

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, June 3, 2014 at 2:00 p.m.

PRESENT:

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

ALSO PRESENT:

Diane Wilhelm	Town Clerk
Robert Kozakiewicz	Town Attorney

The meeting was officially opened at 2:00p.m. by Supervisor Walter with the Pledge of Allegiance followed by an Invocation by Reverend Arlen G. Vernava of Old Steeple Church, Aquebogue.

Councilman Dunleavy made a motion, which was seconded by Councilman Gabrielsen to approve the minutes of the May 21, 2014 Town Board Meeting. Motion carried, minutes were accepted.

APPLICATIONS

SPECIAL EVENTS CHAPTER 90

- Polish Town Civic Association – Local Brewery Tasting Event, July 12, 2014
- Manorville Fire Department – Carnival Fund Raiser, EPCAL Property, August 21-24
- Railroad Museum of Long Island - Railroad Festival, August 23 & 24

PARADE/ASSEMBLY PERMIT

- Riverhead High School Commencement – Football Field on Osborn Avenue, June 28

CORRESPONDENCE

- Mrs. Pearl Booker – Letter expressing interest in purchasing a parcel of land off of Oakland Drive in Riverhead described as a paper road

REPORTS

- Tax Receiver Total Tax Collection to date as of May 21, 2014- \$91,175,207.04
- Tax Receiver Total Tax Collection to date as of May 28, 2014 - \$97,157,385.83
- Town Clerk Monthly Report May, 2014 - \$12,174.54
- Building Department Monthly Report May, 2014 - \$83,324.00
- Sewer District Discharge Monitoring Report April 2014
- Water District 2013 Annual Water Supply Statement/Consumer Confidence Report

COMMITTEE REPORTS

Councilwoman Giglio reported that five bicycles were awarded to five children who wrote and won the essay contest. All the winners participated in the Police Athletic Safety Day. She said she hoped they would attend the next evening meeting so proclamations could be presented to them.

Councilwoman Giglio also wanted to thank Legislator Al Krupski for his efforts in acquiring the property on Park and Sound Avenue for farmland preservation. If this had not been done the Town would have to spend fifty thousand dollars to maintain this property.

Councilman Gabrielsen added that the county was pushing to have this property made into park land but he and Councilwoman put a lot of effort into changing the county's mind thus saving the Town of Riverhead the cost of maintaining that property.

Supervisor Walter reported that on Monday he went to Albany and attended a meeting with the DEC to see if they could resolve the 182 regulations. He stated that the meeting was a good meeting and he thinks they are willing to work with the Town to get the necessary permits and get the subdivision moving forward and he believes the meeting was a very positive meeting. He stated they also had a meeting with Andrew Kennedy from the Governor's office. This meeting was to brief him on where the town is with the EPCAL property. The Supervisor stated he also felt this meeting was also quite productive.

PUBLIC HEARING

Supervisor Walter: "We have one public hearing which is scheduled for 2:05 p.m. and it is now 2:12 p.m. We're going to open up a Public Hearing for the Consideration of Local Law that the Town of Riverhead may deem North Fork Animal Welfare League a "qualified and eligible sponsor" for the lease of a portion of the subject property known as the Henry Pfeifer Community Center for no rent in exchange for the construction of a kennel and offices related to animal care and welfare and related services. Annemarie would you like to just present this a little bit and then?"

Annemarie Prudenti: "This hearing is essentially scheduled pursuant to General Municipal Law, Section 507. As the public and the Town Board are aware the Community Development Agency by Resolution #9 adopted on May 6, 2004 transferred the subject property; it's the piece of property adjacent to the Henry Pfeifer Community Center, together with the Henry Pfeifer Community Center to the Town of Riverhead.

Thereafter the Town, by Resolution #336 adopted on May 6, 2004 authorized a lease agreement between the Town and North Fork Animal Welfare League subject to a designation of North Fork Animal Welfare League being designated as a qualified and eligible sponsor pursuant to the requirements of law.

The lease has been on file with the Town Clerk's office and it provides that the town lease the property for a period of fifty years without rent subject to and conditioned upon North Fork Animal Welfare League's construction of a kennel and offices within two years and thereafter use of the building to provide animal shelter and dog control offices and services to the Town.

The qualified and eligible hearing to determine if North Fork Animal Welfare League is capable based upon experience and resources to complete the proposed project and provide the services to the Town.

Supervisor Walter: “Thank you Annemarie. Does anyone wish to be heard? Mr. Danowski, welcome.”

Peter Danowski: “Not a surprise knowing my wife and her interest in animal welfare. I do stand up here even though I’m not general council to the league nor am I the attorney who has reviewed and approved as to form the proposed lease however I did volunteer my services to stand up here.

As you know this is sort of unique because most of the time when people attend one of these hearings you might not know the entity involved. In this particular case you have contracted for an animal welfare services with this entity in fact there’s a pending contract between the Town and this entity, so something unusual.

Gillian Paulsus, the Director heading this organization and certainly you are well aware of her. I shouldn’t say Director but in charge of the operation is a hands on person who’s certainly dealt probably with each member of this Board. When she and I met to discuss how we would proceed at this particular hearing, I think the both of us said you don’t want to be standing up there speaking for hours on self-evident facts that you could produce on paper. Therefore I’ve handed up to the Town Attorney, the Town Clerk and each of your Board members a written presentation that explains the history and the facts concerning the entity as well as financials that have been audited by a CPA who has endorsed the two returns most recent returns that have been fully audited. These returns and financials clearly show that we have the wherewithal to do exactly what the lease provides us to do.

By way of general description, we have agreed to build a new facility adjacent to and to be connected to the Pfeifer Building. We will erect that building within the two year time period consistent with the provisions of the lease. After I sit down I ask you give the opportunity to our architect who has at this point produced a concept plan for the building, Mr. Robert Brenner. He has put up the Board presentation to the side of the room so members of the public as well as yourselves can see the depiction of what we propose to build.

The funding for this will be with the use of what we termed the Troxel Funds which are an amount of funds that were left as a result of a bequest. They are separately located within our financials and you will see the accumulation of funds plus interest in a separate account. In addition to that the Board members of the League have authorized additional funds to be spent in addition to the Troxel Funds to make sure this building becomes a reality and so it is at no cost to the tax payers. It is on a piece of property owned as mentioned by your special councilor, Assistant Town Attorney here today and we intend to provide this building as quickly as possible so that animals can be well taken care of.

I would note that separate and apart from our efforts through regard to this lease property, we fully support Denise Lucas and her efforts with “move the animal shelter” which deals with the existing Pfeifer Building and we certainly fully support everything she’s looking to do so we sort of have joined at the hip even though we have a separate building fully funded and fully leased by us that we propose to build on property to be leased to us.

Again, I don’t have to explain what is self-evident for those members of the Board. We have dealt with both dogs and cats and their welfare with regard to the existing facility that’s

located on Youngs Avenue. We've done things like partnering with Pet-Co to deal with the adoptions of animals specifically cats. We've dealt with neutering; various programs for the welfare of animals. This is a win win for both the Town, for the League and for all those interested in animals; not just dogs and not just cats.

So the lease, without going through every paragraph in the lease as Annemarie has mentioned, has been available for public review. It's been reviewed by separate council. It is an executable form. I don't need to belabor the point but I made this information a public record by submission to the Town Clerk. I've also made it available to members of the public, members of the press and I would like the opportunity to introduce Mr. Robert Brenner who can talk about the architecture for the building and his proposal and he will give you some rough ideas of how his concept is. It's obviously subject to further architectural plans and more detail in compliance with all laws."

Supervisor Walter: "Thank you Mr. Danowski. Bob, you want to swear him in?"
(inaudible)

Peter Danowski: "Mr. Brenner."

Supervisor Walter: "Good evening Sir."

Robert Brenner: "Hello. My name is Robert Brenner. I have an office at 1120 New Suffolk Avenue in Mattituck. I've been a registered architect in New York State since 1986."

Supervisor Walter: "Welcome to Riverhead."

Robert Brenner: "Thank you, it's a pleasure and this is a wonderful project to work on. It combines two interests of mine certainly. I love animals, dogs and the fact that the North Fork Animal League has done such a wonderful job over the last fifty years taking care of animals and my love of architecture so it's a blending of my two very favorite interests.

In the concept that we've developed here, the current thinking, and the American Humane Association recommends in shelter design, that you avoid an institutional feel by grouping dogs in no more than a maximum of six to eight animals per area so that when a potential adopter comes in or any person that the dogs' not familiar with the dogs don't start barking and set off the whole shelter into a barking frenzy.

So it's grouped into suites of seven dogs each and if you have a eleven by seventeen drawings that's how the drawings are depicted and the square donut plan that resulted has the kennel manager in the center so she has direct visual access to the dogs while having direct access to the public at the reception desk and that reception desk is located on a connecting lobby that I tried to keep as minimal as possible and connect this new pavilion to the existing Henry Pfeifer Building.

As far as costs, the building or this pavilion addition, is approximately in the early stage of this concept form is about two thousand three hundred square feet and figuring two hundred seventy-five dollars per square foot. That brings us into the six hundred thousand to six hundred fifty thousand dollar range is the construction cost and as Peter has indicated the Troxel family had very generously given us the sum of money that will cover and a very great portion of that

construction cost and of course we always have ongoing fundraising so we will cover the cost of this new construction.

Ok, if you have any questions I'd be glad to answer them."

Supervisor Walter: "Ok. Peter, do you want to bring anyone else up to talk about this before we open it up for questions."

Peter Danowski: "No I don't think so. The reason I had the printouts done is because I thought they spoke better than I did and I didn't think you wanted me to speak for hours so I would like you to open it up to the public."

Councilman Gabrielsen: "I'd like to ask you a question if I can Peter? Was there any site plan put out on a map because it's a very small parcel and I feel if you put these buildings on there, you take away parking it's very tight so now my question is where are you going to walk all these dogs, where are we going to get them out for exercise?"

Peter Danowski: "I think we'll go through the process for wherever the Town deems us to do with regard to site plan. We have the area depicted on the lease. We think we can comply based upon the leased area."

Supervisor Walter: "It will be a town site plan."

Councilman Gabrielsen: "I know it's a town site plan that's the question. Can this all fit there?"

Peter Danowski: "We believe it can."

Councilman Gabrielsen: "It's a very small parcel and I really think nobody has asked the question where are the dogs going to go out walking?"

Supervisor Walter: "Well there are twenty-three hundred acres of preserved land associated with it so I think we've got."

Councilman Gabrielsen: "Well it's quite a ways away."

Supervisor Walter: "Actually it's right behind it."

Councilman Gabrielsen: "The piece behind it?"

Peter Danowski: "I guess the only other remark is it's a bigger area than we have today."

Supervisor Walter: "Directly George, there's a piece by the Energy Park sign for the Energy Park boundary just to the northwest of it there's a very large tract of land. I mean I don't even know that you'd have to traverse the railroad tracks, there's a."

Councilman Gabrielsen: "That goes out to Grumman Boulevard?"

Supervisor Walter: “Yeah, yeah, it goes out to Grumman Boulevard because it’s the WSR line is in that particular area so there’s no; we’re not doing anything with it so you’d be able to access it.”

Councilman Dunleavy: “It’s where the woods are?”

Supervisor Walter: “Exactly.” (Inaudible)

Councilman Gabrielsen: “And then we still need approval from the DEC?”

Supervisor Walter: “From the DEC.”

Councilman Gabrielsen: “For the Troxel building.”

Supervisor Walter: “We didn’t want to do anything because it’s going to be a Town Board Site Plan, a Town Board DEC permit. We didn’t want to do anything until we knew we had the lease and everything to move forward and then we’d make the application to the DEC. We’re cautiously optimistic that we’ll get that approved.”

Councilwoman Giglio: “Ok. I just have a question. There is no doubt in my mind that the North Fork Animal Welfare League is capable of taking care of the town’s operations. You’ve been doing it and I think you’re doing a great job so there’s no question as to that in my book however I do have questions because it appears on this plan you have twenty-one indoor and outdoor pens and I know that the average number of dogs that we take in and that we’ve housed at the current animal shelter is right within those numbers and those ranges and in looking through the contract with the Town of Southold, it appears that the contract with the Town of Southold is up on May 31, 2015 and I’m just wondering if there’s any plans to bring Southold animals into Riverhead because I don’t see any prohibitions in the lease as far as the Town of Riverhead’s lease with North Fork Animal Welfare League as to whether there will just be Riverhead animals that will be housed here or whether it will be animals, dogs that are brought over from Southold and then I also noticed an escalating pay scale in the lease with the Town of Southold on an annual basis and I’m wondering if that’s something that has been discussed with the Town of Riverhead as to an escalating pay scale as the years go on. It was a five year lease with the Town of Southold which is up May 31st so 1) is there an intention to renew that lease 2) has there been any discussion about an escalated increase in the amount of money in the lease.”

Supervisor Walter: “Well let me answer one question. Our lease, not our lease for the property but our agreement similar with Southold’s agreement has escalation, cost of living escalation every year so it’s kind of modeled after Southold our agreement with the North Fork Animal Welfare League. I want to say it’s a cost of living two or three percent.”

Tara McLaughlin: “It is.”

Supervisor Walter: “Yeah so that’s in there. It’s the same as Southold’s and as far as this is concerned, Southold spent, I think Scott Russell said three to four million dollars to build that facility and we would be getting this essentially for free.”

Councilman Dunleavy: “And what I understand from the reports that we usually have eighteen dog kennels at the old animal shelter and usually they’re full with Riverhead dogs. This is going to be twenty-one so we’re pretty well in that counter. Riverhead animals will take care of the shelter itself.”

Councilwoman Giglio: “Just a question as to whether or not any animals, dogs, will be brought in from other townships?”

Supervisor Walter: “That’s a fair question.”

Peter Danowski: “Pardon me.”

Supervisor Walter: “Are any other animals brought in from other municipalities to this town?”

Peter Danowski: “I’m looking at the Director now and she says no and of course we’ve been in contract with Southold since 1980. We don’t intend to break that and we’ll keep being extended. I’m sure that to be a fact and I understand, I appreciate the comment that you know we’re capable of doing the job and that’s the one issue here and the second one is can we financially do it and I think when you look at the documents provided you know we can afford to do it. Those are the two issues.”

Supervisor Walter: “Any other Board members have questions?”

Councilwoman Giglio: “I just, I guess just the Capital upfront costs because it can be very costly to try and get applications through the New York State DEC. I don’t know if the town will be making those applications?”

Supervisor Walter: “The Town is going to be making those applications.”

Councilwoman Giglio: “Ok.”

Supervisor Walter: “I open it up to the public then. Does anybody else from the Board? Does anybody from the public wish to be heard on this matter? Alright, not seeing anybody from the public, I’ll close the public comment portion and leave it open for written comment until Friday June 13, 2014. If anyone from the public has comments please provide it to the Town Clerk’s office by Friday, June 13th at 4:30. Thank you very much.”

**Public Hearing Closed at 2:30 p.m.
Left Open for Written Comment until June 13, 2014 at 4:30 p.m.**

COMMENTS ON RESOLUTIONS

Supervisor Walter: “Ok; comments on Resolutions. How are you doing Sal?”

Sal Mastropaolo: “Sal Mastropaolo, Calverton. Resolution #10 is missing the exhibit.”

Robert Kozakiewicz: “Yeah, yeah I know, still working, as a matter of fact on that one I would ask the Board to consider changing the second sentence in the first resolve where it says *copy attached herewith*; delete all that and instead say *substantial afore attached herewith* because it’s still being worked on there are still some back and forth.”

Supervisor Walter: “It’s a basic agreement that we’re using.”

Robert Kozakiewicz: “Basic agreement is going to stay the same. Pfeifer is misspelled in the Resolution, it’s correct in the license and the again.”

Supervisor Walter: “Ok.”

Sal Mastropaolo: “Resolution 403. The properties in question are for profit businesses, they’re not not for profit, right? I don’t understand how we can waive Town fees for a profitable business particularly one that has insurance.”

Supervisor Walter: “It’s within the Urban Renewal area. We’re able to do that because it’s within the Urban Renewal area.”

Sal Mastropaolo: “Yeah but it’s a cost to the Town. We have cost to the Town with the Building Department and the Fire.”

Supervisor Walter: “There’s all sorts of special rules and exceptions in Urban Renewal areas which allows municipalities because they’re trying to promote businesses. Properties that we own in Urban Renewal areas such as Calverton, you can give it away for free so, the whole property because it’s an Urban Renewal area so the Town Board has brought discretion to do these.”

Sal Mastropaolo: “I guess my issue is he can recover the cost of the building permit from the insurance company why are we giving it to him for nothing?”

Supervisor Walter: “That’s not actually accurate but thank you.”

Councilwoman Giglio: “If I can just add on to that Resolution #403. I was told that Councilman Gabrielsen had a conversation with the Town Attorney and that there was some concerns and some questions because work that’s being done within the building is different than just fire repair and that we should probably discuss this again at work session so I’d like to see that Resolution tabled.”

Supervisor Walter: “Why would we discuss, I don’t want to table it. Why would we table it?”

Councilwoman Giglio: “Because that.”

Councilman Gabrielsen: “I think the scope of what I understand is, to rebuild in a fire situation there’s going to be two units again; but I understand the Building Department came and said look they’re trying to put three in now. It changes the scope of the work.”

Supervisor Walter: “Yeah but there’s one building permit for the entire building that got damaged by fire whether he makes it one unit or three units it’s still a four walls.”

Councilman Gabrielsen: “The Building Department; I had a conversation with Bob, came to me about it. He approached me because he was feel uncomfortable.”

Robert Kozakiewicz: “If I can be heard because I know that I’m being attributed for the comments so I can just state what I heard.

I did receive an inquiry from the building department with regard to the Resolution because there’s a couple of facets to what’s going on. There is work that’s going to be done in connection with and that is attributable to the fire damage; repair of the walls, repair of the facia and the roof and once that work is done then there’s going to be interior build outs which aren’t directly related I guess you will, to the fire damage; at least the opinion of the building department because now we’re configuring the interior to switch it from two stores to three.”

Supervisor Walter: “But is it the same building permit that’s being issued to do all the work?”

Robert Kozakiewicz: “Well, we don’t have the interior build outs yet because those particular applicants and those tenants haven’t come forward. And that was the question they had, are we waiving all fees or just those that are directly.”

Supervisor Walter: “Well it’s for forty-five days so if they don’t get it in, that’s it.”

Councilman Dunleavy: “I would think that if it was just a different tenant working the build out I could see Building Department fees for different tenants but if he’s just correcting what the fire damage did I can’t see how we could have three different fees for the building.”

Supervisor Walter: “I agree. If a tenant comes in and gets a building permit to do a renovation to build to his spec then he would have to pay the fee.”

Robert Kozakiewicz: “I think that’s partially what’s going on. I think that there’s going to be some sub tenancies or leases to others who are third parties who are not part and parcel of occupying the building before hand and that was the question.”

Supervisor Walter: “I would waive them because.”

Councilwoman Giglio: “That’s why I think the Resolution has to be clear.”

Supervisor Walter: “Well let’s make it clear so we can get on with it.”

Robert Kozakiewicz: “Ok.”

Supervisor Walter: “So you have a few minutes to make it clear that it’s for the build out but not the subtenants.”

Councilwoman Giglio: “It’s for fire damage only.”

Supervisor Walter: Well, I don’t; it’s for the whole building so how do you differentiate because one unit got water in it and the other unit got smoke damage. I mean it’s.”

Councilman Dunleavy: “I would go along with the Supervisor. If a subtenant wants to get a building permit to do.”

Councilwoman Giglio: “Yeah but I don’t think the subtenants are getting the permits. I think that the applicant for the building is doing it simultaneously with the fire repair.”

Councilman Dunleavy: “No he just said they don’t know who’s going in there.”

Councilman Gabrielsen: “I think they do know who’s going in there.” (Inaudible)

Councilwoman Giglio: “They do.”

Councilman Dunleavy: “What the Town Attorney just said that they don’t know who’s going in there.”

Councilwoman Giglio: “Anyway, it has been a blighted building for over a year. The last time I voted no for this Resolution so I would vote yes for the fire repair; for the roof, for the walls, for any part that was damaged by the fire but when it comes to.”

Supervisor Walter: “The entire interior was destroyed. The entire interior of the.”

Councilwoman Giglio: “Not according to the Building Department.”

Supervisor Walter: “I was in the building, the entire interior was destroyed.”

Councilman Dunleavy: “Where the Spanish store was; the grocery store that was condemned by the Fire Marshall because of the damage. That’s the whole building, it’s up to the.”

Councilwoman Giglio: “It’s a third of the building.”

Councilman Dunleavy: “Well that’s a third but the other two thirds was really damaged by the fire too, that was his restaurant. So if our Fire Marshall goes in and condemns the building or a portion of the building because of the fire well then there’s fire damage.

Councilman Wooten: “I think it’s important to point out in the Resolution that therefore it says, East Main Street premises that had incurred fire damage (inaudible)repairs from the fire damage so it’s pretty specific what the fees are being waived for. So the total fees are about six hundred dollars?”

Robert Kozakiewicz: “I think it was five fifty for the Building Department, fire prevention was about a hundred and then there’s going to be later fees. I think they know who the tenants are going to be. I think there’s going to be a frozen yogurt store.”

Supervisor Walter: “The build out of the yogurt store would not be (inaudible).”

Robert Kozakiewicz: “That was the question.”

Supervisor Walter: “The build out of the yogurt store, I think that’s what we said. If that’s a separate tenant the tenants individual build outs are not going to get waived.”

Councilman Dunleavy: “So they’re not going to get their fees waived?”

Councilman Gabrielsen: “So he’s got to rewrite this in a few minutes.”

Supervisor Walter: “Yeah, you have a few minutes to rewrite that.”

Councilman Gabrielsen: “But we got to say we did give him a waiver back in July 2013 but that was a thirty day, forty day but he didn’t get it done but we did give him the opportunity.”

Supervisor Walter: “What else you got Sal?”

Sal Mastropaolo: “420. I think the date in the first paragraph is wrong. You want to publish in probably the June twelfth issue. That’s it.”

Supervisor Walter: Does anyone else wish to be heard on Resolutions? Not seeing anybody we’ll take up the Resolutions.”

RESOLUTIONS

Councilman Dunleavy: “What are we taking first?”

Councilman Wooten: “The CDA.”

Councilman Dunleavy: “The CDA or the tabled.”

Supervisor Walter: “Well we might as well just leave them tabled because we’re not going to do anything.”

Councilwoman Giglio: “All of them?”

Supervisor Walter: “Well the (inaudible) Rogers one we’re going to table temporarily. It’s already tabled so we’ll leave it on the table. Bays and Creeks, untable and withdraw. Withdraw all of these wetlands ones we want to untable and withdraw. Let’s take care of that. So Resolutions 384, 385 and 386 we’ll untable and withdraw.”

Resolution #384, 385 and 386

Councilman Dunleavy: “I make a motion we untable Resolutions 384, 385 and 386, so moved.”

Councilman Wooten: “Second to untable.”

Supervisor Walter: “You don’t want to do both together?”

Councilman Dunleavy: “I don’t think we can.”

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

The Vote: Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 384, 385 and 386 are untabled.”

Councilman Dunleavy: “I make a motion that we withdraw Resolutions 384, 385 and 386, so moved.”

Councilman Wooten: “Second to withdraw.”

Supervisor Walter: “Moved and seconded as to withdraw the three Resolutions 384, 385 and 386.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolutions 384, 385 and 386 are withdrawn.”

Councilman Dunleavy: “I make a motion that we close the Town Board meeting temporarily and open the Community Development Agency meeting, 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 CDA meeting is now open.”

Town Board Meeting is Closed

Town Board Meeting is Reopened

Resolution #396

Councilman Wooten: “2013 General Fund Budget Adjustment, so moved.”

Councilman Gabrielsen: “And seconded.”

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

The Vote: “Giglio, no; Gabrielsen, yes; Wooten, of course; Dunleavy.”

Councilman Dunleavy: “I thought we were going to table this.”

Councilwoman Giglio: “I thought so too.”

Supervisor Walter: “No, we’re voting to pass it now.”

Councilman Dunleavy: “Yes.”

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

Resolution #397

Councilman Gabrielsen: “2013 Riverhead Sewer District Budget Adjustment, so moved.”

Councilwoman Giglio: “Seconded.”

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

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

Resolution #398

Councilwoman Giglio: “2013 Riverhead Water District 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. Resolution adopted.”

Resolution #399

Councilman Dunleavy “2013 Scavenger Waste District Budget Adjustment, so moved.”

Councilman Wooten: “Seconded.”

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

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

Resolution #400

Councilman Wooten: “2013 Street Lighting District Budget Adjustment, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

Resolution #401

Councilman Gabrielsen: “Authorizing Removal of Fixed Asset Records from System, somoved.”

Councilwoman Giglio: “Seconded.”

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

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy.”

Councilman Dunleavy: “These are the fixed assets that we’re going to sell?”

Supervisor Walter: “Yes.”

Councilman Dunleavy: “We’re not going to throw them away, we’re selling these so I vote yes.”

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

Resolution #402

Councilwoman Giglio: “CDA Calverton Budget Adjustment, so moved.”

Councilman Dunleavy: “Andseconded.”

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

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

Resolution #403

Councilman Dunleavy: “Authorizes Waiver of Building Permit and Fire Prevention Fees for East Main Street Fire Damaged Premises, so moved.”

Supervisor Walter: “What have you got Bob?”

Robert Kozakiewicz: “This is on the fly. On the first *therefore be it resolved*. in the third sentence I took out the word *for* and added *and directly related to repairs from fire damage that resulted*. And the second resolved at the very end after resolution added; *however said waiver shall not be applicable to interior build out for new tenancies*. I hope that would be.”

Supervisor Walter: “Perfect.”

Councilman Dunleavy: “So moved as amended by our Town Attorney.”

Councilman Wooten: “I will second.”

Supervisor Walter: “Moved and seconded as amended.”

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

Resolution #404

Councilman Wooten: “Authorization to Publish Advertisement for Charter Coach Transportation for the Town of Riverhead, 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. Resolution adopted.”

Resolution #405

Councilman Gabrielsen: “Authorization to Publish Advertisement for Printing for the Town of Riverhead,so moved.”

Councilwoman Giglio: “Seconded.”

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

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

Resolution #406

Councilwoman Giglio: “Supports and Endorses Pursuit of Suffolk County Downtown Revitalization Round 12 Funding for Historic Downtown Riverhead Directional Signs, 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. Resolution adopted.”

Resolution #407

Councilman Dunleavy: “Authorization for Building Department to Waive Application Fees for Vail-Leavitt Music Hall Inc. Signs, so moved.”

Councilman Wooten: “And seconded.”

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

The Vote:“Giglio.”

Councilwoman Giglio: “This is a not for profit historic building in downtown Riverhead and the funds are very low for the not for profit and they’re going to need a lot of help in order to keep the establishment running so I will say yes.”

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

Resolution #408

Councilman Wooten: “Terminates a Leave of Absence and Ratifies the Reappointment of Part-Time Police Officers to Active Duty Status, so moved.”

Councilman Gabrielsen: “Did we work on the hourly?”

Supervisor Walter: “They’re working on it now.”

Councilman Gabrielsen: “So we’re going to leave this in here for now?”

Supervisor Walter: “For now.”

Councilman Gabrielsen: “And seconded.”

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

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

Resolution #409

Councilman Gabrielsen: “Changes the Status of Part Time Police Officers, 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. Resolution adopted.”

Resolution #410

Councilwoman Giglio: “Accepts Highway Superintendent’s Personnel Report and Request for Town Board Resolution to Effectuate Personnel Request, 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. Resolution adopted.”

Resolution #411

Councilman Dunleavy: “Appointment and Approval of the Fee Schedule for the Raynor Group, P.E. & L.S. PLLC as Consulting Engineers and Land Surveyors, so moved.”

Councilman Wooten: “Seconded.”

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

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

Resolution #412

Councilman Wooten: “Appoints Seasonal Beach Attendants to the Recreation Department, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

Resolution #413

Councilman Gabrielsen: “Appoints Seasonal Call-In Lifeguards to the Recreation Department, so moved.”

Councilwoman Giglio: “Seconded.”

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

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

Resolution #414

Councilwoman Giglio: “Appoint a Seasonal Water Safety Instructor to the Recreation Department (John Yavaldakis), 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. Resolution adopted.”

Resolution #415

Councilman Dunleavy: “Appoints Member to the Agricultural Advisory Committee (Steve Weir),so moved.”

Councilman Wooten: “Seconded.”

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

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

Resolution #416

Councilman Wooten: “Approves Chapter 90 Application of the Cystic Fibrosis Foundation Greater New York Chapter (“Aptailis CF Cycle for Life” – Saturday, September 20, 2014), 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. Resolution adopted.”

Resolution #417

Councilman Gabrielsen: “Authorizes the Extension of the Riverhead Parking District, 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. Resolution adopted.”

Resolution #418

Councilwoman Giglio: “Approves the Chapter 90 Application of Old Steeple Community Church (Annual Antique Fair – Saturday, August 23, 2014), 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. Resolution adopted."

Resolution #419

Councilman Dunleavy: "Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled "Zoning" of the Riverhead Town Code (Article XIII, Supplementary Use Regulations, 108-56.1 Sign Permits), so moved."

Councilman Wooten: "Seconded."

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

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

Resolution #420

Councilman Wooten: "Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Add a Chapter 38 Entitled "Smoking" of the Riverhead Town Code, so moved."

Supervisor Walter: "As amended to the June 12th."

Councilman Wooten: "As amended,"

Councilman Gabrielsen: "And seconded."

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

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

Resolution #421

Councilman Gabrielsen: "Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 62 Entitled "Excavations" of the Riverhead Town Code, so moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: “I originally brought this to the Code Division Committee because we have a lot of contractors in town that are getting caught removing sand from the property and the penalties I found not to stop them for doing it, they would rather just pay the fine so that’s why I wanted the fine increased from two thousand to ten thousand dollars per day and the Town Board at last Thursday’s work session decided to reduce that to five thousand so I think it’s better than two thousand and would encourage them to abide by our laws and by our codes so I’ll vote yes.”

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

Resolution 422

Councilwoman Giglio: “Grants Special Use Permit Petition of Jeffrey Nazar Expansion of a Non-Conforming Professional Office Use, so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I’ve spoken with the Town engineer and the outside consulting town engineer who believe that (inaudible) they will be able to mitigate so no (inaudible) on the neighboring properties which was discussed at the Public Hearing that we had and they believe it can be accomplished and that all the runoff can be contained on site so I have assurances that they will work and be able to protect those neighbors from any further runoff so I vote yes.”

Vote Continued: “Gabrielsen, yes; Wooten.

Councilman Wooten: “I actually had a chance to look at the site plan they did and they’ve done a good job, I vote yes.”

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

Resolution #423

Councilman Dunleavy: “Classifies Action, Declares Lead Agency and Determines Environmental Significance on Special Permit of Chernoff Realty Medical Building and Calls Public Hearing, so moved.”

Councilman Wooten: “I’ll second.”

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

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

Resolution #424

Councilman Wooten: “Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 18 of the Riverhead Town Code Entitled “Code of Ethics” so moved.”

Councilman Dunleavy: “I have a question. Once we pass this and we should, we have to pass another code that defines who can and who cannot serve on a Board. Who’s attached to the ones that we had. We have another (inaudible) to define.”

Supervisor Walter: “Yeah, I think this is not ready to go.”

Councilman Gabrielsen: “The writing in here something’s mixed up.” (inaudible)

Robert Kozakiewicz: “I just added Executive Director because I didn’t know where else to put in it. It was just a quick fix to add in the Industrial Development Agency.”

Councilman Dunleavy: “I think it should say Executive Director or.”

Supervisor Walter: “It should say IDA, the member of the IDA or Executive Director of the IDA. Why don’t we table this so we can go back to this.”

Robert Kozakiewicz: “This is a quick fix to try to ease up Annemarie.”

Councilman Dunleavy: “Look up the other code we have to change with the definitions. I have them on my desk.” (inaudible)

Robert Kozakiewicz: “I might break this into two sections instead of trying to put it into one so if we want to deal with the IDA differently so that way member, director, I think it’s just a little bit easier instead of all in one subsection.”

Supervisor Walter: “Ok, let’s table it so we can go back and talk about it.If you’re ready Thursday that’s fine otherwise we’ll do it next Thursday.”

Councilman Wooten: “Motion to table 424.”

Councilman Gabrielsen: “And second to table.”

Supervisor Walter: “Moved and seconded as to table.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 424 is tabled.”

Resolution #425

Councilman Gabrielsen: "Pays bills, so moved."

Councilwoman Giglio: "Seconded."

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

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

Supervisor Walter: "We have one off the floor. This is to hire Eric Turpin to work seasonal in sanitation."

Resolution #426

Councilman Dunleavy "I make a motion we take 426 off the floor, so moved." (Inaudible)

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded as to taking it off the floor. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 426 is taken off the floor."

Councilman Wooten: "Appoints a Temporary Substitute Automotive Equipment Operator to the Sanitation Department, so moved."

Councilman Gabrielsen: "And seconded."

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

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

PUBLIC COMMENTS

Supervisor Walter: "Ok, that concludes the regularly scheduled business of the Town Board and we're going to open it up for people who want to discuss any issues with us. Does anybody wish to address the Town Board?"

Councilwoman Giglio: “I just want to say before if we could that I had asked for a Resolution be taken off the floor to memorialize the Town of Riverhead’s commitment to join in with Southhampton on a Grant application for designing construction of that bridge.”

Supervisor Walter: “Do you have the Resolution?”

Councilwoman Giglio: “I don’t. I had sent it over to the Deputy Supervisor and sent it over to the Board members and asked that it be taken off of the floor.”

Supervisor Walter: “The only thing I wanted to know before we do this, all the boats.” (inaudible)

Councilman Dunleavy: “We have time restrict.”

Councilwoman Giglio: “Could we discuss this at work session on Thursday and maybe have a special Town Board meeting afterwards.”

Councilman Dunleavy: “We have to notify to have a special Town Board meeting.”

Supervisor Walter: “I have one issue; the boats with fly bridges, not the bridge. Boats have fly bridges, they’re tall; those boats have to be able to get under there. When I asked that question to Southhampton folks they didn’t seem all that interested in getting boats with fly bridges.”

Councilwoman Giglio: “We can either discuss it at work session on Thursday and bring the Town engineers and the consultant that the Town of Southhampton has agreed to hire and have them discuss it but it was discussed and one of the people that are the consultants that the Town of Southhampton is interested in going with was the person that reviewed bridge permits for US Coast Guard for thirty years and the other one was with the New York State Army Corp of Engineers that reviewed and approved permits for twenty years and that was brought up.”

Councilman Dunleavy: “Well, we’re going with the Coast Guard what they recommend what the height of the bridge to be and I mentioned that we have fishermen with fly bridges so they agreed to talk to the one who has to give you permission on how high the bridge has to be.”

Supervisor Walter: “Well we should have (inaudible) because if you can’t get your boat under there I’m not interested.”

Councilman Gabrielsen: “It seems to me (inaudible) but it’s obvious (inaudible) but it’s our boats, our dock so it means everything to us. (inaudible)”

Councilman Dunleavy: “(inaudible) The problem is that the Grant application has to be in by June 14 They have to hire this engineering firm to get everything together.” (Inaudible)

Councilwoman Giglio: “This is just going in for the Grant application with the Town of Southhampton for the designing of the construction of the bridge.”

Supervisor Walter: “Jill can we print that Resolution.”

Jill: “It has to be in Resolution format. Can we just do it on Thursday?”

Councilwoman Giglio: “A special Town Board meeting so you can notice it this afternoon and we can have a special Town Board meeting on Thursday? (inaudible) That would be great, thank you.”

Supervisor Walter: “Ok. Does anyone wish to be heard from the public?”

Virginia Lang spoke again regarding Gershow. She said she wanted to address Mr. Danowski who is the lawyer for Gershow. She said that Mr. Danowski is very concerned about the animals but he should be concerned about the seniors and the problem they are having with Gershow.

Barbara Garen said she would like an update on the ongoing Gershow problem and had hoped that Mr. Duffy would have been at the meeting.

Town Attorney Robert Kozakiewicz spoke saying he would speak and hoped he could address some of the concerns.

Mr. Kozakiewicz said there was an application made by the town to seek a TRO in front of Judge Molier. When they went to court a special term judge, Emily Pines was assigned to hear the case however she could not hear the case due to a conflict. The case was reassigned for the following Tuesday. They did seek a temporary restraining order in order to shut down Gershow’s operation. He continued by stating a TRO would bring the ultimate relief that the town is looking for but because that is such a drastic remedy the court did not grant the TRO. He said the case is still ongoing. Mr. Kozakiewicz said the Town is at the very beginning of this case and that at this point there have been no depositions, no discovery and they haven’t gone through the legal mechanisms to get to the truth so at this point any papers filed with the court all are presumed to be true, the Town’s filed papers and Gershow’s filed papers. He asked that the residents hang in there and not give up. He said Mr. Duffy is still prepared to fight for the residents and the town.

Mike Donahue spoke saying he has pictures of the tractor trailers blocking the road. He said the situation is horrendous and that the only time its quiet is when the workers are eating their lunch. He continued by saying the gates may close at five o’clock but they are still pushing medal after that time.

Barbara Whittle said she was waiting on Hubbard Avenue because Gershow’s trucks were blocking the westbound lane and partially in the eastbound lane. People were waiting and trying to get around the trucks.

Supervisor Walter told Barbara that the Police Chief will go down and monitor the situation and if the trucks are blocking the road they will be ticketed.

Barbara said that would be greatly appreciated and she thanked the Board for their time.

The last to speak was John Rago who is the Outreach Coordinator for the Suffolk County United Veterans. Mr. Rago said he wanted to bring awareness to the Board about a program that he spoke to Councilman Dunleavy about a few weeks ago that is new to Suffolk County.

The SSVF Program means Supported Services for Veteran's Family's which is a rapid rehousing and homeless prevention program through the VA. This program provides supported services and temporary financial services for low income veterans who either recently became homeless or are at imminent risk of becoming homeless. He asked the Board to help spread the word regarding this program to veterans and nonveterans. He continued by saying if anyone wanted more information about SSVF, knew of a veteran in need of housing or had an apartment they would like to rent to a veteran to please call the Suffolk County United Veteran's at 631 924-8088, Ext. 1505. Mr. Rago also said they are also available to speak to any veteran's, civic group or organization day or night seven days a week. He concluded by stating, "this is the home of the brave, let us make sure the brave have a home."

Supervisor Walter: I think you just did a great job and this goes out on Channel 22 for a couple of weeks so people will be able to watch that we will get the work out any other way we can. Does anyone else wish to be heard today? Ok, can I get a motion to adjourn?"

Councilman Dunleavy: "I make a motion that we end the Town Board meeting."

Supervisor Walter: "All in favor of adjourning?"

Collective ayes.

Meeting Adjourned 3:12p.m.