

Minutes of a Town of Riverhead Board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, May 4, 2010 at 2:00 p.m.

PRESENT:

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

ALSO PRESENT:

Diane M. Wilhelm,	Town Clerk
Dawn Thomas,	Town Attorney

Supervisor Walter: "All right. Welcome to the May 4, 2010 town board meeting. George Woodson, would you lead us in the Pledge of Allegiance?"

(The Pledge of Allegiance was recited, led by George Woodson)

Supervisor Walter: "Thank you. That was our highway superintendent. I like to see who is not paying attention in the audience, catch them off guard. So he performed well.

We're going to take just one thing out of order. I think the Chamber of Commerce is going to present a letter to the town clerk. Bob, if you want to bring that up.

Basically the Chamber— this has to do with the Vail Leavitt and the music festival. The Chamber of Commerce is going to withdraw its application, yes, and we're prepared to pass the application of the Vail Leavitt.

We've tried to do— this has nothing to do with the Vail Leavitt. We tried to cut resolutions off at 9:00 on Monday so we could get them up on the web site. That is not going to work because what's happened now is we get a flurry of resolutions that

absolutely have to be passed and we have like 15 resolutions coming off the floor.

So as many of you that really loved the fact that the resolutions were up early yesterday, we're not having this any more. We can't put 15 resolutions on at the end and the Vail Leavitt was one of these ones that were put on as an ad on.

I'm hoping those resolutions that were taken off the floor will be in the back for everybody to view. We're going back to the old system and hopefully we-- when we get them processed as quickly as possible, we'll get them on line as quickly as possible. We'll do our best.

But we did try this to no avail at this point because we have 15 resolutions coming off the floor and, again, the Vail Leavitt was one of those resolutions coming off the floor. It's the music festival. The music will go on.

I thank the president, Bob Linari (phonetic), president Bob Barta (phonetic) for working with the-- everything out that they worked out. We've had countless meetings and everything seems to be going forward as planned with Vail running the music festival and we'll pass that Chapter 90 today.

Now, we have something special here. Can we have Mr. Mike Curtis and his fellow garage workers and everybody else that wants to come up come on up, and our labor management committee.

Dave said he put the microphone someplace.

All right. I guess that's on. Is that on?

Mr. Curtis has-- is going to be awarded the employee of the first quarter. Who from the labor management is speaking here? Where are you, Maureen? Come on up."

Maureen Lynn: "I don't really know Mike very well but since he's been nominated, I've heard some wonderful things about him. He's a great asset for the town of Riverhead. He will not only get this proclamation for the award of Employee of the Quarter, he gets \$100.00 savings bond and a day off with pay."

Supervisor Walter: "Councilman Dunleavy, can you tell

everybody what day it is today in Riverhead?"

Councilman Dunleavy: "It's Michael Curtis Day in the town of Riverhead."

Supervisor Walter: "And we have this fine proclamation. Mike, we thank you very much for your work. The highway- not the highway department, the town garage- I always call them vehicle maintenance, but the town garage does a wonderful job for us.

We don't have the best fleet of vehicles because we tend to run them until they're old and then we repair them a couple times and run them some more. And I thank you and I thank everybody else from the town garage that makes that possible to save the taxpayers money.

And any time you see a police car out there, know that Mike and everybody at the garage, they had their hands in making that police car run and they do a fine job. We appreciate it. Thank, Mike."

Richard Warner: "Congratulations, Mike, on Employee of the Quarter. He's been here since May 1st four years ago and a great asset as others have said to the town, he's looking to take my job like you couldn't believe. I think he can do it. And without him, let me tell you, you would have a bunch of junk for cars on the road, let me tell you right now.

And he does the best of his ability as well as the rest of the crew. We have to do what we can and some day maybe we'll buy something new.

Thank you very much."

Supervisor Walter: "Well, don't bet on it. All right. Thank you very much. Mike, you want to say anything? It's your big moment."

Mike Curtis: "I just appreciate the award and just so everybody knows, it's not a one man operation. Those guys all do just as much as I do and thank you."

Supervisor Walter: "All right. I want- I'd like- I'll wait 'til everybody- I want to announce one other thing today. This has to do with a very prestigious award that was awarded to one of our

town justices.

At a meeting of the Suffolk County Criminal Bar Association on April 29th, it was announced that the Association had elected Riverhead Town Justice Allen M. Smith to be Judge of the Year for 2010. Judge Smith was elected from among the judges sitting in the County Court, the District Court and the Town Courts in Suffolk County.

This is a prestigious award for Allen— for Judge Smith, and what the people should understand is that this is the first time that a town justice was every elected Judge of the Year in the history of the Association.

So I want to— my congratulations to Allen Smith. We should all be very proud that we have such a fine judge sitting on the bench and he will be honored at a dinner held at the Irish Coffee Pub on Carlton Avenue in Islip on May 27th.

So, Allen, thank you very much. This is just a wonderful— another wonderful example of the type of people we have working in and for the town of Riverhead.

Okay. Can we get a motion— I know we're still— "

Councilman Dunleavy: "I make a motion we approve the minutes of the April 20, 2010 meeting. So moved."

Supervisor Walter: "Seconded?"

Councilman Gabrielsen: "Seconded."

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

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

Councilman Wooten: "Can I ask you? The one you just passed up, is that to replace the one we have in the packet?"

Dawn Thomas: "Correct. It was a typographical error (inaudible)."

Supervisor Walter: "All right. Town hall reports."

REPORTS :

Receiver of Taxes	total tax collection dated April 15, 2010 - \$67,143,498.34
	Total tax collection dated April 22, 2010 - \$67,575,134.33
	Total utility collections for April, 2010 - \$233,779.10
Sewer District	monthly discharge monitoring report March 2010
Police Department	Monthly report for March, 2010
Town Clerk	monthly report, April, 2010- \$7,857.74

APPLICATIONS :

Special event	Polish Town Civic Association - Police Town fair - August 20, 21 & 22
Special event	American Cancer Society - dog walk to fight cancer Riverhead Bark for Life - June 12

CORRESPONDENCE :

Genrac Assoc. LLC	petition to expand Riverhead Sewer District
Bissett Nursery Corp.	Letter noticing their withdrawal of bid for annual materials
Theodora Cohen, Riverhead	letter regarding available parcel of land for sale
Fred Moehring,	letter regarding public hearing

Riverhead	of April 20 regarding beach permits
Fred and Serena Moehring, Riverhead	letter regarding public hearing of April 20 regarding beach permits
Nick Lewitsky & Colette Sewal	letter to ZBA regarding zoning change of Captain Jedediah Hawkins House
H2M Assoc., Inc. Melville	Letter regarding petition to Water service to Deep Hole Road Calverton
Thomas Wolpert of Young & Young	letter to CAC regarding property of Bradford T. Reeve, Sr.
Petition	To the town board regarding amendment to RB-80 zoning use district

Diane Wilhelm: "And I think that's it. And the next town board meeting will be Tuesday, May 18th at 7:00 p.m. and that will be at the Senior Center on Shade Tree Lane in Aquebogue."

Supervisor Walter: "All right, Diane. I just want to take a minute.

Want to talk about this petition to the Riverhead town board. And I was hoping actually Dominique Mendez and Sid Bail were in the room. Okay, good. Because we're talking to you and to the Civic Organizations and to the residents of Riverhead and Wading River.

Basically what has happened and some of the principals I think of Great Rock Golf Course are in the room. Great Rock has admitted to us that they are probably within a couple months of shutting the golf course facility down. Period.

They've represented this on several occasions and they're now two or three months away. The town board said that the only way we would consider any sort of help because you have to realize this board understands the zoning is not for sale.

Just because there's bad business plans or bad business arrangements or the economy crashes, we're not going to change zoning just because that happens.

So we said to them we would like you to go out and get support of the neighbors. They went out and I think it's over 100 signatures on a petition that was submitted to the town clerk's office requesting that the town hold a public hearing to allow golf villas at Great Rock as a measure to bring revenue in to keep the golf course.

The alternative is simple. If they close- well, it's not so simple.

If they close- if the golf course closes, what will probably happen- there is a covenant on the property that is related to golfing that doesn't allow more than 140 houses.

If the golf course closes and seeks to- doesn't exist anymore, they will come in and ask for single family residential houses and basically take out the golf course and put residential single family homes in.

I think, and judging by the fact that they have 100 signatures in two days, that- "

(Inaudible comment from Councilwoman Giglio)

Supervisor Walter: "Yeah. Jodi, Councilwoman Giglio and I met and we believe it's like 68% of the surrounding communities is what they represented. They knocked on everybody's door.

So what Councilwoman Giglio, Jodi, and I have determined is that we should coordinate a meeting because I don't think anybody wants a golf course to go out of business. I don't think they want to see 20 or 30 or 40 homes on the golf course, but that's what they're representing is a fact, and we are- Jodi and I believe that there should be some alternative to this.

So what the board has sort of asked us to do without even knowing they've asked us, is to set up a meeting with the stakeholders. Because not only is Paul Elliot and some of the owners or principals, stakeholders in this, we believe that the people that live around Great Rock are stakeholders in the covenant

and this golf course.

I don't think people want it to go out of business but there has to be a solution.

So what we want to do is set up a meeting where Jodi and I will attend with Dominique, with Sid Bail, with some of the Civic Organization members and some of the residents and see if we can come up with a solution that allows— and this is not unprecedented. We have done somewhat similar things at Cherry— was it Cherry Creek.”

Councilwoman Giglio: “Cherry Creek where we actually have it in our code that they could get three units per hole and they're indicating that the golf course is considered separate from the residences. Based on the density and the yield so they would like the consideration of three units per hole.

We don't know if that's the number. We don't know if that's what's going to come out of this meeting. We're going to be working with the community and also with the owners of Great Rock to come up with a reasonable solution and an alternative rather than having the golf course go out of business. And the restaurant. The golf course and the restaurant would have to go out of business also.”

Supervisor Walter: “So it's— we're not taking public comments now. What we're asking for if a civic association— Sid are you here? Somebody said you were here.”

Councilman Dunleavy: No, he's not here.”

Supervisor Walter: “If the residents can coordinate— Sid Bail is very good at coordinating people. He's not here. We're going to task him to do something. Coordinate a meeting with Jodi and myself in town hall, we will have a— basically a forum to try to go through this to see if we can't figure out what the answer is.

Because I, you know, I take people at face value, and if they tell me they're going out of business in two or three months and they're willing to bring their banker in which they were willing to bring in. I said— I know the banker. It's not something we need to do.

If that's— the answer if for them to go out of business or we

consider, and I think they're looking at a 55 and older community of a thousand- units of 1,000 square feet to 1,500 square feet to be owned, I think by- "

Councilwoman Giglio: "Members of the golf course. They have to be members of the golf course is what they're indicating, but it's not even the economic impacts to the developer and whether or not we can keep him alive financially. It's a matter of what's in the best interest of the community.

And a lot of the community members have indicated that they chose to live around a golf course and they would like to continue to live around a golf course and not have 35 to 40 homes built.

So we will be sitting down, meeting with the community, and we will be meeting with the developer. We will be coming up, hopefully, with a solution that will make everybody happy."

Councilman Dunleavy: "I just don't think that's a good idea because you don't have the consensus of the town board. The rest of the town board members do not know what we're talking about, this golf course.

I think we should have a public meeting here, be televised. Let the public come in and have it as a public meeting so we have every town board member here so we can understand what's going on.

I can understand you want to get together with the community but then it's only two of you and- two town board members, and it's not- you have to convince other people to do what you want to do and I think that convincing people who are not at these meetings, it's pretty hard to do."

Supervisor Walter: "Okay. So what we'll do is we can do it as a town board meeting, John, but the issue you can't have a public hearing if you don't know what the question is yet."

Councilwoman Giglio: "And Dawn just indicated that if the meeting is called for by Great Rock or by the Civic Association, that all the members of the town board can attend."

Supervisor Walter: "So that's how we're sort of setting it up. We're putting Sid in charge."

Councilman Dunleavy: "Well, the two of you just mentioned—the Supervisor mentioned you and him and Jodi. The rest of the town board members excluded when I brought this question up. Now you're saying that Dawn said that as long as they call it, all the town board members can attend."

Supervisor Walter: "Well, however we work this out is fine. What we're asking, John—"

Councilman Dunleavy: "This is an important question."

Supervisor Walter: "John, what we're asking is that the Civic Organization with a— we'll do it here and we'll do it in the form where we coordinate the Civic Organization. It's a difficult question and we're putting that out there and, hopefully, we can get a meeting set up.

We're not trying to exclude any board members or any information or anything like that. We're trying to come up with a solution."

Councilman Dunleavy: "Well, the way you start out, you—"

Supervisor Walter: "We can discuss that. Nobody is excluded from the conversation. All right."

Councilwoman Giglio: "You can go to the meeting if you'd like. I don't need to—"

Supervisor Walter: "Nobody is excluded from the conversation. So—"

Councilman Dunleavy: "I think this is an important meeting and it's an important decision and all town board members should be there. That's all I'm saying."

Supervisox Walter: "And that's fine so we'll try to coordinate the meeting with the Civic Organization and I want the members of the public, if they can coordinate through the Civic Organization through Sid Bail and we will try to come up with some sort of resolution. This is a tough question and this is sort of an un-precedent that I think for a town board to try to do it this way but this is the way we thought— Councilwoman Giglio and I thought was the best way to deal with it and everybody will be involved.

All right. Let's move on to our public hearings. We have--"

Councilman Wooten: "Can I make-- "

Supervisor Walter: "Yes. Sorry."

Councilman Wooten: "I just wanted to thank everybody that this past Saturday when the anti-litter got together and we had the Riverhead Bay clean up. We had over 50 people and four organizations, Boy Scouts, Girl Scouts, a couple pack clubs.

They did a town-wide clean up along the streets. It was a beautiful day. It only took a few hours. By 12:00 we were done. I want to thank all those that came out and donated their time and made a big difference. Thank you."

Councilman Gabrielsen: "Yes. And I'd also like to thank all the different groups that came out to clean the beaches. I know I was out at Reeves Beach with members of the East End Surf and we did quite a bit of clean up. And in the afternoon, 3:00, the old Steeple Church in Aquebogue sent a youth group down. We cleaned up with Councilperson Giglio Iron Pier Beach. So we really want to thank them for the record."

Councilwoman Giglio: "And we were at Wading River Beach in the morning, so it was a community effort to clean up the beaches and I think that the beaches are shaping up and getting ready for the season. So thank you all for your help."

Public hearing opened: 2:27 p.m.

Supervisor Walter: "All right. The first public hearing is scheduled for 2:05 and this is for the consideration of a proposed local law to amend Chapter 108 entitled Zoning Article III Residence A-40 zoning use district (Sec. 108-12; 108-16; 108-20.2; 108-22; 108-121) uses of the Riverhead town code.

And I believe this adds a provision that home occupations or professions conducted within an accessory building by the residents thereof."

Dawn Thomas: "That's correct. It adds as a special permit use in the RA-40 zoning use district those home occupations and professions conducted within an accessory building by the resident

and removes as an accessory use that type of business conducted in an accessory structure at a residence."

Supervisor Walter: "Okay. Would anybody like to be heard on this subject?"

Councilwoman Giglio: "And this was also part of housekeeping, too. Because the code was conflicted in that it said that you could have a home occupation in an accessory structure as of right in one section of the code, and then in the other section of the code it said you couldn't. So this was kind of a compromise in between in that we had a resident that was relying on the one that said that she could have her home occupation in an accessory structure because the code said it.

So it's housekeeping and special permits allow for the public to come out and express any interest they may have in the application. So-

Dawn Thomas: "(inaudible) any conditions they think are appropriate. And it also applies to the B-40, B-80, A-80 and the APZ zone use district and hamlet residential. The same change was made throughout those sections."

Supervisor Walter: "Does anybody wish to be heard on this? Nobody wishes to be heard, we'll close the public hearing. We'll keep it open for written comments until Friday, May 14th."

Public hearing closed: 2:29 p.m.
Left open for written comment for
10 days to Friday, May 14, 2010

Public hearing opened: 2:29 p.m.

Supervisor Walter: "Okay. The next public hearing is scheduled for 2:15 and this is the consideration of a proposed local law to repeal Article XXXIII, Business E Highway Commercial/Service Zone from Chapter 108 entitled Zoning (Sec. 108-159 thru 108-166) of the Riverhead town code.

And I guess we're repealing this entire section."

Dawn Thomas: "Yes. It's a housekeeping issue. We no longer have Business E zoning since we adopted the master plan and rezoned the entire town. So it's a housekeeping measure to remove that section of the code."

Supervisor Walter: "Okay. Does anybody wish to be heard on this? Nobody wishes to be heard, we'll close the public hearing and leave it open for written comments until Friday, May 14th."

Public hearing closed: 2:30 p.m.
Left open for written comment for
10 days to Friday, May 14, 2010

Public hearing opened: 2:30 p.m.

Supervisor Walter: "Moving right along. The next one is scheduled for 2:25 and 2:25 having arrived, come and gone- 2:20, I'm sorry, still come and gone. That one I don't seem to have."

Hold on, here we go, I have it.

This is a change- consideration of a proposed local law amending chapter 108 entitled Zoning Article I, General Provisions, Sec. 108-3B Definitions; Word Usage, Floor Area of the Riverhead town code.

Dawn, you want to just- "

Dawn Thomas: "Despite its lengthy- despite it being lengthy, it's an attempt to clarify the end of- separate the definition of floor area from just a general definition of floor area that's like "commercial and residential" to a separate definition of floor area for residential and a separate definition of floor area for commercial."

Councilwoman Giglio: "And this is something that was a public hearing of the previous town board and it was something that was never adopted and because the period has been so long in between the past public hearing and this public hearing, rather than just adopting it, we wanted to open it up again to the public if they had any comments."

Supervisor Walter: "Does anybody wish to be heard on this matter? Ms. Mendez."

Dawn Thomas: "It's over a year, right?"

Councilwoman Giglio: "Since the last hearing, over a year."

Dominique Mendez: "Hi. Dominique Mendez, Wading River. Riverhead Neighborhood Preservation Coalition.

Can I just say RNPC from now on and you guys know? Too long.

I have some questions. I noticed in here the floor area for hotel and country inn shall not include bathrooms, bathroom anterooms, closets, hallways and foyers. Is that the norm with other town nearby?"

Supervisor Walter: "This is being done as a way— when you transfer— because this is through the transfer of— this goes hand in hand with the transfer of development rights program.

When you transfer development rights into a commercial project, what the people are saying and it's evidenced by the fact that we transfer very few credits in commercially, is that they're not getting— for the amount of development rights, for the cost of development rights, the floor area analysis or ratio is not correct.

In other words, you're transferring development rights for things that they're not receiving a benefit for. So the way to address is one of two ways. It's either reduce or, well, reduce the things or eliminate things that would be considered floor area like the things that you mentioned, or to change the transfer of development rights code to allow them to get greater density.

And this was the easier way— it was felt this was the easier way to accomplish that goal. To give them more density to try to pick up development and basically bring commercial jobs to Riverhead and transfer development rights or preserve commercial— or agricultural land.

So between— since the board heard it this way and there weren't really any comments as we understood to it, we decided to go this way rather than amend the entire TDR code."

Dominique Mendez: "So you want to give these type of- and this is the only thing that this impacts? It's the only way this floor calculation is used? It's not used for anything else like let's say if there's a certain limit to how large the floor area for the building or any other relation of floor area to anything else? It's just related to TDR, floor area is not relevant to anything else."

Supervisor Walter: "This is why it's being done. Floor area is relevant to other things."

Dominique Mendez: "Right. So it is relevant to other things. What other things would it be relevant to?"

Supervisor Walter: "I don't have that list for you."

Dominique Mendez: "Does anyone?"

Supervisor Walter: "Rick Hanley, come in and answer the question. Oh, there's Rick."

Rick Hanley: "The question is- on this particular hearing we're amending the definition of floor area. And this would apply to any commercial/industrial development in the town of Riverhead, not residential."

The beauty of what we're dealing with here is the subtraction for certain areas of hotels. If you read through, you'll see that. We subtracted out from the floor area definition areas of hotels that don't essentially have income related to it. And that would only be for the hotel, as you can see."

Councilman Gabrielsen: "Now, Rick, I have a question. You're saying it's just for hotels and country inns which I understand. How would that affect taxes on a building, square footage? Are we taking that away and saving them- "

Rick Hanley: "I don't think it would affect that at all. Because we're still getting the same floor area. We're just subtracting out areas that we don't have to park necessarily. But they're still going to build a building; they're still going to get taxed on that floor area. It's just not part of the equation for- "

Councilwoman Giglio: "It's for density. It's for density."

It's for areas that they're not using within the building because— "

Rick Hanley: "It's areas that they're not using that have income related to them. Correct. Whereas a typical commercial development, most of the floor area is income producing. Whereas in a hotel there are areas that just don't have— there's no income production whatsoever. So that's why we've gone to hearing on this.

This is the second hearing, right, Sean? We heard this— the previous board heard this I believe."

Councilwoman Giglio: "Dawn says it's like over a year ago."

Rick Hanley: "The thought was to re-hear it because it's been so long since we did that."

Dominique Mendez: "So what the board is suggesting is that bathrooms and closets in a guest room is not income producing as if those guests— that's not part of the guest room as people may be thinking they'd have guest rooms without bathrooms and closets. Back to outhouses or— that seems a little just odd.

I mean that bathrooms and closets in a guest room wouldn't be income producing. How is that not part of a guest room? Can someone explain that? I'm confused by that."

Supervisor Walter: "What we're trying to do is what I said. We're basically trying to set up a scenario where we— you get a bigger bang for your buck for your transfer of development rights and this was the way that the previous board had decided to do it when it was publicly heard. There wasn't really any negative comment as we understood it and we felt that was the better way to go rather than change the transfer of development rights program."

Dominique Mendez: "Rick, I don't know if you heard the original question which was, specifically I know that it, you know, it could affect the price of transfer of development rights but what else would floor area be used for? Is it just for transfer of development rights?"

Rick Hanley: (Inaudible)

Councilman Dunleavy: "Dominique, you're supposed to be talking to us, not to Rick."

Dominique Mendez: "Oh, sorry. Yes. Before I asked Rick a question, was what other things could it be applied to? And I think, when you addressed— you know, I don't know that we answered that question yet. What are the things floor area could be applied to? How else could it be used besides TDR? Maybe the answer is nothing. Maybe it's not used for anything else."

Councilwoman Giglio: "Well, it has to do with parking spaces. A bathroom in a hotel room is not going to require an additional parking space. If you have 50 bathrooms and a hotel room that equates to 5,000 square feet, you don't need to accommodate parking for all those bathroom spaces because you're already doing it with the room."

Dominique Mendez: "Right, No, I realize it has no relevance to that. I just thought that there might be other things it had relevance to and that's what I was asking. And I thought Rick might know the answer to it if there is anything else. That floor area— I know it doesn't have any relation to parking. But I guess you're saying just TRR, just transfer of development rights."

Rick Hanley: "Let me try to answer that."

Supervisor Walter: "Go ahead, Rick."

Rick Hanley: "Every commercial district or industrial district in the town has a floor area requirement or a maximum floor area. So when we look at site plans for commercial/industrial development, we look at both floor area and lot coverage. So every single commercial/industrial site plan utilizes this definition of floor area. Every instance. So it's universal throughout the entire code. This is a definition that we use throughout the entire district code."

Dominique Mendez: "Okay. So then it would impact your site plan and how much— if you had a certain limit on that property as to what you could build, now the calculation would be lowered than it would have been in the previous. Which would mean you could build possibly a bigger country inn or a bigger hotel or possibly maybe there's— "

Supervisor Walter: "I'm assuming that's correct, Rick, right."

Dominique Mendez: "Okay. So that's the other impact of it."

Supervisor Walter: "But you're still affected by lot coverage restrictions and things of that nature."

Dominique Mendez: "Right. But it would factor in so may allow bigger country inns or bigger hotels theoretically and that's the other impact of it."

Supervisor Walter: "That's right. That's a positive impact."

Dominique Mendez: "It depends, I guess, where it is. Yeah, it could be a positive impact. It just depends on where that is."

Also, I just wanted to know. That's not in line with the health department, right? Because it's a bit unusual. I checked with some other towns. They don't seem to— a couple of the other towns around here don't do that. So I just wanted to know that— what you guys are doing, seems to be or proposing, is a bit unusual and not the norm and I don't think it's— they usually seem to sink up their floor area measurements with what the health department says and they're usually the same."

Councilwoman Giglio: "There are actually two separate entities that review the application and the health department is not going to follow our guidelines or our code as to what they require. I mean they're pretty strict in what they require, so the applicant would have to meet all requirements of the health department and I'm sure they would do that before they even brought an application forward to us."

Dominique Mendez: "Right. I'm just noting that normally it's the same floor area coverage. Everyone, you know, it's not different floor area coverage for different purposes. And in other towns— "

Councilwoman Giglio: "That's not true because the health department actually has different floor areas for different purposes also where they don't require as much— or they don't use as much density for 55 and over as they do for a single family dwelling and if a unit is of a certain size then it's less density than even if it was a single family dwelling."

Dominique Mendez: "That doesn't contradict what I'm saying."

Yeah. Okay. I wanted to understand it more. Thank you."

Supervisor Walter: "Does anyone else wish to be heard on this? All right. If that's- nobody else wishes to be heard, we will close this public hearing and leave it open for written comment until Friday, May 14th."

Public hearing closed: 2:41 p.m.
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Public hearing opened: 2:41 p.m.

Supervisor Walter: "Okay. The next public hearing is scheduled for 2:25. And this is for the consideration of a proposed local law amending Chapter 108 entitled Zoning Article III accessory apartments (Section 108-34 purpose; findings, standards, C Standards (11) amnesty) of the Riverhead town code.

Okay and the town attorney has advised me this extends the amnesty period from two to five years for- two to three years rather for bringing your accessory apartment into compliance with the code of the town of Riverhead.

Does anybody wish to be heard on this subject? Nobody wishing to be heard, we will close the public hearing and leave it open for written comment until Friday, May 14th."

Public hearing closed: 2:42 p.m.
Left open for written comment for
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Public hearing opened: 2:42 p.m.

Supervisor Walter: "We have one more. Look at that, 2:35 having come arrived, this is for the consideration of a local law amending Chapter 101 entitled Vehicles and Traffic Article III traffic regulations (Section 101-3 stop and yield intersections; railroad crossings; parking fields, A stop intersections (Palane East, Palane North) of the Riverhead town code).

This one I actually don't have. That's yours. So, John, what are we doing here?"

Councilman Dunleavy: "We're putting two stop signs on an intersecting street with a cross street, Palane West. So Palane East and Palane South— Palane South intersects with Palane West, will have a stop sign. And then Palane East will have also a stop sign on the intersecting street."

Supervisor Walter: "Does anybody wish to be heard on this public hearing? There not being anybody who wishes to be heard, we will close the public comment portion and leave the written comment portion open until Friday, May 14th."

Public hearing closed: 2:44 p.m.
Left open for written comment for
10 days to Friday, May 14, 2010

Supervisor Walter: "Okay, that was a lot of public hearings. Moving right along, Sal, step up for comments. Anybody that wants to comment on resolutions, as I stated in the beginning, we started a new procedure. It's not going to work. We finished it as quickly as we started it so we will be taking resolutions off the floor and, Sal, you may not have those yet, but, in any event, what can we do for you?"

Sal Mastropaolo: "Community Development Agency Resolution #10. In the fourth Whereas, add the word thousand to the fourth line between ten and five."

Supervisor Walter: "Okay. Joe, you got that? You got it? Okay."

Sal Mastropaolo: "Resolution 326. If you go to section 3 non-resident seasonal parking permit, item D, it says South Jamesport ramp parking permit. The fee for the issuance of a seasonal parking permit shall be \$10.00 annually. That contradicts two items.

One is the fact that the— "

Councilman Wooten: "Where are you at, Sal? I'm sorry."

Councilman Dunleavy: "Contradicts what?"

Councilwoman Giglio: "Is it a fishing permit?"

Councilman Dunleavy: "I got your \$10.00 one. What does it contradict?"

Sal Mastropaolo: "Okay. It contradicts, first of all, that's in the section for a non-resident. That's the first item, right? Okay. And that particular parking lot, okay, the South Jamesport boat ramp parking is included in section A, okay, which is parking permits, you know, where it goes 1 thru 12, that's one of the parking areas. Okay.

Item 10, parking area at boat launching facility, Peconic Bay Blvd., South Jamesport. All right. So we're charging residents a \$10.00 per year fee for parking at that particular boat ramp and we're charging non-residents a \$10.00 fee annually. Okay?

Other town charge \$10.00 a day to park at their ramps."

Councilman Dunleavy: "I agree with you."

Sal Mastropaolo: "Okay? So that \$10.00 is ridiculous."

Councilman Dunleavy: "It is."

Sal Mastropaolo: "Particularly since you're charging non-residents \$150.00 annually; \$75.00 weekly or \$25.00 daily for a seasonal parking permit. Why don't you just have that one the same thing? Your answer is going to be it's only the boat ramp, it's not the beach."

Councilman Wooten: "No. No. Nothing's changed on this here except seasonal, you know, from year round to seasonal. Any of these fees, this was in place before. Nothing's changed. We're not adding numbers or changing these numbers. We're just changing the time period."

Sal Mastropaolo: "Okay. Then while you're opening the resolution, you should fix that."

Councilman Wooten: "Okay."

Supervisor Walter: "-- new public hearing."

Councilman Wooten: "The South Jamesport boat ramp, number 4, it's not under non-resident. That's you know an entity by itself."

Sal Mastropaolo: "No it's not. That's— oh, I'm sorry, it's —"

Councilman Wooten: "I'm saying it's different, it's a different number, it's a different section. (Inaudible)."

Councilman Dunleavy: "I have to agree with Sal. If we're going to start changing the resolution, we should read the whole resolution and make the whole resolution comply with itself instead of if there's a mistake made back when the resolution was made to begin with, it should be changed at the time that we're amending it now, not just parts of it."

Councilwoman Giglio: "Well, number 3 is for non-residents; number 4 is for residents."

Sal Mastropaolo: "Right. That's my mistake. Yeah, okay. I'll take back my comment."

Supervisor Walter: "Okay, then I don't have to figure out what you were trying to say."

Sal Mastropaolo: "No. When I read it, I assumed it was non-resident."

Councilwoman Giglio: "It's a little confusing. I can see why you thought that."

Supervisor Walter: "Next resolution."

Sal Mastropaolo: "Yeah, I'm getting to it. 335, there's no attached rider. Just make sure—"

Diane Wilhelm: "I do have that, Sal."

Sal Mastropaolo: "Okay. 337. I have several questions. One is did this go out for bid? That's my first comment."

The second question is don't we have any Riverhead doctors that

will provide this service?"

Supervisor Walter: "Actually I spoke to the police chief about this. What happens is you have to— as per the contract, we have to— if there's— our doctor says something and the union doctor says something else, you have to pick a third doctor and this is the only doctor that the town and the CSEA or the police union actually agree on. So that's why we're using this doctor for his professional services."

Sal Mastropaolo: "Well, one of the concerns that comes up is, that I thought of, was you are going to use this doctor and is the employee going to go to Islip or does this doctor provide a facility here in Riverhead? And what about the liability issues of that employee driving to Islip, God forbid he gets in an accident. Then what happens? Okay."

Supervisor Walter: "There— most— some of these people are out on workers comp and if they're driving, they're out on workers comp or being driven on workers comp."

Sal Mastropaolo: "But isn't that considered a work related trip to Islip? I mean I could probably stretch it that that's part of, you know."

Councilman Wooten: "It hasn't been in the past."

Sal Mastropaolo: "All right."

(Some inaudible discussion)

Sal Mastropaolo: "Okay. 349. The one, two— the fourth Whereas, my understand is the town is going for a grant for \$250,000 for a privately owned piece of property."

Supervisor Walter: "That would be correct. Yes."

Sal Mastropaolo: "Should we be doing that?"

Supervisor Walter: "Well, we do this all the time, Sal. We've done it for the renovation grant; we've done it for the Vail. If you think about it, the whole \$5,000,000 rail spur was us providing rail access for private businesses. This is sort of what the (inaudible)."

Sal Mastropaolo: "Yeah, the rail spur I can argue is on EPCAL property which is town of Riverhead property. The Suffolk Theater is privately owned and it's not-- "

Supervisor Walter: "The option is that we don't do it, another town gets the money and we'd rather see the money spent downtown."

Sal Mastropaolo: "All right. 350, the fourth Whereas, again, add the word thousand between and five."

Supervisor Walter: "That's you again, Joe. 350 is the companion resolution, Joe, to #10 for the CDA and it's the same thousand. What else have you got?"

Sal Mastropaolo: "358, the now, therefore, be it resolved, says the attached agreement but there wasn't any."

Supervisor Walter: "This one is going to be tabled for exactly that reason."

Sal Mastropaolo: "I had one other comment but I can't find it. But I remember what it was. There was a resolution for part time clerks in the tax receiver's office. Okay, my only question is don't we have available clerks in other departments that can fill those positions, departments that are not busy right now like the building department."

Councilwoman Giglio: "If I can touch on that because I did do a lot of homework on this actually and that is that these two part time employees are-- they're trained already to collect the money. We need to get the money in the bank."

These two part time employees are included in the budget of the tax receiver's office. She has taken 5% off the top of her budget. It has been the experience of past tax receivers that I've spoken to as well as speaking to the Suffolk County Receiver of Taxes, that it is important to have a person specifically for the use of the tax receiver's department that cannot be pulled out of the tax receiver's office into an office that they were once working at or pulled away from the work because of the importance of taking the money in, properly recording it, filling out the deposit slip, and getting it into the bank.

And I believe that for the whole period that these two employees will work for us, that the cost does not exceed \$1,600."

Sal Mastropaolo: "Okay. Thank you."

Supervisor Walter: "Okay. Any other comments on the resolutions? No other comments on the resolutions, okay, let's move to the resolutions.

Joe, if you'll step up. We're going to close the Riverhead town board portion of this public meeting."

Meeting adjourned

Meeting reopened

Supervisor Walter: "Let's reopen the town board meeting. Sandra, step up."

Sandra Mott: "Thank you. Sandra Mott, Riverhead. I'm here for the un-tabling of the RFP for the resolution 363 about the advertising for the operation of the town of Riverhead animal shelter and adoption center basically becoming a privatized situation.

I do have a copy of it and I've gotten through some of it. Tell me if I'm off the mark as to whether I should be questioning some of these things or not.

You have it in front of you, yes? Okay. So I'm just going to go page by page. And, Jim, your name is not on the front cover? Mr. Gabrielsen and seconded by Ms. Giglio."

Supervisor Walter: "That's just by random. It's randomly done."

Sandra Mott: "Okay. Thank you."

Councilwoman Giglio: "But Jim gets all the credit for it."

(Some inaudible comments)

Councilman Wooten: "It's not about me, it's about the dogs."

Councilwoman Giglio: "Well, I know you worked very hard on this, a very long time."

Supervisor Walter: "Sandra, what's the question?"

Sandra Mott: "I'm looking for the page. On page 7 of your resolution or your RFP, section 3 background and description of services required. It's discussing the housing and medical care for domestic companion animals that are found as strays or surrendered by their owners.

Those are two very direct categories. What happens to people who end up being responsible for quote unquote strays that show up in their yard that they don't own and technically you're not responsible for but want to find a good placement for them in a protected environment. There's more than just strays which we all know would be out and about which I'm presuming is strays that the current staff collect along the highway."

Supervisor Walter: "I don't think so. I think if you brought a stray animal- "

Councilman Wooten: "The strays that are surrendered by their owners (inaudible)."

Sandra Mott: "Okay, because many times it's people who don't own them so it would be a generic stray- "

Councilwoman Giglio: "Any animals that are found as strays."

Sandra Mott: "I just want to make sure that's perfectly clear that it isn't just up to the town- "

Supervisor Walter: "Absolutely not. If I picked up a stray dog and brought it in- "

Councilman Wooten: "Well this is just a description of services that we want them to provide."

Sandra Mott: "Well that's why I want to make that clear because- "

Councilman Wooten: "It's important that they take care of the strays."

Sandra Mott: "Which is an understatement. Okay, so that would be anyone bringing in any creature- "

Councilman Dunleavy: "Anybody can bring in an animal."

Sandra Mott: "All right, just want to make sure. And then on page 8, number 2, other animals. That is an excellent paragraph because it says may be required to temporarily house animals other than domestic companion animals when necessary.

Other animals may include livestock, birds, pet rodents, snakes and other exotic animals. Thank you very much for including that. I think that is really crucial.

And then we get on to page 9 and 10 and I didn't have a lot of time to review this, for give me. On section 3 general operation, section C, we get into the euthanasia issue."

Councilman Wooten: "Where are you at?"

Sandra Mott: "Page 8 to page 9 and it's section #3, section C, redemption period trying to reunite, locate owners. Euthanasia is basically the bone of contention that I've always had with the town and can I say it's mentioned at least four or five times in the next few paragraphs more than a lot of other things like adoption, advertising, etc.?"

Euthanasia should not be the path of least resistance because if this becomes a money making operation for contractors who can bring animals in, report them as their responsibility, keep them for a limited period of time, and then kill them as people are donating money, you are not going to get, you meaning this contractor who you chose if you chose one, money as a kill facility."

Supervisor Walter: "I don't think anybody is trying to do that."

Councilman Wooten: "No. But you've got to have it in here."

Sandra Mott: "I want to make it perfectly clear that that's- if you don't want to do that, that's very important to state that that's not your objective."

Councilman Wooten: "But you have to have it in the RFP

because there may be instances where that is the humane thing to do."

Sandra Mott: "We know that, yes. By anyone who has been involved in this in any point absolutely would agree with you depending on the health and injury. But it shouldn't be reasonable effort, you know, there's a lot of amorphous phrases here that you know, I know this is only the preliminary and you'll tighten it all up with your committee and so on. So- "

Councilman Wooten: "Right. (Inaudible)."

Sandra Mott: "But this is like somebody who's been involved from a distance. I don't do committees as I said to you. I personally choose not to. But just reading it cold, you know, when these things jump out to you, I think that it's sort of an important perspective here.

And then it goes on, in no event in D, in no event shall the contractor house or hold animals beyond the time required by law if the same will result in there being insufficient space at facilities for the impoundment of seized animals.

We're sort of like missing the point here, not only connecting the little ones back to their original families, but finding new good and permanent homes. There needs to be more of a focus on that and with all your high technology I'm sure you can utilize it. We don't have it but other people do.

It's a basic thing. Poster on the wall maybe."

Councilman Wooten: "I think the whole thing is to encourage adoption and to promote that more than just- "

Sandra Mott: "But you know the way it's written it's enough to say, well, that's really not what we meant. You know, we can keep them a timeframe and so on and then- "

Supervisor Walter: "You understand this is a broad brush, this RFP."

Sandra Mott: "Yes, I understand."

Supervisor Walter: "When people respond to it, there may be

some things in the final contract that may be a little bit different or worded differently than this. This is just trying to look at all the scenarios. It doesn't necessarily mean one thing will happen or not happen. It's broad in its focus."

Sandra Mott: "I understand. But I'm just reading it cold so for somebody who's just reading it cold, these are the things that are being focused on. I think our direction needs to be different if you want monies coming into that facility, locals or from grants or from whomever.

And then medical is number 4, section A. It shall be in the contractor's discretion to spay or neuter any other animal which, again, I really think that that's the crux of the issue.

It shouldn't be anyone who's taking over discretion. That really needs to be the backbone of this whole process, otherwise you will forever have too many."

Councilman Wooten: "Well, you can probably talk about this for the next five or six hours probably."

Sandra Mott: "Well, I've done it for 17 years so- "

Councilman Wooten: "If you look under medical, 4A, and read that."

Sandra Mott: "I did."

Councilman Wooten: "It's necessary- it says the cat or dog deemed to be adoptable, shall be."

Sandra Mott: "Yes. But then I'm reading the last sentence. Discretion to spay or neut any other animal."

Councilman Wooten: "Whether they are up for adoption or not?"

Sandra Mott: "Well, it seems other neighborhood animals who would be brought in by owners where they don't need the home but they do need the reduced spay and neutering cost because it is very expensive to do it privately. It's the discretion.

I mean this group- "

Councilman Wooten: "That's really going to be up to- "

Sandra Mott: "See what I'm saying?"

Councilman Wooten: "That's up to them if they want to offer the reduced- "

Sandra Mott: "See, it shouldn't be up to them. The town should be focusing on these things otherwise you're going to have a never ending collection of little ones running around. That is not a focus with the contractor. I think that's really crucial to the whole thing to reduce the cost to the town and the taxpayers and everybody else."

Councilman Wooten: "Okay. All right. I'll make- "

Sandra Mott: "Okay. And then number C, the contractor, veterinarian and/or staff must be- and this is medical C, contractor, veterinarian and/or staff must be trained and certified to administer controlled euthanasia solutions.

I only focus on that because as I said I counted euthanasia four or five times in the process- in this one page.

But you get the gist of my concerns. The gist of my concern is that we don't kill animals. And I agree with you depending on injury or illness, but that should be a very small, very small percentage."

Supervisor Walter: "Would it be better, I think the board is poised to adopt this but so that we could get it out on the street. It might be better if we meet privately with Councilman- "

Sandra Mott: "But, yeah, we did but you didn't come until 20 minutes late and then you told us how busy you were. We've already gone through that process. So I'm doing it now because I want to go home now."

Supervisor Walter: "We never went through this. We've never gone through this."

Sandra Mott: "No, we have not. You're right, because you were late for the meeting."

Supervisor Walter: "No, this was never put at a meeting. We talked about your list- "

Sandra Mott: "I know that. But my mother and I and Jim and your secretary Carol who was going to assign the animal task issues came to see you at the beginning of February. We were all here and you came in at the end of the meeting and said you were busy (inaudible)."

Supervisor Walter: "That's correct. But it had nothing to do with this. This had to do with- "

Sandra Mott: "Well, how did you know? You weren't at the meeting. How do you know?"

Supervisor Walter: "Sandra, what I'm saying- "

Councilman Wooten: (Inaudible)

Sandra Mott: "What I'm saying is at that point it was being prepared and at that point I should have submitted some concerns which I'm saying now and I'm going to finish because I want to go home, too, and it's going to be right after I speak on this. And then that will be it.

The bottom line of the story is E, you are including cats in the care up there?"

Councilman Wooten: "Yes."

Sandra Mott: "All right. Thank you. 5, records and reports, the contractor shall maintain complete records. Are they going to be computerized or manually- I'm asking this because things can be adjusted and if there's money coming in- "

Councilman Wooten: "They are going to have use of our computer system that we have set up there. What type of system they have is going to be- I can't speak."

Sandra Mott: "Well, that's going to be thrashed out, right, so you will have a full and accurate record?"

Councilman Wooten: "I would assume they'll have a data- "

Sandra Mott: "I assume nothing in this town any more. I don't assume anything any more."

Councilman Wooten: "Well, the town isn't running it so I can't assume anything private business does either."

Sandra Mott: "As to your- in the same category, there's all reference to kennel records, medical, etc. I think you should use photographs as well. So you're actually talking about the same animal because a long time ago Jim Lull told me about switching cute ones for not so cute ones from various organizations so that the ones that might not be adoptable at other organizations could come in and gather. Jim Lull told me this, I didn't make this up."

Councilman Wooten: "What number is it, 5B?"

Sandra Mott: "Number B, yes, 5B, photograph. And as to all such records shall remain confidential and the property of the town of Riverhead and shall be maintained for a minimum of seven years, I'd like the last part, I thought this was an open government. What do you mean confidential?"

Taxpayers' dollars are being put in to support this organization or group whoever is taking this over. Nothing should be confidential when it comes to animal care. We've had too many issues up there over the years. That's absolutely ridiculous. It should be as open as anything else in the town of Riverhead.

Confidential. That's when we run into trouble. And C, animal inventory report shall be submitted to the town. That should be, you know, of course I'm glad you have it there, but that should be whoever is on the committee to oversee from the board, I don't know who will be assigned the task.

And audited financial reports are crucial. I'm glad you're doing that.

The fees collected, shall- contractor shall be able to keep all adoption fees collected. This is what I said earlier. This is where and with the euthanasia, you need to clarify what you're doing up there or wherever it's going to be.

Because if this is going to be a money making operation which it easily could turn into, bring them in, aren't they nice, oh, they

died. Forget the confidentiality. That's why everything needs to be open and above board.

Because if you're going to take them in and then going to kill them, that's more money for the contractor. And I don't know who you're considering and it really has-

Councilman Wooten: "It hasn't been issued yet so we don't know-

Sandra Mott: "The point is whomever- I mean-

Councilman Wooten: "We hope that they're a humane society. You would hope."

Sandra Mott: "Well, yes. You often hope a lot of things. I hope for a lot of things."

Councilwoman Giglio: "But this says that it has to be- this whole contract is based on the town of Riverhead regulations, right, Jim, and we require a certain procedure to take place."

Councilman Wooten: "Yeah. The only thing we're maintaining is the animal control, our responsibility under Ags & Markets. As far as housing and the dogs, it's going to be all private."

Sandra Mott: "Well, no, I understand that. But I'm saying whatever you're going to-

Councilwoman Giglio: "Because right now the animal has to go to a behaviorist and then has to go to a veterinarian-

Sandra Mott: "Yes. I know. I've been here a long time and I've been here at these meetings many a time and I know all of that and I don't question any of that. What I question is that this is completely open.

And employees and volunteers, 7B, a suitable person shall exercise overall supervision of the shelter. I hope you're going to do a full investigation of these people's backgrounds."

Councilman Wooten: "That's further on as you read into it."

Sandra Mott: "Okay. Adequate staffing, okay. And are they

working with the staff of the animal shelter or how is this going to— we're still having the staff, you're on the CSEA staff who are up there now."

Councilman Wooten: "We're still going to have animal control—"

Sandra Mott: "Okay, you are."

Councilman Wooten: "Whether they're going to be up there, I don't know."

Sandra Mott: "Or wherever they're going to be."

Councilman Wooten: "They're going to be delivering animals to the shelter."

Sandra Mott: "Okay. And that's as far as I got."

Councilman Wooten: "Whether they're physically at the shelter, I'm not sure."

Sandra Mott: "Since that's— let me just scan it. But those elements, please don't hide anything. Please don't hide anything. Don't turn it over and say, gee, we didn't know, that's not what they said they were going to do. They need to be watched like a hawk as the old saying goes. This is a money making operation potentially for whoever chooses and you choose to work with to get this done.

That is not the reason I've been up here for 17 years. The reason I've been up here for 17 years is to have someone bring to my attention an issue and say to them quietly do you need a ride to the facility? It is not to be coming up to be told I should have a private meeting.

I've had private meetings with every administration. I've been talking about this for so long it's like nobody even listens at some level. And then there are other people who have listened to such a point. I don't have to be here to hear my point verbatim phraseology used. And that's the way I want it. I don't want to be here. So I am going to leave now.

All I'm asking you if you could tighten up this and if the

confidentiality (inaudible)."

Councilman Wooten: "I made that note."

Councilman Dunleavy: "It's for people to make comments so we can- "

Sandra Mott: "I've been here long enough to know that people say that wasn't discussed up front and we can't do anything about it now. Now you know and I thank you so much."

Councilman Wooten: "You're welcome. Thank you."

Supervisor Walter: "Would anybody else like to be heard on the resolutions? There being nobody else, we should- somebody standing up for resolutions- no, we will proceed to adopt the resolutions.

Diane, if you will."

Resolution #326

Councilman Wooten: "326 adopts a local law amending Chapter 48 entitled beaches and recreation centers of the Riverhead town code. And this is seasonal parking permits. So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "I just want to point out that a lot of effort went into this. We consulted a lot of different groups throughout town, whether it was agra-tours, seniors and this seemed to be the commonsense resolution that everybody seemed to be happy the most. Yes."

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

Councilman Wooten: "I did a lot of research on this also. Also coming from a law enforcement background, I find a yearly permit to be a very useful tool. In 2009, 687 tickets were issued

for no parking at the beach but of those 687 tickets only 29 were written in the off season.

I think there's a better way to go about this. I think selective enforcement, advising our TCO's to not be aggressive on the beach in the office season, and I think making daily passes available to our agra-tours, to our farmstands and those in the off season for people that might want to go to the beach.

I think-- I think having a yearly permit, although I don't like January to December, I much prefer to see it June to June, is a better way to protect our beaches and to look out for our taxpayers.

So I'm going to vote no."

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

Councilman Dunleavy: "I feel that it's a short season and it should be extended, maybe not to June to June but I think this should be discussed, maybe May 1st to October 31st.

I think the boat ramps should be taken out of this because I don't think the boat ramps should be open. We spend hundreds of thousand of dollars on our boat ramps, the taxpayers of the town of Riverhead. And we're only going to let out of towners pay for a seasonal pass and then in October, September, during fishing season, they come and put their boats in the sound or in the bay. I just think that the taxpayers are being raped over this, excuse my saying.

But I think that we have to look at it and say, listen, we're here for the taxpayers of the town of Riverhead and let's not lose economic money and then say we then we have to raise taxes to make it up.

So I vote no."

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

Supervisor Walter: "I vote yes but I will say that I agree with Councilman Dunleavy. We should have made it May 1st to October 1st that the-- seasonal. But since we're coming up on the timeframe, we should just get it done. Vote yes and if it becomes a problem next year we can evaluate it. But I do agree that May 1st

to October 1st would have been probably a little bit better.

But I vote yes. Let's get it behind us and see if it works and if it doesn't work we'll come back. We'll get it."

Diane Wilhelm: "The resolution is adopted."

Resolution #327

Councilman Wooten: "Authorize the town clerk to post and publish the attached notice to bidders for the removal of liquid sludge. So moved. Slowly 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 #328

Councilman Gabrielsen: "Adopts a local law to-- "

Supervisor Walter: "Hold on a second. Dawn-- "

Dawn Thomas: "Hold on, let me come around."

Supervisor Walter: "Industrial C, was there (inaudible)."

Dawn Thomas: (Inaudible comment)

Supervisor Walter: "Let's take this one-- we'll take it out of order. This is 328. We're going to just put 328 aside for a moment. 328 we're going to come back to."

Resolution #329

Councilman Dunleavy: "All right. Bond resolution subject to permissive referendum authorizing the reconstruction of roads throughout and in and for the town of Riverhead, Suffolk County, New York at a maximum estimated cost of \$1,000,000 and authorizing the issuance of \$1,000,000 bonds of said town to pay the cost thereof.

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."

Supervisor Walter: "Yes. What the people have to understand - this is the million dollars to re-pave the roads so everyone who was complaining about the roads, well, here's the money to do it."

Diane Wilhelm: "The resolution is adopted."

Resolution #330

Councilman Wooten: "330 approves Chapter 90 application of the American Heart Association first annual Healing Heart 5K Run/Walk at Martha Clara Vineyard. 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 #331

Councilman Gabrielsen: "Okay. Appoints a call in chaperone to the recreation department. So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "And I just want to say that, yes, this is a Riverhead resident. They did get back to me so I will vote yes."

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

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

Resolution #332

Councilwoman Giglio: "Appoints a call in registered nurse to the recreation department. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "Also another Riverhead resident. Yes."

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

Resolution #333

Councilman Dunleavy: "Requests ownership transfer of the New York State Armory property, SCTM# 600-108-2-3 from the State of New York Division of Military Affairs to the town of Riverhead. So moved."

Councilman Wooten: "And seconded."

Supervisor Walter: "There was supposed to be a change to this resolution and I don't see it. The change was-- Tara, they didn't give you another resolution for this? Dan McCormick was going to put in here that the town of Riverhead would-- if we (inaudible), the building would make it (inaudible) friendly or certified, whatever the minimal level is."

Councilman Dunleavy: "Can we amend that?"

Supervisor Walter: "I don't know what-- Dan McCormick. Can we pull this one back?"

Councilman Wooten: "For some reason there's an ambulance corps attached to that."

Supervisor Walter: "He was supposed to do this."

Councilman Wooten "I think the attachment on that resolution is the ambulance corps contract. (Inaudible)."

Supervisor Walter: "And this resolution was also supposed to go to the State of New York."

Unidentified: "Wait a minute. Are you talking about 333?"

Supervisor Walter: "333."

Councilman Wooten: "I don't think it belongs in there."

Supervisor Walter: "See if Dan McCormick is in his office."

Councilman Wooten: "So are we going to put 333 on the side?"

Supervisor Walter: "Let's hold 333 also."

(Some inaudible comment)

Supervisor Walter: "Okay, 334."

Resolution #334

Councilman Wooten: "334 authorizes the supervisor to execute agreement with the Riverhead Volunteer Ambulance Corps. That agreement is attached to the previous resolution. So moved."

Councilman Dunleavy: "Are we going to withdraw the previous one?"

Supervisor Walter: "No. We're going to-- and we're going to call it again."

Councilman Gabrielsen: "Okay, 344 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 #335

Councilman Gabrielsen: "Authorize the supervisor to execute first rider amendment to lease regarding 755 East Main Street, Riverhead. 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 #336

Councilwoman Giglio: "Authorizes the supervisor to execute an agreement with Air Mark Air Conditioning Corporation for heating, ventilation and air conditioning service and maintenance. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "I'm going to say yes for now but I had requested at work session, I wanted to know if this had gone out for bid and because it was professional services it hadn't but because we need our air conditioning system up and running for the summer, I will vote yes for it."

But in the future any type of service agreement like this, I would like to see if we could get a Riverhead company to service our equipment throughout the town. Yes."

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

Resolution #337

Councilman Dunleavy: "Authorize the supervisor to execute an agreement to obtain medical arbitration services from Rehabilitation Medicine Associates. 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 #338

Councilman Wooten: "Awards bid for automobile parts. 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 #339

Councilman Gabrielsen: "Awards bid Howell Avenue pump station reconstruction - contract number RDSD085S force main construction Riverhead Sewer 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. The resolution is adopted."

Resolution #340

Councilwoman Giglio: "Awards bid for truck parts. 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 #341

Councilman Dunleavy: "Authorize the supervisor to execute an agreement with Barist Elevator Company, Inc. 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 #342

Councilman Wooten: "2009 Calverton rail capital project 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 #343

Councilman Gabrielsen: "Special trust park and rec fund budget adjustment. So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "I just want to point out this is whereas several parks recreation capital projects have been considered complete and the remaining funds are being transferred back to special trust park fund. And the transfer is \$371,000.

Yes."

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

Resolution #344

Councilwoman Giglio: "Approves Chapter 90 application of Wading River Shoreham Chamber of Commerce, Inc. duck pond day. So moved."

Councilman Dunleavy: "And seconded."

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

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

Councilwoman Giglio: "And that's on May 23rd from 12 to 4."

Resolution #345

Councilman Dunleavy: "Approves Chapter 90 application of Riverhead Elks Lodge #2044. So moved."

Councilman Wooten: "Seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "Yes. And it's on May 16th."

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

Resolution #346

Councilman Wooten: "Approves the additional leave for a police officer. 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 #347

Councilman Gabrielsen: "General fund budget adjustment for

police K-9 expenses. 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 #348

Councilwoman Giglio: "Home improvement program budget adjustment for defaulted loans. 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 #349

Councilman Dunleavy: "Ratifies the authorization of the submission of Main Street grant program application. 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 #350

Councilman Wooten: "Authorize the supervisor to sign a New York State DOT tri party grant contract. 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 #351

Councilman Wooten: "Authorize the supervisor to sign a grant agreement with the New York State Department of Environmental Conservation pump out boat. So moved."

Councilwoman Giglio: "And seconded."

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

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

Councilman Wooten: "For a pump out boat. Yes."

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

Resolution #352

Councilwoman Giglio: "Appoints temporary clerks to the tax receiver's office. 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: "Authorization to discard fixed assets. 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 #354

Councilman Wooten: "Authorization to publish advertisement

for janitorial supplies 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. The resolution is adopted."

Resolution #355

Councilman Gabrielsen: "Authorizes legal action against the owners, tenants, occupants and mortgagee of the property located at 2114 Sound Avenue, Baiting Hollow, New York. So moved."

Councilwoman Giglio: "And seconded."

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

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

Councilman Dunleavy: "I wasn't here for the work session. I don't know anything about this. I'm going to abstain."

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

Resolution #356

Councilwoman Giglio: "Authorizes selling of the 2010 beach permits by Warren's Tackle Center, Fisherman's Deli and Angelo's Bakery Pizza. So moved."

Supervisor Walter: "John."

Councilman Dunleavy: "Oh, second. Excuse me."

Supervisor Walter: "That's okay. Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "Make it convenient for you to obtain

your beach permits. You can obtain them from any of these vendors. And I vote yes."

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

Councilman Dunleavy: "I'm going to vote yes but we should extend these dates so they can do it all year."

Councilman Wooten: "They don't have to do it all year."

Councilman Dunleavy: "I know now they don't. But they should be able to go in there at any time. So it should be all year that they should be able to sell these permits.

I vote yes."

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

Supervisor Walter: "I vote yes, and I agree with you because I was down that way-- one of the reasons I voted for the resolution that we didn't share the votes on is I was down at the Wading River beach with my zodiak and I didn't have this year's beach permit and I thought this is a fine mess. The town supervisor is going to get a ticket because on Sunday you can't get a beach permit.

But yes."

Councilman Gabrielsen: "To expand on that. I was (inaudible) without a beach permit and the church (inaudible) without a beach permit and the Reverend there, Baxter, was a little concerned. We said you don't have a beach permit. He said am I going to get in trouble? I said you guys are cleaning up. We appreciate it. You can stay."

Supervisor Walter: "Anyway, we'll fix the problem eventually."

Diane Wilhelm: "The resolution is adopted."

Resolution #357

Councilman Dunleavy: "River Road culvert capital project budget adoption. So moved."

Councilman Wooten: "I'll second it."

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

The Vote: "Giglio."

Councilwoman Giglio: "This is an unanticipated cost due to the flood damage and unfortunately it's a road that had to be repaired. So I vote yes."

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

Resolution #358

Councilman Wooten: "I move to table 358. I guess there is no contract at this point to sign. Moved to table."

Councilman Gabrielsen: "I second to table."

Supervisor Walter: "Moved and second. Vote as to table."

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

Resolution #359

Councilman Gabrielsen: "Scavenger waste budget transfer for unanticipated repairs to bar screen. 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: "Establishes standard work day for elected officials. So moved."

Supervisor Walter: "And seconded. I'm sorry."

Councilman: "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 #361

Councilman Dunleavy: "Authorize town clerk to publish and post notice of public hearing change of zone petition of Aquebogue Mews. So moved."

Councilman Wooten: "Seconded."

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

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

Supervisor Walter: "I'm going to abstain. I believe this gentleman called my office for advice on this particular issue a couple of years ago. So I'll abstain."

Diane Wilhelm: "The resolution is adopted."

Resolution #362

Councilman Wooten: "Motion to pay bills."

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."

Supervisor Walter: "Do you want to bring- Dan, do we have the change- "

Dan McCormick: "We have a code revision, Mr. Supervisor, that indicates all new town owned buildings or town buildings undergoing substantial reconstruction shall actually utilize LEED design."

Supervisor Walter: "Okay. We want to put that in this resolution."

Dan McCormick: "I'll happily do that right now if you want me to do that."

Supervisor Walter: "Okay, so what is- let's dictate- can we recall 328- 333."

Dan McCormick: "If you'd like, Mr. Supervisor, (inaudible) indicate that the town shall conform to Section 52-109."

Supervisor Walter: "I want to put in there so when the powers that be see the resolution they know exactly what it was. So we need the actual language and we also have to amend the resolution for Michael Reardon from Governor Patterson's office."

(Inaudible comment)

Supervisor Walter: "No. There was another one. Is it Harrison, Michael Harrison from the Governor's office. We have to amend the resolution, Diane, for Michael Harrison to get a copy of it and we have that information. So, Michael Harrison from Governor Patterson's office and give us the long- we want this in the Whereas- a Whereas clause, I guess. So give us the condensed version but the version that people will understand what we're doing."

Councilwoman Giglio: "If you want to say Whereas, the section of the code will be applicable to the renovation- "

Dan McCormick: "I would simply put then in the event we obtain the armory property, we shall utilize LEED design."

Supervisor Walter: "The town- "

Dan McCormick: "The town shall utilize LEED design and construction guidelines as to achieve the minimum standard of LEED certification.

And that would be in conformance with our Section 52-25."

Dan McCormick: "All right. You can type it and give it to Diane so she has it.

All right, so- "

Dan McCormick: "And I'll also give the full name of the gentleman that you'd like to go to Albany as well. It is Michael Harrison."

Supervisor Walter: "Okay, so thank you. We're going to move it- do we have to move to amend it? Moved as amended. No, we didn't vote on it. We have to amend it. So let's take a vote to amend it."

Councilwoman Giglio: "We've got to call it first."

Resolution #333

Councilman Dunleavy: "Resolution 333. Requests ownership of the New York State Armory property Suffolk County Tax Map #600-108-2-3 from the State of New York Division of Military Affairs to the town of Riverhead. As amended. So moved."

Councilman Wooten: "Seconded as amended."

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

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

Supervisor Walter: "Yes. And this resolution, we're sending it to the State of New York so the residents understand we're asking the Armory to be transferred to the town of Riverhead at no cost for the use by the town by the police department and the Riverhead Justice Court.

And the board has been lobbying government officials for four months now to try to get this done and I understand as one person said it started to get legs in Albany.

So we hope this helps. Thank you."

Diane Wilhelm: "Resolution is adopted."

Supervisor Walter: "We're still waiting, okay."

(Some inaudible discussion)

Supervisor Walter: "All right. So we're going to move all of the resolutions 363 thru 372 off the floor and then we'll go through them individually and vote on them. So we're taking them off the floor."

Diane Wilhelm: "So we're voting as one vote to take them off the floor."

Supervisor Walter: "To take Resolutions 363 thru 372 off the floor. Can I get a motion to take resolutions- "

Councilman Dunleavy: "I'd like to give a motion to take Resolutions 364 thru- 363 thru 372 off the floor for town board action. 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 363 thru 372 are taken off the floor."

Supervisor Walter: "Okay. Resolution 363 then."

Resolution #363

Councilman Gabrielsen: "Authorization to publish advertisement for operation of the Town of Riverhead Animal Shelter and Adoption Center. So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "I want to thank Jim Wooten for all his effort he put into this. Yes."

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

Councilman Dunleavy: "Yes. I want to thank Jim. A lot of time went into this. If you read this RFP you know that Jim and his

committee put a lot of time into this. So, I want to thank Jim and I vote yes."

Councilman Wooten: "I want to thank Southampton for their guidelines."

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

Resolution #364

Councilwoman Giglio: "Authorizes the supervisor to execute a security agreement. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "This is to secure the building department until we get word from our insurance company, the documents that are in there and everything that's in there needs to be secured.

So I vote yes."

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

Councilman Dunleavy: "Yeah. Isn't this for an alarm?"

Supervisor Walter: "Yes."

Councilman Dunleavy: "This is for an alarm system."

Councilwoman Giglio: "Yes, to secure the building."

Councilman Dunleavy: "To secure the whole building."

Councilman Wooten: "This is for the house across the street."

Councilman Dunleavy: "For the house across the street, the new building department. And everybody else that goes there. Yes."

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

Councilman Dunleavy: "It's going to be for the building, for everybody."

Resolution #365

Councilman Dunleavy: "Authorize the town clerk to publish and post a help wanted ad for seasonal ground keepers. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Do you want to have a discussion?"

Councilman Wooten: "Do we know how many?"

Supervisor Walter: "Four I think we're looking at. This is something Councilman Dunleavy was working on to try to get part time or seasonal grounds keepers from Memorial Day to Labor Day and it's going to save money."

Councilman Wooten: "Seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "I am going to abstain because I do not have the information and I just saw this resolution for the first time yesterday. I have been told by Mr. (inaudible) that this is primarily for buildings and grounds work within the buildings.

We are short two people that we didn't hire back into buildings and grounds and we need people to mow the grass and take care of our properties to make them look nice.

I thought that we-- I didn't get a number as to how much it's going to cost us for the entire summer to have these people do our landscaping and I thought that we probably should have sent it out to bid to a landscaping company to see if we could get somebody to do it possibly for less.

If we're paying four people I believe is what it's going to be, four people for, you know, three months, I think that could be an

extensive cost and I would have liked to have seen a landscaping company bid on this.

So I will abstain because I do not have the numbers as to how much this is going to cost us."

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

Councilman Wooten: "I just know we have 400 more acres we've got to take care of this year than we did last. It's going to run into a lot of problems if we don't get some help out for B&G. I have no problem hiring seasonal people. Yes."

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

Councilman Dunleavy: "All right. This is going to cost us \$30,000 for four people. We're going to save-- it costs us \$40,000 just to water the flowers on Main Street, paying overtime.

I don't know how people will think. This is going to save the taxpayers of the town of Riverhead a lot of money and I would say over \$100,000.

If we try to hire a landscaper to do this, he's not going to do it for \$30,000 for all of our stuff and to get this done. So this is going to save the taxpayer in the town of Riverhead numerous money.

I vote yes."

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

Resolution #366

Councilman Wooten: "366 authorizes the supervisor to execute a DWI enforcement agreement between the County of Suffolk and the town of Riverhead (STOP DWI Program). 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 Wooten: "All right. Authorizes emergency work at building department building located at 201 Howell Avenue. 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 #368

Councilwoman Giglio: "Authorizes the supervisor to execute a grant extension agreement with the US Department of Agriculture. 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: "Authorize the supervisor to execute a covenant and restriction in favor of the Suffolk County Department of Health Services. So moved."

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

Councilman Wooten: "I didn't second it yet, did I?"

Supervisor Walter: "Oh, I'm sorry."

Councilman Wooten: "Seconded."

Supervisor Walter: "Trying to move it along, Jim."

Councilman Wooten: "I guess so, you've got me confused."

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

Supervisor Walter: "This is a direct result of Jodi's- Councilwoman Giglio's efforts to get the ballfield at Calverton opened. She met with the Health Department. She came to an agreement with Vito Manea (phonetic) before he retired that we could put temporary- sanitary system at EPCAL and they required a covenant and thank you very much. So we're moving forward to getting that open. We appreciate the help from the Health Department and Councilwoman Giglio."

Councilwoman Giglio: "My pleasure."

Diane Wilhelm: "Is that a yes?"

Supervisor Walter: "That would be a yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #370

Councilman Wooten: "370 approves Chapter 90 application of Vail Leavitt for the 12th annual Blues/Musical Festival. So moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "I am glad that we ironed this out and that we are having the Blues Festival here and I'm sure that it will be a successful event.

Yes."

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

Councilman Wooten: "I'm glad that they ironed it out. Yes."

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

resolution is adopted."

Resolution #371

Councilman Gabrielsen: "Terminates a legal secretary in the town attorney's office. 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 #372

Councilwoman Giglio: "Determines zoning compliance for Riverhead Fire Department Communication Equipment upgrades. So moved."

Councilman Dunleavy: "And seconded."

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

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

Councilman Wooten: "Didn't we do this already?"

Dawn Thomas: "We did a resolution that determined (inaudible)."

Councilman Wooten: "I thought it was all inclusive. It wasn't?"

Dawn Thomas: "Pardon me?"

Councilman Wooten: "It wasn't all inclusive?"

Dawn Thomas: "It was all inclusive of the (inaudible)."

Councilman Wooten: "Okay. Yes."

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

Diane Wilhelm: "And that's it."

Councilwoman Giglio: "We have 328."

Supervisor Walter: "Recall 328."

Resolution #328

(Some inaudible discussion)

Councilwoman Giglio: "Adopts a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, Industrial C (IC) zoning use district - uses. So moved."

Councilman Dunleavy: "And seconded."

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

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

Diane Wilhelm: "Now that's it."

Supervisor Walter: "Okay. Now we'll entertain public comment from the public on any subject they'd like. Does anybody wish to be heard? There being nobody wishing to be heard, can we have— got to get up quick."

Dominique Mendez: "Just one very quick thing. I just wanted to say one thing.

Just for the public who's watching this and you guys. The proposal that Great Rock has is for rented units. It says so in their own letter. So it's the first that I heard of it, too, but it's in a letter. I have it."

Councilman Wooten: "It might be an old letter."

Dominique Mendez: "No, no, it went out Sunday."

Councilman Wooten: "Oh, really?"

Dominique Mendez: "Yeah."

Supervisor Walter: "Yeah, they went door to door- "

Councilman Wooten: "Well, I know that but I thought it was going to be for houses."

Dominique Mendez: "I could get into that a little about some of the things but I don't want to. This is not the place."

Supervisor Walter: "Well, we don't want to get into it. There's a- we're going to try to strike a balance- "

Dominique Mendez: "I just wanted to clear the record on that that it was clearly, I could show you in a letter to residents, clearly rented. In their words. Just that's it."

Supervisor Walter: "The bottom line is we have to balance the needs of the residents against the needs of owners and that's what we're going to do. And I did not mean to exclude my friend John on this. We were just trying to lighten the load from the other council members but we're going to ask Sid to host the event so that we don't have to call a town board meeting and we'll attend and we're going to solicit input and try to come (inaudible) that the allows the golf course to stay open.

Because the alternative is not something people want to hear."

Dominique Mendez: "So- does that mean, I thought that it's closing was not- the possibility of them closing whether that is- you'd have to investigate that claim but, you know, if that's the case, that they are- they would truly close, that wasn't supposed to be factored in."

Supervisor Walter: "They told us three months."

Dominique Mendez: "Right. But that's been said for quite a while and it hasn't happened."

Supervisor Walter: "They gave me the name of a banker that I personally know and they would not drop that person's name because I could pick the phone up clearly get an answer and I will do that and the bottom line is the community, Great Rock, they have a vested interest in that covenant.

But they also have an interest in keeping the golf course and

we as a board, we don't want to say, no, we're not going to look at anything with Great Rock that's going to keep the golf course open if it truly is going to close. We are going to investigate that with the community.

And they did what we asked. We said we want community support and they went out- that's a lot of signatures for a- two days."

Dominique Mendez: "It is a lot of signatures but I did get some calls from the neighbors about some of the claims that were made and you can get a lot of signatures. It depends on if you are really telling the full story if you're really representing things honestly, you know."

Councilman Wooten: "You're not objecting to sitting down at the table, are you?"

Dominique Mendez: "I think that's a little premature, I guess."

Councilman Wooten: "I'm talking about the neighborhood and them."

Dominique Mendez: "Right. Um, what I- the- I know that the owners have met several times and lobbied hard so I guess I would like to think that maybe me and Sid, Wading River Civic, could meet with you guys first and then decide if we're going to that next step, just as the business has spoken to you. I would like that first and then- "

Supervisor Walter: "Actually they've spoken to us less than you and Sid and Dick Amper. You've spoken to us more so I think it's time to move to the next step."

Dominique Mendez: "Right."

Councilman Dunleavy: "We have to move."

Dominique Mendez: "And the town hasn't taken a clear legal position on this already?"

Supervisor Walter: "Nope. We have to define the question and then ask it. In other words we have to have a public hearing on some question. What the question is, whether it's the proposal they

have or another proposal or no proposal. If it's no proposal there's no public hearing.

But what we're doing is trying to solicit input. Everyone in that community is a stakeholder and we want to solicit input from them and it's much easier for us as a board.

If we draft it and hold a public hearing without having the input, you are all going to come here and yell at us. We don't want that. We want you to be invested in the outcome.

You may not like it. I've come to know as an attorney especially doing matrimonials and I say this probably too often. When everybody is kind of equally miserable, we know we have consensus and we make a decision. And maybe that's what we're looking for, is to figure out where that balance is. I know that's what I'm looking for."

Councilwoman Giglio: "And 68- for the record, 68% of the community signed a petition that reads: We the undersigned have no objections to the town board of the town of Riverhead calling a public hearing to consider an amendment to the RB-80 zoning use district to allow golf villas as an accessory use to a golf course and to allow additional density on the Great Rock Golf Course property to permit the construction of up to three golf villas per hole at the golf course for a maximum of 54 additional units or 1,000 square feet per acre of land on the parcel on which the golf course is located and any contiguous land in common ownership with the golf course subject to the following conditions:

Ownership of the villas shall be retained by the owner of the golf course on which the villas are located;

Residents shall be restricted to persons 55 years or older. In the case of a couple living together, at least one of the two must be at least 55 years of age. No persons under the age of 18 years will be permitted to reside therein.

At least one occupant of each unit must maintain a membership in the golf club, if available, and the gross aggregate core area of all units excluding garages and storage rooms shall be limited to three units per hole or 1,000 square feet per acre of land of the parcel on which the golf course is located and any contiguous land in common ownership with the golf course.

Maximum size of units shall not exceed 1,500 square feet.

Sixty-eight percent of the community has requested that we address this issue and as elected officials we have to respond to our constituents and therefore address the issue."

Dominique Mendez: "Right. I understand that. I just want to state that I've been told by my neighbors about certain things which are misrepresentations and I guess that will come out if we do have a public hearing."

Councilwoman Giglio: "This is what they signed."

Dominique Mendez: "No, no. I know that's what they signed but they're also long conversations. It was my neighborhood so you can see what's going on when it's in your own neighborhood. Okay."

Councilman Dunleavy: "Yeah, but if that's the case, then they didn't have to sign it. They signed it."

Dominique Mendez: "I'm not denying they signed it."

Councilman Dunleavy: "So you know this is everybody that lives around that golf course, signed this, 68% which is a lot of people that want this. Okay? Who wants a public hearing. Wants to give a public hearing to it."

Supervisor Walter: "And we're not even sure that this is the this. We want to involve everybody and maybe this isn't for this. And we do have a legal opinion about what they do and basically, you know, we're trying to balance the needs of everybody against the situation at hand. Nobody wants to see the golf course close."

Councilman Dunleavy: "I hate to see anybody go out of business and if the community wants to help them, the community then can help them by letting them have a hearing and seeing how it goes."

Supervisor Walter: "This is another kudos for Councilwoman Giglio because she's the one that said they should go out and get a petition and they did it. I was impressed that they did that. Anyway- "

Dominique Mendez: "That's it, thank you."

Supervisor Walter: "Vince, you're stepping up. Mr. Tria, what can we do for you this afternoon?"

Vince Tria: "Give me 10 years back in my life. I really want to thank the Supervisor for being a great mediator and then the town board tonight for passing our Chapter 90.

You have no idea what a relief this is and I guarantee you, the board guarantees you, it will be a bigger greater event. Thank you."

Supervisor Walter: "Thank you very much."

Councilwoman Giglio: "Thank you for your patience."

Vic Prusinowski: "Vic Prusinowski, 533 Elton Street, Riverhead."

Supervisor Walter: "Do we know you?"

Vic Prusinowski: "533 Elton Street, Riverhead. I'm also a commercial broker for Prudential Commercial Real Estate in Medford and I'm one of the consultants for the Great Rock Golf Course.

As you know, I was— I did 90% of the house calling with Paul Elliot one of the principal owners of the golf course and I can state categorically that we presented exactly what was written on that petition. We did have discussions with many of the members.

Paul did say that it's important for us to improve our business plan so that the golf course can remain a golf course.

The partners purchased the golf course about four years ago. The golf business is a tough business to make money. We have a very fine restaurant which is hard to make money and pay the bills. They have a huge mortgage on the property. They pay about \$170,000 a year in taxes.

But as far as gathering these petitions, there was one line that Jodi did not read which was printed above and I re-read that line to everybody who signed it. It said signing this petition only approves of calling a public hearing. We really didn't ask people to take a position on what we were proposing.

We put the last language that we were kind of discussing with the town attorney, Dawn helped us write the petition so she wanted to make it clear that the residents knew that we would be asking for an increased yield on the property. And that was clearly stated.

We had a wonderful day. We met so many wonderful people around the golf course. I would say even people that don't want the senior- and the reason we said the rental units is because it's important to know that we're not in the housing business. We're in the golf business. And this is a formula that's used around the country and we want to have like temporary residents that come up there from Memorial Day to Labor Day.

They'll stay in the golf course. They'll tend to play the golf course more because one member has to rent there. They'll tend to use our restaurant more. So it gives us more opportunity for- to improve our financial condition.

We had a great range of discussions. I also- we also informed everybody in the neighborhood about the situation with the tent. I wanted to clear up some misunderstanding and misinformation that was floating around the neighborhood.

Paul gave them the card. We found exact- actually right across from Dominique's house, we had a very unfortunate incident that happened with one of the families which had nothing to do with the current ownership, and it's going to be rectified. It was wrong that was done on somebody and it's going to be made right by the partnership.

And we presented a fair case. Now as far as what Jill told me the other day about what was said in the field, I know what we said and we did 90% of the- we probably canvassed over 170 homes. There's 140 in the original subdivision but we went a little bit extra around. We wanted to cover the entire golf course.

The overwhelming sentiment was that everybody would like to save the golf course. A lot of people had an open mind on what we were proposing. Everybody wanted to hear more. That's why most of the people signed that petition. Fortunately we had over 68%. There were many people did not sign the petition, probably 10 or 12 which was fine and we didn't say, hey, you've got to sign this petition. It was nothing like that.

So— and I do want to say that there was— I had a great time. Honestly, I didn't know what we were to expect and it was important for us to have a dialogue with the community and we welcome further dialogues and we will be happy to talk to the town board about your idea for the next step.

So what I want to say is the golf course wants to be a partnership with the community, we want to work with the community. Also we found out a problem is the exiting of our golf course which we are going to correct immediately. I've had the staff look into putting a speed bump by the stop sign. A few of the neighbors on Fairway Drive said that we have a lot of people that don't make the full stop. We'll correct that as soon as possible.

So we want to start a dialogue, we want to do the right thing for the town. You want to do the right thing for the community and the right thing to balance what you just said, Sean.

Thank you for the opportunity and actually I'm glad you made us go out and do this petition. We were going to do it anyhow if we had a public hearing, but it was great to get the dialogue started in the community.

Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Thanks, Vic. How are you doing, sir? State your name and hamlet."

Richard L Hommedieu: "Sure. Actually my name is Richard L Hommedieu. I'm from WUSB. How are you doing, Mr. Walter?"

Supervisor Walter: "His name is Richard L Hommedieu."

Richard L Hommedieu: "I want the supervisor and the board on behalf of the Long Island Music Community for allowing this festival to happen. So, thank you."

Councilman Dunleavy: "Thank you."

Councilwoman Giglio: "Thank you."

Supervisor Walter: "Next time we should— when you have me on

your radio program, let's do something a little less problematic. I'm suggesting a country music theme along with the blues. Thanks, Rich.

Anybody else wishes to be heard today? There being nobody, motion to close the meeting."

Councilman Dunleavy: "I make a motion to close the meeting."

Supervisor Walter: "All in favor?"

Collective response: "Aye."

Supervisor Walter: "Meeting closed. Thank you for coming everyone."

Meeting closed: 4:02 p.m.

Diane N. Wilhelm
Town Clerk