

Minutes of the Town of Riverhead Board meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, December 19, 2017, at 7:00 p.m.

PRESENT

Sean Walter	Supervisor
John Dunleavy	Councilman
James Wooten	Councilman
Jodi Giglio	Councilwoman
Timothy Hubbard	Councilman

ALSO PRESENT:

Diane Wilhelm	Town Clerk
Robert Kozakiewicz	Town Attorney

The meeting was officially opened at 7:00 p.m. by Supervisor Sean Walter with the Pledge of Allegiance led by Councilman Dunleavy.

Councilman Dunleavy introduced Daniel Jones who is an Eagle Scout from Troop 94 in Wading River. Daniel attends the Eastern School of Music and played the National Anthem on his trumpet.

Mark Zaweski who is retiring as Chairman of the Riverhead Farmland Committee after many years of service received a proclamation in appreciation of his service on the Committee. Mark owns and operates MKZ Farms in St. James and is a volunteer fireman in Jamesport.

Supervisor Walter spoke of the town pin he has proudly worn since becoming Town Supervisor and asked that Supervisor-Elect Laura Jens Smith come up to receive the pin.

Councilman Dunleavy stated that tonight was his last Town Board meeting as Town Councilman. He continued by saying how much he enjoyed working for the citizens of the Town of Riverhead for the last twelve years and thanked everyone for their support.

Supervisor Walter thanked Councilman Dunleavy for his service to the town stating Councilman Dunleavy is the hardest working Councilman he has worked with over the eight years he has been Supervisor.

Councilman Dunleavy made a motion to approve the minutes of the December 5, 2017 Town Board meeting. Motion was seconded by Councilman Wooten and carried.

REPORTS

- Tax Receiver - November Utility Collection Report - \$631,150.70

CORRESPONDENCE

- Judge Allen M. Smith, Riverhead Town Justice – two letters outlining repair history and needs assessment analysis of the Police/Justice Court Facilities

- Eric Russo, Vanbrunt, Juzwiak & Russo – withdrawal of the appeal of J. Petrocelli Development Assoc. for the demolition permit of premises described as 420 East Main Street, Riverhead (SCTM #600-129-3-12 and 14)
- Christopher Kent, Farrell Fritz – comment on proposed local law to amend Chapter 301 Zoning and Land Development, Article LII Commercial Solar Energy Production Systems.

PUBLIC HEARINGS

Supervisor Walter: “7:05 is scheduled for the first public hearing. It is now 7:16 and we’re going to open the public hearing to hear all interested persons with regard to the adoption of the petition to construct a lateral water main extension to provide water service to the proposed Hamlet Professional Center, to be located at NYS Route 25A, Wading River, New York (SCTM #0600-75-01-003). Mr. Collins, you’re going to present this application?”

John Collins: “Yes Sir. I’m here to present the application for the Board’s approval to extend the new water main, four hundred feet of new water main along Rt. 25A in Wading River to service a proposed development. Such development consists of four medical office buildings. The Riverhead Water District has done an analysis and it has determined the extension of four hundred lineal feet of twelve-inch watermain at a total cost of one hundred and thirty-five thousand dollars is necessary. It should be noted that all these costs are at the cost of the developer with no cost to the town or the district. Expected daily water use from this development is three thousand, one hundred, eighteen gallons per day and the development will be assessed the key money at twenty-eight thousand, three hundred and seventy dollars. In addition, the property in question is entirely and fully within the current boundaries of the Riverhead Water District.”

Supervisor Walter: “All right. Does anybody wish to be heard on this matter? Not seeing anyone we will close the public comment portion and leave it open for written comment until December 29th, 4:30 p.m. in the Town Clerk’s office.

**Public Hearing Closed at 7:17 p.m.
Left open for Written Comment until December 29, 2017, 4:30 p.m.**

COMMENTS ON RESOLUTIONS

Supervisor Walter: “Now we open up comments for Resolutions. Please limit your comments to five minutes.

Sal Mastropaolo: “Sal Mastropaolo, Calverton. Resolution 919, it should say of what year.”

Supervisor Walter: “Ok, you guys got that? Is that the only comment?”

Sal Mastropaolo: “On that one, yes. Resolution 934. On page two the *now therefore be it resolved*, the fifth line down after it says thirty-five-hundred-dollar monthly fee, the next four words don’t make any sense. Something is missing there.”

Supervisor Walter: (Inaudible)

Sal Mastropaolo: “Maybe just the word *be*.”

Councilman Dunleavy: “The line underneath thirty-five?”

Sal Mastropaolo: “No, the words right after *thirty-five hundred dollar monthly fee*. It’s missing, I think, a verb, *to be approved by the office of the Town Attorney*.”

Robert Kozakiewicz: “Probably *and subject to approval by the office of the Town Attorney*, how’s that?”

Sal Mastropaolo: “That makes sense.”

Supervisor Walter: “Ok, you want to make that amendment? What else do you have Sal?”

Sal Mastropaolo: “Resolution 936, the fifth *whereas* down, I just have a question. Is that the same charge that we charged them last year?”

Supervisor Walter: “Yes, it mirrors the town code. Shouldn’t talk about it because he’s a client but it mirrors the town code.”

Sal Mastropaolo: “Why isn’t it going up?”

Supervisor Walter: “Because they never changed the town code.”

Sal Mastropaolo: “Well let’s change the town code. I mean, how long is he going to get away with that same amount of money every year? We’re maintaining the parking lot, right?”

(Inaudible)

Sal Mastropaolo: “That’s it, thank you.”

Larry Sims: “Larry Sims, South Jamesport. I want to speak to CDA Resolution 14, the EPCAL sale contract. If I run a little long I’m pretty sure I can find a volunteer to (inaudible) a couple of minutes.”

Supervisor Walter: “Five minutes is what you’ve got so keep it at five minutes.”

Larry Sims: “It’s critical to consider this project’s history before deciding its future. State of the Town address, March 2011: The days of fiddling at EPCAL are over. The days of tossing around EPCAL like a football are over. We all witnessed the broken promises and

missed deadlines that were Riverhead Resorts. I have to say that we gave Riverhead Resorts every benefit of the doubt and then some, but in the end, they could not close their transaction. I am going to hitch my wagon to projects like Silicon Valley East. Hold on we are about to shift into overdrive.

State of the Town address March 2012: We need to compete and make EPCAL attractive in the here and now. We will create the EPCAL Planning Commission which will approve or disapprove development projects in just seventy-five days.

State of the Town Address, April 2013: After what has now been two years of nose to the grindstone labor, study and talk, we are finally poised to tap the potential of EPCAL. This is not another coming soon speech. We are here.

I could continue year by year but believe the point is made. For eight years EPCAL has been this administration's top priority yet from a taxpayer's perspective nothing but rhetoric has been delivered and after all this time, some of you find it imperative to move this project forward today rather than waiting until our new Supervisor and new Council member are seated in just two weeks.

I'm one of many who simply cannot fathom this sudden urgency and who find it as offensive as it is suspicious, but my focus today is on something else, behavior which marks a new low in terms of ethics, which may well be illegal and which was not in the best interest of the town. It's relevant to your proceedings and the public deserves to know.

Observers have had concerns about the lack of transparency in Town Board actions for a while, but these greatly intensified two months ago when Council members, who were busy touting the fact that Luminati was on a new and firm thirty-day deadline to deliver a contract learned that the town's own attorneys failed to present this deadline to the buyer. Worse, our attorneys didn't bother to tell councilmembers that the letter had not gone out, only the Supervisor knew. Still worse, when the Council members asked for copies of this correspondence, these lawyers, who work for the town, first asked the Supervisor whether and how they should share this information with other Town Board members.

There's no question that certain unique and important managerial responsibilities and authority come with the Supervisor's job, but his vote carries precisely the same weight as that of each elected Board member. None can vote responsibly without timely, equal access to information. No elected official has the right to withhold or manipulate information going to the others in order to influence outcomes, yet this appears to happen often.

Sadly, the town has suffered even more bad behavior. It was revealed shortly after the election that in or about March of this year, the Supervisor secretly directed Cushman & Wakefield, the real estate brokers hired to exclusively market EPCAL property, not to present offers or expressions of interest from new prospective buyers. That bears repeating, the brokers were instructed by the Supervisor not to tell the town if buyers called to say they were interested in EPCAL.

We now know that multiple interested parties approached Cushman over the past ten months and that the Town Board members remained ignorant of this activity. This caused some of you and most of us to reasonably conclude that Luminati is our only real prospect, that there's no interest in the marketplace at or around the currently "negotiated" price of forty million dollars and that there's certainly no buyer who might pay more. We now know that this conclusion was erroneous and that our impressions on the marketability and value of this property are false, attributable to the Supervisor having instructed the brokers to withhold from the Town Board information which might devalue Luminati's position on this deal. I presume Sean had reasons for

this stunning action which so strongly favored Luminati interests over the towns'. I won't speculate on what they might be. Instead let's look at some of the purported justifications."

Supervisor Walter: "Wrap it up, your five minutes are up."

Someone: "Give him my five minutes."

Supervisor Walter: "We're not giving five minutes. His five minutes are up, wrap it up Larry."

Larry Sims: "Sean I'm going to hand this."

Supervisor Walter: "Hand it up to the Town Board, that's fine, thank you."

Larry Sims: "You asked me to wrap it up, I'm doing that."

Supervisor Walter: "Wrap it up and you can hand your comments to."

Larry Sims: "I'm going to hand this to Diane Wilhelm. It will be on the record and then I will give it to the media and they can report how you would not allow this to continue."

Supervisor Walter: "Thank you sir. Does anybody wish to be heard on the subject, on the resolutions? Does anybody else wish to be heard on resolutions? Does anybody else wish to be heard on the resolutions? You better get up there because we're going to close comments on resolutions and take them up, five minutes Sir."

John McAuliff: "John McAuliff, Coalition Against EPCAL Housing. I think this is going to be an interruption because I think others are going to continue reading (inaudible) and they're going to use their own time to do it."

Supervisor Walter: "That's fine, five minutes."

John McAuliff: "We're concerned the language of the resolution characterizes this agreement and sale that has essentially included subject only to the (inaudible). We're very concerned that we've not actually, the town, the public, the media, has not actually seen the text of the agreement, so we still are very much in the dark about what is involved in it. We are disturbed still that all of the land is incorporated in the agreement with no serious reason given except saving money for cutting grass. We think that the text should not simply be available physically in Town Hall but should be online as is the modern way of addressing all such problems.

Finally, I think the question is timing. Is the (inaudible) of all of a sudden having a very different model of the financing and the action upon it suddenly have to happen now instead of two weeks from now when the new Board, the newly elected Supervisor will be in charge. We are concerned as to what were the town legally in its best position to seriously evaluate the contract as its' been proposed. Is it in a better position as the new Board to look at the content before agreeing to sale or is it in a better condition to actually do during a Q&E hearing. In any case we think it's incumbent upon the new, as the voters determined, that it's incumbent upon the newly elected

Supervisor and the Board to have the real decision about whether this particular proposal goes forward.”

Supervisor Walter: “Thank you Sir, next speaker. Five minutes Angela.”

Angela DeVito: “I understand Sean, you don’t have to keep harping on it, Angela DeVito, South Jamesport. I’m continuing with Larry Sim’s statement. I presume Sean had reasons for this stunning action which so strongly favored Luminati interest over the towns’. Instead let’s look at some of the purported justifications put forth to explain this behavior.

Firstly, the letter of intent prohibits the town and the town’s agents from actively marketing the property. That’s true, and such prohibitions are common but there’s also a timetable problem. A typical letter of intent on a big commercial transaction might reserve a deal for thirty or sixty days of due diligence, perhaps even ninety days. But to extend this term for ten months and counting, particularly with no interest money and no security deposit is absurd. EPCAL has been off the market for nearly a year and the town doesn’t have a nickel to show for it. The ski mountain may have deserved ridicule, but that administration at least required cash up front. When the deal died we were eight million dollars richer. The Luminati deal by comparison has been far worse fiscally for Riverhead.

Secondly, keeping brokers from marketing a property during the letter of intent term is common; restricting brokers from conveying new offers and interest to the owner is not and is ludicrous. In the real estate industry, brokers get in trouble for withholding information from owners, often to enhance their take by avoiding split commissions. Brokers never get in trouble for keeping owners informed, that’s their job.

In this case, the letter of intent specifically anticipates unsolicited offers. Quote, “if seller receives any inquiry or offer from any entity or person other than Luminati and buyer relating to the sale of all or any part of the property or any other transaction which could impede the acquisition, seller shall promptly notify Luminati and buyer of such inquiry, proposal or offer and the material terms thereof including any updates” end of quote.

Think about that, if Cashman had honored both the letter of intent and the Supervisor’s explicit instructions then names and details on anyone expressing interest in EPCAL over the last ten months would have been withheld from the Town Board but shared with Luminati. The only word that fully captures the impact of these instructions is treasonous.

Thirdly, finally applying simple logic is telling. If the letter of intent actually prohibits our brokers from telling the town about unsolicited interest from new prospective buyers, then there was no reason whatsoever for Mr. Walter to call and instruct them to keep any such interest secret. There may be a legitimate explanation and justification for the Supervisor’s action and for keeping this secret from Councilmembers, but I haven’t heard one yet.

With regard to the deal itself, it’s hard to believe you’re actually contemplating holding a formal hearing on a deal of this magnitude and import for our town with a new partner firm you know so little about. The most important unknown of course is their intentions. My understanding is that you haven’t even met representatives of the firm and they’ve put nothing in writing with regard to their plans for the property. The only thing you have is vague. Oral assurances passed from unknown persons at the firm to their attorneys to your attorneys and on to you that these megamall developers have no interest in pursuing retail at EPCAL. Might this be true, sure, but there’s literally nothing to hang your hat on.

To taxpayers, it appears you've walked blindly through whatever doors the Supervisor has opened. We hear a lot of talk on the national news about extreme vetting. Over the past year the towns' policy has been zero vetting and that includes both Suffolk Industries and Lincoln Equities. I won't take time here to detail the reasons neither of these suitors should have been presented by the brokers as qualified to do this deal but there were many.

To the extent that this fail is caused by Council members being kept in the dark by a Supervisor who ignores proper legal process it must stop and it must stop not simply because a new Supervisor is being sworn in but because you as Council members, have to protect our town no matter who's in the Supervisor's seat by asserting yourselves and fulfilling your fiduciary role in our government. I'll stop there."

Supervisor Walter: "Thank you, next speaker."

Angela DeVito: "Before I leave Sean, I was going to thank you for your service this evening, but I decided not to because of your arrogance, continued arrogance and your behavior (inaudible)."

Supervisor Walter: "Next speaker. If you're not going to step up to speak, we're going to close the public comment."

(Inaudible)

Joan Zaniskey: "My name is Joan Zaniskey and I live in Aquebogue. I am here to protest what you plan to do with this resolution and also to remind you that you do not own this property at EPCAL, the Town of Riverhead does. I object you representing me as far as the sale of this property is concerned because I am very, very suspicious of your actions and I totally, totally agree with the comments of Mr. Sims that you have withheld information from the Town Board on more than one occasion concerning this transaction. As a matter of fact, you yourself said during your concession speech at the Riverhead Democratic Committee headquarters on election night, your advice to the incoming Supervisor was, don't tell the Town Board anything, don't tell them what you're doing. I was there Sean, I heard you and based on that and other investigations that I have looked into as far as other projects which seem to have gotten out from underneath the rug they were slipped under, and the next thing we know we have all sorts of developments convenience stores, twenty-four-hour operations, that nobody ever knew were coming and I have concluded that there is a lot of deceit on your part. So, I thank everybody for listening to me. These are my opinions. I'm not making at accusations."

Phil Barbato: "Phil Barbato, Jamesport."

Supervisor Walter: "Five minutes Phil."

Phil Barbato: "You've been deliberating for months now on the intended deal to sell most of the remaining EPCAL acreage to Luminati and God knows what his partner is now, for forty million dollars. While this sounds like a great deal for the town there's still several important questions to which the town has not provided answers not even to your fellow Board members."

The tax payers of Riverhead were promised that EPCAL would be an economic generator but there's been no information forthcoming on how that's going to happen. On the surface selling that land for an average of about seventeen thousand dollars per acre, possibly twenty percent of what it would be worth elsewhere, sounds like a great deal but if the public had the answers to some of these basic questions we might understand it a little bit better.

What's still unresolved is, what's being sold? We've yet to see a map. We keep hearing that a lot of this land is undevelopable, that's false, it's all zoned as PC, it is developable and unless you specifically put it on the map as undevelopable, there's no telling what could happen in the future and I've heard this from Councilman Wooten, oh don't worry the DEC is going to keep us from developing it, baloney. Unless you specifically say it's not developable or you don't sell it to them in the first place for practically nothing, it could be developed in the future and then we have no recourse. You'd be losing that beautiful land forever. It's a tremendous town resource. All the land out there is zoned for PC, it can be developed today and that's the way you're proposing to sell it.

There's been a constantly changing list of entities involved in the purchase, most recently this week. We don't know who these folks are other than what we read in the newspaper. How about telling the public what's going on with this purchase?

Given all this, and I'm directing this to Mr. Wooten and Mr. Dunleavy in particular, if you were about to come into office for the first time, how would you feel if the previous Town Board took this away from you and made a decision today that tied your hands for the future. I really don't think you would enjoy that very much and I don't think that's what you should be doing as a responsible civil servant.

I'd like to continue Mr. Sim's letter."

Supervisor Walter: "You have two minutes."

Phil Barbato: "Thank you. It may seem to you that voting today to schedule the hearing is harmless. Wrong, the Supervisor's actions alone are ample reason to restart, rather than continue negotiations with Luminati. Separately, there are at least four specific ways in which your vote today to proceed would hurt the town.

One: Schedule the hearing and you're contractually locked into a process which allows just ten days to approve or reject the entire deal. Not even ten business days, just ten days. Given the glacial pace at which this deal has proceeded and the enormity of the task of learning all you need to know about financial backers you have yet to meet, it's simply not possible for you to do your research and vote responsibly in one and a half weeks, let's be realistic. It would be better and wiser to postpone the hearing and do your homework then to be forced next month to scrub the deal for lack of review time.

Two: You need to renegotiate the broker contract. Though expired, the contract Sean originally signed will govern how much we have to pay the brokers if the Q&E hearing is held before the town cuts a new deal with Cushman. Not counting a one hundred fifty-thousand-dollar typo, the terms are seriously unfavorable to the town, including the above market commissions, a fifty percent medical and office surcharge that no one has explained, a useless exclusions clause, deficient conflict of interest provisions and possible liability for commissions on lease renewals. Most grating though is the fact that current EPCAL tenants were completely omitted from the exclusions list. If you proceed to schedule the hearing the brokers will be paid full commission on a Luminati sale exactly as if they'd pounded the pavement, found a company not known to the

town, educated them on the great opportunities and value at EPCAL and persuaded the principals to make an offer to locate here, completely without regard for the fact Luminati was already an EPCAL tenant when the brokers were hired.”

Supervisor Walter: “Wrap it up, it’s been five minutes. Thank you Phil, next speaker. Mr. Terchinian, five minutes.”

Dean Terchinian: “Dean Terchinian, Riverhead. From what I’ve read about Mr. Preston online in the Riverhead Local and our News Review and other things online, this guy’s a slime dog. How dare you do business with him. I’m going to put it as blunt as that and this thing with not telling the Town Board about offers for property there, makes me remember a couple of years ago when the secretary for the Town Board was leaking information to you unbeknownst to them. Slime dog, slime dog, slime dog.”

Supervisor Walter: “Thank you. Mr. Hachbruckner, five minutes Sir.”

George Hochbruckner: “Thank you very much and as a former elected official, I would like to thank you and John for your service. Obviously, it’s never always smooth sailing but I’m here tonight actually as a resident of Southold Town and also as the former Congressman who wrote the legislation that gifted the twenty-nine hundred acres of the EPCAL facility to the Town of Riverhead.

I’m not here to get into your minor, I regard it as minor concerns, about the issue, what data is withheld, what’s not withheld, it doesn’t matter. What you have to appreciate in this town is that you were given a gift by the federal government. I wrote the legislation along with Andrea Lochneiss who was your Economic Development person. We got it passed. I convinced Senator John Glenn, who wanted to sell the property and put the money in the coffers, to give that property to Riverhead and the reason was to replace the money that you lost when Grumman left because they were making voluntary payments in lieu of taxes and when they left, you were hurting. So, I wrote the legislation, we got it through and basically, what I committed to the Clinton administration and to Senator John Glenn and the Congress, was that we would maximize the economic development of that property and so from the point of view of housing, that was never on the table and from my point of view, housing is not economic development. Using that property to its highest and best use is and in my opinion, having been an electronic engineer who worked on the Grumman F14 on that property for seven years, the highest and best use of that property is to bring it back to aerospace and defense.

Now, you have an opportunity here. I worked with Luminati in the past. I’m not working with them now, but I made a commitment to the Clinton Administration, the Congress, that I would work, as long as I’m available, to maximize the economic development. You have an opportunity to do that. You have Luminati, yes there have been bumps in the road, yes they lost Facebook, they lost John Catsimatidis with his billion, but the fact of the matter is they now seem to have a client and so I’m really here to talk to the Board members who will be here next month and of course to the incoming Supervisor and Councilwoman.

Please work together. You’ve got this great gift. It could be worth forty million dollars to the town. If you think you can get more, fine, do it but don’t blow this opportunity. We worked too hard to deliver it to the taxpayers and the people of Riverhead Town. Please figure out how to do it and please do it in a bipartisan way. Help me meet my commitment that I made giving that

property. We did a lot of work, there's been a lot of effort through the years. It's a beautiful asset. It's worth a lot of money. Please don't blow it.'

Supervisor Walter: "Thank you, next speaker. Limit your comments to five minutes."

Ethel Sussman: "Ethel Sussman, South Jamesport. I'm continuing with Larry Sims statement because I believe in what he is saying and I believe that we need to proceed in a fair, open, honest and bipartisan manner. So continuing with his statement.

Does Cushman deserve commission for shepherding this deal through the offering process? Absolutely, but at a heavily discounted rate as is common, to reflect their limited contribution

Three: Proceed with the hearing and it means you've accepted the terms of the contract as it stands. Given that you now know there are other interested buyers and that information was withheld so it seemed there was no demand for our land and we had no choice but to proceed with Luminati, it would be irresponsible to move forward with no further investigation. Keep in mind that we were at fifty million dollars until the Supervisor prematurely announced in succession a string of deals that were destined to fail. When a deal fizzles so publicly, the next buyer always offers a sure thing, but drops the price to adjust for the new reality of bad press. I'm one of those who believe that depending on how much land we're actually selling, a well-structured deal at EPCAL could bring in more than fifty million dollars. It's incumbent on the Board to take a step back from the current deal until you can find out.

Four: The deal is the deal. If you don't obtain a binding statement of the buyer's intent before you hold the hearing, you'll never get one. This Board has been repeatedly duped by scheming developers and it's always the taxpayers and neighboring residents that pay the price. Press pause now to allow more thorough evaluation of this player and this deal or the consequences could be painful for your constituents.

It's not my practice to criticize without offering remedies. In this case, the path is clear. Today you should simply defer all action relating to EPCAL until the new administration begins in less than two weeks. Tomorrow the councilmembers who will continue as part of the new administration should commence working, together with your new colleagues, in preparation for their official start on these priorities.

One: Obtain from the broker a complete list of persons and entities that have expressed interest at any level in EPCAL over the past year, together with who was notified and what actions were taken. This is a first step to determine, in light of the Supervisor's secret actions favoring Luminati, whether the forty-million-dollar offer represents a fair market price.

Two: Renegotiate the broker contract to apply to the EPCAL deal now on the table as well as to cover any other buyers which may emerge over a new contract term. Include language explicitly detailing the brokers responsibility to vet buyers before offers are formally presented to the town.

Three: Meet with Luminati and their new partner to discuss background, interests, contemplated uses and marking plan for EPCAL. Secure a written consent to use limitations before a Q&E hearing is scheduled.

Four: Conduct a legal team review. Ask counsel to explain certain actions and events including but not limited to, missed contract negotiation deadlines, time required for Attorney response, failure to inform Board members of development, declining to respond to requests from Town Board member and failure to provide info simultaneously to all Board members including the Supervisor. Counsel must earn or reestablish the Board's trust or be replaced. Determine and

explain to taxpayers why we continue to be represented in this matter by two firms. In addition to increasing costs, this increases complexity of review and slows the process.

Five: Discuss with District Attorneys the Supervisor's independent, unauthorized."

Supervisor Walter: "Ms. Sussman, it's been five minutes. If you could wrap it up please."

Ethel Sussman: "I'll finish my sentence if you don't object. Discuss with District Attorneys the Supervisor's independent, unauthorized and secret actions which interfered with the Board authorized sale and leasing process and determine if further investigation and disciplinary measures are warranted."

Supervisor Walter: "Thank you Ms. Sussman, next speaker. Five minutes George."

George Bartunek: "First of all, I want to wish you luck in your future endeavors and you too John and Sean I'm looking forward to seeing you on the Rec Trail at EPCAL. The reason why I'm here tonight is I'm asking the Town Board to consider tabling Resolution 952 which is the stipulation with Baiting Hollow Vineyards. I only found out recently, I don't know why I wasn't aware of this that the Supreme Court has decided in favor of the town. Going back to July as you probably know, you have a tremendous, a powerful tool here to work with and the stipulation, if you feel there is any possibility that a better stipulation could be crafted and if you have any possibility that Laura could work with the Town Attorney to craft something that would be in the better interest of the town, table the resolution and let Laura work on this when she becomes the Town Supervisor.

The one concern I have with the stipulation especially with a tent issue, is that it would undermine the ability of the Planning Board to deal with these issues and that's one thing that you really want to think about before you vote on this resolution. So, good luck to you."

Supervisor Walter: "Thank you. Anybody else wish to be heard tonight? Not seeing anyone, Di let's take up resolutions."

Councilman Dunleavy: "I make a motion that we close the Town Board meeting and open the Community Development meeting, so moved."

Councilman Wooten: "I'll second."

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

The Vote: "Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The CDA meeting is now open."

TOWN BOARD MEETING IS CLOSED

THE TOWN BOARD MEETING IS OPENED

RESOLUTIONS

Resolution #911

Councilman Wooten: “2016 Horton Avenue Basketball Court Capital Project #70163, so moved.”

Councilwoman Giglio: “Second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #912

Councilwoman Giglio: “2017 Wading River Beach Playground Capital Project #70165, so moved.”

Councilman Hubbard: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #913

Councilman Dunleavy: “Authorizes Town Clerk to Publish Notice for Audit Services for Town of Riverhead Community Preservation Fund, so moved.”

Councilman Wooten: “I’ll second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #914

Councilman Wooten: “Authorizes Town Clerk to Publish Notice for Audit Services for Town of Riverhead Justice Court, so moved.”

Councilwoman Giglio: “Second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #915

Councilwoman Giglio: “Authorizes Town Clerk to Publish Notice for Annual Audit Services for Town of Riverhead, so moved.”

Councilman Hubbard: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #916

Councilman Hubbard: “Ratifies the Appointment of a Student Intern to the Accounting Department (Autumn Harris), so moved.”

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #917

Councilman Dunleavy: “Ratifies the Appointment of a Student Intern to the Accounting Department (Jamie Lessard), so moved.”

Councilman Wooten: “I’ll second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #918

Councilman Wooten: “Awards Bid for Removal of Household Hazardous Waste, so moved.”

Councilwoman Giglio: “Second.”

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

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

Resolution #919

Councilwoman Giglio: "Amends Resolution #136 of 2017, so moved."

Councilman Hubbard: "Seconded."

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

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

Resolution #920

Councilman Hubbard: "Amends Resolution #318 of 2014, so moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #921

Councilman Dunleavy: "Amends Resolution #362 of 2012, so moved."

Councilman Wooten: "I'll second."

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

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

Resolution #922

Councilman Wooten: "Amends Resolution #457 of 2012, so moved."

Councilwoman Giglio: "Second."

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

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

Resolution #923

Councilwoman Giglio: "Amends Resolution #574 of 2013, so moved."

Councilman Hubbard: "Seconded."

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

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

Resolution #924

Councilman Hubbard: "Approves Employee's Request Concerning Accrued Time Carry-over (Beatrice Caccioppo), so moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #925

Councilman Dunleavy: "Reassigns the Salary of a Maintenance Mechanic III (James Smith), so moved."

Councilman Wooten: "I second it."

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

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

Resolution #926

Councilman Wooten: "Promotion to Senior Justice Court Clerk (Catherine Seebeck), so moved."

Councilwoman Giglio: “Second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio”

Councilwoman Giglio: Yes, the Judges came in and asked for this, yes.”

Vote Continued: “Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #927

Councilwoman Giglio: “Approves Request for a Leave of Absence (Kyle Watts), so moved.”

Councilman Hubbard: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #928

Councilman Hubbard: “Appoints a Maintenance Mechanic II to the Sewer District (David Bonne), so moved.”

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #929

Councilman Dunleavy: “Ratifies the Appointment of a Temporary Student Intern II to the Engineering Department (John B. Vail), so moved.”

Councilman Wooten: “I’ll second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #930

Councilman Wooten: “Appoints a Water Treatment Plant Operator Trainee (Kent Brace), so moved.”

Councilwoman Giglio: “Second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #931

Councilwoman Giglio: “Authorizes the Supervisor to Execute a Renewal Agreement with Nextiraone, LLC, d/b/a Black Box Network Services Regarding Telephone Maintenance, so moved.”

Councilman Hubbard: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #932

Councilman Hubbard: “Adopts a Local Law to Amend Chapter 279 Entitled “Taxation” of the Riverhead Town Code (279.37 Limitations – Exemption for Cold War Veterans, so moved.”

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #933

Councilman Dunleavy: “Awards Bid for the Purchase of One (1) 2017 or 2018 New or Used (Low Hours and Warranty) Tractor with Cab and Loader for Use by the Town of Riverhead Highway Department, so moved.”

Councilman Wooten: “I’ll second.”

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

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

Resolution #934

Councilman Wooten: "Awards Professional Services Agreement for Information Technology Support Services, so moved as amended."

Councilwoman Giglio: "Second."

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

The Vote: "Hubbard, yes as amended; Giglio."

Councilwoman Giglio: "I want to thank Bill (inaudible) and the IT staff who worked very diligently in trying to take all these proposals in and try and make our technology for the town better, so thank you and I'll vote yes."

Vote Continued: "Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted."

Resolution #935

Councilwoman Giglio: "Approves Eastern Site Development Inc. as Drainlayer for Riverhead Sewer District, so moved."

Councilman Hubbard: "Seconded."

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

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

Resolution #936

Councilman Hubbard: "Approves Extension to License Agreement with Wading Realty Corp. (Use of Town Parking Facilities at Wading River Beach), so moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #937

Councilman Dunleavy: “Approves License Agreement between the Town of Riverhead and Day Haven for Re-Use of Facility at Stotzky Park, so moved.”

Councilman Wooten: “I’ll second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #938

Councilman Wooten: “Authorizes Notice of Public Hearing Regarding Proposed Lease Agreement between the Riverhead Water District with SMSA Limited Partnership d/b/a Verizon Wireless, so moved.”

Councilwoman Giglio: “Second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio.”

Councilwoman Giglio: “I’m happy to say when I first got elected to office and we did the audit of the phone systems and the water towers and things of that nature we started looking at the water towers and the leases of the water towers and I brought in (inaudible) Partners to analyze all of our leases and I’m happy to say that we’re going to be collecting twice as much money on this leased water tower than we were in the past with the negotiations of this new lease so yes. I think it’s from forty thousand to eighty thousand, something like that.”

Vote Continued: “Wooten, yes; Dunleavy.”

Councilman Dunleavy: “Yes, they’re making all of their antennas bigger, taking up more space and they’re contract expired and this was a negotiation for a new contract for a larger antenna and more space on the water tower. So I vote yes.”

Vote Continued: “Walter, yes. Resolution adopted.”

Resolution #939

Councilwoman Giglio: “Appoints Marriage Officer (Diane Wilhelm), so moved, so moved.”

Councilman Hubbard: “Seconded.”

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

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

Resolution #940

Councilman Hubbard: "Appoints Marriage Officer (James Wooten), so moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Hubbard, yes; Giglio, yes; Wooten, abstain; Dunleavy, yes; Walter, yes.
Resolution adopted."

Resolution #941

Councilman Dunleavy: "Authorizes the Supervisor to Execute an Agreement with Arleen Bobal for Transcription of Town Meetings, so moved."

Councilman Wooten: "I'll second."

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

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

Resolution #942

Councilman Wooten: "Awards Bid for Water Service Materials for Use in the Riverhead Water District, so moved."

Councilwoman Giglio: "Second."

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

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

Resolution #943

Councilwoman Giglio: "Awards Bid – Construction of Pre-Stressed Ground Storage Tank at Plant No. 15 Riverhead Water District, so moved."

Councilman Hubbard: "Seconded."

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

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

Resolution #944

Councilman Hubbard: "Awards Bid – Process Control System Maintenance and Emergency Services Contract Riverhead Water District, so moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #945

Councilman Dunleavy: "Awards Bid – Water Distribution System Maintenance and Emergency Services Contract Riverhead Water District, so moved."

Councilman Wooten: "I second."

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

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

Resolution #946

Councilman Wooten: "Awards Bid, Electrical System Maintenance and Emergency Services Contract Riverhead Water District, so moved."

Councilwoman Giglio: "Second."

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

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

Resolution #947

Councilwoman Giglio: "Awards Bid – Hydraulic Control Valve Maintenance and Emergency Services Contract Riverhead Water District, so moved."

Councilman Hubbard: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #948

Councilman Hubbard: “Releases Tarra Development Corp. Well Site from Restrictions Riverhead Water District, so moved.”

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #949

Councilman Dunleavy: “Resolution Calling Public Hearing Regarding Extension of the Riverhead Sewer District to Include 780 Old Country Road, Riverhead, so moved.”

Councilman Wooten: “I’ll second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #950

Councilman Wooten: “Authorizes the Supervisor to Execute an Addendum to a Resolution Setting Terms and Conditions of Employment for Position of Deputy Tax Receiver, so moved.”

Councilwoman Giglio: “Second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #951

Councilwoman Giglio: “Authorizes the Town Supervisor to Execute a Professional Services Agreement with Lawrence M. Levy, so moved.”

Councilman Hubbard: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes.. Resolution adopted.”

Resolution #952

Councilman Hubbard: “A Resolution Authorizing the Supervisor to Sign Stipulation, so moved.”

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, no; Giglio.”

Councilwoman Giglio: “No, absolutely not. We won the court case, we spent a ton of money in legal fees trying to stop Baiting Hollow Farm Vineyards to stop having their outdoor venues or outdoor tents, their outdoor and we won the lawsuit and there’s no mandate for stipulation giving them any leniency and that’s exactly what this stipulation does and as a matter of fact this stipulation was amended this afternoon because I received a letter from our attorney saying he was amending the stipulation and no one of this Board has seen the amended stipulation so how anybody can vote for this stipulation when they haven’t read it is beyond me and I’m voting no and I think the rest of the Board should vote no also and leave it in the hands of the new Supervisor-elect and the new Councilwoman-elect to look at this. There’s no need for a stipulation, we won the court case and no one on this Board has seen the amended stipulation. I did show Councilman Wooten an e-mail from our attorney this afternoon stating that the stipulation has been amended based on my concern, but nobody has seen the amended stipulation and for that reason we all should be voting no.”

Vote Continued: “Wooten.”

Councilman Wooten: “I can tell you I don’t care one way or the other about this, but I have to listen to the concerns to the Board that’s here. I can tell you agritourism is alive and well on the north shore and I guess some of the concerns are the fact that it’s a historical corridor and we don’t want too much of that going up there without being someway guarded and somewhat controlled. Parking is an issue. I really haven’t had a one on one with our attorney in the last day to go over some of the facts although I think we should encourage proper development of those type of facilities because that’s what the north fork is all about. Out of respect to my colleagues who are going forth into next year, I’m going to, I wish we could have tabled it but I’m going to vote no.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “Ok, I did speak to our attorney on this and you can say we won the lawsuit, we didn’t win the lawsuit. The Judge went like this. He put it that they can’t use the stuff they built until they go before the Planning Board and have the Planning Board approve it. So for us to stop them from using that we would have to put someone on the property every time stepped or went under a tent or stepped on their concrete entrance to the house we would have to tell them you can’t go there. The town doesn’t want to spend that much money to put someone up there to regulate this. The Judge did not order them to remove it. We would have won if the Judge ordered them to remove it, he didn’t. He said they have to go before the Planning Board and get a CO from our Building Department. They have all winter to do that. So we did a stipulation that states we’ll give you thirty days to do it but no cars can park on the west side of your building and a couple other things in the stipulation that they can’t do. The problem is and I say this to everybody, a piece of paper he gave them. That’s like us giving to Calverton when they were moving the sand a stop work order a piece of paper just give them, they just kept doing it. We gave them summonses and they paid the fine, that’s doing business, pay the fine. We have to go back to court and get the Judge to tell them to remove it or tell the town to remove the stuff. It’s going to be six months to a year for us to get back into court again. So giving them thirty days to get started I think it’s a fair way of doing it and we’re trying to push them to get started with this. Everyone can say we won the lawsuit, no half of it so I have to vote yes on the stipulation to get them moving to do the right thing, get everything approved, go to the building department and get the right CO and make sure everything is safe for the people who go there. That’s why we’re here, to make sure everybody is safe who goes there.”

Vote Continued: “Walter, yes.”

Robert Kozakiewicz: “Supervisor would you allow me just to state what Judge Meyer decision stated just so it’s clear (inaudible)?

Supervisor Walter: “Yes, go ahead.”

Robert Kozakiewicz: “I’ve heard a lot of comments and I just want to read a couple parts of Judge Meyer’s decision because I think it’s important that the record’s clear what Judge Meyer did July 10, 2017. He has a summary judgment of motion that was made by the Town of Riverhead. He has a summary judgment of motion that was made by Baiting Hollow Farms, Baiting Hollow Vineyards. Our action was commenced in 2010 and it included six causes of action. On the first page of the Judge’s decision he granted summary judgment to the town against the defendants on the fourth and fifth causes of action alone. On the second page he ordered that motions by the defendant an order pursuant to (inaudible) 3212, I know it’s a lot of legal gobba-li-gook but ultimately, he dismissed the first course of action in its entity, he dismissed the second course of action which was to recover damages and he dismissed the sixth course of action which was against the defendants other than Baiting Hollow Farms, that was the one based upon the conveyance. So far on six courses of action the fourth and fifth were granted to the town. The first, second and the sixth were granted to the defendant except for Baiting Hollow Farms.”

Councilwoman Giglio: “That had to do with fines? (inaudible).”

Supervisor Walter: “Wrap it up already.”

Councilwoman Giglio: “(inaudible) address the structures on the property and parking on the property and those are the things I’m most concerned about and that’s why the litigation was initially started. The other stuff (inaudible) in my opinion.”

(Inaudible)

Supervisor Walter: “We already voted on it.”

Diane Wilhelm: “Ok, just to be clear Resolution 952 is not adopted.”

Resolution #953

Councilman Dunleavy: “Authorizes the Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 265 Entitled “Sewers” of the Riverhead Town Code, so moved.”

Councilman Wooten: “I’ll second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Resolution #954

Councilman Dunleavy: “Accepts the Retirement of a Police Officer (Christopher James, so moved.”

Councilman Wooten: “I second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard.”

Councilman Hubbard: “Yes, I wish Officer Chris James the best in his retirement after many years of service.”

Vote Continued: “Giglio.”

Councilwoman Giglio: “I know he’s had some surgery so I hope that he does well with the surgery and that he enjoys his retirement, yes.”

Vote Continued: “Wooten.”

Councilman Wooten: “Happy New Year, yes.”

Vote Continues: “Dunleavy.”

Councilman Dunleavy: “I hope he does well, yes.”

Vote Continued: “Walter, yes. Resolution adopted.”

Resolution #955

Councilwoman Giglio: “Authorizes Refund of a Fee in Connection with Change of Zone Application that has been withdrawn by Applicant, so moved.”

Councilman Hubbard: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio.”

Councilwoman Giglio: “We did receive a memo from the Town Attorney saying a review had been taken on this application and therefore the money should be refunded so I will vote yes.”

Vote Continued: “Wooten, yes; Dunleavy, yes; Walter, no. Resolution adopted.”

Resolution #956

Councilman Hubbard: “Pays the Bills, so moved.”

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution adopted.”

Councilman Dunleavy: I make a motion we untable Resolution 882, so moved.”

Councilman Wooten: “I’ll second to untable.”

(Inaudible)

Supervisor Walter: “Moved and seconded as to untable. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. 882 is untabled.”

Resolution #882

Councilwoman Giglio: “Adopts a Local Law to Amend Chapter 289 entitled ‘Vehicles, Traffic and Parking Regulations’ of the Riverhead Town Code (289-17 Parking Time Limited – East Main Street), so moved.”

Councilman Hubbard: “Seconded.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, no. Resolution 882 is adopted.”

Supervisor Walter: “We have three resolutions to come off the floor. Can I get a motion to take three resolutions off the floor? Resolution 957 Terminates the Employment of the Executive Assistant to the Town Supervisor (Lawrence Levy), Resolution 958 Terminates the Employment of the Legislative Secretary to the Town Supervisor and Resolution 959 Approves Amended Site Plan Application of Peconic Bay Medical Center/Northwell Health. Can I get a motion?”

Councilman Dunleavy: I make a motion that we take these three resolutions off the floor, so moved.”

Councilman Wooten: “I’ll second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolutions 957, 958 and 959 are taken off the floor.”

Resolution #957

Councilman Dunleavy: “Terminates the Employment of the Executive Assistant to the Town Supervisor (Lawrence Levy), so moved.”

Councilman Wooten: “I’ll second.”

Supervisor Walter: “Moved and seconded. Vote please.”

The Vote: “Hubbard, yes; Giglio.”

Councilwoman Giglio: “Larry, thank you for your service in the Supervisor’s office. You’ve been a tremendous assist. These resolutions are being brought as request by the Supervisor-

elect because she has other people coming to the office as is the tradition and have to be terminated by December 31st. So, again I thank you and I know you'll be coming back and we'll be seeing you behind that glass so, yes."

Vote Continued: "Wooten, yes; Dunleavy."

Councilman Dunleavy: "I have nothing to say. He's a good worker, he's been here three years and he's really done a good job, he'll be back so I vote yes."

Vote Continued: "Walter, no. Resolution adopted."

Resolution #958

Councilman Wooten: "Terminates the Employment of the Legislative Secretary to the Town Supervisor, so moved."

Councilwoman Giglio: "Second."

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

The Vote: "Hubbard, yes; Giglio."

Councilwoman Giglio: "Pleasant lady, Carol Stefani, she really was. She was an asset to the Supervisor's office. She was a great employee to the town and she will be missed. I'll vote yes."

Vote Continued: "Wooten, yes; Dunleavy."

Councilman Dunleavy: "She is one of the best workers in the town in the Supervisor's office. If you needed something done and you asked her to do it she would do it for you, I'm going to miss her tremendously. I'm going to vote yes."

Vote Continued: "Walter, no. Resolution adopted."

Resolution #959

Councilwoman Giglio: "Approves Amended Site Plan Application of Peconic Bay Medical Center/Northwell Health, so moved."

Councilman Hubbard: "Seconded."

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

The Vote: "Hubbard."

Councilman Hubbard: “Just want to thank the Planning Department and Brad and Jefferson for their work on this when it came in not that long ago and required immediate attention. I appreciate all they did to make this happen so I vote yes.”

Vote Continued: “Giglio, yes; Wooten, yes; Dunleavy.”

Councilman Dunleavy: “I vote yes. This is an important part of this town and they’re one of the, right now they’re the employers of most of the town, most of the town is working for them and it’s a great medical service so I vote yes so they can expand, help the heart patients and get these helicopters in and out. This is a trauma center three which means we don’t have to bring patients to Stonybrook anymore and we don’t have to bring patients to Brookhaven anymore, so I vote yes.”

Vote Continued: “Walter, yes. Resolution adopted.”

Supervisor Walter: “Judge Smith, I apologize. Without further ado, Judge Smith.”

Judge Smith: “We live and work in the best town in Eastern Long Island. Riverhead is home of the largest hospital in the East End. It generates hundreds of skilled high paying jobs.

EPCAL is and will be in the future the industrial hub in the East End. Agriculture and farming are alive and well in Riverhead. Our commercial sector is strong. Among others worth mentioning are Riverhead Building Supply, Tanger Mall, Splish Splash, the many car dealers, restaurants and offices. We have vibrant and diverse population including the Yankees, the Polish community, African Americans and Hispanics. We can and are proud of our schools (both public and private) the Volunteer Fire Department and Ambulance Corps.

We have award winning Sewer District. The Water District covers all of Riverhead and supplies surrounding areas. Both Special Districts were created and improved by Town Boards back to the Second World War. They were created on our Town’s initiative because it was the right thing to do and because the State or County mandated their creation. Both Districts are staffed by dedicated employees who keep everything working even in droughts and hurricanes.

We have the largest and best Police Department in the East End. The officers and staff are hardworking and honest. They keep each of us and those visiting our town safe and secure.

The Justice Court staff is the best, hardest working, polite and efficient court personal I have worked with in fifty years practicing law in the East End. It is my privilege and honor to serve with them.

It is in this context that I address the Town Board about the Police/Court facilities.

Our police officers must carry drunks who have soiled themselves in Tyvek Suits down a flight of stairs to the cells in the basement of the police station because the elevator was not installed in the elevator shaft for the past twenty years.

We attempt to try jury trials without a jury room. The jurors must share the holding area where prisoners are manacled to the benches. Despite the constitutional issues, prisoners are escorted through the building in handcuffs (and sometimes leg irons) in front of the jury pool.

Most days there is insufficient parking for people coming to court. As the courtroom fills, those waiting are stacked in the hallways and often down the front steps. As a practical matter, there is no handicapped access to the police station and court especially at night.

On May 4, 2010, the Town Board voted unanimously to request the State to transfer the armory to the Town for a Police/Court Complex. On November 17, 2011 the State transferred the

Armory to the Town for a Police/Court Complex. In September 2013 the Town Board voted for and spent eight-seven thousand, five hundred dollars to an architectural/engineering study on the feasibility of renovating the armory. Over many months of study and meetings, a report was issued which found the armory suitable for the Police/Court Complex.

For two years the Town Board has taken no action. Today and for the near future, this project can be financed for approximately 3.5 percent. We will never see those rates again. It is predictable that both rates and costs for the construction will increase the longer we wait.

Our taxpayers have and continue to support projects such as this. The school renovations (and bonds) and Riverhead Fire District Headquarters (and bonds) are examples. The issues attendant to the Police/Court facilities will not go away. Sooner or later they will have to be addressed. Now, rather than later, is the time to do so. I ask the Town Board to adopt resolutions authorizing the bonding of the Police/Court Complex.

I suggest that you pledge to the taxpayers that the first money received from the sale at EPCAL will be set aside to pay off this debt. It will take us two years to design, bid and construct this facility. No principal payments on the bond will be due until 2020. The pledge will be encouraged the town to get something done at EPCAL. The pledge will assure the taxpayers that the EPCAL money will not be spent on less worthy projects.

Again, I thank you for your consideration of the request. I ask that you vote and authorize the bond.

PUBLIC COMMENTS

George Luce came to the podium to speak about the Crossing Guard who, until a light was put up, crossed pedestrians on Main Street by the Riverhead Aquarium. Mr. Luce said he would like to have her back. He said she was the biggest asset to the Town of Riverhead. He continued by saying she was the face of Riverhead always with a smile and when asked for information on where to shop, eat or where a place was located, she was able to give them the information they asked for. Supervisor Walter told Mr. Luce that the crossing guard is still working for the town.

Sal Mastropaolo asked if the transcription of the Board meetings was necessary stating that he thought it was a waste of money since each meeting is also videotaped. Councilman Wooten responded by saying at times the court needs to have a paper copy of certain parts of a meeting. Sal then stated when that was necessary someone could just transcribe that portion of the meeting. Councilman Hubbard replied that the minutes are referred to on a regular basis and it would be difficult to refer to them if they were only videotaped.

Ray Senzok thanked Supervisor Walter and Councilman Dunleavy for their service to the town. He then asked for help in Great Rock, referring to a problem with the golf course, the loud music and the expansion planned by the golf course which he thought would not be good for the values of the homes in the neighborhood. He continued by saying he sent e-mails to the Council people and asked for their help in not allowing the expansion.

Councilman Wooten was the last speaker tonight. He thanked Councilman Dunleavy for his service to the town. He then thanked Supervisor Walter for the years he served as Supervisor of the Town of Riverhead and for helping to bring about the rebirth of Riverhead.

Supervisor Walter:

“Can I get a motion to close the meeting?”

Councilman Dunleavy: “I make a motion to close the meeting, so moved.”

Supervisor Walter: “Moved and seconded, vote please? All in favor, aye? Opposed? Abstentions? Motion carried. For the record I’m taking that home”

Meeting Adjourned at 8:56 p.m.