

1 **Minutes of the Town Board Meeting**
2 **of the**
3 **Riverhead Town Board**

4

5 Meeting held at Riverhead Town Hall, Howell Avenue,
6 Riverhead, New York, on Tuesday, December 18, 2012,
7 at 7:00 p.m.

7

8 **MEMBERS PRESENT:**

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

12

13 **ALSO PRESENT:**

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

15

16 **DEPARTMENT HEADS PRESENT:**

16 Dave Hegermiller
17 Michael Reichel
18 Scott Harrington
19 Jeff Murphree
20 Rick Hanley
21 Chris Kempner

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1 (The Meeting was Called to Order at 7:00 p.m.)

2 SUPERVISOR WALTER: Jill Lewis, could you
3 lead us off in the Pledge of Allegiance?

4 MS. LEWIS: Absolutely.

5 COUNCILWOMAN GIGLIO: Up here.

6 (Pledge of Allegiance)

7 SUPERVISOR WALTER: Rabbi Siemers, the
8 invocation. Sir, would you like us to sit or
9 stand?

10 RABBI SIEMERS: You can be seated.

11 SUPERVISOR WALTER: Thank you.

12 RABBI SIEMERS: Assembled citizens,
13 Supervisor, Councilmen and Woman, Mr. Claus.

14 God of Healing, out of the depths we cry to
15 you today. Comfort all in our nation who are
16 mourning. Be with the parents and the grandparents
17 who grieve. Forge our hearts and unity as one
18 people as we stand with those who are suffering
19 today, and with those in Newtown, those around the
20 world who are grieving. Be with the living as we
21 have faith that you are with those who rest in your
22 presence.

23 Guide your servants, Lord. Give us strength
24 in our struggle to recover and to rebuild. Give us
25 courage and discernment as we seek to protect the

1 most vulnerable, and to preserve the blessings of
2 life and liberty for all who dwell among us. Guard
3 those charged with the safety of society.
4 Strengthen those who serve the public good.

5 May we be worthy of the words of the Prophet,
6 so all will be redeemed by righteousness. May the
7 innocence of youth be restored. And let us say
8 amen.

9 (Amen Said in Unison)

10 SUPERVISOR WALTER: Rabbi Siemers, thank you
11 very much, we appreciate that.

12 I think everybody knows it's with great
13 sadness that Councilman Jim Lull -- I report that
14 Councilman Jim Lull passed away earlier this week.
15 And I don't want to let this moment pass because I
16 was thinking about something. A reporter had asked
17 me a question about the animal shelter, and one of
18 the things -- I worked on the Town Board for a long
19 time, and Councilman Lull was like Councilman
20 Wooten in that his drive to get the animal shelter,
21 to build a new shelter -- the emphasis was less on
22 privatization then, but it was to build a new
23 shelter.

24 And, you know, we've been working on this a
25 long time with the North Fork Animal Welfare League

1 and people before that. And some of you may
2 understand this and some of you may not, but I'll
3 say it anyway. I'm convinced that Councilman Lull
4 was there and made this happen, because it all --
5 even though we were working on this privatization,
6 this wouldn't have happened. It just stuns me that
7 it happened so quickly, and I don't think it would
8 have happened without Councilman Lull.

9 So I truly believe that he was there, we
10 didn't know it, and that he had some unfinished
11 business and he got this done. And today I think
12 you're going to have, I believe, a unanimous vote
13 from the Town Board for the privatization of the
14 animal shelter, and it was a fitting tribute to
15 Councilman Lull.

16 And I would just like for a full minute of
17 silence for Councilman Lull.

18 (Moment of Silence)

19 May the peace of the Lord be with Councilman
20 Lull and his family at this very difficult time.

21 So we have -- we're going to be a little more
22 upbeat now. Warren McKnight, would you like to --
23 could you give Warren the microphone so he can
24 introduce his guest, and maybe stand for the
25 camera? Excuse me, Santa Claus. I'm so sorry.

1 MS. HAAS: This one is you for you, little
2 one over there. You were just three, so I'm going
3 to sing a song just for you. You were just three.

4 (Harriet Haas performed Santa Claus is
5 Coming to Town)

6 (Applause)

7 MS. HAAS: Thank you.

8 SUPERVISOR WALTER: Thank you. All right.
9 So this is a rather wonderful occasion for the Town
10 of Riverhead. We are hiring -- we hired five new
11 police officers I think the last Town Board
12 meeting, and four of the five started in the
13 Academy. One of them is -- was a police officer
14 and I believe started on Monday. The rest of you,
15 with those nice new shiny haircuts, I guess started
16 Monday in the Academy.

17 (Laughter)

18 And what I'd like to do is we're going to
19 bring all the officers up one at a time, and we're
20 going to start with -- well, before I say it and
21 they come up, I'm going to have the Town Board
22 stand in the gap here, and I will have the -- I see
23 the PBA President and the Chief of Police, if you
24 guys could come on up. And we're going to have
25 Christopher Burns with his family stand here.

1 MR. BURNS: Thank you very much.

2 SUPERVISOR WALTER: We're going to have you
3 come right back when everybody's sworn in.

4 Can we have Sean Evans and his family?
5 Surround him like you love him. Give him love.

6 (Laughter)

7 The way this works, Sean, is I say this and
8 you repeat it. Where it says, "State your name," I
9 don't say that. So after I say "I," you say?

10 MR. EVANS: Sean Evans.

11 SUPERVISOR WALTER: There you go. Raise your
12 right hand.

13 (The Oath was Administered to Sean Evans
14 by Supervisor Walter.)

15 SUPERVISOR WALTER: Congratulations.

16 (Applause)

17 COUNCILMAN DUNLEAVY: Go ahead around him,
18 he'll sign the book.

19 COUNCILMAN WOOTEN: We learned from you,
20 Chris, we had him shorten it a little bit.

21 (Sean Evans Signed Book)

22 SUPERVISOR WALTER: All right. Patryk
23 Loszewski. Did I get it close?

24 MR. LOSZEWSKI: Loszewski.

25 SUPERVISOR WALTER: Say that again.

1 MR. LOSZEWSKI: Loszewski.

2 COUNCILWOMAN GIGLIO: You have to speak a
3 little Polish for us.

4 COUNCILMAN DUNLEAVY: And you're fluent in
5 Polish?

6 MR. LOSZEWSKI: Yes, sir.

7 COUNCILMAN DUNLEAVY: See that?

8 SUPERVISOR WALTER: I'm going to say it in
9 Polish. No, I'm not.

10 (Laughter)

11 If you're father wants to translate, I can
12 make him say it in Polish, I have that ability.

13 Okay. You've got the drill, right?

14 MR. LOSZEWSKI: Yup.

15 SUPERVISOR WALTER: You understand?

16 MR. LOSZEWSKI: Yes.

17 (The Oath was Administered to Patryk
18 Loszewski by Supervisor Walter)

19 SUPERVISOR WALTER: Congratulations.

20 (Applause)

21 (Patryk Loszewski Signed Book)

22 Thank you.

23 (Applause)

24 Can I have David Von Voigt? Pretend you like
25 him. You got this, right?

1 MR. VON VOIGT: I think so.

2 (The Oath was Administered to David
3 VonVoigt by Supervisor Walter.)

4 SUPERVISOR WALTER: Congratulations.

5 (Applause)

6 COUNCILMAN WOOTEN: Dave, you have to sign.

7 COUNCILMAN DUNLEAVY: Oh, Dave, you have to sign.

8 (David VonVoigt Signed Book.)

9 SUPERVISOR WALTER: Danny Hogan, come on up
10 with your family.

11 COUNCILMAN WOOTEN: Oh, we've got a junior
12 police officer coming up here.

13 (Laughter)

14 SUPERVISOR WALTER: Come on, get close to him
15 like you know the guy.

16 (Laughter)

17 All right. Are we ready? You got it, right?

18 MR. HOGAN: Yes, I do.

19 (The Oath was Administered to Daniel J.
20 Hogan by Supervisor Walter.)

21 SUPERVISOR WALTER: Congratulations.

22 (Applause)

23 And I'd like to have the rest of the police
24 officers come up and we're going to take a group
25 picture.

1 And I want to introduce you to somebody
2 you'll probably get to know very well, and it's not
3 the Police Chief, it's the PBA President. Come on
4 up. You already know the Police Chief.

5 I'm inviting you up. Come on, guys, don't be
6 afraid. Danny, stay over here, we're going to take
7 a picture.

8 Introduce yourself. You need to know who
9 this guy is. That's your PBA President.

10 (Photograph was Taken)

11 SUPERVISOR WALTER: All right. Guys, I just
12 want to say congratulations to all of you.

13 COUNCILMAN WOOTEN: Good luck.

14 SUPERVISOR WALTER: It is my privilege and
15 honor to swear you in and have you as police
16 officers. And good luck to the four of you --

17 COUNCILMAN WOOTEN: Good luck in the Academy,
18 absolutely.

19 SUPERVISOR WALTER: -- in the Academy.

20 (Applause)

21 COUNCILMAN DUNLEAVY: Happy holidays.

22 SUPERVISOR WALTER: Okay. I got a couple of
23 more announcements, and then we're going to get
24 started.

25 I want to thank Ivy Acres, Mr. Jack Van de

1 you close the meeting with a Merry Christmas." So,
2 in case I forget that, Merry Christmas, Happy
3 Hanukkah, and thank you for coming. But don't
4 leave yet, because we're not there. All right.

5 (Laughter)

6 COUNCILMAN DUNLEAVY: I'll make a motion to
7 approve the minutes.

8 SUPERVISOR WALTER: Yes. John, if you
9 could make a motion to approve the minutes.

10 COUNCILMAN DUNLEAVY: I make a motion we
11 *approve the minutes of the Town Board meeting of*
12 *November 20th, 2012, and December 4th, 2012.* So moved.

13 COUNCILMAN GABRIELSEN: And second.

14 SUPERVISOR WALTER: Moved and seconded.
15 Voted, please.

16 (Roll Call Vote By Town Clerk.)

17 COUNCILWOMAN GIGLIO: Yes.

18 COUNCILMAN GABRIELSEN: Yes.

19 COUNCILMAN WOOTEN: Yes.

20 COUNCILMAN DUNLEAVY: Yes.

21 SUPERVISOR WALTER: Yes.

22 MS. WILHELM: The minutes are approved.

23 SUPERVISOR WALTER: Okay. Applications,
24 Diane?

25 MS. WILHELM: Okay. Under Applications, a

1 Special Permit Petition from James DeLucca for
2 Dr. Jeffrey Nazer for construction of a one-story
3 building and one-story addition to property at 189
4 Main Road, Aquebogue, Suffolk County Tax Map
5 #0600-85-2-96.6&7.

6 And, also, a Chapter 90 application was
7 submitted for Riverhead Adventures, and that's a 5K
8 and 10K run at the EPCAL property on May 25th, 2013
9 and August 10th, 2013.

10 Under Correspondence, there were 15 letters
11 expressing concern at the possibility of a
12 settlement of a lawsuit that would impact property
13 at the intersection of Route 25 and Manor Road in
14 Calverton.

15 And also, 114 letters expressing concern over
16 a major zoning change on Young's Avenue in
17 Calverton. So that's it.

18 SUPERVISOR WALTER: Okay. Is there any --
19 are there any other committee reports? Diane, you
20 didn't have reports, so I guess there was no
21 reports today.

22 MS. WILHELM: No. No, there weren't any.

23 SUPERVISOR WALTER: Any committee reports?

24 COUNCILWOMAN GIGLIO: Yes. We are having a
25 bike drive in the Town of Riverhead for the

1 Alternative Transportation Committee. There will
2 be an essay contest throughout the schools in
3 Riverhead Township, and whoever wins the essay
4 contest -- we expect to give out 25 bicycles.
5 Cornell Cooperative Extension and Creating Health
6 Places will be buying new helmets for the children
7 that win the bicycles.

8 And so if you have a bicycle and it's gently
9 used, you can bring it down to Twin Forks Bicycle.
10 They'll give you a discount on future purchases at
11 that store, and you'll be helping kids who may not
12 be able to go out and buy a bicycle. So that's
13 all.

14 SUPERVISOR WALTER: Thank you. Anybody else?

15 COUNCILMAN WOOTEN: I don't have -- it's not
16 a committee report, but during the holiday season,
17 I think it's important that for those of us in the
18 community that have the wherewithal to remember the
19 food pantries, and Catholic Charities, and the
20 clothing stores, and make sure they stay well
21 stocked for the holidays.

22 There are a lot of people that are having a
23 hard time this year for the holidays. So, if you
24 have some spare food, drop it off at food pantries,
25 that would be good.

1 SUPERVISOR WALTER: Thank you.

2 COUNCILMAN DUNLEAVY: And I just -- it's not
3 a committee report. I just want to thank the
4 Supervisor and Councilman Wooten on negotiating the
5 contract with -- for our animals of this Town to be
6 safely kept from now on with the North Fork Animal
7 League. Thank you

8 SUPERVISOR WALTER: Thank you. All right.

9 We have one public hearing scheduled, and
10 that was scheduled for 7 o'clock; it is now 7:30.
11 And I'm going to open up the public hearing for:
12 The consideration of a Local Law to amend Chapter
13 108, entitled "Zoning", of the Riverhead Town Code,
14 Light Industrial Zoning District.

15 And this actually is -- I'm glad we did put
16 this forward, because I don't think YMCA is -- the
17 reports of its demise are greatly overexaggerated.
18 I think it may still be coming to EPCAL. So this
19 public hearing would allow in the Light Industrial
20 L1 Zoning Use District health spas, health related
21 facilities, including health clubs, gymnasiums,
22 health spas and wellness center.

23 Does anybody wish to be heard on this matter?

24 (No response)

25 Okay. Not seeing anybody, I will close the

1 public hearing. And since -- excuse me, it's the
2 18th. We will leave it open for written comment
3 until December 28th at 4:30 p.m. in the Town
4 Clerk's Office. Thank you.

5 We have -- we're going to take comments on
6 resolutions. Now, there is one that will be coming
7 off the floor. I don't know why we call it the
8 floor, it really should be off the table, but it's
9 not a tabled resolution. And this is a resolution
10 for the Highway Department for storm cleanup from
11 Fund Balance to Repairs and Maintenance, and,
12 hopefully, we'll be reimbursed from --

13 COUNCILMAN WOOTEN: This isn't Highway
14 Department.

15 SUPERVISOR WALTER: Oh, I'm sorry. Historic
16 properties. I was looking at something else.
17 Historic properties. This is actually for the East
18 Lawn Building

19 COUNCILMAN WOOTEN: Carriage House.

20 SUPERVISOR WALTER: Fund Balance of Carriage
21 House. Sixty-two hundred and fifty dollars from
22 Fund Balance to Repair and Maintenance. I don't
23 know why I said Highway Department, I was thinking
24 Highway Department. And that's it.

25 All right. Does anybody wish to be heard on

1 resolutions?

2 MR. ROMANO: Good evening. Steve Romano,
3 Riverhead. Merry Christmas.

4 Can you expand a little bit on Resolution
5 956, some sort of agreement with George
6 Hochbrueckner, Incorporated, or whatever that's all
7 about?

8 SUPERVISOR WALTER: Yes. What we're doing is
9 hiring like -- actually, many towns have -- a
10 professional lobbyist to work with us on EPCAL.
11 We're close, but we're not there yet. And this is
12 sort of -- Mr. Hochbrueckner -- what's happened a
13 lot in the negotiation of EPCAL is some people like
14 to rewrite history, and it's difficult for this
15 Town Board sometimes to refute that rewriting of
16 history. You cannot rewrite history with a guy
17 that wrote the law and wrote the history of EPCAL.
18 So we believe that this is the best person for the
19 job and that's what we're doing. And it's a
20 seven -- it's a seven-month contract, \$7,000.

21 MR. ROMANO: What will he lobby for?

22 SUPERVISOR WALTER: A six-month contract.
23 I'm sorry.

24 MR. ROMANO: What will he lobby for? I'm
25 assuming he's lobbying in Albany.

1 SUPERVISOR WALTER: He's going to lobby in
2 Albany. Well, we're going to start local first.
3 We're going to lobby for the subdivision, not a
4 subdivision for one project or another project,
5 just the subdivision of the property to try to get
6 the aggregate -- the most acreage aggregated
7 together in one location the way the Town Board has
8 pushed forward. He's going to be lobbying in
9 Albany.

10 We were able to get that EPCAL planning
11 legislation through the Senate. He's going to
12 lobby in -- I assume we'll get it passed through
13 the Senate again next year; he'll lobby in the
14 Assembly for that. If we're not able to get the
15 EPCAL -- the subdivision done at the local level,
16 he's going to lobby in Albany for that as well.
17 But he has something else that he's going to do
18 that would be very, very difficult for this Town
19 Board to do, which would be do go down to
20 Washington D.C. to lobby.

21 You see, they wrote this law for this
22 property to be used for economic development. And
23 even though, you know, we'll talk to the
24 Legislators about this, the Congressmen and the
25 Senators, there's a difference between a former

1 colleague talking to you who voted on it; again,
2 back to he wrote the legislation with Congressman
3 Schumer at the time and others. So, if need be, he
4 will go back to Washington to help us.

5 We're at a very critical juncture. We're
6 close, but we're not there yet.

7 MR. ROMANO: He gets a flat rate or he gets --

8 SUPERVISOR WALTER: Seven thousand dollars a
9 month for a six-month period.

10 MR. ROMANO: I'd make a suggestion. I'd pay
11 him on his results rather than a flat rate; that if
12 he was successful, give him 100,000, and if he's
13 unsuccessful, give him zero, because it always
14 sounds good. And it's really a shame that we have
15 to hire the former Assemblyman who wrote the law.
16 I caught a little bit of that --

17 SUPERVISOR WALTER: He was a Congressman. He
18 was an Assemblyman --

19 MR. ROMANO: He was an Assemblyman when they
20 wrote the DEC laws. And I caught a little bit of
21 that a while back when you guys would have a
22 discussion with him, and you were saying, Sean,
23 that, hopefully, people -- you know, the DEC could
24 look through the Town Board's eyes and the Town
25 Board could look through their eyes. And he

1 actually was saying that -- he was defending the
2 DEC, saying, "Well, they're only following the
3 law." The Legislature creates the law. The law
4 should be fairly black and white, so you don't have
5 some agency like the DEC then creating 1,000 other
6 regulations.

7 I was so frustrated watching that. If I had
8 it right, 4,000 acres had been preserved and we're
9 still arguing over 1,000 acres of development that
10 we need to hire a lobbyist. How sad.

11 SUPERVISOR WALTER: You're correct, and I
12 agree, but you have to remember something. This is
13 the largest commercial industrial subdivision in
14 New York State and it may be the largest commercial
15 industrial subdivision in the northeast. It is not
16 without a lot of pain. And if you think about the
17 pain that's been endured -- and I hate to bring
18 Supervisors up, but Supervisor Villella, Supervisor
19 Kozakiewicz and Supervisor Cardinale in no small
20 part didn't get reelected because of this. There's
21 been -- it's just the amount of resources.

22 I intend to go to this -- I think the Board
23 wants to go to this fight armed with the weapons we
24 need, and I don't mean literally weapons, but the
25 information, the tools we need to win the fight to

1 get this done, and it's time for a little
2 reinforcement.

3 MR. ROMANO: I hope he's successful in the
4 Town Board. Thank you. Have a Merry Christmas.

5 COUNCILWOMAN GIGLIO: He seems to know the
6 people, all the people that were involved back then
7 with the DEC, that worked for the DEC, that our now
8 up in Albany. And he's also said that he would be
9 lobbying for money for us to get for the
10 infrastructure for the development also.

11 So there's -- he'll be dedicating a lot of
12 his time up in Albany. And it's very costly to be
13 up in Albany. And for him to say, "I'm going to do
14 it for zero and based on results," and then put the
15 money out to travel to and from, and to stay there
16 and put all that out, and takes him six months, and
17 then at the end of six months, he's successful and
18 he gets reimbursement, but it's still a lot to
19 be --

20 MR. ROMANO: No, I understand both ways. But
21 it always seems like, you know, you hire a lobbyist
22 and then if there's no results, you pay them
23 anyway. But let's pray that he's successful.
24 Thank you.

25 COUNCILWOMAN GIGLIO: Yeah.

1 SUPERVISOR WALTER: Thank you. Does anybody
2 else wish to be heard on resolutions? Mr. Amper.

3 MR. AMPER: On the same one. A new election
4 year in Riverhead always starts --

5 MS. WILHELM: Could you state your name for
6 the record?

7 MR. AMPER: I will.

8 MS. WILHELM: Thank you.

9 MR. AMPER: It's Richard Amper, A-M-P-E-R.

10 MS. WILHELM: Thank you.

11 MR. AMPER: A new election year in Riverhead
12 always starts the EPCAL blame game. I think the
13 Supervisor has enumerated any number of his
14 predecessors who come within a year of reelection
15 time, and they say, "Well, you know, we're not
16 going to" --

17 SUPERVISOR WALTER: I'm sorry, I'm not
18 familiar with the EPCAL blame game.

19 MR. AMPER: The EPCAL blame game is where
20 Supervisors from Stark to Cardinale come forward
21 and they say, "Well, we seem to be unable to get
22 EPCAL on the market the way we would like to," and
23 it's alternatively the DEC, the Pine Barrens
24 Commission, the Federal --

25 SUPERVISOR WALTER: Let me just state for the

1 record, I am not blaming anybody. I am fully
2 cognizant of what has to happen to get this
3 subdivided, and I'm working -- I believe the DEC
4 are partners in this and we'll get it done. So I'm
5 not blaming anybody, it's just a lot of work.

6 MR. AMPER: This particular Supervisor has
7 gone to the New York State Pine Barrens Commission
8 and argued that the Pine Barrens Commission has no
9 jurisdiction over government land. None of even of
10 his predecessors have gone so far as to make that
11 kind of assertion.

12 The summoning of representatives from three
13 Federal agencies here to come in and make clear or
14 to use their offices to impose the economic
15 development objectives at EPCAL on local government
16 agencies, I spoke only as recently as two weeks ago
17 to Senator LaValle, who is confident that this
18 thing can move forward and doesn't want Federal
19 intervention.

20 I'm not taking exception to former
21 Representative Hochbrueckner representing this
22 Town, that's your business. He did a great job as
23 a Congressman. He did a particularly good job,
24 because I was there while he was doing it, in
25 making sure that this land came to the Town of

1 Riverhead for economic development. But I'm
2 hearing from him in his presentation some of the
3 things that you saw quoted in the paper, the same
4 kinds of things that I've heard from this
5 Administration, and that is that we don't seem to
6 understand that this land was for economic
7 development. No one understands it better than I.

8 From the time that the land was made
9 available to Riverhead, I have strongly advocated
10 for this. As recently as three weeks ago I
11 publicly said that we would get together with
12 environmentalists and ask them to come forward with
13 whatever preservation was required under law, and
14 that everything else should be used for economic
15 development. You can --

16 SUPERVISOR WALTER: Actually, we did that
17 already, and you all agreed in my office several
18 times on the subdivision. You did do that, so I
19 thank you for your time doing that.

20 MR. AMPER: What I am very, very eager to see
21 happen is for us to complete this. But when I read
22 in the paper that, well, they set aside 3,000 acres
23 for the Otis Pike Preserve, and there's 1,000 acres
24 within the fence line that has already been
25 preserved, and, as former Congressman Hochbrueckner

1 has reminded us, this land was set aside for
2 economic development.

3 Now, we seem to be hiring him because,
4 despite the fact that it's been set aside for
5 economic development, we can't seem to get it done.
6 And the implication seems to be that somebody
7 thinks that it's not for economic development, and
8 I can't find them. If he's come to go to war with
9 the opponents of economic development, save your
10 money, there aren't any.

11 SUPERVISOR WALTER: The other part of it is
12 the EPCAL planning legislation, which is going to
13 be just landmark for this state when we get it
14 passed. It's very difficult for a little
15 Republican Town Supervisor to get meetings with
16 Shelly Silver and people like that, so that's the
17 other part of it. And that has nothing to do
18 really with this subdivision, but just the whole
19 process the State of New York functions under with
20 this type of property.

21 MR. AMPER: I am not even recommending to
22 this Town Board whether it needs to hire
23 Mr. Hochbrueckner. And if you were looking for a
24 gentleman who understood it and wanted the result
25 that we all want, couldn't find anybody more

1 disposed to doing that. I've had conversations
2 with him.

3 Let me express my fear. The issue seems,
4 again, as it has been bi-annually ever since the
5 land was transferred to the Town, to at least
6 appear to be a battle between environmental
7 preservation and economic development and it's not.
8 And here is my --

9 SUPERVISOR WALTER: I agree with you 100%.

10 MR. AMPER: I really didn't come--

11 SUPERVISOR WALTER: I agree with you 100%.

12 MR. AMPER: -- to debate you here. If I
13 could just be heard. If you understand my concern
14 and respond to the concern, that's all I can ask
15 you. What I don't want to appear, it appeared to
16 me, it appeared to the other people both in and out
17 of government, that somehow there was some debate,
18 some argument, some who held that the property
19 should not be used for economic development, and I
20 am here to assure this Town Board no such soul
21 exists. Everybody wants it developed, and I've
22 gone to the point of -- gone to the environmental
23 community and said, "And I want it understood that
24 it's not a question of how much land you'd like to
25 see preserved, there should not be one acre more

1 preserved than is required by State Environmental
2 Law." This land was designed for economic
3 development, but it has not been the environment
4 that got in the way.

5 And here's the fear, and this is what I'd
6 like you to sort out and I think you can. The fear
7 is that Mr. Hochbrueckner could be perceived as
8 coming in with this economic development agenda as
9 though he has a fight with the environmental
10 community, and as though the environmental laws
11 need to be subordinated, as has been suggested at
12 the Pine Barrens Commission, at the DEC, and with
13 the Federal folks that came in here and visited.

14 That would be the only thing that I believe
15 that could stand in the way of a resolution, which
16 I agree is close at hand, because the only thing
17 that would make environmentalists change their
18 position is if they thought that there was some
19 undoing of State environmental laws that go way
20 beyond EPCAL, and that they would then have to
21 stand up and fight.

22 We have for 15 years avoided an economy
23 versus the environment kind of a fight here, and I
24 just don't want there to be a perception that the
25 Town is hiring a gun-slinger to come in here and

1 fight the environment. So how do you do that?

2 Before you approve this -- and there's no --
3 it's Christmas, he's not working on Christmas.
4 Before you approve the appointment, can you provide
5 in some explicit detail what he's going to do and
6 what he's not going to do? Because I know the man;
7 I believe he will sit down with anyone who
8 genuinely wants to see the excuses end and the land
9 be profitably used as we all intended.

10 So please be sure about that, because I don't
11 want to see a war kindled by the perception that
12 this is a battle between economic development and
13 the environment when it's not. The last thing you
14 folks want to do is to create a war that doesn't
15 exist today.

16 SUPERVISOR WALTER: I agree with you 100%.
17 You have my word that that will not happen, and I
18 think the Board agrees with that as well.

19 COUNCILMAN GABRIELSEN: I agree with you. I
20 think he'd be firing himself.

21 SUPERVISOR WALTER: We'll get it done. We'll
22 get it done. And George is the right guy because
23 he's not the guy that creates unnecessary conflict.

24 Does anyone else wish to be heard on
25 resolutions? Not seeing anybody, let's --

1 COUNCILMAN DUNLEAVY: I'd like to close the
2 Town Board meeting. I make a motion to close the
3 Town Board meeting and open the Community
4 Development meeting. So moved.

5 COUNCILMAN GABRIELSEN: And seconded

6 SUPERVISOR WALTER: Moved and seconded.

7 Vote, please.

8 (Roll Call Vote By Ms. Kempner.)

9 COUNCILWOMAN GIGLIO: Yes.

10 COUNCILMAN GABRIELSEN: Yes.

11 COUNCILMAN WOOTEN: Yes.

12 COUNCILMAN DUNLEAVY: Yes.

13 SUPERVISOR WALTER: Yes.

14 MS. KEMPNER: The community Development
15 Agency is open.

16 (Meeting was Recessed for Community
17 Development Agency Meeting and then Resumed.)

18 SUPERVISOR WALTER: Could we close the --
19 resolution to close the Town Board meeting -- close
20 the CDA and reopen the Town Board meeting?

21 COUNCILMAN DUNLEAVY: Close the CDA meeting
22 and reopen the Town Board meeting. So moved.

23 COUNCILMAN WOOTEN: Second.

24 SUPERVISOR WALTER: Moved and seconded.

25 Vote, please.

1 (Roll Call Vote By Town Clerk.)

2 COUNCILWOMAN GIGLIO: Yes.

3 COUNCILMAN GABRIELSEN: Yes.

4 COUNCILMAN WOOTEN: Yes.

5 COUNCILMAN DUNLEAVY: Yes.

6 SUPERVISOR WALTER: Yes.

7 MS. WILHELM: Okay.

8 SUPERVISOR WALTER: What, are you running
9 away from me?

10 MS. WILHELM: The Town Board Meeting is
11 reopened.

12 COUNCILMAN DUNLEAVY: No. Is she leaving or
13 staying?

14 SUPERVISOR WALTER: Who?

15 COUNCILMAN DUNLEAVY: Chris. Are we going to
16 have another resolution later?

17 SUPERVISOR WALTER: Are we having -- no, no.
18 They're still in negotiation.

19 COUNCILMAN DUNLEAVY: Oh, okay.

20 SUPERVISOR WALTER: Okay. Thank you, Chris.

21 COUNCILMAN DUNLEAVY: Thanks.

22 SUPERVISOR WALTER: Did we reopen -- we
23 reopened the Town Board meeting.

24 COUNCILMAN DUNLEAVY: We did.

25 MS. WILHELM: We did.

1 SUPERVISOR WALTER: Let's take up the first
2 Town Board resolution.

3 MS. WILHELM: And you voted yes.

4 SUPERVISOR WALTER: And I voted yes from the
5 hallway. I was sort of in the room.

6 MS. WILHELM: Resolution 943

7 COUNCILMAN WOOTEN: 943 is a General Fund
8 Buildings and Grounds Budget Adjustment. So moved.

9 COUNCILMAN GABRIELSEN: And seconded.

10 SUPERVISOR WALTER: Moved and seconded.

11 Vote, please.

12 (Roll Call Vote By Town Clerk.)

13 COUNCILWOMAN GIGLIO: Yes.

14 COUNCILMAN GABRIELSEN: Yes.

15 COUNCILMAN WOOTEN: Yes.

16 COUNCILMAN DUNLEAVY: Yes.

17 SUPERVISOR WALTER: Yes.

18 MS. WILHELM: Resolution adopted.

19 Resolution 944.

20 COUNCILMAN GABRIELSEN: General Fund Marina
21 and Docks Budget Adjustment. So moved.

22 COUNCILWOMAN GIGLIO: And second.

23 SUPERVISOR WALTER: Moved and seconded.

24 Vote, please.

25 (Roll Call Vote By Town Clerk.)

1 COUNCILWOMAN GIGLIO: Yes.

2 COUNCILMAN GABRIELSEN: Yes.

3 COUNCILMAN WOOTEN: Yes.

4 COUNCILMAN DUNLEAVY: Yes.

5 SUPERVISOR WALTER: Yes.

6 MS. WILHELM: Resolution adopted.

7 Resolution 945.

8 COUNCILWOMAN GIGLIO: 2012 New York State

9 Environmental Facilities Corporation Clean Vessel

10 Act Assistance Program Budget Adoption. So moved.

11 COUNCILMAN DUNLEAVY: And seconded.

12 SUPERVISOR WALTER: Moved and seconded.

13 Vote, please.

14 (Roll Call Vote By Town Clerk.)

15 COUNCILWOMAN GIGLIO: Yes.

16 COUNCILMAN GABRIELSEN: Yes.

17 COUNCILMAN WOOTEN: Yes.

18 COUNCILMAN DUNLEAVY: Yes.

19 SUPERVISOR WALTER: Yes.

20 MS. WILHELM: Resolution adopted.

21 Resolution 946.

22 COUNCILMAN DUNLEAVY: Police Department

23 Budget Adjustment. So moved.

24 COUNCILMAN GABRIELSEN: Seconded.

25 SUPERVISOR WALTER: Moved and seconded.

1 Vote, please.

2 (Roll Call Vote By Town Clerk.)

3 COUNCILWOMAN GIGLIO: Yes.

4 COUNCILMAN GABRIELSEN: Yes.

5 COUNCILMAN WOOTEN: Yes.

6 COUNCILMAN DUNLEAVY: Yes.

7 SUPERVISOR WALTER: Yes.

8 MS. WILHELM: Resolution adopted.

9 Resolution 947.

10 COUNCILMAN WOOTEN: This amends Resolution

11 454 (Changes the Status of an Account Clerk

12 Typist). So moved.

13 COUNCILMAN GABRIELSEN: And seconded.

14 SUPERVISOR WALTER: Moved and seconded.

15 Vote, please.

16 (Roll Call Vote By Town Clerk.)

17 COUNCILWOMAN GIGLIO: Yes.

18 COUNCILMAN GABRIELSEN: Yes.

19 COUNCILMAN WOOTEN: Yes.

20 COUNCILMAN DUNLEAVY: Yes.

21 SUPERVISOR WALTER: I'm going to abstain.

22 MS. WILHELM: Okay. Resolution adopted.

23 Resolution 948.

24 COUNCILMAN GABRIELSEN: Setting Terms and

25 Conditions of Employment for Deputy Tax Receiver

1 Cori Fife. So moved.

2 COUNCILWOMAN GIGLIO: And seconded

3 SUPERVISOR WALTER: Moved and seconded.

4 Vote, please.

5 (Roll Call Vote By Town Clerk.)

6 COUNCILWOMAN GIGLIO: Yes.

7 COUNCILMAN GABRIELSEN: Yes.

8 COUNCILMAN WOOTEN: Yes.

9 COUNCILMAN DUNLEAVY: Yes.

10 SUPERVISOR WALTER: Yes.

11 MS. WILHELM: Resolution adopted.

12 Resolution 949.

13 COUNCILWOMAN GIGLIO: Promotes a Maintenance

14 Mechanic in the Sewer District (Sean McCabe). So

15 moved.

16 COUNCILMAN DUNLEAVY: And seconded.

17 SUPERVISOR WALTER: Moved and seconded.

18 Vote, please.

19 (Roll Call Vote By Town Clerk.)

20 COUNCILWOMAN GIGLIO: We lost a couple of
21 people in the Sewer District and a couple that are
22 retiring, so this will be filling that position
23 which is needed in the Sewer District. Yes.

24 COUNCILMAN GABRIELSEN: Yes.

25 COUNCILMAN WOOTEN: Yes.

1 COUNCILMAN DUNLEAVY: By law we need a waste
2 water treatment plant operator, and he's been to
3 school, he did everything, he passed all his tests,
4 so I vote yes.

5 SUPERVISOR WALTER: Yes.

6 MS. WILHELM: Resolution adopted.

7 Resolution 950.

8 COUNCILMAN WOOTEN: Appoints Call-In
9 Personnel for the Riverhead Recreation Department.

10 So moved.

11 COUNCILMAN GABRIELSEN: Second.

12 SUPERVISOR WALTER: Moved and seconded.

13 Vote, please.

14 (Roll Call Vote By Town Clerk.)

15 COUNCILWOMAN GIGLIO: Yes.

16 COUNCILMAN GABRIELSEN: Yes.

17 COUNCILMAN WOOTEN: Yes.

18 COUNCILMAN DUNLEAVY: Yes.

19 SUPERVISOR WALTER: Yes.

20 MS. WILHELM: Resolution adopted.

21 Resolution 951.

22 COUNCILMAN WOOTEN: This Authorizes Notice to
23 Bidders for Sanitary Pump Station Upgrades Hangar
24 Pump Station, Calverton Sewer District Contract No.
25 CASD 05-04 HPS.

1 MR. KOZAKIEWICZ: So one change on the first
2 Resolved, second sentence, it should be January 3,
3 2013.

4 COUNCILMAN DUNLEAVY: 2013?

5 MR. KOZAKIEWICZ: On the first page, on the
6 resolution itself.

7 MS. WILHELM: Oh, it should be what now,
8 January what?

9 MR. KOZAKIEWICZ: Well, it should be 2013.

10 MS. WILHELM: Okay.

11 MR. KOZAKIEWICZ: It was put in as 2012.

12 MS. WILHELM: Are you ready?

13 SUPERVISOR WALTER: Okay, George?

14 COUNCILMAN GABRIELSEN: Okay. Seconded.

15 SUPERVISOR WALTER: Moved and seconded as
16 amended.

17 (Roll Call Vote By Town Clerk.)

18 COUNCILWOMAN GIGLIO: Yes.

19 COUNCILMAN GABRIELSEN: Yes.

20 COUNCILMAN WOOTEN: Yes.

21 COUNCILMAN DUNLEAVY: Yes.

22 SUPERVISOR WALTER: Yes.

23 MS. WILHELM: Resolution is adopted.

24 Resolution 953. Excuse me.

25 SUPERVISOR WALTER: Lord have mercy, it is a

1 really good day in this Town.

2 MS. WILHELM: I mean 952.

3 COUNCILMAN DUNLEAVY: 953?

4 MS. WILHELM: I have two 953's.

5 COUNCILMAN GABRIELSEN: So this would be 952.

6 SUPERVISOR WALTER: I don't have 952.

7 COUNCILMAN GABRIELSEN: You got two 53's, so
8 one of them is the same thing.

9 COUNCILMAN DUNLEAVY: Are they the same?

10 COUNCILMAN GABRIELSEN: Yeah, the same, the same.

11 MS. MC LAUGHLIN: Diane, is it outside, the book?

12 MS. WILHELM: It could be. If you'll check,
13 thank you.

14 MS. MC LAUGHLIN: It's in the title.

15 MS. WILHELM: Yeah, so it's --

16 COUNCILMAN WOOTEN: What does it say on the --

17 MS. MC LAUGHLIN: It rescinds Resolution #860.

18 COUNCILWOMAN GIGLIO: I have two 953's.

19 SUPERVISOR WALTER: It's probably stuck in
20 the copy machine with two million copies on it.

21 MS. WILHELM: Yeah.

22 COUNCILMAN DUNLEAVY: We can take one out.

23 MS. WILHELM: No, no, no, but this one is
24 missing.

25 MR. KOZAKIEWICZ: 952 is missing.

1 MS. WILHELM: There isn't any 952.

2 SUPERVISOR WALTER: Oh. Let's call for 953
3 while we're looking for 952.

4 MS. WILHELM: All right, 953.

5 COUNCILMAN DUNLEAVY: Authorizes Settlement
6 of Legal Action by Field Day, LLC and AEG Live,
7 LLC, Against the Town of Riverhead and Riverhead
8 Police Chief David Hegermiller. So moved.

9 COUNCILMAN WOOTEN: Seconded.

10 SUPERVISOR WALTER: Moved and seconded.
11 Vote, please.

12 (Roll Call Vote By Town Clerk.)

13 COUNCILWOMAN GIGLIO: Yes.

14 COUNCILMAN GABRIELSEN: Yes.

15 COUNCILMAN WOOTEN: All right.

16 COUNCILMAN DUNLEAVY: Yes.

17 SUPERVISOR WALTER: Yes.

18 MS. WILHELM: Resolution adopted.

19 Resolution 954.

20 COUNCILMAN DUNLEAVY: Approves Application
21 for Amendment of Fresh Water Wetlands Inventory for
22 McGann-Mercy High School, SCTM #600-82-3-6. So
23 moved.

24 COUNCILMAN WOOTEN: Second.

25 SUPERVISOR WALTER: Moved and seconded.

1 Vote, please.

2 (Roll Call Vote By Town Clerk.)

3 COUNCILWOMAN GIGLIO: Yes.

4 COUNCILMAN GABRIELSEN: Yes.

5 COUNCILMAN WOOTEN: Yes.

6 COUNCILMAN DUNLEAVY: Yes.

7 SUPERVISOR WALTER: Yes.

8 MS. WILHELM: Resolution adopted.

9 Resolution 955.

10 COUNCILMAN WOOTEN: This Appoints Sinnreich
11 Kosakoff & Messina LLP as Special Counsel in the
12 Matter of Donna M. Zlatniski, Et. Al. v. The Town
13 of Riverhead Et. Al. So moved.

14 COUNCILMAN GABRIELSEN: And seconded.

15 SUPERVISOR WALTER: Moved and seconded.

16 Vote, please.

17 (Roll Call Vote By Town Clerk.)

18 COUNCILWOMAN GIGLIO: Yes.

19 COUNCILMAN GABRIELSEN: Yes.

20 COUNCILMAN WOOTEN: Yes.

21 COUNCILMAN DUNLEAVY: Yes.

22 SUPERVISOR WALTER: Abstain.

23 MS. WILHELM: Resolution adopted.

24 Resolution 956.

25 COUNCILMAN GABRIELSEN: Authorizes the

1 Supervisor to Execute Professional Services
2 Agreement with George Hochbrueckner & Associates,
3 Inc. So moved.

4 COUNCILWOMAN GIGLIO: And seconded.

5 SUPERVISOR WALTER: Moved and seconded.

6 Vote, please.

7 (Roll Call Vote By Town Clerk.)

8 COUNCILWOMAN GIGLIO: I am really very
9 confident that with Mr. Hochbrueckner's help, that
10 we will be successful in subdividing the EPCAL
11 property. I know it's a lot of money to spend, but
12 he has dedicated and said he will dedicate his time
13 to work with the environmental group and with the
14 people in Albany and Washington to not only
15 subdivide the property, but to seek infrastructure
16 money, which will be needed in order to create the
17 jobs that we lost when Grumman left.

18 So I am very supportive of Mr. Hochbrueckner.
19 I'm looking forward to going to Albany with him,
20 and I know that he'll do a fine job representing
21 the Town of Riverhead. Yes.

22 COUNCILMAN GABRIELSEN: Yes.

23 COUNCILMAN WOOTEN: From what I know of
24 Mr. Hochbrueckner, I spoke to him a few times with
25 the Board. Early on, when Supervisor Walter got

1 elected, he championed this land use study with VHB
2 and Theresa Elkowitz, and I supported that
3 endeavor. I thought that was a great way to go to
4 bring everybody to the table and let's iron out
5 everything that's in the spirit of cooperation in
6 moving this Town forward.

7 I don't think anybody disputes what the end
8 game for EPCAL would have been for this region,
9 definitely giving us economic incentives for the
10 district, actually for the entire area. So this
11 goes hand in hand with that agenda, as far as I'm
12 concerned. VHB did a great job, and I think it
13 needs to be more focused.

14 So I think in some ways I don't want this to
15 be perceived as a marshal coming in with a six gun.
16 I want this to be more of staying along the lines
17 of doing reasonable -- reasonable people can sit
18 down and come up with a reasonable plan. So I'll
19 support this.

20 COUNCILMAN DUNLEAVY: Yes. We spent a lot of
21 money in EPCAL so far for a regional development of
22 this economic generator. And to stop it in
23 midstream and say that we're not going to hire no
24 one, that knows Albany by the back of his hand,
25 that knows Washington, went to school with a lot of

1 people up in Albany, has the contacts up there, and
2 may be able to help us, we can't let this thing fly
3 through our fingers. So I vote yes.

4 SUPERVISOR WALTER: Yes.

5 MS. WILHELM: Resolution adopted.

6 Resolution 957.

7 SUPERVISOR WALTER: You want to do Resolution 952?

8 MS. WILHELM: Sure. Resolution 952.

9 COUNCILMAN GABRIELSEN: Rescinds Resolution
10 #880 of 2012, declares --

11 COUNCILWOMAN GIGLIO: 860.

12 COUNCILMAN GABRIELSEN: What did I say?

13 Rescinds Resolution 860 of 2012, Declares
14 Route 58, LLC in Default in Connection with Site
15 Plan Approval of the Construction of a Bowling
16 Center, and Accepts Irrevocable Letter of Credit of
17 Route 58, LLC, that's the Water Key Money Fees,
18 "All Star Lanes of Aquebogue, LLC". So moved.

19 COUNCILWOMAN GIGLIO: And seconded.

20 SUPERVISOR WALTER: Moved and seconded.

21 Vote, please.

22 (Roll Call Vote by Town Clerk.)

23 COUNCILWOMAN GIGLIO: Yes.

24 COUNCILMAN GABRIELSEN: Yes.

25 COUNCILMAN WOOTEN: Just a question. I

1 thought we voted on this last meeting; we didn't?

2 MR. KOZAKIEWICZ: We voted to declare them in
3 the Fall, and then they came forward with a letter
4 to extend --

5 COUNCILMAN WOOTEN: But I thought we -- I
6 thought we rescinded that.

7 MR. KOZAKIEWICZ: No, no.

8 COUNCILMAN WOOTEN: No? I vote yes.

9 COUNCILMAN DUNLEAVY: I vote yes.

10 SUPERVISOR WALTER: Yes.

11 MS. WILHELM: Resolution adopted.

12 Now Resolution 957.

13 COUNCILMAN WOOTEN: This is a good one.

14 COUNCILWOMAN GIGLIO: Yes, it is.

15 Authorizes the Supervisor to Execute an Agreement

16 with North Fork Animal Welfare League, Inc. For

17 Operation of the Town of Riverhead Animal Shelter.

18 So moved.

19 SUPERVISOR WALTER: Can I dance now?

20 COUNCILMAN DUNLEAVY: And seconded.

21 COUNCILMAN WOOTEN: Not yet.

22 COUNCILWOMAN GIGLIO: You and Chief, a field
23 day with the animal shelter.

24 (Laughter)

25 SUPERVISOR WALTER: Moved and seconded.

1 Vote, please.

2 (Roll Call Vote By Town Clerk.)

3 COUNCILWOMAN GIGLIO: Yes.

4 COUNCILMAN GABRIELSEN: Very happy day in
5 Riverhead, I agree with the Supervisor.

6 Absolutely, yes.

7 COUNCILMAN WOOTEN: It is a good day. Of
8 course, I support the resolution. I think it's
9 been a long time coming. I think it's a good thing
10 for the animal community, it really is.

11 I think the networking -- I did have a
12 conversation with Denise Lucas tonight and told her
13 about it, and she says it's going to work very well
14 with her 501(c)(3), and will work with the North
15 Fork Animal League to get her agenda and her
16 mission accomplished. So it really is a good fit
17 all around for the Town. So I vote yes.

18 COUNCILMAN DUNLEAVY: I'm going to vote yes,
19 because it's not going to be known as the Riverhead
20 Dog Shelter anymore, this is going to be the Animal
21 Shelter. And, when necessary, they'll take many
22 other animals, including livestock, birds, pet
23 rodents, snakes and other exotic animals. So this
24 is going to be a truly animal shelter. So I vote
25 yes.

1 SUPERVISOR WALTER: Rex, can you believe we
2 got here? Yes. Yes. Yes.

3 MS. WILHELM: Resolution adopted.

4 Resolution 958.

5 COUNCILMAN DUNLEAVY: Authorizes the
6 Supervisor to Execute a Lease Agreement with the
7 Kiwanis Club of Greater Riverhead for the Storage
8 for Toys for Tots. So moved.

9 COUNCILMAN WOOTEN: Seconded.

10 SUPERVISOR WALTER: Moved and seconded.

11 Vote, please.

12 (Roll Call Vote By Town Clerk.)

13 COUNCILWOMAN GIGLIO: Yes.

14 COUNCILMAN GABRIELSEN: Yes.

15 COUNCILMAN WOOTEN: Yes.

16 COUNCILMAN DUNLEAVY: And this is another
17 great thing, that we have a group that's in
18 Riverhead, the Kiwanis Club. And what they're
19 doing, they're going to be distributing the Toys
20 for Tots that the Marine Corps collect for the
21 North Fork. And we're letting them use the old
22 firehouse on Second Street to store it, so it
23 doesn't cost them any money. So I vote yes.

24 SUPERVISOR WALTER: Yes.

25 MS. WILHELM: Resolution adopted.

1 (Roll Call Vote By Town Clerk.)

2 COUNCILWOMAN GIGLIO: Yes.

3 COUNCILMAN GABRIELSEN: Yes.

4 COUNCILMAN WOOTEN: Yes.

5 COUNCILMAN DUNLEAVY: Yeah. We need this to

6 close out the year's work, so I vote yes.

7 SUPERVISOR WALTER: Yes.

8 MS. WILHELM: Resolution adopted.

9 Resolution 960.

10 COUNCILMAN GABRIELSEN: Authorizes the

11 Adoption of the Incorporation of Certain Private

12 Roads into the Town of Riverhead's Highway System

13 Pursuant to New York State Highway Law Section 189

14 Highways by Use. So moved.

15 COUNCILWOMAN GIGLIO: And seconded.

16 SUPERVISOR WALTER: Moved and seconded.

17 Vote, please.

18 (Roll Called by Diane Wilhelm, Clerk.)

19 COUNCILWOMAN GIGLIO: The Highway

20 Superintendent has inspected the roads and is ready

21 to take them on, so I'll vote yes.

22 COUNCILMAN GABRIELSEN: Yes

23 COUNCILMAN WOOTEN: Yes

24 COUNCILMAN DUNLEAVY: Yes

25 SUPERVISOR WALTER: Yes.

1 MS. WILHELM: Resolution adopted.

2 Resolution 961.

3 COUNCILWOMAN GIGLIO: Accepts the Resignation
4 of a Public Safety Dispatcher I (Margaret Wickers).

5 So moved.

6 COUNCILMAN DUNLEAVY: And seconded.

7 SUPERVISOR WALTER: Moved and seconded.

8 Vote, please.

9 COUNCILWOMAN GIGLIO: Yes

10 COUNCILMAN GABRIELSEN: Yes

11 COUNCILMAN WOOTEN: Yes

12 COUNCILMAN DUNLEAVY: Yes

13 SUPERVISOR WALTER: Yes.

14 MS. WILHELM: Resolution adopted.

15 SUPERVISOR WALTER: Chief, we called for the
16 list? Thank you.

17 MS. WILHELM: Resolution 962.

18 COUNCILMAN DUNLEAVY: 21st Century Oncology
19 Sewer Extension Capital Project Budget Adjustment.

20 So moved.

21 COUNCILMAN WOOTEN: And I'll second.

22 SUPERVISOR WALTER: Moved and seconded.

23 Vote, please.

24 (Roll Call Vote By Town Clerk.)

25 COUNCILWOMAN GIGLIO: Yes.

1 COUNCILMAN GABRIELSEN: Yes.

2 COUNCILMAN WOOTEN: Yes.

3 COUNCILMAN DUNLEAVY: Yes.

4 SUPERVISOR WALTER: Yes.

5 MS. WILHELM: Resolution adopted.

6 Resolution 963.

7 COUNCILMAN WOOTEN: This Authorizes Amendment
8 to Resolution 940 for Extension of Time to Remit
9 Real Property Taxes for Senior Citizens Receiving
10 Enhanced Star Pursuant to Section 425 or Section
11 467 of the New York State Real Property Tax Law.

12 So moved.

13 COUNCILMAN GABRIELSEN: And seconded.

14 SUPERVISOR WALTER: Moved and seconded.

15 Vote, please.

16 (Roll Call Vote By Town Clerk.)

17 COUNCILWOMAN GIGLIO: Yes.

18 COUNCILMAN GABRIELSEN: Yes.

19 COUNCILMAN WOOTEN: Yes.

20 COUNCILMAN DUNLEAVY: Yes.

21 SUPERVISOR WALTER: Yes.

22 MS. WILHELM: Resolution adopted.

23 Resolution 964.

24 COUNCILMAN GABRIELSEN: Appoints
25 Representative to the Peconic Bay Region Community

1 Preservation Fund Advisory Opinion Bureau. So
2 moved.

3 COUNCILWOMAN GIGLIO: And seconded.

4 SUPERVISOR WALTER: Moved and seconded.
5 Vote, please.

6 COUNCILWOMAN GIGLIO: Couldn't think of a
7 better person. Yes.

8 COUNCILMAN GABRIELSEN: Yes.

9 SUPERVISOR WALTER: Yes. I'm sorry.

10 (Laughter)

11 I'm so excited about the Animal Welfare
12 League, I'm carried away. Go ahead, Jim.

13 COUNCILMAN WOOTEN: Yes.

14 COUNCILMAN DUNLEAVY: Yes. This is one of
15 our Deputy Town Attorneys and she does a great job.

16 COUNCILMAN WOOTEN: She has no problem giving
17 an opinion.

18 SUPERVISOR WALTER: Yes.

19 MS. WILHELM: Resolution adopted.

20 Resolution 965.

21 COUNCILWOMAN GIGLIO: Authorizes the
22 Supervisor to Execute a Settlement Agreement with
23 CSC Acquisition - New York, Inc., Cablevision,
24 Regarding a Cablevision Franchise Compliance Fee
25 Audit. So moved.

1 COUNCILMAN DUNLEAVY: And seconded.

2 SUPERVISOR WALTER: Moved and seconded.

3 Vote, please.

4 (Roll Call Vote By Town Clerk.)

5 COUNCILWOMAN GIGLIO: Yes.

6 COUNCILMAN GABRIELSEN: Yes.

7 COUNCILMAN WOOTEN: Yes.

8 COUNCILMAN DUNLEAVY: Yes.

9 SUPERVISOR WALTER: Yes.

10 MS. WILHELM: Resolution adopted.

11 Resolution 966.

12 COUNCILMAN DUNLEAVY: Amends Resolution 942.

13 Authorizes the Town Clerk to Publish and Post a

14 Public Notice to Consider a Local Law to Amend

15 Chapter 108 of the Riverhead Town Code Entitled

16 "Zoning", Site Plan Review 108-132 Contents of

17 Application. So moved.

18 COUNCILMAN WOOTEN: Seconded.

19 SUPERVISOR WALTER: Moved and seconded.

20 Vote, please.

21 (Roll Call Vote By Town Clerk.)

22 COUNCILWOMAN GIGLIO: Yes.

23 COUNCILMAN GABRIELSEN: Yes.

24 COUNCILMAN WOOTEN: Yes.

25 COUNCILMAN DUNLEAVY: Yes.

1 SUPERVISOR WALTER: This is my election day,
2 January 15th.

3 COUNCILMAN WOOTEN: We have a Town Board
4 meeting that day, too.

5 SUPERVISOR WALTER: Yes.

6 COUNCILMAN WOOTEN: It's a night Town Board
7 meeting.

8 MS. WILHELM: Resolution adopted.

9 SUPERVISOR WALTER: Wow.

10 MS. WILHELM: Resolution 967.

11 COUNCILMAN WOOTEN: Authorizes the Supervisor
12 to Execute a Stipulation with an Employee Holding
13 Civil Service Job 500201 with the Town of Riverhead
14 Police Department. So moved.

15 COUNCILMAN GABRIELSEN: And seconded.

16 SUPERVISOR WALTER: Moved and seconded.

17 Vote, please.

18 (Roll Call Vote By Town Clerk.)

19 COUNCILWOMAN GIGLIO: Yes.

20 COUNCILMAN GABRIELSEN: Yes.

21 COUNCILMAN WOOTEN: Yes.

22 COUNCILMAN DUNLEAVY: Yes.

23 SUPERVISOR WALTER: Yes.

24 MS. WILHELM: Resolution adopted.

25 SUPERVISOR WALTER: Jim, thanks for getting

1 this worked out.

2 COUNCILMAN WOOTEN: You're welcome.

3 MS. WILHELM: Resolution 968.

4 COUNCILMAN GABRIELSEN: Establishes Time of
5 Regular Meetings of the Town Board. So moved.

6 COUNCILWOMAN GIGLIO: And seconded.

7 SUPERVISOR WALTER: Hold on. We did the same
8 thing again. December 31st, 2013 is what we have
9 as our last meeting. Let's try to get this right.

10 COUNCILMAN GABRIELSEN: Do it Thursday.

11 MS. WILHELM: Do you have a calendar?

12 SUPERVISOR WALTER: I have a calendar. You
13 know, I have more of these, if you want, for
14 December.

15 COUNCILMAN DUNLEAVY: When is the 31st, what
16 day?

17 SUPERVISOR WALTER: The 26th, December 26th
18 is the last Thursday. So why don't we make -- why
19 don't we change that meeting to December 26th, as
20 opposed to the 31st, as the last Town Board
21 Meeting?

22 COUNCILMAN DUNLEAVY: Okay.

23 MS. WILHELM: 26th?

24 SUPERVISOR WALTER: 26th. That is -- yup,
25 that's correct.

1 COUNCILMAN DUNLEAVY: As amended.

2 COUNCILMAN WOOTEN: So moved as amended.

3 MS. MC LAUGHLIN: It's not going to work.

4 MS. WILHELM: It's not going to work.

5 COUNCILMAN GABRIELSEN: It's not going to work?

6 MS. MC LAUGHLIN: I have a feeling you're
7 going to change that next year.

8 COUNCILMAN WOOTEN: Why?

9 MS. MC LAUGHLIN: It's the day after
10 Christmas.

11 COUNCILMAN WOOTEN: Oh, that's true. The
12 21st, it's a couple of days later.

13 SUPERVISOR WALTER: The 27th is a Friday.

14 COUNCILMAN DUNLEAVY: That's all right.

15 MS. WILHELM: We're going to have to fix that
16 all in all.

17 SUPERVISOR WALTER: You want to do it the
18 27th? Nobody's going to want to do it for the same
19 reason they didn't want to do it this year.

20 MS. MC LAUGHLIN: And that's why it could be
21 set for -- it's just going to be a quick --

22 SUPERVISOR WALTER: You want to do it the
23 30th, that Monday?

24 COUNCILMAN DUNLEAVY: We can do it Monday.

25 SUPERVISOR WALTER: All right. Do it the 30th.

1 COUNCILMAN DUNLEAVY: The 30th.

2 SUPERVISOR WALTER: Amend it one more time.

3 MS. MC LAUGHLIN: It's already in the paper.

4 Remember --

5 MS. WILHELM: We sent it.

6 MS. MC LAUGHLIN: -- you guys agreed to it,
7 Thursday, and we had to put it in the paper?

8 SUPERVISOR WALTER: We'll just figure it out
9 later. Leave it alone.

10 COUNCILMAN GABRIELSEN: We'll just leave it
11 and amend it then.

12 MS. MC LAUGHLIN: Sounds good.

13 SUPERVISOR WALTER: Government at work.

14 MS. WILHELM: So we're just going to leave it
15 as the 31st?

16 COUNCILMAN GABRIELSEN: Just leave it as it is.

17 SUPERVISOR WALTER: Leave it as the 31st.

18 MS. WILHELM: Tara and I will work it out.

19 MS. MC LAUGHLIN: Yes.

20 MS. WILHELM: Okay. Sounds good to me.

21 SUPERVISOR WALTER: We'll do the same thing
22 next year.

23 MS. WILHELM: Okay.

24 MS. MC LAUGHLIN: Sounds great. Moved and
25 seconded. Vote please.

1 COUNCILMAN GABRIELSEN: We?

2 COUNCILMAN WOOTEN: Sean won't be here.

3 SUPERVISOR WALTER: One never knows.

4 (Roll Call Vote By Town Clerk.)

5 COUNCILWOMAN GIGLIO: Yes.

6 COUNCILMAN GABRIELSEN: Yes.

7 COUNCILMAN WOOTEN: Yes.

8 COUNCILMAN DUNLEAVY: Yes.

9 SUPERVISOR WALTER: Yes.

10 MS. WILHELM: Resolution adopted.

11 Resolution 969.

12 COUNCILWOMAN GIGLIO: Pays Bills.

13 COUNCILMAN DUNLEAVY: And seconded.

14 SUPERVISOR WALTER: Moved and seconded.

15 Vote, please.

16 (Roll Call Vote By Town Clerk.)

17 COUNCILWOMAN GIGLIO: Yes.

18 COUNCILMAN GABRIELSEN: Yes.

19 COUNCILMAN WOOTEN: Yes.

20 COUNCILMAN DUNLEAVY: Yes.

21 SUPERVISOR WALTER: Yes.

22 MS. WILHELM: Resolution adopted. And then
23 we got the one off the floor.

24 SUPERVISOR WALTER: Can we get a motion to
25 take General Fund Historic Properties Budget

1 Adjustment off the floor?

2 COUNCILMAN DUNLEAVY: So moved.

3 COUNCILMAN WOOTEN: Second.

4 SUPERVISOR WALTER: Moved and seconded to
5 take off the floor.

6 (Roll Call Vote By Town Clerk.)

7 COUNCILWOMAN GIGLIO: Yes.

8 COUNCILMAN GABRIELSEN: Yes.

9 COUNCILMAN WOOTEN: Yes.

10 COUNCILMAN DUNLEAVY: Yes.

11 SUPERVISOR WALTER: Yes.

12 MS. WILHELM: The resolution, Resolution
13 #970, is taken off the floor. 970 for adoption.

14 COUNCILMAN GABRIELSEN: General Fund
15 Historical Properties Budget Adjustment. So moved.

16 COUNCILWOMAN GIGLIO: And seconded

17 SUPERVISOR WALTER: Moved and seconded.

18 Vote, please.

19 (Roll Call Vote By Town Clerk.)

20 COUNCILWOMAN GIGLIO: Yes.

21 COUNCILMAN GABRIELSEN: Yes.

22 COUNCILMAN WOOTEN: Yes.

23 COUNCILMAN DUNLEAVY: Yes.

24 SUPERVISOR WALTER: Yes.

25 MS. WILHELM: Resolution 970 is adopted.

1 SUPERVISOR WALTER: Okay. Now that concludes
2 the Town Government resolution portion of our
3 meeting. We open the floor up to comments about
4 anything that may concern the Town or the Board,
5 and we ask you to keep it to five minutes, though
6 we very rarely seem to enforce that. Mr. Romano.

7 MR. ROMANO: I hate to be a pain and belabor
8 the point, but after Rich Amper spoke, I'm totally
9 confused about the EPCAL situation.

10 My understanding was that you hired the
11 consulting engineers, they developed the study,
12 they proposed two subdivision proposals, an A and a
13 B with so many lots, and he's saying that the
14 environmentalists in that area don't have any
15 problem. So what's the problem? Why do we need a
16 lobbyist to go to Albany, Washington? I don't get
17 it. What's the problem? There has to be a
18 problem.

19 SUPERVISOR WALTER: The devil's in the
20 details.

21 MR. ROMANO: Okay. You don't want to go any
22 further than that?

23 SUPERVISOR WALTER: The devil's in the
24 details. We all agree economic development, we
25 just don't agree exactly where and how.

1 COUNCILMAN DUNLEAVY: And how we're going to
2 get there.

3 MR. ROMANO: It's a shame, we're this close.

4 SUPERVISOR WALTER: We're close, we are very
5 close.

6 COUNCILMAN WOOTEN: You know what, you could
7 be surprised. I don't even think we're going to
8 use Mr. Hochbrueckner the whole six months, that's
9 how close it is.

10 MR. ROMANO: Sounds like the fiscal cliff in
11 Washington D.C., you know, they're close, but --

12 SUPERVISOR WALTER: Except we're going to
13 solve it.

14 COUNCILMAN DUNLEAVY: Yeah.

15 SUPERVISOR WALTER: We're going to solve it.

16 MR. ROMANO: I just have one other question
17 to close out the year.

18 I don't know when it happened, but it was a
19 while back when the Wading River Motel got raided,
20 or whatever happened. And did that -- what was the
21 end story with that thing?

22 SUPERVISOR WALTER: They are -- we didn't
23 have to go to Supreme Court. They may be
24 completely in compliance now, I don't know. Bob,
25 they brought --

1 MR. KOZAKIEWICZ: Well, I don't think they're
2 completely in compliance, but they restored the
3 areas -- the rooms that were not --

4 MR. ROMANO: So they were doing some illegal
5 things and --

6 SUPERVISOR WALTER: Then they brought it back
7 in compliance. Maybe they're not completely in
8 compliance.

9 MR. ROMANO: They're close. They don't have
10 to raid them again.

11 MR. KOZAKIEWICZ: They submitted things to
12 bring it into compliance.

13 COUNCILMAN DUNLEAVY: The problem is when
14 people work with you, then it's okay; it's when
15 they don't work with you that you have to take them
16 to Supreme Court. They're working with us. We're
17 getting everything into compliance, so it makes
18 everybody happy.

19 MR. ROMANO: I got a couple of more minutes,
20 so I'll make one more other comment.

21 (Laughter)

22 I did see some -- a workshop session where
23 there was discussion about, I don't know, some sort
24 of criteria for a Zoning Board member. I don't
25 know if it was Planning Board members, too.

1 I agree with Councilman Dunleavy. I think
2 the biggest thing you want to look for is people
3 with common sense, wisdom, integrity. I don't
4 think they really have to know the zoning law.
5 They have the zoning lawyer there. I've watched a
6 few of those, where the Zoning Board meets. He
7 tells them what the law is. You have to know how
8 to read and write, and maybe articulate a position.
9 You listen to what the lawyer says. The other
10 people come up, they a lot of times have lawyers.
11 Most of them are pretty straight forward cases.

12 You know, it just seems to be a common sense.
13 And now I think we're going down a road of
14 creating -- maybe creating something that you
15 really don't have to do. I mean, that's just my
16 opinion anyway. Have a Merry Christmas one more
17 time.

18 COUNCILMAN DUNLEAVY: Merry Christmas to you.

19 COUNCILMAN WOOTEN: Merry Christmas to you.

20 SUPERVISOR WALTER: Thank you. Does anybody
21 else wish to -- Larry Williams, how's that stop
22 sign?

23 MR. WILLIAMS: It's crooked.

24 SUPERVISOR WALTER: It's crooked?

25 COUNCILMAN DUNLEAVY: It's crooked?

1 (Laughter)

2 SUPERVISOR WALTER: That's your Highway
3 Superintendant that put that up.

4 COUNCILMAN WOOTEN: That was the wind that
5 went flying past.

6 SUPERVISOR WALTER: And the Farris aren't
7 going to -- you can't -- Rex, you can't walk out of
8 here with not making a comment on this, so come up
9 here. Connie, come up here. And this is a long
10 time in coming. Are we happy?

11 MS. FARR: Yes.

12 SUPERVISOR WALTER: Is the animal community
13 happy?

14 MR. FARR: Thank you, thank you, thank you,
15 each and every one of you. I was going to --

16 MS. WILHELM: Could you just state your name
17 for the record?

18 MR. FARR: Rex Farr.

19 MS. WILHELM: We know who you are, but they don't.

20 MR. FARR: Rex Farr, Calverton.

21 MS. WILHELM: Thank you.

22 MS. FARR: Connie Farr, Calverton.

23 MS. WILHELM: Thank you.

24 MR. FARR: You know, it's -- thank you very
25 much, guys. I think it's going to be a win/win

1 situation. Merry Christmas, Riverhead.

2 SUPERVISOR WALTER: And Merry Christmas to
3 the animals.

4 MR. FARR: Yeah, and Merry Christmas to the
5 animals, guys. But, again, thanks.

6 SUPERVISOR WALTER: Thank you.

7 MS. FARR: Thank you. Well, you won't have
8 to see us anymore.

9 SUPERVISOR WALTER: No, there'll be
10 something.

11 (Laughter)

12 COUNCILMAN WOOTEN: They'll be at the
13 Advisory meeting next month.

14 SUPERVISOR WALTER: Anybody else wish to be
15 heard?

16 (No response)

17 All right. Motion to adjourn.

18 COUNCILMAN DUNLEAVY: I make a motion we
19 adjourn.

20 SUPERVISOR WALTER: All in favor?

21 COUNCILWOMAN GIGLIO: Aye.

22 COUNCILMAN GABRIELSEN: Aye.

23 COUNCILMAN WOOTEN: Aye.

24 COUNCILMAN DUNLEAVY: Aye.

25 SUPERVISOR WALTER: Aye. Thank you,

1 everybody, for coming. Merry Christmas.

2 COUNCILMAN DUNLEAVY: Merry Christmas and
3 Happy Hanukkah.

4 (The Meeting was Adjourned at 8:12 p.m.)

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Lucia Braaten

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Date: December 30, 2012

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