m. in the town clerk's office

Supervisor Walter: "Okay. Anybody wishing to be heard on resolutions? Sal, how are you doing? Merry Christmas and almost New Year."

Councilman Dunleavy: "Sal, we're trying to put you out of a job, but-- "

Sal Mastropaolo: "Well, you did pretty good this week. No mistakes. Just a couple of questions. 951, can you tell me what the planned improvements are other than just cleaning that property up."

Councilman Dunleavy: "The improvements?"

Sal Mastropaolo: "Yeah. I mean \$109,000 for a park."

Councilman Dunleavy: "We're supposed to be putting a building up there so people can launch their canoes."

Supervisor Walter: "And a parking lot."

Sal Mastropaolo: "Where the Weeping Willow was? I thought we had a canoe launch further up-- "

Supervisor Walter: "Now the town is going to have one."

Councilman Wooten: "The state has one further up near-- "

Supervisor Walter: "This is all part of a grant that we received."

Sal Mastropaolo: "Okay. So the 109 is coming out of a grant rather than out of the budget?"

Supervisor Walter: "Uh-- it was a matching grant, is my recollection. It's a matching grant. So 50% is coming out of our budget; 50%-- "

Councilman Wooten: "I think the contractual expense is for the demolition-- "

Sal Mastropaolo: "Well, that's the from. I'm worried about the to."

Supervisor Walter: "Well, it's going to improvements which will be the parking lot and the canoe- I didn't even realize. I think they started work up there because there's (inaudible)."

Councilman Dunleavy: "It's being cleaned up now."

Sal Mastropaolo: "952. The serial bond proceeds, is that another condition of the grant or is the town-- I take it that's- "

Supervisor Walter: "Bill, 952, FEMA Horton Avenue, it's \$2.6 million dollars FEMA funds and \$900,000 serial bond proceeds."

Bill Rothaar: "Yes. That was the CPF (inaudible) that we borrowed- they're already borrowed, we're now applying them to Horton Avenue, our portion of the grant. We had to contribute 25% in order to match."

Supervisor Walter: "Isn't the county contributing twelve and a half percent of this?"

Bill Rothaar: "Well, it was vague as to how much is ours but we put that much aside so we had that just in case if the county does or if we use (inaudible) labor for it we won't have to use that much money.

The rest of the CPF fund if you remember was put back into the CPF fund so whatever we don't spend at that time will go back- "

Supervisor Walter: "Just go back into debt service."

Sal Mastropaolo: "Okay. 963. It doesn't say anywhere in here what the total cost of the professional services agreement is. It just says that there's \$15,000- it says plus \$15,000 for codification services including editorial analysis.

I was just wondering what the total cost of this package is."

Supervisor Walter: "My recollection was \$15,000 was the total cost-- "

Sal Mastropaolo: "No. That's not what this says. This

says-- "

Supervisor Walter: "All right. Let's get Ann Marie in here because I can't answer this question."

Councilman Wooten: "I think we already had services with him. This is just additional (inaudible)."

Councilwoman Giglio: "I didn't think that it was an additional cost because when I questioned it at work session they said that it was all inclusive. That's what I was told."

(Inaudible comment)

Supervisor Walter: "We pay a certain amount of money every year."

Sal Mastropaolo: "Well the way this reads, it reads that there's a contractual figure plus \$15,000 for specific things. And I was just wondering, you know, was it 50 plus 15, is it 10 plus 15? How much are we spending to do this work?"

Supervisor Walter: "We pay a-- we'll get Ann Marie Prudenti to come in. Is she coming? Next."

Sal Mastropaolo: "965. This is the transcribing and I don't remember what we paid last year, but my question here is-- "

Supervisor Walter: "Same thing."

Sal Mastropaolo: "Three fifty a page? Do we have an idea what we pay the total cost on this thing? Six thousand? All right. Because I think last year we talked about it and I mentioned that there are applications available that transcribe."

Supervisor Walter: "Yeah, we wouldn't use that."

Sal Mastropaolo: "Okay. One last question. On 971, East Creek docking facility funds, \$156,818.44. Is that for renovations for the bulkheading and stuff?"

Councilman Wooten: "The pay bills you mean?"

Sal Mastropaolo: "Yeah. To pay bills."

Councilman Dunleavy: "Is that on the first page?"

Sal Mastropaolo: "Yup on the first page of 971."

Supervisor Walter: "Bill Rothaar can come in for-- we did a budget transfer, I think it was the last board meeting to-- Bill, the East Creek docking facility, the 156,818, is that part of that budget transfer we did last board meeting to pay part of the expenses for the rest of the park over there?"

Bill Rothaar: "Yes."

Supervisor Walter: "So this comes out of the docking facility?"

Bill Rothaar: "This is coming out of East Creek instead of the parks reserve fund. Originally it was slated to come out of there but because we moved it over to EPCAL, it's coming out of East Creek instead."

Supervisor Walter: "What we're doing is we're using--that facility is all one facility so the docking facility actually has a positive cash flow so we use (inaudible)."

Sal Mastropaolo: "So it's funding the improvements to the park. Okay, thank you."

Supervisor Walter: "Is Ann Marie coming down? All right. Does anybody else wish to be heard? Well, if she doesn't come before that we will be tabling that resolution I guess.

Diane, call the resolutions."

Resolution #950

Councilman Dunleavy: "Appoints call in personnel to the accounting department. So moved."

Councilman Wooten: "Second."

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

The Vote: "Giglio."

Councilwoman Giglio: "This is actually one person replacing two people that we had as interns this summer to come and inventory all of the town's assets. So I think it's a wise decision to have one person regularly come in rather than getting new interns every year.

So I'll vote yes."

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

Resolution #951

Councilman Wooten: "It's a Weeping Willow capital improvement project for budget adjustment. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #952

Councilman Gabrielsen: "Horton Avenue open space capital project budget adoption. 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 #953

Councilwoman Giglio: "Information technology department-- "

Supervisor Walter: "Stay there, Ann Marie, because we-- go ahead."

Councilwoman Giglio: "Information technology department budget adjustment. So moved."

Councilman Dunleavy: "And seconded."

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

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

Diane Wilhelm: "Should I keep going?"

Supervisor Walter: "Yeah, keep going until we get to the resolution."

Diane Wilhelm: "Okay."

Resolution #954

Councilman Dunleavy: "A resolution setting fees for taxicabs and vehicles for hire pursuant to Chapter 99 of the Riverhead town code. So moved."

Councilman Wooten: "Second."

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

The Vote: "Giglio."

Councilwoman Giglio: "I want to commend Councilman Dunleavy for this legislation that is taking effect now. It has to do with all the taxicabs and companies that do business within the town of Riverhead and bring people up here to make sure that our residents are safe when they travel in taxicabs.

So, yes."

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

Resolution #955

Councilman Wooten: "955 promotes a heavy equipment operator in the Riverhead town highway department. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Councilman Dunleavy: "These people have been working out of class and before the Civil Service jumps on us and tells us we're doing really something wrong and could possibly fine us, we have to promote these people.

So I vote yes."

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

Resolution #956

Councilman Gabrielsen: "Promotes an automotive equipment operator in the Riverhead town highway 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 #957

Councilwoman Giglio: "Promotes a construction equipment operator in the Riverhead town highway department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Supervisor Walter: "That's what I'm thinking. You might have his father come up and speak about him a little. Maybe you should get him up there."

Councilman Wooten: "Yes."

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

Supervisor Walter: "And he's a darn good welder."

Resolution #958

Councilman Dunleavy: "Reassigns the salary of a senior account clerk typist. So moved."

Councilman Wooten: "And seconded."

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

The Vote: "Giglio, abstain."

(Some inaudible discussion)

Supervisor Walter: "Will you change your vote?"

Councilwoman Giglio: "No. I will change my vote, yes."

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

Councilman Gabrielsen: "I'll have to abstain. I wasn't here for this."

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

Councilman Dunleavy: "Yes, she's doing a great job."

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

Resolution #959

Councilman Wooten: "Resolution 959 changes the status of a groundskeeper I in the building and grounds division of the town engineer's department. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Councilman Wooten: "I'm very happy to vote yes to Howard Bowe. Yes."

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

Councilman Dunleavy: "Yeah. What we're doing is we have three part timers that work during the summer time and into the fall and what we're doing is we're changing his title from part time to full time and we're not going to hire the other two in the summer or the spring or the fall. So he's taking-- so it's really not costing the town that much money.

I vote yes."

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

Resolution #960

Councilman Gabrielsen: "Reassigns the salary of a principal account clerk. So moved."

Councilwoman Giglio: "And seconded."

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

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

Councilman Dunleavy: "Yeah. I'm happy to do this. Jean Miloski has done a lot for this town saving us money in insurance purposes and other things. So I'm glad that we're reassigning her salary.

I vote yes."

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

Resolution #961

Councilwoman Giglio: "Reinstates a senior account clerk

typist. So moved."

Councilman Dunleavy: "And seconded."

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

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

Councilman Wooten: "Yes. This is just right. This makes her a senior account clerk typist which she used to be, then she stepped down when she worked for the town attorney. There's no money involved (inaudible). Yes."

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

Resolution #962

Councilman Dunleavy: "Authorizes the town attorney to order appraisals for real properties located at Horton Avenue, Riverhead in furtherance of grant HMGP - 1899. So moved."

Councilman Wooten: "I'll second."

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

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

Councilman Dunleavy: "Yeah. This is going to help Horton Avenue. We're going to buy nine houses and we're going to make it a wetlands and move the people out and they will move to a different-- and the county is helping us with this.

So I vote yes."

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

Resolution #963

Supervisor Walter: "Our esteemed deputy town attorney is going to give us a-- not a lesson but some insight to this resolution, I guess."

I thought— actually the microphones are on the table. The financial aspect of this. We pay a certain amount of money for services, General Code Publishers for publishing. Give us the background, not the background but— "

Ann Marie Prudenti: "Every time the code is amended, what they do is they'll send us updates, they'll insert it into the code. It ranges from anywhere annually from 9,000 to 13,000 a year. It depends on how many amendments we have.

That we're going to continue to pay and that's reflected in the now, therefore, be it resolved.

In addition to that, and what was presented to the town board and the town board supported it and asked me to draft a resolution, was \$15,000 for codification services. We're going to change it to a one volume or two volume eight and a half by eleven. It's going to go through all the updates. It's going to put it on line and in addition to that what they're providing for that figure is post editorial analysis and that was the legal analysis matching it up to current New York State statutes, identifying any conflicts within the code, going through all the fine provisions, comparing that to other municipalities.

And essentially since they did the presentation originally before the town board, they actually prepared a very nice package for the town of Riverhead to a savings of at least \$6,000."

Supervisor Walter: "So I was mistaken."

Ann Marie Prudenti: "So you're getting the full breadth of all services that they offered— "

Supervisor Walter: "For fifteen. Whereas before it was just one service for fifteen."

Ann Marie Prudenti: "Correct."

Councilwoman Giglio: "And this is also— which is something that should interest the public. When you go onto our website any proposed legislation that we had public hearings on that has yet to be adopted, that proposed legislation will be listed on the left hand page— the left hand side of the page, and it will show the legislation that's under consideration, so anybody had anything they

wanted to write in within the time period, they could. But you could read the legislation and see what was currently proposed and whether or not it was adopted."

Ann Marie Prudenti: "So depending on the amendments, we're still going to pay for that supplementation service between nine and thirteen thousand it runs, and then for the fifteen thousand payable over the course of three years and the service should only take eighteen months but they're allowing us to pay it in three years."

Councilman Wooten: "I think the biggest expenditure-- I mean we've been kicking this around for years about having somebody go through this code book with the inconsistencies and you know tightening up more or less to make sure it all says the same thing throughout. That's a bigger service than (inaudible)."

Ann Marie Prudenti: "I mean they're going to completely redo the table of contents, they're going to make representations to the town board even as far as the order in which the chapters should appear depending on the content of the chapters.

They're going to get rid of the sections that say reserve that we haven't used for 20, 30 years and really make it a workable code."

Councilwoman Giglio: "And a lot easier to read--"

Ann Marie Prudenti: "Absolutely."

Councilwoman Giglio: "-- where you have to flip from the front of the book to the back of the book and it keeps referring you to different sections of the code."

Councilman Dunleavy: "And plus we're getting six code books for the town of Riverhead."

Ann Marie Prudenti: "Included in that."

Councilman Dunleavy: "Included in that. If anybody wants to purchase a code book they can purchase one through the town of Riverhead and-- "

Ann Marie Prudenti: "Included in that price you're getting six for free."

Councilman Dunleavy: "Yes, six for free."

Supervisor Walter: "Now you'll be able to buy code books from the town clerk. Diane's not happy with that."

Diane Wilhelm: "No, that's okay."

Ann Marie Prudenti: "So really you're getting all the services that they offered and described to you for a reduced cost since their presentation."

Supervisor Walter: "It's unfortunate because everybody thinks you can do away with code books with computers but you can't. If you're at a public hearing or you're at court, you know, the judge isn't going to take your computer and say oh, yeah, that's— they will take a code book."

Ann Marie Prudenti: "Absolutely."

Supervisor Walter: "Okay, thank you."

Councilman Dunleavy: "Thank you."

Councilwoman Giglio: "Thank you."

Supervisor Walter: "All right. We didn't move this. John?"

Councilman Dunleavy: "Authorizes the supervisor to execute a professional services agreement with General Code for codification and editing services of the town code of the town of Riverhead. 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 #964

Councilman Wooten: "This is authorizing the town clerk to publish and post a public notice to consider a local law to amend Chapter 108 entitled zoning of the Riverhead town code, addition to

Article XXIII Residence RC District. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "(Inaudible) did Losandro have something to do with this legislation?"

Councilman Wooten: "Did he?"

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

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

Supervisor Walter: "Nice job, John. Yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #965

Councilman Gabrielsen: "Authorize the supervisor to execute an agreement with Jacqueline O'Sullivan for board transcribing. 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 #966

Councilwoman Giglio: "Appoints a marriage officer. 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."

Supervisor Walter: "Congratulations."

Resolution #967

Councilman Dunleavy: "Ratifies the reappointment of registrar, deputy registrar and sub-registrar of vital statistics. 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 #968

Councilman Wooten: "This reauthorizes notice to bidders for maintenance and emergency services contract - Riverhead Water District project No. RDWD 11-01. 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 #969

Councilman Gabrielsen: "2001 Grangebelle Park comfort station capital improvement project budget adjustment. 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: "Keep stealing all our money. Yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #970

Councilwoman Giglio: "Amends Resolution #926. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please. What are we changing? Okay."

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

Resolution #971

Councilman Dunleavy: "Pay the bills please."

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."

Supervisor Walter: "Okay. Would anybody like to discuss anything that's before the board or not before the board? Oh, I'm sorry."

Dominique Mendez: "Merry Christmas, Sean. Dominique Mendez, Riverhead Neighborhood Preservation."

The RNPC is a coalition of residents, civic and environmental groups, advocating for the quality of life and rural character of Riverhead representing over 1,000 Riverhead residents including members of seven member civic groups.

I'm here today because I'm extremely concerned. Over a year ago, the RNPC and several coalition partners repeatedly petitioned this board and the planning board for a generic environmental impact statement to study the cumulative impacts of the then four commercial proposals in Wading River.

It was clear to us that the combined impacts would have been found to be so detrimental to this area that some of these proposals would have been altered or even altogether eliminated as these proposals— they would have resulted in a drastic change to Wading River.

Of course, though both boards rejected the comprehensive study of these impacts, the town board did decide to move forward with the corridor study which finally got underway a few months ago.

We anticipated that a fair review of the situation would result in rezoning consistent with the vision there has been for Wading River for over a quarter of a century and that this would result in the withdrawal of some of these plans and the prevention of others in favor of projects more compatible with the small town of Wading River.

Unfortunately it seems that the corridor study may not be going in a direction that would help prevent Wading River from being overrun by commercial development.

I think we all know that the town has just approved the plan in the study area, the Knightland Mall which is probably the most objectionable in terms of where it is and the impact it could have on Wading River.

That happened because this board would not enact a moratorium that would have prevented that plan and other site plans in the area from being approved right now.

The Knightland approval makes it harder for the planners to favorably rezone anything in the study area and that's one of the reasons the RNPC filed a lawsuit against this town, for that premature approval which we believe violates zoning, state environmental law and puts the entire area at risk.

But that's not the only reason I am concerned. There's also the public workshop that was supposed to be in Wading River one evening where you were supposed to have roundtables to discuss BFJ's preliminary findings and where you were supposed to speak directly to BFJ so they might revise their recommendations based on our comments."

Supervisor Walter: "Actually they had that."

Dominique Mendez: "No, we didn't. I was there. It was not."

Supervisor Walter: "You did and the problem is we did it twice and the RNPC and members of the RNPC took it upon themselves—no, you had it and you took it upon yourselves—town and town

officials and you squandered an opportunity- "

Dominique Mendez: "This is crazy. To say that was a public workshop. You know it wasn't a public workshop."

Supervisor Walter: "-- with a thousand members of the RNPC because what the RNPC is doing is splintering the town. They did not participate in a meaningful way and Councilman Wooten was there.

I mean the things that were discussed had no relevance to the zoning. We came to you asking you for your input as part of this workshop."

Dominique Mendez: "This was not a public workshop. That was a focus group."

Supervisor Walter: "This was done in the same way- "

Dominique Mendez: "And it was not open to the public."

Supervisor Walter: "-- in Brookhaven and you know we will have time for other input but you really did- the RNPC squandered that opportunity."

Councilman Wooten: "Jill and I were there. I'm not sure that was a public as much as it was a- "

Dominique Mendez: "It was not a public workshop. You're right, Jim."

Councilman Wooten: "It was a small group."

(Inaudible comment)

Dominique Mendez: "Yes, you do. We discussed it many times. A public workshop was like the Brookhaven corridor study had. They had it. They had a focus group which was different which was a closed meeting. We discussed it here that it would not be open to the public. You guys also didn't feel that people wouldn't be able to speak freely, as freely, in that sort of a situation and this was before BFJ would really get into anything.

Then there was a focus group, there were focus groups. In Brookhaven there were numerous focus group meetings. I actually

attended one at the later stage. That was completely different. That's open to all the public."

Councilman Wooten: "One for the businesses and one (inaudible)."

Dominique Mendez: "Right. That was not a public workshop. It was not preliminary findings that BFJ presented like they did at Brookhaven."

Supervisor Walter: "Yeah. We'll have hearings, we'll have work sessions."

Dominique Mendez: "You'll have the legally required public hearing that you're legally required to in a work session you would normally have which the public-- which is during the day."

Supervisor Walter: "If you truly represent which I don't know that you do, but if you truly represent a thousand people, having you at a meeting with an opportunity to discuss the zoning, in theory we reached out to a thousand people but your representatives didn't do that. You (inaudible) the town and the town-- "

Dominique Mendez: "Well we don't want to go in and rehash how-- we don't want to rehash this. It was a discussion between Ms. Lewis and one person that got heated and Jill Lewis did come out and say basically she wasn't sure why we were having this because this had already been decided and it didn't put it on a good tone. And there was a discussion heated between her and one other person but that was not the whole meeting. That was really limited to those two."

Supervisor Walter: "The purpose of the meeting was to invite certain key business owners, most of the landowners we spoke with and then certain key civic owners of-- representatives and other special interest groups and for you to provide input. And-- "

Dominique Mendez: "We did provide input."

Supervisor Walter: "-- we could do it."

Councilman Dunleavy: "Most-- "

Dominique Mendez: "The public workshop they had in

Brookhaven, that's what we're asking for, we were promised."

Councilman Dunleavy: "-- groups, people are invited, the businesses and the public, are there for one reason and that's to give positive input from those people to move this along and have everybody think of what they spoke about. Not a negative session which I'm hearing that this was, was a negative session from your group."

Councilman Wooten: "Well, I'm not-- since I was there I could probably speak a little more clearly than you.

I think there was two. Now I didn't go to the first one. The first one dealt with businesses and stakeholders."

Dominique Mendez: "And these were focus groups they were called not workshops."

Councilman Wooten: "The second one that I went to with Jill was more for the civics and the community although it was a relatively small group. And there was some heated exchange between-- "

Dominique Mendez: "Two people. It wasn't me actually."

Councilman Wooten: "-- and Jill. But that being set aside, I thought it was pretty productive."

Dominique Mendez: "And we had a long-- right, we had a long document we provided afterwards with plenty of input. It was seven pages. I think I copied you on all of it. And that was right after that.

It was a different purpose than the public workshop would be and BFJ knows full well. They had them at Brookhaven, they were always part of the discussion here. They were on your schedule. They had been discussed in the quote and it was specific as to what they were."

Supervisor Walter: "Whatever was discussed-- see you like to interpret the facts for your own benefit. What is in the public document, what is in the contract is what we've done which is what we shared with the community when we were signing it. It is no different.

But I went one step further. You have a representative, a woman that I don't remember her name, and I reached out to her because she has portrayed to me in a letter that she was RNPC's representative on this now, not Mr. Amper anymore. So I reached out to her and I said, you know, we're going to invite you to a work session and when BFJ is discussing this then you'll have additional input."

Dominique Mendez: "She is not our full representative on everything on the Wading River corridor study. We have contacted her and she is involved in a limited basis but we would decide as we are paying her when and where that would be through donations of- "

Supervisor Walter: "But that's not what the letter says. The letter says she's representing you for the purpose of these issues.

I've done everything that you've asked and you guys keep twisting it into things that are different from what you've asked. So go ahead, I interrupted, I apologize."

Councilman Dunleavy: "But just to answer Councilman Wooten. I didn't say I attended. I said I didn't attend but I heard so I know he attended and I did not say I attended. Okay?"

Councilman Wooten: "Oh, I know that."

Dominique Mendez: "Right. And it's a miscarriage to say we squandered our opportunity. It was not a public workshop, it was a focus group. It was not open to the public. It was open to a select group of people and it was before there were any findings for us to talk about. And that's the key part, is by the time you have a public hearing this is kind of a done deal and there's not much room for public input and that's not- "

Supervisor Walter: "Did you guys come to this town board, do you know how many public hearings that we've had that we don't go forward with? You can't say that because we have a public hearing it's a done deal."

Dominique Mendez: "Normally we would be involved earlier in the process."

Supervisor Walter: "(inaudible) public hearings on, we don't adopt."

Councilwoman Giglio: "Right. Like the (inaudible) we had where there was public input and we had to put that out for re-hearing because there were so many changes that were made to the site plan legislation that was being proposed. So- but I- "

Supervisor Walter: "We- at least there are a third that we don't adopt."

Councilman Dunleavy: "That's why we have a public hearing so we get the public input and that's like no parking on Corwin Street. We got the public input on that last meeting and it's going back to the parking district to re-think what was the public hearing. So we probably will have nothing- but that's why we have these public hearings."

Dominique Mendez: "Right."

Councilwoman Giglio: "I was always of the impression when we were talking about the Wading River corridor study that it would be more productive to have a few people that represented a larger body to sit at the table and discuss this legislation.

I don't recall and maybe we should (inaudible) work session, but I recall that that's the direction that we were headed in was a small focus group of people that were familiar with our codes with what the uses were on the properties so that it could be more productive in a timely fashion because the people that we hired to do this Wading River corridor study charge by the hour. So to have a public forum where you have a hundred people there standing up and they- when Riverhead Neighborhood Preservation Coalition has stated on numerous occasions that they represent a thousand people throughout the town of Riverhead. So we were hoping that they were coming to you with their input and that you were coming to us."

Dominique Mendez: "It was too early in the process for us to come. They're supposed to be able to just like they did in Brookhaven present their plan and then they could meet in roundtables and you discuss it and there's that important element and that is in the quote. It's on- I can show the press that. It's factual."

Supervisor Walter: "In your own litigation almost a year ago because I read it because you tend to spin the words, at least your attorney tends to pick and choose what is said at these things.

I said to the people of Wading River, what is it that you want to see over a year ago. You cannot say that what BFJ did was too late. You and your group and the civics should have been thinking for the past six, eight months what you wanted to see there. So it's not too late."

Ann Marie Prudenti: "I think there might be some confusion. There is going to be (inaudible) a public hearing not only on the plan but (inaudible) zoning. So anyone with comments on (inaudible), when you go to make any changes, make any zone changes, you can incorporate the public comment at that time so there is more than one opportunity."

Councilwoman Giglio: "Right. It's very similar to what we did with EPCAL with the RKG study where they made recommendations to us and we may not agree with all the recommendations that the planners have presented to us but that would be addressed at the time of zoning which comes after the public hearing with the adoption of the-- "

Dominique Mendez: "But if the comp plan screwed up, then the zoning will just reinforce that and so it's important that the comp plan is consistent with the vision and is consistent with certain things. So you can't-- you're not supposed to adopt zoning that contradicts that. So it's kind of-- it's already kind of set, the direction is set."

Councilwoman Giglio: "Those are recommendations, Dominique, that's in the comprehensive plan. Those are recommendations by the person that is preparing the comprehensive plan and it's up to the town board to decide in there what is practical for all the residents of the town of Riverhead."

Dominique Mendez: "So you're allowed to pass zoning that is in direct contradiction of the master plan? I didn't think so. I mean we're getting on the legal issues."

Councilman Dunleavy: "I don't think-- because we're in a suit now, right?"

Supervisor Walter: "Yeah, we're being sued. It's kind of interesting five hours-- "

Dominique Mendez: "Well, we're not really discussing that."

Supervisor Walter: "We're in litigation."

Councilwoman Giglio: "But the comprehensive plan that was presented in 2003, was adopted in 2003, there was zoning that contradicted so because there were four members at the time, the previous board, that decided that there were things in the comprehensive plan that they liked and don't like. So when they adopted the zoning, the zoning was different than what was proposed or what was put out in the comprehensive plan."

Dominique Mendez: "I think it's an oversimplification. I'm not sure that that's actually what happened. There are also contradictions. But let's- "

Councilwoman Giglio: "That is what happened."

Supervisor Walter: "We reached that to your representative and now you're telling me she's not your representative. That we invited them to a work session which was where the board- "

Dominique Mendez: "She can speak on our behalf if we- when we contract her to speak on our behalf. The residents have pooled our money and are paying for this."

Supervisor Walter: "But that's not what the letter said so if you don't want me speaking to her I won't- we won't have her come. We'll have a work session. You know how I run the work sessions, like a variety show. I take comments from the audience all over the place and you will be welcome to sit and talk about it before it goes to public hearing."

In fact, the site plan public hearing is one perfect example. We allowed you to comment on it as we were formulating it. We'll do the same thing and then we'll have a public hearing. So there's no way we're not going to have the public involved."

Dominique Mendez: "Well, it's during the day- Helga wants to interrupt for a second. Hold on, let me- "

Helga Guthy: "I just want to ask you question. I don't know what all these things are called, whether it's a public hearing or whatever it's called."

We thought we were going to get- have a meeting of some sort

with the people who were doing the study, hear what they wanted to recommend and what they suggested, and have them hear how we feel about what they are suggesting."

Supervisor Walter: "That's called a public hearing. We're going to- "

Helga Guthy: "Right. I don't remember being- that there was one that we could do that."

Supervisor Walter: "Well, we haven't had it yet."

Helga Guthy: "I thought you just said there was a public comment period."

Dominique Mendez: "He did earlier say that there was a public workshop, but now- "

Helga Guthy: "Are you deliberately trying to make a joke out of this or turn this all around or make this- "

Supervisor Walter: "No. What I'm saying is we invited your group who supposedly represents a thousand people- "

Helga Guthy: "Well I thought he was coming to our civic meeting, that's one thing."

Supervisor Walter: "No."

Helga Guthy: "Sid has told us we were going to meet with the representatives at some point and that was changed."

Supervisor Walter: "No, no, no. That was never discussed, never discussed, that we would bring BFJ to a civic association. And what we did- "

Helga Guthy: "On an informal basis. I mean it doesn't have to be a, you know, a formal meeting."

Supervisor Walter: "No. What we discussed was and your group was involved in this because they had conversations back and forth the way we always do at work sessions and we agreed to this time line of the different things that we're going to have, and whether you call it a workshop or a focus group, I don't really care what

you call it. RNPC was invited. We asked you for your comments on the legislation, that proposed legislation, not proposed but help us propose legislation. They submitted--I do remember the seven pages.

We are now going back to a- BFJ will help us devise proposed legislation. They'll come I guess, Jill, do we have a date they're coming to- January 12th. They'll come to a public town board work session and you will be able to on a Thursday, we'll allow you to talk, I always allow people to talk if there's something glaring. And or- not even glaring, just because we want to hear your input and then we will wrap it up into a public hearing.

So you are going to have plenty of opportunity to speak."

Dominique Mendez: "Now she's right what Sid did and he did say this at our civic because we were all under this impression, everyone of us who's leading this effort. That it wasn't- she's maybe a little confused. It wasn't in a Wading River civic meeting but he told the civic we're going to have a public workshop, it's part of things. We're going to have a meeting probably at the Wading River library and you are going to be able to see the preliminary draft and plan and discuss it. That is what he told, not at a- that is what he said at a civic meeting because that's what Sid, I, Dick, Jen Hartnagel, everyone else who is part of this process truly believed- "

Supervisor Walter: "Let me clear this up. This is how we're going to do it. We're going to follow the contract. The contract provided for the two meetings where the business owners were going to have input and the civic groups would have input.

Then we are going to have the BFJ formulate proposed findings and not legislation, we're going to write that, findings. They're going to come to a town board work session. You call it a workshop, I call it a work session. I don't care what we call it. They're going to present it to the board. It's going to happen January 12th.

Everybody is invited. It's public."

Dominique Mendez: "During the daytime."

Supervisor Walter: "That's when business of the town takes place. I'm sorry. That's when business of the town takes place.

And fifty percent of the public- for fifty percent of the public, it is better during the day and you will have the availability to speak to us. We always allow the interaction.

Then we will go to public- the town will solidify the findings and we will go to public hearing and then the town can come up and speak.

So I don't want there to be any mistake. I think that pretty much explains what we've said the entire time."

Dominique Mendez: "It's what you say now, yes. I understand that. That's your position. I understand that."

Supervisor Walter: "It's also the position of what's written in the contract."

Dominique Mendez: "I'll be providing some additional input to the press as far as what the schedule said and what the information in the contract proposal is."

Councilwoman Giglio: "But I think on January 12th when we do get the final draft that you'll be provided a copy of that and you can bring it back to your civic organization and you can go through that so you're prepared at the public hearing to address any concerns that you may have."

Dominique Mendez: "It's just later in the stage than we were anticipating- than Brookhaven residents got and the public wanted a chance before that very final stage to be able to digest and look at this and have input on the recommendations and that's what we're being given by this board."

Supervisor Walter: "The only people that I hear are the special interest groups of the RNPC coming in here to speak. I don't- "

Dominique Mendez: "Did you not get 31 letters from- "

Councilman Wooten: "Yeah, but there's no finality with the calling for a public hearing. Only because I can give you stacks and stacks of public hearings I've got in my drawer where we went to public hearing and there was enough controversy, enough eye raising concerns that it really died on the vine."

Dominique Mendez: "There are times when that happens."

Councilman Wooten: "There are times when that happens. So I would say (inaudible) public hearing."

Dominique Mendez: "We're not getting the same chance Brookhaven got."

Supervisor Walter: "We're not Brookhaven. We're better."

Dominique Mendez: "Less public input is better? I'm not sure how that works, but okay. Maybe for some."

Councilwoman Giglio: "We're just- we're being told that we're not even going to get a final document on January 12th. It's just going to be (inaudible) based on the recommendations from the firm that we hired and based on the seven page letter that you submitted and where the board wants to go. Then a final document will be drafted and then we will give that out or put that out for a public hearing."

Dominique Mendez: "I fully understand what you are saying."

Councilman Dunleavy: "Dominique, we can't influence this project. They're doing it on their own. They listen to the business people, they listen to the civic groups and they listen to the town and then they put a document together that will be in the best interests of the town of Riverhead.

And that's all we're asking them to do and I think they're going to do it. They're going to come here and talk to us about it. They'll give us a draft, talk about their draft and then things can change from there on the public input that we get from the public.

If there's any. So I think that's the best way to go. I think that we should wrap this up because-

Dominique Mendez: "Yup. I just want to say a couple more things since we digressed so much and it's very brief.

It wasn't just lack of public workshop that was extremely disconcerting. The situation is clearly dire. We had two more commercial- for those of you who don't know, two more commercial plans were recently submitted for Wading River. One of them is-

it's like 42, 43,000, a shopping center. It's the fourth new shopping center proposal in Wading River."

Supervisor Walter: "Okay. So I want to— I'm going to you know, since we're not going to make this the Dominique Mendez show here today.

I spoke to the property owner. Do you know why he's filing the site plan? It's a protective measure."

Dominique Mendez: "This shouldn't protect his property rights."

Supervisor Walter: "Oh, no. He is filing it because of what your group has done. He would not have filed this application. He had no designs immediately upon building. He was attempting to settle it.

If it had not been for the RNPC and for the well now we've got litigation, the second set of litigation. If it hadn't been for your actions, direct actions, he wouldn't have filed that application."

Dominique Mendez: "So he's going to build it to despite the RNPC?"

Supervisor Walter: "He filed the application absolutely because he wants to lock in his property rights because he thinks that everybody is going to take away his property rights. But if you hadn't been doing all this moratorium, moratorium, moratorium, change the zoning, take his property rights away the property would just be sitting there.

So you can laugh about it— "

Dominique Mendez: "Take his property rights away. No one wants to take anyone's property rights away including— "

Supervisor Walter: "You laugh about it, Dominique."

Dominique Mendez: "I would have to laugh at that statement."

Supervisor Walter: "The reality is that if you speak to him, he would not have filed this but for the actions of your group. He

was very content in letting the property go up for sale and I'm sorry but you brought this-- your group brought this extra development now at this time.

I'm not saying in the future it wouldn't have been-- "

Dominique Mendez: "Right. The underlying zoning was there for that project."

Supervisor Walter: "Your group brought this to a head at this particular time where it would not have been brought to a head at this particular time. Absolutely right out of their mouths."

Dominique Mendez: "Right. So they're going to develop their land because of the RNPC's attempt--"

Supervisor Walter: "Now, at this particular time. Yes."

Councilman Dunleavy: "He was content negotiating with the county and seeing-- "

Dominique Mendez: "Incredible."

Councilman Dunleavy: "-- their price. But now also you boost the price up because now he gets a site plan approved, this is what he can get out of this property. So you know it's a double edged sword for everybody."

Dominique Mendez: "How would-- but, excuse me. How would submitting a plan preserve his right? Just submitting a plan doesn't preserve your right to the zoning, does it?"

Councilman Dunleavy: "I'm saying it (inaudible)."

Supervisor Walter: "If you get through the process, the site plan approval process and you get your building permits and build, it does."

You see, the point is, Dominique, he wasn't ready to-- they were not ready to do this now. This would have sat for another however long until it was sold, probably until the economy turned around. And unfortunately the pushing and the pushing and the pushing, he said wait a minute, I need to do something now. And I doubt they're going to speak to you directly but that's what's been relayed to me

from them."

Dominique Mendez: "I'm not afraid of them building because of- I don't think people are going to build and spend millions of dollars because of this. And the underlying zoning allowed it and this just illustrates what the underlying zoning would allow."

Supervisor Walter: "All right. Let's continue."

Dominique Mendez: "And the reality is what these proposals, these six proposals we have would right now amount of an 80% increase in retail type uses. That's incredible. So, yeah, we've been calling for a moratorium and a hold."

I don't think anyone should be able to say we're being alarmists at this point. It was a reasonable reaction to what's going on and an attempt- and it is an attempt to preserve small town Wading River and that's what we're about.

I'm not sure why that's alarming to people but that's what we're about."

Supervisor Walter: "I don't believe that."

Dominique Mendez: "You don't believe that?"

Supervisor Walter: "No. I believe you are a special interest group, honestly. I honestly, Dominique, I believe because Knightland is right at your doorstep, you dislike it and you are trying to do everything that you can to stop it."

Dominique Mendez: "Is that what our- the RNPC's focus- we focus on Jamesport, work for the Sound Park Heights people, we're all over the place."

Supervisor Walter: "You work to the detriment, other preservation efforts in the town. Yes."

Dominique Mendez: "Because you would like to try to pigeon hole us that way does not make it so. You know, the reality is the Calverton Civic, the Wading River Civic, Jamesport Civic, the Aquebogue Civic, Old Vine Civic Association, Willow Ponds, they're all members."

Supervisor Walter: "I think if they understood the tactics of the-

Dominique Mendez: "They completely understand."

Supervisor Walter: "-- if they understood the tactics of the RNPC, they probably would not be involved."

Dominique Mendez: "The tactics. They completely understand we're very open about our mission. Our board voted for this litigation. We do everything with our board's approval and we have several civic officers on our board and this is a complete mis-characterization of us again."

Supervisor Walter: "Dominique, I'm not- the RNPC threatened me before the election."

Dominique Mendez: "It's very disturbing for a supervisor."

Supervisor Walter: "Threatened me on three separate occasions."

Dominique Mendez: "What? Who?"

Supervisor Walter: "The RNPC did."

Dominique Mendez: "I threatened you? Who- you threatened me. This is outrageous. I think I'm going to leave. You threatened me. Do you want me to get the tape? I'll play it next time."

Supervisor Walter: "Members of your group sent people to get me, Dominique."

Dominique Mendez: "What?"

Supervisor Walter: "Absolutely."

Dominique Mendez: "This is a bold face lie. Bold faced lie, one of many."

Supervisor Walter: "Mr. Biegler."

Eric Biegler: "Hi."

Supervisor Walter: "How are you doing, Eric?"

Eric Biegler: "I have a- "

Councilman Dunleavy: "A more enlightening- "

Councilwoman Giglio: "You want to (inaudible) for R&K, right?"

Eric Biegler: "I'm going to get smacked here. I had a whole bunch of stuff I wanted to read but I don't like reading stuff so forget that.

Hope you guys all had a wonderful Christmas. Eric Biegler, Sound Park Heights Civic Association, Reeves Park.

I just want to go through a couple of things that I thought were important as we close out 2011 and look forward to going into 2012.

I have a couple of issues maybe still outstanding, some observations, maybe some recommendations if you don't mind for a few moments."

Supervisor Walter: "Absolutely."

Eric Biegler: "One, I want to say that the master plan that the town adopted in 2003 was a pretty extensive undertaking and it goes through some changes, it goes through some modifications.

I think one of the basic tenets of the master plan was the preservation of the rural character of Riverhead. I think in the year 2011, we made a huge step in preserving the rural character of Riverhead by having the county and the owner of the property on Sound and Park Road, the four acres, agree to sell the property to the county for preservation.

It is slightly unfortunate that that agreement kind of came through at the end of the year and with a new administration going into the county so things are kind of moving a little slow on that end of it.

And what I've done here is just kind of come to you guys and say if you can find it to maybe draft a letter to the new

administration that's coming in, maybe offer some support that that purpose should continue to go through and move through as expeditiously as possible."

Supervisor Walter: "We've made phone calls. We've met with their attorney. We haven't sent a letter. We've sent e-mails."

(Inaudible comment)

Supervisor Walter: "Yeah, we- everything we can."

Eric Biegler: "I just wanted to mention that because I think that, you know, as we go through especially with the new administration, we kind of made some great strides and I think that we need to continue that to preserve Sound Avenue."

In staying with the subject of preserving Sound Avenue, Sound Avenue still needs a lot of help. There's a lot of things that are slated to go on as far as developments but I'm more concerned right now, and my group is going to kind of look a little more concerned right now about the safety issues on Sound Avenue.

Sound Avenue is an old rural road. It was never built to handle cars moving at the speed that cars can move at now. It was never built to handle heavy truck loads.

We've had way too many accidents on Sound Avenue. We've had one too many, way too many deaths on Sound Avenue. This town really needs to take a hard look at what they can do and I don't mean widening Sound Avenue. I don't mean that. I mean curtailing the heavy traffic that goes down Sound Avenue."

Councilman Wooten: "We're in the process of doing safe streets and traffic calming with stripes so there's a lot going on next spring. (Inaudible)."

Eric Biegler: "Staying with the master code and the master plan, it's so nice to hear that the town is taking the undertaking of going forward to try and look at the codes, try to clear up some of the inconsistencies."

I stood before this board maybe three or four months ago to talk about the inconsistency of the code for beach driving, beach parking permits, how off the wall they were. Now I know that's a

very small part of what goes on inside the code of the town of Riverhead.

But if a town can't get consistency and clarity on beach parking and beach access, then how can it get clarity on zoning and planning and no wonder why there's inconsistencies across the board and I'm glad to see that that's going to be addressed and identified.

I do have a question though. When these inconsistencies come up, who is the designing body that dictates which of the inconsistencies is prevailing?"

Supervisor Walter: "The board right here."

Eric Biegler: "So it will come back to our elected officials as it should because that's really where it needs to go.

Will these changes— and I guess I'm kind of looking at the dark side of it. You may find a lot of these changes going through so maybe you have to have public hearings on every one of them."

Councilman Dunleavy: "We do. We do. Everything we change we have to have a public hearing on."

Eric Biegler: "So that's good because we really do need to clear up these inconsistencies because there's too many interpretations that are being thrown around."

Councilman Wooten: "I'd like to know where they are."

Eric Biegler: "All over the place."

Supervisor Walter: "That's job security."

Councilman Dunleavy: "Well, see, this is what this is going to tell us, where the inconsistencies are, what has to be changed so it goes along with something else that was changed previous. So they're going to tell us, we'll look at it and then we'll make those changes where possible and have public hearings where possible."

Eric Biegler: "And that is absolutely excellent and I think that's a great move forward because everywhere there's inconsistencies in the code."

Councilwoman Giglio: "We're also looking to the zoning board of appeals to see the number of applications that are going before the zoning board of appeals for interpretation because those areas of the code need to be clarified so that it's not always a case for the zoning board to make an interpretation. There will not be any gray area. It should be black or white. So- "

Eric Biegler: "And that comes through this board."

Councilwoman Giglio: "Yes."

Eric Biegler: "Great. That's great. That brings me to elections. I want to switch over to the elections just for a quick second. By the way congratulations to Mr. Wooten, Mr. Gabrielsen and Mr. Walter for your win.

I want to say that I'm a little disappointed in the fact that elections nowadays have turned to such a nasty tone. They seem to drift away from issues. They seem to drift towards personal attacks.

I'm sure this coming year when we have a national election, it will become even more heated and more prominent. I just wish it wouldn't- I wish it would stay focused on the issues but more importantly in local elections I think it needs to stay on issues.

Someone told me once there's no democratic, there are republican way of plowing a road or picking up trash. It's done one way and it needs to be done the best way possible."

Councilman Dunleavy: "See, I'm very proud. I've never, never ran a negative campaign and I'll never run a negative campaign. I think you have to run positive, what this town- you can do for this town. Not, you know, what you're doing in your private life or- has nothing to do with this town. It's what you can do for the town of Riverhead."

Eric Biegler: "And may I just add to people who have any- it's probably not the group that's sitting here or up in the audience but the group on television more than anything else.

Those who are looking to run for political office in this town, you need to kind of know what's going on in the town. You need to show up at a town board meeting or a planning board meeting or a

zoning board meeting once in a while.

I don't show up a lot but I see the same faces all the time and none of them were running on this year's election campaign. So-

Councilman Wooten: "You've got to get involved."

Eric Biegler: "-- you show up at my house promising to cut my taxes without a plan and without a knowledge of what's going on in the town. How do you expect me to vote for you? You're not going to get my vote."

Councilman Dunleavy: "Well to be honest I don't think anybody can cut your taxes. We can try and limit the tax increases but trying to cut taxes (inaudible)."

Eric Biegler: "We'll get to taxes in a second. The last part of the election thing is pick up your signs. Can we do something to make somebody- can you put it in the code that you guys have got to pick up your election signs? And I don't mean you guys- just be careful when you say everything. There's some still floating around. I've seen yours."

Supervisor Walter: "It's hard to get them all."

Eric Biegler: "But I'm not even concerned about the people who win because I think the people who win I can hold them accountable for it. It's the people who lose that I never see again. So they should pick up their signs. But you can put that in the code."

Supervisor Walter: "I have been stopping so if you see the town supervisor's car on the side of the road, if I see somebody, anybody's- I had a bunch of Ballone ones- "

(Inaudible comment)

Eric Biegler: "Good, that's good. Because you guys are here. These other guys aren't here anymore."

Councilman Dunleavy: "What I find too with these signs is people pick them up when you're running and then during the course of the year, they take them and put them back in the ground. That's right."

Eric Biegler: "The great sign conspiracy. Is that what that is? It sounds like a theory to me."

Councilman Dunleavy: "They just want to— they just want to play with you. So I mean that's what they do."

Eric Biegler: "One other thing to bring up and I'll bring this up and I'm sure it's not going to go anywhere. I'm really kind of disheartened at the fact that a town the size of Riverhead we have arguably the most influential position in this town, is the town supervisor."

Whoever that town supervisor is, I'm talking in generality now, and that position is held for two years. If someone came into office and was elected and had no knowledge of what was going on inside the town, it would take them six months to find the light switch."

Councilman Wooten: "At least."

Councilwoman Giglio: "He knows where all the light switches are."

Eric Biegler: "He does now. I just think we have to introduce some sort of legislation and I know this was introduced a while ago and voted on by the people and it was turned down, but it needs to continue to push through because it doesn't make any sense to anybody sitting there, you know."

Again, I don't agree with Sean all the time on all his issues and the things that he represents and I'm not even talking about Sean, but anybody in that position needs a lot more than two years."

Councilman Dunleavy: "You've got to realize that every two years if you want to change the makeup of the board, the majority of the board, you can do that. Because two councilmen running and one supervisor. So it's always three people running. So if you want— if you don't like the way the board's going, you can change the makeup of the board in the following election."

And if you take a count of the towns, Brookhaven is two years for the council people too. Southampton is two years for the supervisor; four years for the council people. And I think that's the way people want it out in the east end here. We're not like the

west end and- "

Supervisor Walter: "Southold is four years."

Eric Biegler: "Well, I'll just offer. In my opinion I think it needs to be a four year position."

Supervisor Walter: "I mean my opinion has changed because of the problem with the two year supervisor and I'd advocate for a four year. The problem is if you look at the history- it's different to be a councilman at two years or a state legislator. When you are the CFO, the chief financial officer for the town having a two year supervisor, it doesn't make sense.

Because if you look at this town's budget cycles versus election cycles, the taxes go up, in an election year they come down and then they go back up and it makes a very uneven town stability, from a tax standpoint. And I don't know.

I personally believe that there should be a four year term and it should be term limited and I think the town board members should be term limited just like the county, three four year terms."

Councilman Dunleavy: "Southampton has a term limit on the board members."

Eric Biegler: "Well I'm glad you brought up taxes because that's my last part and I'll just close it out. Who knows, whatever. Thank you. Appreciate your watching out for me.

I had a Christmas dinner with my brother in law who lives in Southampton and we were talking taxes and he has a house twice the size of mine, on property twice as big and he pays a third of the taxes.

I'm honestly not concerned about it because I know most of our taxes are school taxes. School taxes are one way or the other. This board doesn't control school taxes so I'm not speaking to the right board.

But I will mention a couple of things. I did look at my tax bill which I find very interesting. And you might like this spin on it.

I pay \$350 a year for the highway department as far as taxes are concerned. Holy cow, what a deal. These guys have got the hardest job out there. They fight Mother Nature in a losing battle. Every day they plow my streets and I'm only paying \$350 a year, that's pretty good. That's pretty good. You can give them a little raise if you want. I'll even pay for it.

The other part of my taxes is I pay \$500 a year for trash pickup."

Supervisor Walter: "No, three forty eight."

Eric Biegler: "I understand that but you also- we also had the company switched. I want to say my trash guys are the best I have ever seen anywhere. People from all over the county comment on how great our trash pickup guys are.

And I appreciate paying less for it. That's great. However, if service goes down because of this new company, I know the phone number here, I know people have trucks. You're going to get calls and I want my garbage picked up. But I hope we don't get any turn downs in service because these guys are great."

Councilwoman Giglio: "We have protection for that. It's in the contract with the new carter so if we have any problems we can revert back to Maggio if we had to. So, you know, because they were the second lowest bidder but unfortunately when you send it out for competitive bid and you get the lowest bidder back and they're qualified and responsible which our town attorney's office was very diligent in calling other towns with a carter to make sure that he was a service oriented carter and the town attorney came back with stellar reports about the carting company that is coming on board (inaudible)."

Eric Biegler: "Because no one's better than Juan and Ramon who picks up my garbage."

Councilwoman Giglio: (Inaudible)

Councilman Wooten: "A lot of their drivers are being picked up by the new company."

Eric Biegler: "Ah, good, that would make me feel even better."

Councilman Wooten: "They're not getting paid as well but they're getting picked up (inaudible)."

Eric Biegler: "Very good. And that's all I really except to wish you guys the happy-- the most success in 2012 because if you guys have success, Riverhead has success and we all have success. Thank you very much. Appreciate your indulgence."

Supervisor Walter: "Is there anybody else? Well thank you. Anybody else wish to be heard? Did we get a meeting set up, Mr. Romano?"

Steve Romano: "Merry Christmas."

Supervisor Walter: "Did we get a meeting?"

Steve Romano: "Not yet."

Supervisor Walter: "Okay."

Steve Romano: "There's no rush. We have another year. So I know you've got a lot on your plate."

I actually wasn't going to speak today but, and I want to preface either the question or comment however I'm going to propose it. And that's I have the utmost respect and admiration of citizen activists who come to the meeting like the young lady, Dominique, but I also and it's-- I don't know if it was Sean or the board that kind of feels the same way.

I've been involved in organizations and associations throughout my life and I've thrown around well I've represented citizens for economically affordable sound education back in the late '80's early '90's when we were having a real tough time with the taxes and the schools and the layoffs.

And at the time when we first started the organization, we had about 750 paid members. About a year and a half or two years later although we still were on paper, we might have had about 30 active members.

I represented a condo several years back as the president. There was what was called the condo association of Riverhead. It was all the condos got together, same thing, it was for a short

period. If my memory doesn't serve me correct, if we had to kick in a few bucks but we kind of disbanded. But at the time, the president could come up to you and say I represent 2500 people.

I guess my comment or my concern is when somebody comes up and says they represent 500 or 1,000 people because that could sway and should have importance to the board. You know if I come up and say I represent 10 people you might laugh at me.

But how as members who eventually are going to vote on something, how do you in your own minds determine-- do you ask actually for a registration of paid members, active members. Because again, if I know there's a thousand paid members of an organization like Dominique does and I'm sitting up there, it's going to have a little more importance if I feel well maybe she has a thousand members but 900 don't pay, they just sign some sort of form.

Because generically they do it they don't want to see their community changed but they don't know all the intricacies of why it happened. So I guess to kind of wrap it up, how-- do you ask for proof when somebody says I represent so many people?"

Supervisor Walter: "Do you know how I do it? And it has nothing to do with proof and it is something that ties into being a two year supervisor.

I knocked on almost 5,000 doors the last two elections each time and you want to know the pulse of this town? Take two months and knock on 5,000 doors. And I knocked on-- the only place I not knocked in Wading River was Remsen Road and Helga Guthy was here, she's up in that area and that's it. The only place in Wading River. Well, she's up in that-- that whole area, that triangle.

That is the way that I for one (inaudible) what the residents are looking for and it's astonishingly what they'll tell you. Let's face it, most residents won't talk to you but the ones that do, it's astonishing.

And what's astonishing too, George and I, we were in one of the senior communities and they were so plugged in on I think it was Costco, wasn't it Costco they wanted, they were just so plugged in on an issue and that's how I find out.

And so I don't really worry whether somebody says they represent a thousand- if I did- you know, we wouldn't- you know, the union is a very large voting block in this town. You have to vote- you don't leave your conscience or your morals at the table."

Councilman Wooten: "That's what I was going to say, Steve. I find that whether or not- I try to stay involved in the community with different aspects of things I'm involved with in the community, but I really listen- I try to listen to everybody because everybody's voice matters. And then you try to wrestle that in your mind where you personally want to see the town go, where they want to see the town go and you try and come up with a sound decision. And you have to live with that. You're not going to please everybody but certainly I don't govern myself by how many votes I may or may not get. (Inaudible)."

Councilman Dunleavy: "You have to do what's good for the town of Riverhead and you listen to people. I get out all the time. I meet people in Waldbaums. I meet people in the diner when they come over and talk to me. So we're constantly meeting taxpayers of the town of Riverhead and they're asking- "

Councilman Wooten: "Even (inaudible)."

Councilman Dunleavy: "-- and they're giving you their opinions and you listen to these people and then you come here and you weigh everything and you have to vote for the town of Riverhead. What's good for the whole town of Riverhead because we represent the whole town. So you have to vote what's good for the whole town of Riverhead."

Steve Romano: "Just one more quick question. The former supervisor and I don't know if, Sean, you do this. I think he used to go around and occasionally have his own meetings with civics. I know he actually did it with the condo group and he made it kind of like an issue at one time that he felt the condos were left out. They didn't really have any civics that they belonged to. I don't know if you want to start it up. I mean there's an ample opportunity to come here and make your opinions known."

Councilman Dunleavy: "I know how Phil felt. Phil felt the condo group had- they said they represent 2500 people so he focused on that 2500 seeing he thought he'd get those 2500 people to vote for him. So he says I'm going to go and see these condo groups but

actually you could have 25 but maybe only 500 vote the way you want to vote and the other ones vote independently.

That's how this town works. Each person, they belong to different organizations but they vote independently and they vote for how they think you're doing as a job for the town of Riverhead. And basically that's it.

You know, we're here for the people. We're not here for a small group that wants to change. We have to listen to that small group. We have to listen to the rest of the people. That's why we walk on election day and we ask do you have any questions? What do you want us to do? And they tell us or they ask us questions. And that's how we find out what most of the town is.

And all those people don't vote but, you know, you have to listen- you listen to them all and you see how they think. We had a very small turn out last- "

Supervisor Walter: "Actually it was the same."

Councilman Wooten: "You see a lot of 3-2 votes or 4-1 votes so we don't always agree up here either so- which is a good thing also. You don't want to rubber stamp it. What are you laughing at?"

Supervisor Walter: "That's an understatement that we don't always agree."

Councilman Wooten: "We don't always agree and you'll see at the next meeting."

Steve Romano: "Well on that note, have a Happy New Year."

Supervisor Walter: "And as far as that board is concerned, Steve, we play around that. I do go and see the condo boards when they invite me to the various meetings and everything. So I go. I go to the civic association meetings and the board does the same thing. Any group that invites us we go and we speak."

Steve Romano: "It's not- you don't feel it's worthwhile to host the meeting here specifically."

Supervisor Walter: "I come to the manufactured homeowner's

association meetings a couple times a year. If there was an umbrella group like you were talking about that existed, yeah, we'd host them here. Yeah."

Steve Romano: "Like I said, it's been disbanded for at least two or three years so I was just curious."

Supervisor Walter: "If there was a group that wanted to come here, I would host them. Absolutely."

Steve Romano: "There's have to be something going on that, you know, irks them a little bit. But right now things are quiet."

Councilman Wooten: "Not a storming of the Bastille."

Steve Romano: "Other than the flushing of the hydrants."

Supervisor Walter: "All right. Does anybody else wish to be heard? Okay. Can I get a motion?"

Councilman Dunleavy: "I want to make a motion but I want to wish everybody a happy new year."

Councilman Wooten: "Happy new year. Don't drink and drive."

Councilman Dunleavy: "2012 is just around the corner. So everybody have a safe and happy new year. And I make a motion we adjourn."

Councilman Wooten: "Seconded."

Supervisor Walter: "All in favor. Aye."

Meeting adjourned: 3:35 p.m.

Diane M. Skilhelm
Town Clerk