

Minutes of a Town of Riverhead board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Wednesday, May 16, 2012 at 7:00 p.m.

**PRESENT:**

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

**ALSO PRESENT:**

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

Supervisor Walter: "All right. Welcome to the May 16<sup>th</sup> town board meeting.

If we could have Eric Biegler- could you lead us in the Pledge of Allegiance?"

(At this time, the Pledge of Allegiance was recited, led by Eric Biegler)

Supervisor Walter: "And we have Pastor Jerry Halpin from North Shore Christian Church in Riverhead. Would you like us, Pastor, stand, sit? Okay."

Pastor Jerry Halpin: "Father God we thank you for this night. We thank you for the men and women that are here and Lord as they serve our community we ask that you continue to guide them with your wisdom.

We thank you for their service to each of the individual (inaudible) and as they lead, as they protect, may you give them the sight to see the things that need to be changed, the things that need to be guided.

Lord, we especially ask that you protect Sean and Jodi and George and John and James, that you give them the wisdom to lead our community as you have for so many years.

Father, we thank you for their guidance and their leadership here in Riverhead.

In your name we pray. Amen."

Supervisor Walter: "Pastor Halpin loves it when people hug him. Right here. Everybody, if you could give Pastor Halpin a hug, that would be wonderful. Thank you very much."

(Some inaudible comments)

Supervisor Walter: "Where are we? John- "

Councilman Dunleavy: "I just want to make a motion that we approve the minutes of the May 1, 2012 meeting. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Supervisor Walter: "Okay. Diane, you want to do the Reports?"

Diane Wilhelm: "Okay."

**REPORTS:**

Tax Receiver	total tax collection to date May 2, 2012 - \$69,988,799.19
	total tax collection to date May 10, 2012 - \$72,513,325.95
	utility collection report April 2012 - \$243,104.58
Town Clerk	monthly report, April, 2012 -

	\$8,308.54
Building Department	monthly report April, 2012 - \$40,783.00
Sewer District	discharge monitoring report, April, 2012
Police Department	monthly report, March, 2012
Town of Riverhead	2011 annual financial report

**CORRESPONDENCE:**

Sue Hansen	a series of e-mails to town board members regarding the Riverhead Animal Shelter, shelter volunteers and Henry, a dog at risk in the shelter
------------	----------------------------------------------------------------------------------------------------------------------------------------------------------

**APPLICATIONS (pending Town Board approval)**

Special permits	
Group for the East End	Peconic Estuary Community Day June 2, 2012
Riverhead Foundation for Marine Research and Preservation	5K run for the Ridley - October 20, 2012
Peconic Bay Medical Center	annual carnival/fireworks, Route 25A, Wading River - July 4-7, 2012
Garden of Eve	annual farm festival - September 29 - 30
Church of the Harvest	community day - Riverfront parking area - July 28, 2012
Riverhead BID - 2012 riverfront events	classic car shows - Thursday nights - May thru June

Antique market/fair - June 2

Independence Day celebration  
with fireworks - July 3 & 4

Oldies Concert - July 21

Country Western concert - August  
3 & 4

Diane Wilhelm: "And I think that's it."

Supervisor Walter: "Do we have any town board reports? Okay. Then we have four public hearings tonight."

Public hearing opened: 7:08 p.m.

Supervisor Walter: "7:05 having arrived, we are going to open the public hearing, consideration of the local law amending Chapter 48 entitled Beaches and Recreation Centers of the Riverhead town code.

Jim, you want to talk about this?"

Councilman Wooten: "Well, basically including to try to codify this creation of our dog parks in the town of Riverhead finally erecting our first dog park and trying to include that in our code.

At the time when it was done, the code was looked at extensively and a lot of corrections were made throughout it to bring it up to today's standards. I think there's some language that isn't clear. I think we're going to hear from Eric in a minute.

But basically it's to allow- to legalize dog park and to allow residents to take their dogs which will be permitted to be off leash in the dog park area."

Supervisor Walter: "Okay, thank you. Does anybody wish to be heard on this matter? Not seeing any- oh, there's Eric. State your name."

Eric Biegler: "Name's Eric Biegler, 110 Park Road, Riverhead.

This is- looking at the amendment to Chapter 48 of the town code. I looked through the amendment and I just want to make some comments to it.

I don't want to get into a maybe a legal debate of it. Maybe you guys can just take my comments and kind of read through it and take a look at it and then maybe go back and see if you can brush it up a little bit.

This is dealing with recreation centers and beaches. I think as we introduced some changes into this town code, we really changed the name of the town code. It's not just dealing with beaches and recreation centers, it's actually dealing with public bathing beaches, beaches, recreation centers and facilities, parks, playgrounds and dog parks.

I believe that that is what the name of the chapter should state."

Supervisor Walter: "He's probably right."

Eric Biegler: "Okay, since that is what we're addressing in this entire chapter.

Moving next down on the town code, it starts right off with Article I, use of designated beach. I think that should be moved. I think Section 48-1 is the first section of the code which starts off with definitions. These definitions apply to all parts of the code, not just the Article I use of the designated beach."

Supervisor Walter: "-- use of designated recreation facility."

Eric Biegler: "No. The first Article, Sean, really deals with articles- Chapters 48-2, 48-11.1 which really pertains to driving motor vehicles on the designated- what we're determining as the definition of a designated beachfront, not a recreational swimming area.

So those articles, 48-2 to 48.11-1 all pertain to code violations, permits of driving on the beach. It has nothing to do with parks, dog parks or bathing beaches. So if you read the whole code, you'll see that.

While you're reading the code, you might want to look at 48-7B and 49-7.9- 48-9, they're contradictory of each other."

Supervisor Walter: "We're not- "

Eric Biegler: "I know- "

Supervisor Walter: "We're not amending that."

Eric Biegler: "It's a side bar, but take a look at it, it does contradict each other. It has two different expirations dates on the permit for driving on the beach."

Supervisor Walter: "All right, so- "

Eric Biegler: "But now let's continue."

Supervisor Walter: "Wait, hold on, because we have the synopsis that was in the town paper, I don't have the whole section, but 48- "

Councilman Wooten: "Is it 48-2?"

Eric Biegler: "48-7B and 48-9 are contradictory."

Supervisor Walter: "Well, we can adopt this and then- "

Eric Biegler: "Absolutely. It's just a side bar while I'm making a comment. While we're looking at changing this code, we might as well look at doing it right. I believe 48-9 should be stricken but that's just my opinion."

Supervisor Walter: "What does 48-9 say?"

Eric Biegler: "It says that it expires- that the driving on the beach permit expires at Memorial Day- at Labor, yeah, at Labor Day."

Robert Kozakiewicz: "It's Memorial Day to Labor Day."

Eric Biegler: "Right. But that's the driving on the beach, that should be a full year. So just take a look at it. It's not part of this discussion."

I'm glad that you've moved in 48-3 the insurance regulations up from \$10,000 to \$25,000. Things have gotten more expensive- "

Councilman Wooten: "That's basic liability."

Eric Biegler: "Right. Good. But who's checking that? Just to know."

Councilman Wooten: "That's basic liability."

Eric Biegler: "Right, good. But who's checking that? Just to know."

Councilman Wooten: "That's the minimum insurance you can get."

Eric Biegler: "Okay, great. Very good."

We're now moving to Article 2 which is really what- has made a lot of changes. And in Article 2 what I'm suggesting we have done here is we have introduced parks, playgrounds and dog parks into an Article that really starts to address parking permits and if you read a little further down, first, let me stop you. 48-12 at the last sentence it's referencing code 18-13. I think that's a typographical error. It should be 48-13. I feel like Sal.

But under 48-13, if you read that part of it- "

Supervisor Walter: "We can fix that. Hold on, we can fix that. We want to adopt this so we can open the dog park and go back- the dog park probably has no business being in the beach code is what I'm gathering from you."

Eric Biegler: "Kind of what I'm saying."

Supervisor Walter: "Right, but at least let's get this on the books so we can have the dog park."

Eric Biegler: "I actually have no comment about the dog park or the dog park permits. It's just what- by introducing dog parks into this thing, we're kind of like just putting carte blanche throughout the code and so now people are required to- according to what I'm reading, people are required a seasonal parking permits to park at Stotzky Park. Because we've introduced parks into parking

permits."

Councilman Wooten: "I don't agree with that. I don't know why- I think the fact that when we looked at this through other townships, dog parks are part of recreational parks."

Eric Biegler: "And they probably should be."

Councilman Wooten: "That's why I think this article was appropos for this to be inserted."

Supervisor Walter: "It should be a separate article. Beaches should be one article, recreation facilities should be another."

Eric Biegler: "Right. And dog parks should be an article- "

Supervisor Walter: "Under recreation."

Eric Biegler: "Probably a very good recommendation. One of the things, and I'll make this real brief. One of the things you've stricken from the code was allowing dogs on the beach except for seeing eye dogs. You've stricken that. Nowhere in the code do you mention that you're allowing guide dogs- you are allowing dogs with permits but you're not saying what those permits entail.

So are those permits being issued for a guide dog? Well, that's great, but it doesn't say it in the code."

Councilman Dunleavy: "I don't understand that now. That we're allowing dogs on the beaches."

Councilman Wooten: "We're not."

Councilman Dunleavy: "But you are, 48-23. It says we are. If you have a permit, you can bring your dogs on the beach."

Councilman Wooten: "But the only permit- right- but the only permitted dog that's allowed to be on the beach is a seeing eye dog. The only permit that the town clerk would have issue would be for dog parks. It's the only permit that we have."

Councilman Dunleavy: "So you took seeing eye dog out."

Eric Biegler: "And the seeing eye dog has to have a permit so

that means everybody who has a seeing eye dog has to get a permit? And do they know they have to get a permit and what's the requirement for them to get a permit?

I just think we did some things here that shouldn't happen and it's a simple-

Supervisor Walter: "It's going the way the senior assisted living community-

Eric Biegler: "It seems to be a simple code but it got all botched up."

Councilman Wooten: "Right. It's basically it. I mean, maybe because a lawyer wrote it might (inaudible).

But you're right. It should be a little more simplified. Basically we're not adding any more-- the whole idea was to add dog parks and off leash-- in the dog parks. The dogs would have to be permitted because we want to make sure they're licensed, we want to make sure they have their shots and that they're, you know, health-wise good."

Eric Biegler: "And Section 48-24 pretty much sums it up."

Councilman Wooten: "Exactly."

Supervisor Walter: "Your comments sum up our whole code."

Eric Biegler: "Well, let me start on this-

Supervisor Walter: "And there's only so much time tonight, Eric."

Eric Biegler: "Chapter-- this is the chapter. That was it and I think I've pretty pushed my five minutes here. I think there's a lot of holes in this. I think there's a lot of things that, you know, and I don't want to close the dog park. I want the dog park open."

Councilman Wooten: "No, no, no. I tell you what I think I'm going to do, is I'm going to sit back down and maybe code revision would have to look at this more extensively, not just because the

simple thing of adding dog park (inaudible), but maybe we do have to really define a separate code for beaches and recreation facilities and maybe to be more definitive."

Supervisor Walter: "I agree. I think this might be a Ray Coyne winter project, because he's in charge of both."

Eric Biegler: "Yeah. And I don't think anybody is going to get issued summonses for not having permits because nobody knows you're supposed to not have a permit, whatever, except in the dog park."

Councilman Wooten: "Well, the permit on the car it does say only, it has to be a permit designated only area. So those are our beaches and our cul de sacs on the beach road."

So it is defined that way. Not need a permit to go to Stotzky Park and we didn't add that here. They're saying it has to be-- the last sentence says that it has to be at a designated parking by permit only areas which they are, the beaches."

Eric Biegler: "Anyway, I think you need to look at it. That's my public comment. I think it's-- "

Councilman Dunleavy: "I think we'll get a lot of calls of dogs on the beaches."

Eric Biegler: "I think so too but I think there's a lot more."

Councilman Dunleavy: "On bathing beaches. It says here that they can go there if they have a permit."

Supervisor Walter: "Does anybody else wish to be heard on this matter?"

All right. I'm going to leave this open for written comment until May 25<sup>th</sup> and-- "

Councilman Wooten: "When's the next town board meeting?"

Supervisor Walter: "June-- so what I'm hoping to do is-- because we want to open this. If there's nothing substantive, nothing of other substance, let's get the park open so we don't have

that in front of us and then I think this is for Ray Coyne to sit down in the winter time and when things are slow and sort through what should be done."

Councilman Dunleavy: "The dog- this is for the summer now."

Councilwoman Giglio: "Can we just change- "

(Some inaudible discussion)

Councilman Wooten: "Right. Let me just say one thing quickly before people read this and not really understand it.

To make it clear that a permit is required from the town clerk for a guide dog. The original language of 48-18, it didn't make it appear that a permit was required. The new provision 48-23 that you're reading states that no person owning or being custodian of any animal shall cause or permit such animal to enter any areas designated as public bathing beach, recreation center or facility, park, or playground unless authorizes by permit issued by the town clerk.

This provision is identical to 48-18 except the stated above provision make it clear a permit is required.

And there's a second sentence that says- receive a permit for a guide dog. You're right. We should clarify guide dog must be kept on a leash because the prior legislation didn't.

So to say that this says you can let your dog run on a bathing beach just isn't so because right now- "

Councilman Dunleavy: "I didn't say run. I said have them on a leash."

Councilman Wooten: "We don't. We never have- "

Councilman Dunleavy: "It says authorized by permit issued by the town clerk."

Councilman Wooten: "The only permit the town clerk will be issuing is for dog park. That's the only thing that we have."

Councilman Dunleavy: "It doesn't say that here."

(Some inaudible discussion)

Supervisor Walter: "Let's- "

Councilman Dunleavy: "That should be the only thing that we change then. Put that in there."

Councilwoman Giglio: "Yeah. I mean if you said a person owning or being custodian of any animal shall cause or permit such animal to enter any area designated as a public bathing beach unless they are a guide dog with a permit from the town- "

Councilman Wooten: "I don't know why that language got dropped."

Councilwoman Giglio: "And then new sentence. Recreation center or facilities, parks and playgrounds unless authorized by permit issued by the town clerk for a guide dog except as set forth in 48-24."

Supervisor Walter: "The problem is you're not opening the dog park until probably August by the time this gets adopted."

Councilwoman Giglio: "But we can't- "

Supervisor Walter: "Because you can't just change it without going back to public hearing and that sounds more like a- "

Councilman Wooten: "Let's sit down and look at it (inaudible). I'll talk to Ann Marie tomorrow."

It's really a matter of interpretation. Ann Marie is very comfortable with this and believe me I argued with her last night until 10:00 at night and she says, no, we're not allowing any more access to anything that we already have. This is just clarifying it."

Supervisor Walter: "We want to get the dog park open so I believe that we adopt what we have to get it open so that we don't look silly having this dog park sitting there and then we'll go back and fix it. But let's get the dog park open."

Robert Kozakiewicz: "And then you go back and do a whole new redraft of 48."

Supervisor Walter: "Exactly. And just fix all of it, not just seeing eye dogs. Let's get- Eric's right. Let's get the recreation out of the beaches; let's get the beaches and the recreation facilities (inaudible)."

Councilman Dunleavy: "Yeah, that's the difference. You know, I just- I don't like this."

(Inaudible discussion)

Councilman Wooten: "I'll talk to Ann Marie. Then you'll be able to understand it. Looking at it- without understanding all the nuances of how it's incorporated in there because (inaudible)."

Supervisor Walter: "We all agree- "

(Inaudible discussion)

Supervisor Walter: "We all agree that if you look at the schedule for the town we would have to rewrite it- "

(Some inaudible discussion)

Supervisor Walter: "The point is let's get this park open and then let's fix it. I think that if the dog park opens and then we can come back- we can fix it immediately or we can wait."

I don't think there's going to be people banging down the door to get permits to walk on the beach."

Councilman Dunleavy: "Why don't we discuss it at a work session and then- let the attorney handle things. If there's any phone calls, we can refer it to our attorney's office."

Supervisor Walter: "Tara, put this on tomorrow so we can discuss it at the work session."

Our goal is, guys, let's open the park, it's built, we don't need another one of those don't park out there that we can't use.

All right. I think I closed the hearing."

Public hearing closed: 7:18 p.m.  
Left open for written comment until

May 25, 2012

---

Public hearing opened: 7:24 p.m.

Supervisor Walter: "All right. The next public hearing is scheduled for 7:10 and that's for the consideration of a local law to amend Chapter 101 entitled Vehicles & Traffic of the Riverhead town code, Article III traffic regulations- "

Councilman Dunleavy: "This here is for a no right turn at the intersection of Roanoke Avenue and Middle Road. If you're traveling east on Middle Road, you cannot make a right turn on that red light.

And the reason why is because there's only one lane of traffic there and it would tie up too much is hazardous because people come west, they have the arrow and sometimes they're not looking and you try to sneak in ahead of them, there could be an accident.

So we're eliminating the right turn on red at the intersection of Middle Road and Roanoke Avenue."

Supervisor Walter: "All right. Does anyone else wish to be heard on this subject?"

Councilman Wooten: "Actually if there's a car going straight at the "T" intersection you (inaudible)."

Supervisor Walter: "Not seeing anybody, if we're done with comment, we'll leave it open until May 25<sup>th</sup> for written comment."

Councilman Wooten: "I think Riverhead should do away with no rights on reds (inaudible)."

Public hearing closed: 7:25 p.m.  
Left open for written comment until  
May 25, 2012

---

Public hearing opened: 7:25 p.m.

Supervisor Walter: "7:15 having arrived this for the

consideration of a local law entitled Taxicabs and Vehicles for Hire of the Riverhead town code.

We're going to open this public hearing but the department of justice is actually (inaudible) any comments on our code so it's not us not getting it right.

The department of justice— division of criminal justice wants an amendment to this code, so I want to open it for public comment. This is for the fingerprinting for our taxicabs and vehicles for hire, Councilman Dunleavy's legislation.

If there is anybody that wants to comment on this, they can. If not, I'm going to close it for public hearing— close the public hearing— anybody? Not seeing anybody, we'll close the public hearing and leave it open for written comment until May 25<sup>th</sup>.

But it is going to come back up because the division of criminal justice wants us to (inaudible)."

Public hearing closed: 7:25 p.m.  
Left open for written comment to  
May 25, 2012

---

Public hearing opened: 7:26 p.m.

Supervisor Walter: "Okay. 7:20 having arrived, this is for the consideration of a local law to add Chapter 67 entitled Filming to the Riverhead town code.

Bob, why don't you give us a brief synopsis?"

Robert Kozakiewicz: "Well, it's a entire new chapter. If this local law were to be adopted by the town board, it would be Chapter 67 and it's entitled Filming.

Some of the other towns on the east end have already incorporated language similar to this in order to allow for a permit to be issued by the town clerk for those who are looking to utilize roads, town properties, sidewalks, parking lots that either the town owned or the community development agency owned and to simplify the process hopefully and streamline it where we have filming companies

or still photography companies who might utilize the township.

Presently we've been doing it on a per diem basis or an agreement type of basis where if an individual wants to use a community development property for example, we enter into a license agreement with the company. In fact, that's the case later. You'll see a resolution with the CDA board where we're doing a two day license with a company that wants to do a still shoot at the EPCAL property.

The process is such that the town clerk would receive the application, there would be an application fee, there would be a fee associated with how many days they intend to film, a clean up date, and if there is a necessity that the police be required to close down roads or incorporate traffic control such as the case with the instance where we had the Cohen brothers using the water district property, there would also be an advance deposit that would be required for the police so that their involvement would likewise get compensated.

So the idea is to allow for the filming process as opposed to doing it by resolution and agreement."

Supervisor Walter: "What was happening before is you had to wait for the town board meeting, work session and town board meeting and this as you said streamlines the process."

Robert Kozakiewicz: "We hope."

Councilman Gabrielsen: "And I think you may have pointed out, this is just on town property. It's not on private- "

Robert Kozakiewicz: "The- 67.2 is the applicable section and talks about when a permit is required and it states that it's on streets, sidewalks, all property owned by the town or the community development agency."

Supervisor Walter: "All right. Anybody wish to be heard on this? Not seeing anyone, I will close the public comment portion and leave it open for written comment until May 25<sup>th</sup>."

Public hearing closed: 7:29 p.m.  
Left open for written comment until  
May 25, 2012

---

Supervisor Walter: "Before we go to CDA, I have a resolution that's un-tabled and withdrawn and this is Resolution #224 authorizes the supervisor to execute an agreement with Eaton Corporation for emergency battery system."

Councilman Dunleavy: "I'd like to move off the table Resolution 224. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded as to un-table and withdraw."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is un-tabled."

Supervisor Walter: "And withdrawn."

Diane Wilhelm: "And withdrawn."

(Some inaudible discussion)

Supervisor Walter: "Well, do another one. I thought we did both. Withdrawn."

Councilman Gabrielsen: "I'll make a motion to withdraw Resolution 224."

Councilwoman Giglio: "I'll second."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 224 has been withdrawn."

Supervisor Walter: "Okay, Chris, CDA. Does anybody have any comments on the resolutions? Not seeing anybody, Chris."

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

Chris Kempner: "The CDA meeting is open."

Meeting adjourned

Meeting reopened

Supervisor Walter: "Okay, Diane."

Resolution #352

Councilwoman Giglio: "2012 Chips reconstruction road improvement project budget adoption. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #353

Councilman Dunleavy: "Animal shelter donation fund 2012 budget adjustment. So moved."

Councilman Wooten: "Second."

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

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

Resolution #354

Councilman Wooten: "General police fund budget adjustment. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #355

Councilman Gabrielsen: "Street lighting district budget adjustment. So moved."

Councilwoman Giglio: "And seconded."

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

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

Resolution #356

Councilwoman Giglio: "Authorizes the town supervisor to execute final change order for entrance to Calverton Enterprise Park recreational facility. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #357

Councilman Dunleavy: "Authorizes the town supervisor to file state form TE-9-A. So moved."

Councilman Wooten: "Second."

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

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

Resolution #358

Councilman Wooten: "This accepts the resignation of a part time court officer. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Councilman Dunleavy: "I wish John Grodski success. Yes."

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

Resolution #359

Councilman Gabrielsen: "Accepts the resignation of a part time kennel attendant. So moved."

Councilwoman Giglio: "And seconded."

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

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

Resolution #360

Councilwoman Giglio: "Accepts the resignation of a part time senior account clerk typist. So moved."

Councilman Dunleavy: "I'll second."

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

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

Councilman Dunleavy: "Yes. Isn't she retiring?"

Supervisor Walter: "She retired."

Councilwoman Giglio: "Wrote us a very nice letter that she loved working for the town and she is moving on."

Councilman Dunleavy: "I vote yes."

Supervisor Walter: "I vote yes, too. Maureen Lynn is truly an asset to that water district and I think Gary Pendzick is going to be missing her and we wish her the best. She came to see me and she basically said it's time to do something else after 30 years."

Diane Wilhelm: "The resolution is adopted."

Resolution #361

Councilman Dunleavy: "Appoints a part time account clerk typist in the senior citizens' program department. So moved."

Councilman Wooten: "I'll second."

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

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

Resolution #362

Councilman Wooten: "This establishes a standard work day for elected officials. So moved."

Councilman Gabrielsen: "And seconded."

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

I don't see Meg but I know that they put all these other department heads-- she put everybody's names on here that just got re-elected. This is the same as last year's as far as we know?"

(Some inaudible discussion)

Supervisor Walter: "Bill, do you want to talk about this? Do you have a comment on this?"

Bill Rothaar: "Actually it's a requirement of the retirement system to establish a day so that when we collect all the data and

see how many hours appointed elected officials worked we can then report to the retirement system how many days they get credit for.

If you're not getting credit for it, you don't need to do that, but only people who are currently getting credit for the retirement system and don't have to worry about the calendar but this is just to establish a work day."

Supervisor Walter: "I know this is going to come back and bite me on the-- but boy I wish I just worked seven hours a day in this job.

All right. 362, Diane was it called?

Moved and seconded. Vote please."

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

Resolution #363

Councilman Gabrielsen: "Appoints a temporary student intern I to the engineering department. So moved."

Councilwoman Giglio: "And seconded."

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

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

Supervisor Walter: "Wait, hold on, Boy Scouts. Are we in here for a merit badge or something? Yes? When we're done, we want to talk to you.

You're up first after resolutions, sir."

Resolution #364

Councilwoman Giglio: "Appoints a temporary full time clerk in the accounting department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #365

Councilman Dunleavy: "Forwards town of Riverhead plan to the Suffolk County Industrial/Commercial Incentive Board. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "All right. Discussion."

Jodi, have you seen-- I thought you were looking at-- are these the codes we wanted?"

Councilwoman Giglio: "The deputy supervisor and-- this is a program that the town has always been involved in, I guess since 2003. Most of the towns in Suffolk County and villages are a part of the Suffolk County Incentive Program and this program for incentives between ten and fifty thousand or above fifty thousand."

So we are saying between ten and fifty thousand when you spend a minimum of ten thousand and a maximum of fifty thousand, you will be entitled to certain benefits if you prove something to the assessor's office that you spent this money and it's an improvement to certain areas."

Supervisor Walter: "What was the codes that we excluded? Do you have them?"

Councilman Dunleavy: "Yeah, she gave them to me."

Councilwoman Giglio: "This is something that Rick completed and gave us."

(Some inaudible discussion)

Councilwoman Giglio: "Actually eight months ago. The other towns and the county has been waiting. Riverhead is the last one to respond. Tracy came and talked to us at work session eight months ago about this."

Supervisor Walter: "All right. So these are what we're excluding. The rest of them we include which there are (inaudible) Okay, we're excluding these.

Moved and seconded I guess if there's no discussion. I guess we'll vote."

Councilman Dunleavy: (Inaudible comment)

Supervisor Walter: "We've got to vote on it."

The Vote: "Giglio, yes; Gabrielsen."

Supervisor Walter: "These are the ones we're excluding. Rick, those are the ones we're excluding, right?"

Councilman Gabrielsen: "Excluding, okay."

Rick Hanley: (Inaudible comment)

Councilwoman Giglio: "They're on the map. Rick is still working on the map. (Inaudible)."

Councilman Gabrielsen: "Yes, yes."

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

Councilman Dunleavy: "Seeing that I did not go over this, I'm going to abstain."

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

Supervisor Walter: "I'm trusting in my staff. Yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #366

Councilman Wooten: "366 sets salaries for 2012 summer personnel for the recreation department. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #367

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

Councilwoman Giglio: "And seconded."

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

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

Resolution #368

Councilwoman Giglio: "Appoints a seasonal clerk to the recreation department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #369

Councilman Dunleavy: "Appoints a seasonal head lifeguard to the recreation department. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #370

Councilman Wooten: "Appoints seasonal lifeguards to the recreation department. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #371

Councilman Gabrielsen: "Appoints a seasonal beach manager to the recreation department. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded."

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

Resolution #372

Councilwoman Giglio: "Appoints a fill in seasonal beach manager to the recreation department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #373

Councilman Dunleavy: "You know summer's coming.

Appoints seasonal score keepers to the recreation department. So moved."

Councilman Wooten: "Second."

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

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

Resolution #374

Councilman Wooten: "Appoints seasonal water safety instructors to the recreation department. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #375

Councilman Gabrielsen: "Accepts the resignation of zoning board member. So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, no."

Diane Wilhelm: "No?"

The Vote (Con't.d): "Dunleavy."

Councilman Dunleavy: "I just want to say that Charles Sclafani did a great job on the ZBA and I'm going to-- anyway, he did a great job and I'm going to miss him. I just wish him luck.

So moved. Yes, I mean."

The Vote (Con't.d): "Dunleavy, yes; Walter."

Supervisor Walter: "Yes. And he did a great job and thank you for your service."

Diane Wilhelm: "The resolution is adopted."

Resolution #376

Councilwoman Giglio: "Authorizes the supervisor to execute a purchase of diesel fuel agreement with Jamesport Fire District

regarding fuel. So moved."

Councilman Dunleavy: "And seconded."

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

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

Councilman Dunleavy: "I'm going to vote yes. This is to help our taxpayers out. We're going to buy some excess fuel that the Jamesport Fire District has so they don't have to throw it away to save the taxpayers some money. I think it's a good idea.

And I vote yes."

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

#### Resolution #377

Councilman Dunleavy: "Authorize the supervisor to execute professional services agreement with L.K. McLean Associates, P.C. for Hubbard Avenue drainage improvements. So moved."

Councilman Wooten: "I'll second."

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

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

#### Resolution #378

Councilman Wooten: "This approves agreement with Unisys for maintenance of the emergency battery system. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #379

Councilman Gabrielsen: "Rescinds Resolution 590 of 2011 and awards bid for Meetinghouse Creek bulkhead renovation project. So moved."

Councilwoman Giglio: "And seconded."

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

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

Resolution #380

Councilwoman Giglio: "Awards bid for EPCAL recreation facility ballfield improvement project. So moved."

Councilman Dunleavy: "And seconded. You're getting there, George."

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

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "I just want to point out this is to finish the ballfields. This would include the line fencing, dugouts, playing field, the bullpen and the walkways. So this will wrap it up. No lights yet, not yet."

Supervisor Walter: "Well done."

Councilman Gabrielsen: "Yes."

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

Resolution #381

Councilman Gabrielsen: "So moved."

Councilwoman Giglio: "And seconded."

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

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

Resolution #381

Councilman Dunleavy: "381. Authorize the supervisor to accept a drainage easement from the owner of real property designated as SCTM# 600-100-2-23.1 (Sandra Tague Osman). So moved."

Councilman Wooten: "I'll second."

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

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

Resolution #382

Councilman Wooten: "Approves the Chapter 90 application of Riverhead Elks Lodge #2044, carnival - May 25<sup>th</sup> through May 28<sup>th</sup>, 2012. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #383

Councilman Gabrielsen: "Approves Chapter 90 application of the Group for the East End Inc., Peconic Estuary Community Day - June 2, 2012. So moved."

Councilwoman Giglio: "And seconded."

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

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

Resolution #384

Councilwoman Giglio: "Approves Chapter 90 application of PC Richard & Son, BBQ tent sale - May 24<sup>th</sup> through May 28<sup>th</sup>, 2012. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #385

Councilman Dunleavy: "Approves Chapter 90 application of Peconic Land Trust, appreciation lunch for donors and supporters, June 2, 2012. So moved."

Councilman Wooten: "I'll second."

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

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

Resolution #386

Councilman Wooten: "This authorizes the town clerk to publish and post public notice to consider a local law to amend Chapter 10 entitled Civil Claims of the Riverhead town code. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #387

Councilman Gabrielsen: "authorizes town clerk to publish and post public notice to consider a local law to amend Chapter 99 entitled Taxicabs and Vehicles for Hire of the Riverhead town code."

So moved."

Councilwoman Giglio: "And seconded."

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

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

Resolution #388

Councilwoman Giglio: "Authorizes town clerk to publish and post a public notice to consider the Riverhead sewer district's purchase of property described as SCTM# 0600-129-4-8. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #389

Councilman Dunleavy: "Rescinds only that portion of Resolution #312 adopted on May 1, 2012 authorizing a public hearing for proposed amendment to Chapter 106 and authorizes town clerk to publish and post a public notice to consider a local law to amend Chapter 106 entitled Waterways of the Riverhead town code, a corrected version from that which appeared as part of the Resolution #312 adopted on May 1, 2012. So moved."

Councilman Wooten: "I'll second."

Councilman Gabrielsen: "Allowing for the emergency personnel."

Councilman Dunleavy: "Okay."

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

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

Dunleavy, yes. The resolution is adopted."

Resolution #390

Councilman Wooten: "This authorizes town clerk to publish and post a public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, Article XXIII Residence RC district. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Councilman Dunleavy: "Boy, I'm telling you, we're finally getting a public hearing again. Thank you."

Resolution #391

Councilman Gabrielsen: "Authorizes agreement with public employer Rick Management Association, Inc./Northeast Association Management, Inc. So moved."

Councilwoman Giglio: "And seconded."

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

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

Resolution #392

Councilwoman Giglio: "Authorizes the supervisor to execute an agreement with New York & Atlantic Railway Company to use railroad track and rail infrastructure at EPCAL and conduct freight rail operations. So moved."

Councilman Dunleavy: "And seconded."

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

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

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

Resolution #393

Councilman Dunleavy: "Accepts official check from ARA Plumbing Corp. as approved drain layer for Riverhead sewer district. So moved."

Councilman Wooten: "I'll second."

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

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

Resolution #394

Councilman Wooten: "This authorizes the execution of an agreement with Converged Technology Group, Inc. (CTG). So moved."

Councilman Gabrielsen: "And seconded."

(Some inaudible discussion)

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

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

Resolution #395

Councilman Gabrielsen: "Authorize the supervisor to execute an agreement with Horton Avenue Materials LLC. So moved."

Councilwoman Giglio: "And seconded."

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

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

Supervisor Walter: "We're going to pay \$3700 to take it all down and make it go away. Remember that thing we took down in Shoreham (inaudible)."

(Some inaudible discussion)

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

Resolution #396

Councilwoman Giglio: "Authorizes publication of notice to solicit proposals for implementation of NYS DOS DOA grant. So moved."

Councilman Dunleavy: "And seconded."

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

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

Supervisor Walter: "He wouldn't have went-- this guy knows everybody. I don't mean to editorialize, but he takes me on this tour, shows me the towers that we-- and (inaudible)."

(Some inaudible comments)

Resolution #397

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

Councilman Wooten: "I'll second."

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

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

Supervisor Walter: "All right. Young man, would you like to tell us what badge you're-- microphone, please, introduce yourself. Right at the podium, this is your moment in the sun here."

Councilman Dunleavy: "We like to see boy scouts. You guys do a great job."

Supervisor Walter: "Absolutely."

Councilwoman Giglio: "And the eagle scouts are looking for projects. So if any board member or anybody in the public wants to know of a project that they would like the eagle scouts to work on to beautify our town or to help out with something, let me know."

Supervisor Walter: "All right. What are you doing?"

Brandon Dorsley: "My name is Brandon Dorsley. I'm part of (inaudible), and I'm doing this badge and (inaudible)."

Supervisor Walter: "Did you know you would have to speak? What school do you go to?"

Brandon Dorsley: (Inaudible)

Supervisor Walter: "And do you like boy scouts? Happy to have you here. I see your mom. I'm assuming mom brought you. Happy to have you here and do you have any questions of us?"

Brandon Dorsley: (Inaudible)

Supervisor Walter: "An interesting job. I speak for myself and the board members will weigh in. It's a very rewarding job. It is very difficult. One of the most difficult things is balancing the needs of all the various interests of the town, whether it's business or residents to development or economic and employees. It's very difficult to discern what the right path is.

And what I have found for me personally is that you have to have a solid (inaudible) set of values that you can rely on in making those decisions."

Councilman Dunleavy: "I just want to say that I find it very rewarding and you can't make everybody happy. But you know we're here for the whole town of Riverhead not just the one person or one thing in the town that we have to look out for.

That's why it's hard to balance because we have to look out for the whole town of Riverhead and make decisions based on that."

Brandon Dorsley: "Has anyone like given you any trouble?"

Supervisor Walter: "Nope."

Councilman Wooten: "I would say it's really— it takes a special person (inaudible) public anyway. It's really a job of public service more than anything. I came out of (inaudible), but you really have to— sometimes, you know, when you're sick and you're a kid, sometimes you've got to (inaudible). What you do is going to make you better.

So sometimes we as a board sometimes have to make decisions based on what the effects might be years from now. Sometimes people— it's a hard (inaudible) for people to swallow sometimes but in the end we try and make the best decisions we can. (Inaudible)."

Brandon Dorsley: "I just have one more question."

Supervisor Walter: "Absolutely. (Inaudible), he's pretty talkative."

Brandon Dorsley: "Were any of you guys boy scouts?"

Supervisor Walter: "I was a cub scout and a Webelo (phonetic) and after that I (inaudible)."

Councilwoman Giglio: "I have two boy scouts."

Councilman Dunleavy: "I was a boy scout. I went to Camp Baiting Hollow years ago. So I mean I know what scouting is and what it can do for you and it looks like you're an upstanding citizen and are going to be a great leader. And that's what it makes you. Okay. For the different badges that you have to do and the different commands that you have to show."

Supervisor Walter: "Who's your social studies teacher?"

Brandon Dorsley: "Mr. Schmidt."

Supervisor Walter: "Mr. Katz is my neighbor and I think Mr. Katz (inaudible)."

Well, thank you very much."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Does anybody else wish to talk to the board tonight? Not seeing anybody, can I get a motion to adjourn?"

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

Supervisor Walter: "All in favor?"

Collective response: "Aye."

Meeting adjourned: 8:02 p.m.

*Christine M. Wilhelm*  
*Town Clerk*