

Minutes of the Town of Riverhead Board meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, August 2, 2016 at 2:00 p.m.

**PRESENT:**

Sean Walter	Supervisor
John Dunleavy	Councilman
James Wooten	Councilman
Timothy Hubbard	Councilman

**ABSENT:**

Jodi Giglio	Councilwoman
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**ALSO PRESENT:**

Diane Wilhelm	Town Clerk
Robert Kozakiewicz	Town Attorney

The meeting was officially opened at 2:00 p.m. by Supervisor Walter with the Pledge of Allegiance followed by an Invocation by Reverend Daniel Orellana, from the Iglesia Familia deDios in Riverhead.

Certificates were given to the winners of the National Night Out 2016 Poster Contest as well as tickets to Splish Splash for the first place winners and tickets to the Aquarium for the second place and third place winners. Supervisor Walter presented a proclamation to the Riverhead Police Department in recognition of the work they do every year for National Night Out.

Representatives from Stop & Shop and Peoples Bank accepted a Proclamation for their donation of benches for Grangebél Park. On behalf of the Town Board Councilman Dunleavy presented the Proclamations thanking Stop & Shop and Peoples Bank for their generosity.

Councilman Dunleavy made a motion that the minutes of the July 19, 2016 Town Board meeting and the minutes of the July 28, 2016 Special Town Board meeting be approved. Motion was seconded by Councilman Wooten and carried.

**REPORTS**

- Building Department - July 2016 Monthly Report- \$158,236.25
- Sewer District Discharge Monitoring Report June 2016
- Town Clerk July Monthly Report - \$11,869.53

**CORRESPONDENCE**

- Sal Mastropaolo – Letter expressing comments on the public hearing for the Riverhead Water District Rate Restructuring
- John DiLeonardo, President, Long Island Orchestration for Nature (LION) – Letter encouraging the Town Board to deny any permit that would allow the “Mexican Folkloric Dance Society of New York” to bring a rodeo to Riverhead

### **COMMITTEE REPORTS**

Councilman Dunleavy thanked the Deputy Supervisor for Riverhead's Alive at 25. He said everyone had a great time and there were no incidents of any type. He ended by saying Riverhead is a good place to live.

Councilman Wooten wanted to thank Riverhead's Buildings and Grounds as well as the Highway Department and Recreation crew that came together Friday afternoon after work hours to help set up for Friday night's Concert Series.

Councilman Dunleavy thanked the Deputy Supervisor for Riverhead's Alive at 25. He said everyone had a great time and there were no incidents of any type. He ended by saying Riverhead is a good place to live.

### **PUBLIC HEARINGS**

Supervisor Walter: "There are three public hearings scheduled. The first hearing is scheduled for 2:05 and it is now 2:20. We open this public hearing for the Consideration of a Local Law Amending Chapter 289 Entitled "Vehicles, Traffic and Parking Regulations" of the Riverhead Town Code (289-10. Parking Prohibited – Osborn Avenue) and John is this one yours? Ok why don't you."

Councilman Dunleavy: "This is a public hearing to prohibit parking on Osborn Avenue on the west side from Marcy Avenue to Hamilton Street. What it is is our roads are (inaudible) they always come in on an angle and at an angle if there's cars parked on Osborn Avenue on the west side you cannot see up Osborn Avenue for cars coming down so it's a dangerous intersection and we want to try and protect everybody so we're having a public hearing for no parking on the west side of Osborn Avenue between Marcy and Hamilton."

Councilman Hubbard: "It says south side on the."

Councilman Wooten: "Southerly direction, west side of Osborn between Marcy and Hamilton."

(Inaudible)

Supervisor Walter: "Does anybody wish to be heard on this public hearing? Alright not seeing anyone we close the public comment portion and leave it open for written comment for ten days until August 12<sup>th</sup> at the Town Clerk's office, 4:30."

**Public Hearing Closed at 2:22 p.m.  
Left Open for Written Comment until August 12, 2016 at 4:30 p.m.**

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Supervisor Walter: "The second public hearing was scheduled for 2:10 and it is now 2:29. Mary Hartill I think you're coming up for this. This is for the Consideration of a Special Permit Application of Joseph Cuccia for the "The Cage" to establish an Indoor Recreation Facility at 419

Osborn Avenue, Riverhead, NY (SCTM #0600-128-1-15.1). Would you like to present the application?"

Mary Hartill: "Yes, thank you. This application is on behalf of Joseph Cuccia for The Cage. It's a Sports Development Center. It's an application for a Special Permit. The zoning in the area was Village Center and recreational use is permitted use with the special permit so that's the application that we're making to the Town Board. We notified all the neighbors, did the posting of the notice and we're open for any questions."

Supervisor Walter: "Do you have the notice for publish and posting for the Clerk?"

Mary Hartill: "I do."

Councilman Dunleavy: "And this is all indoors correct?"

Mary Hartill: "Yes, it is."

Councilman Dunleavy: "There's no outdoor?"

Mary Hartill: "No."

Councilman Dunleavy: "They have batting cages in there, volleyball and maybe you can mention some of the stuff they do in there?"

(inaudible)

Supervisor Walter: "Does anybody wish to be heard on this application? Not seeing anybody."

Councilman Dunleavy: "Maybe she."

Mary Hartill: "It's a sports development center. They have long training for baseball and softball players through private lessons, camps and clinics and also team training. Private lessons include batting, pitching, catching, fielding, speed and agility."

Councilman Dunleavy: "Don't they even have karate in there?"

Mary Hartill: "That's a different."

Councilman Dunleavy: "That's next door?"

Mary Hartill: "Yeah, that's not related to us."

Councilman Dunleavy: "It's right next door, ok."

Supervisor Walter: “Does anybody wish to be heard on this matter? Not seeing anybody Mary we’ll close out the public comment portion and leave it open for written comment to August 12<sup>th</sup> and you can give your comments to the Town Clerk, 4:30 in the Town Clerk’s office August 12<sup>th</sup> and we’ll render a decision shortly thereafter.”

Mary Hartill: “Thank you.”

**Public Hearing Closed at 2:31 p.m.  
Left Open for Written Comment until August 12, 2016 at 4:30 p.m.**

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Supervisor Walter: “The final public hearing is scheduled for 2:15 and it is now 2:32 and this is a Public Hearing to Receive Public Comment Regarding Rate Restructure of the Riverhead Water District. Mark, John Collins, if you would like to come up and just present briefly what this is about. This is not necessarily a legal requirement that we do this but we wanted to give the opportunity to the, we’ve had a very trying year and Mark you want to just mention how difficult this summer has been. You could also touch upon a couple of things the Board is going to be talking about on Thursday for upgrades to the water district which is part of the reasons that this is happening, that would be wonderful.”

Mark Conklin: “Yeah this has been a pretty tough summer. Last month we broke a record for the total amount pumped in the history of Riverhead Water District, five hundred and eighteen million gallons so yeah it was tough. Some of the things we’re going to bring up on Thursday is some improvements, a couple of tanks we want to build to try and boost our infrastructure up a little bit so we can meet the demand.”

Supervisor Walter: “Ok, John you want to present the structure increase in generic terms.”

John Collins: “Generic terms, generically Riverhead Water District is proposing to increase rates across the board. The water district has been operating in a deficit for a number of years. The proposed increase would help us with those deficits and also help to fund some maintenance issues they have with some of their tanks moving forward in the future.”

Supervisor Walter: “Does anybody wish to be heard on this? Yes, Sal Mastropaolo.”

Sal Mastropaolo: “Sal Mastropaolo, Calverton. First I have a couple of questions. As far as the current policy is concerned right now you’re charging a minimum quarterly charge and that includes a certain number of gallons.”

Supervisor Walter: “Correct.”

Sal Mastropaolo: “My first questions is if you don’t use the gallons in the first quarter does it carry over into the second quarter?”

Supervisor Walter: “There’s no rollover.”

Sal Mastropaolo: “So what you don’t use in the first quarter you lose.”

Supervisor Walter: “That’s correct.”

Sal Mastropaolo: “Ok, I can understand the need for an increase in the charges for the excess gallonage usage what I don’t understand is why you’re going to compound the increase by lowering the gallons that you get with the minimum charge. You’re dropping the gallons that you get by twenty-five percent so you’re compounding the increase so a five percent increase becomes a seven point eight percent increase and a ten percent increase becomes an eleven point nine percent increase by lowing the gallons that you get with the minimum charge.”

Supervisor Walter: “So there’s a reason for that. I’m not going to give you the mathematical answer to it but because we have and John you’re going to have to weigh in on this, because we have this minimum gallonage we give you with a rate that you get, the rates are not comparable, different people pay more for water. In fact, water users with the smallest diameter water service pay the highest rates in the water district so we’re trying to equalize them all across the different rate structures. It’s not that everybody pays one penny a gallon. Everybody pays, some people pay one penny a gallon some people pay a penny and a half a gallon, I’m making up a number. Some pay two cents a gallon because of that minimum water service charge. So, we’re trying desperately to equalize it but not penalize folks too much but that’s why it’s there because these rates, the way we set this up with the (inaudible) but I’m going to say a minimum service fee and a minimum number of gallons makes everybody pay different rates, water rates, I can show you.”

Sal Mastropaolo: “Ok, I can’t argue with you because I don’t know, you know, the rates that people pay over and above the one inch main.”

Supervisor Walter: “John do you have, can you show Sal?”

Sal Mastropaolo: “I have the table.”

Sean Walter: “Yeah, there’s a table that was a good depiction of what each person pays and how it was different in cost wise.”

Councilman Dunleavy: “You got the tables?”

Sal Mastropaolo: “Yeah, I’ve got the tables.”

Sean Walter: “John maybe you can kind of explain that.”

John Collins: “Some additions basically besides the service, the minimum service charge in gallons (inaudible) each person is paying per thousand gallons based on the minimum zoning. So right now if you’re three quarters in service if you pay ten ninety but that is equal to about two eighteen a gallon. Over five thousand you actually pay less (inaudible) trying to balance a little bit so the brunt of the increase doesn’t hit just that large user or just the small user.”

Sean Walter: “We started out with a bad system as sometimes happens you’re probably not doing the best thing but to scrape the system could cost people expedient amounts of money so we don’t want to, we’re not going to scrape it we’re going to try and equalize it.”

Sal Mastropaolo: “Well I don’t want to scrape it. I just want to go on record that you know I consider it compounding the way you’re doing it. I can understand the need for an increase. Now I don’t know if you’re going to increase it five percent, ten percent or twenty-five percent.”

Sean Walter: “He can tell you by the chart.”

Sal Mastropaolo: “Ok. The tables, what I gave you is my quarterly usage and what it cost me in the current year and then I projected it for the following year given the fact that you’re dropping the minimum gallons included in the minimum charge, ok, so everything over the gallons in the minimum charge becomes compounded ok and I took it out for the five different percentages.”

Sean Walter: “I understand what you’re doing.”

Sal Mastropaolo: “Ok. I have one other question. Do non-for-profits pay for water?”

Sean Walter: “Yes everybody pays for water. Even the Town of Riverhead pays the water district.”

Sal Mastropaolo: “Ok.”

Councilman Dunleavy: “It’s a special district but everyone pays for water.”

Sal Mastropaolo: “Good, I’ll put that in my back pocket for the next meeting when you don’t charge for Chapter 90’s.”

Sean Walter: “Ok, does anybody else wish to be heard on this matter? Not seeing anybody we’ll close the public comment. Gentlemen thank you and keep pumping water and for keeping us safe with the water and the fire protection. We’ll close the public comment portion and leave it open for written comments to the 12<sup>th</sup> and I would like John and Mark a resolution on the 16<sup>th</sup>. I think the Town Board will move forward with this so even though the comments will be open until the 12<sup>th</sup> on the 11<sup>th</sup> please have a resolution.”

**Public Hearing Closed at 2:40 p.m.  
Left Open for Written Comment Until August 12, 2016 at 4:30 p.m.**

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**COMMENT ON RESOLUTIONS**

Supervisor Walter: “Does anybody wish to be heard on resolutions?”

Laura Jens Smith: “Laura Jens Smith from Laurel. Resolution 589. I just have a questions, it’s confusing what’s encompassed in each one of these things so I just want, I have a question. For this resolution for the approval for the reuse and revitalization plan at EPCAL as an updated and amended urban renewal plan for the portion of property identified and designated; my question is when I was reading through all the documents that are involved in that is the planned development and one of the questions that I have about that and it’s been brought up before when it refers to retail and to housing and in one on the pieces of documents that does have something to do with the zoning would be there and part of the supportive uses of that that would be the residential and the retail in order to promote that in the community it says, the way it seems to be written it says the following uses *shall be* permitted as supported uses and my question is *shall being required* so wouldn’t it be more prudent or just something to think about instead of being *shall being required* wouldn’t the Town be better off with the wording *may* being in there so this way the Town Board as plans come in and your reviewing the proposals that you have more leeway in your decision power to the accessory and supported uses that somebody has with their principal use of commercial. In other words, you know, I’m not sure and this is kind of my question.”

Supervisor Walter: “It’s not a requirement for them to do it, it’s available to them. So if somebody comes in and wants to do it they *shall* have the ability to do it. It’s not mandatory that they have it it’s just that, we have two buyers and both buyers. We just came from a meeting and they said to us those are critical elements of any sort of any live, work place development that we’re building there. It’s not a requirement?”

Laura Jens Smith: “No I understand it’s not a requirement of a developer coming in to do anything in there but I’m just wondering when you have supported uses and somebody comes in and says ok well this is, let’s just say somebody comes in and they want to put a slaughterhouse in there and part of that would be they want to open up a restaurant, you know a ten or twenty or thousand foot steakhouse. You know if you have, but if you have the requirement shall be permitted does that make the burden of proof of them less than when you the obligation that says they *may be* able to do it and at your discretion you will decide because as in all these plans the build out we don’t know exactly what it will be, we don’t know who it will attract but in order to be inclusive and to be able to develop the property as best possible you know you are going to have circumstances that you can’t foresee and by having *shall* as opposed to the discretion of the Board of what residential and retail goes in there does it give more discretion to the Board in deciding when somebody wants to put a residential or retail space in there what you will allow as opposed to kind of boxing yourself in that you’re saying you can. We understand that this a requirement that your business requires so that if you can prove that requirement you are permitted to put it there whereas if you have *may* and it’s an option for the Town Board to decide you have a little bit more leeway in what you’re obligated or ore legally bound to approve. I’m questioning this, I don’t know. It’s just some food for thought.

Supervisor Walter: “I don’t think that’s really an issue because there are so many modifiers to this and for us at this point this is the end game.”

Laura Jens Smith: “That’s why I’m bringing this up.”

Supervisor Walter: “I mean it’s not a fix because everything’s been publicly heard, everything’s been studied this way so you’re either going to sort of accept what’s been publicly heard and studied or you’re going back to the drawing board. It’s not something that gets fixed.”

Councilman Dunleavy: “We’ve been criticized by putting *may* into a lot of our codes that could mean it could be interrupted in different ways so when we put *shall* plus *shall* makes it move a little bit faster because if you put *may* and then they have to come to a Town Board meeting and people are saying it’s difficult doing business with Riverhead because of all the hearings and stuff they have to go through. So putting *shall* in there relieves that problem and if what they’re putting up could sustain, like the people who are out there now they have people coming from all over the world to work there. There’s no place for them to stay so if they put a couple of residents up there temporarily to house people it’s a lot easier to say come on over, help us out, we have a place for you to stay for two or three weeks or a month or six months till you help us out so that’s why that’s in there and retail, if you go to any big development like this they always have either a deli, a dry cleaner. It’s personal stuff that you need. Where are they going to go for lunch? They have to have maybe a pizza parlor to go for lunch. So you have to let retail. There’s not going to be no box stores in there.”

Laura Jens Smith: “Well that’s my point exactly of why you would have *may* instead of *shall* so that if somebody were to up and argue the point that a box store was supportive of their principal use that you would have more ability to say “you know what we’re really not comfortable with that”. I’m not sure, I’m just asking as opposed to the *shall*.”

Supervisor Walter: “(inaudible) the box stores and the retail are tied. They have very limited, narrow parameters that you can have and they’re all tied to commercial under construction. I mean this is not (inaudible) until the Board (inaudible) but if they don’t I can’t go back next week and fix that, I can’t. It requires reopening certain hearings and certain studies.”

Laura Jens Smith: “Well that’s kind of, is the zoning for, completed already?”

Supervisor Walter: “It’s going to be on the next Board meeting for adoption.”

Laura Jens Smith: “Ok, so that’s will be this zoning that will be there at the next Board so this, what I’m referring to, has. What are we doing?”

Supervisor Walter: “Has been studied. Went through the impact statement process. Had the public hearing, yeah this is it.”

Laure Jens Smith: “Right but you’re adopting the reuse and revitalization. It’s all been studied; it’s all been thought about it but now you’re actually passing what was there so there is option to take a look at this and.”

Supervisor Walter: “There’s not because if I were to change it I would have to potentially depending on the changes reopen the impact statement.”

Laura Jens Smith: “Well I think in some of the writing it does allow you the ability to have limited changes. Even in the Use and Revitalization plan there is I believe that there is something in there that allows for limited changes to accommodate.”

Supervisor Walter: “No we would have to go back to Suffolk County Planning Commission Bob said for one thing. No we’re at the end game.”

Councilman Wooten: “I kind of like the word *shall*, I really do.”

Laura Jens Smith: “In permitted uses, yes I think.”

Councilman Wooten: “If I’m a developer and I’m going to bring in forty or fifty million dollars and then bring all these investors in to come in and start something and I’m going to buy a twenty acre piece of land it’s nice that I know exactly what I’m allowed to do.”

Laura Jens Smith: “Well you still would be allowed to this with *may*. With *may* you’re still allowed to do it.”

Councilman Wooten: “With *may*, I *may* or *may* not.”

Supervisor Walter: “There’s not too much we can do with it. I’ll be honest with you we would have to go not back to the drawing board but we would have to go back to Suffolk County Planning Commission. We would have to go back to a public hearing. We’d have to go back to potentially open up the Impact Statement. I can tell you in this document the Impact Statement that is two reams of paper there are many more words than shall and may or can and can’t that probably we’ve been beating a dead horse with and we’d be paralyzed and never get it forward, pushing it forward so it’s not a bad point it’s just something I can’t fix at this point; we can fix at this point easily. Thank you.”

Laura Jens Smith: “Thank you.”

Supervisor Walter: “Mr. Ferris, how are you doing Sir?”

Tom Ferris: “Good evening, Tom Ferris, 68 Timothy Lane, South Jamesport also a representative of Northeast Regional Council of Carpenters. Anyhow a little bit that I heard about EPCAL mentioned. Sure we’ve had some discussions in the past that you know of course I want the apprenticeship language but you said there might be some things that you could do, some language you could do to help us in that particular area and I was hoping you just keep it in the forefront of your mind of things we can do at least for a start. Again I would like it throughout the Town of Riverhead but anything I would take as a good start. I also want to say that we have been fortunate that our membership has been very busy right now and we’re taking apprentices in at a great rate, more than I’ve seen in my whole (inaudible) and I was a teacher in the school so there are a lot of career opportunities for Riverhead residents and the rest of the people.”

Supervisor Walter: “Do you have a phone number or something people?”

Tom Ferris: “Yes, the numbers 631 952-9800. Let me give you the apprenticeship school, that would even be a better one; 631 952-9555 and they can call up, fill out applications and they’re not just giving them a job they’re giving them a career so they can stay on Long Island. I’m glad that we got that all out and anything with EPCAL for starters and I’d like to move further after that. go and do what we could there to make things safe, build it right and get it done in a timely fashion. Thank you.”

Supervisor Walter: “Tom I want to let you know and the guys who are here, EOCAL, the original Hauppauge Industrial Park, not the expansions they’re doing now but the original Hauppauge Industrial Park was eleven million square feet. Not that we’re going to see ten million square feet be built at EPCAL but that’s the scale of what this Town Board has done. You have the ability to build ten million square feet within the fence at EPCAL so what we in this Town which is one of the smallest and poorest towns on Long Island have, with these couple of resolutions and the couple that are coming next week and the site plan, we’ve created the next Hauppauge Industrial Park. I mean it’s been a herculean task but we’re doing it and we’re thankful that you guys are working. Hopefully we’ll create more jobs.”

Councilman Dunleavy: “Can I just ask you one question? I took a tour of your school and people do not know what carpenters are taught at that school. I mean they go under water, they’re taught to go under water, they’re taught how to build pyramids. What do you guys teach over there?”

Tom Ferris: “Everything, we take it out of the ground right to the finish. Besides that, all our guys walk away with all the certifications for safety whether they Arial lift, OSHA 30, OSHA 10. They get a big portion of safety training. They’re in school one week a quarter. Other than that they’re in the field on job training and they’re getting paid the whole time they’re there. It used to be done at night but now we thought having them fresh in class it’s better so we’re doing it during the day. John and Sean I think you’ve been there too visited the facility. We spare no expense. We have a massive training center out in Vegas. We send millions and millions. We’re taking contractors out there and introducing them and showing them, we’re very proud of the facility and the amount of money the International and us spend on draining, we’re very proud of it so we put out a really good product and like I said I can speak first hand of the many people I’ve taught that became my foremen later on in life and stuff and they have really good careers and they will stay here not like many people who have to leave our children you know and leave Long Island. Thank you.”

Councilman Dunleavy: “People talk about a college education. This is like a college. We cannot build anything without our trades either it be the carpenters, the plumbers, the ironworkers, the steamfitters. We need those trades. So it’s like a college for those kids who can’t go to college and get a good paying job so I applaud everybody to look for these apprenticeship applications because I think he’s taking five or six hundred at a time and only pick ten kids.

Tom Ferris: “Maybe more, we want to keep training kids. You know there are a lot of baby boomers who are getting ready to get out of the business. We have to build up our infrastructure too.”

Councilman Dunleavy: “For years I’ve been trying to get an apprenticeship program here in Riverhead and maybe by the time I leave at the end of next year we may get one through yet. Thank you.”

Supervisor Walter: “Thank you, yes?”

Joan Zaniskey: “Good afternoon, Town Board members and audience.”

Supervisor Walter: “State your name and affiliate or hamlet.”

Joan Zaniskey: “Yes, my name is Joan Zaniskey and I live at 15 North Apollo Drive in Aquebogue.”

Councilman Dunleavy: “What resolution number?”

Joan Zaniskey: “I’m here not necessarily to speak on a resolution but this lady’s comments, the resolution that she spoke on in many ways involves what I have to talk to you about. I spoke with Diane Wilhelm yesterday and asked her to notify you that I wish to speak with you on an issue that is very, a great concern to me and other residents of (inaudible).”

Supervisor Walter: “We’re taking comments on resolutions.”

Joan Zaniskey: “Well when can I speak?”

Supervisor Walter: “After resolutions are over if it’s not a resolution specific.”

Joan Zaniskey: “Ok, thank you.”

Supervisor Walter: “Does anyone else wish to be heard on resolutions? Not seeing anybody, we’re not going to do the CDA. We’re going to do the CDA last so Diane can we do the resolutions?”

## **RESOLUTIONS**

### **Resolution #561**

Councilman Wooten: “Authorizing Removal of Fixed Asses Records from System, so moved.”

Councilman Hubbard: “Second.”

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

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

### **Resolution #562**

Councilman Hubbard: “Basketball Court Project at Horton Avenue Budget Adoption, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #563**

Councilman Dunleavy: “Amends Resolution #557, Adopted on July 19m 2016 – 2016 skate Park Project at Stotzky Park – Budget Adoption, so moved.”

Councilman Wooten: “I’ll second.”

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

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

### **Resolution #564**

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

Councilman Hubbard: “Seconded.”

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

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

### **Resolution #565**

Councilman Hubbard: “Authorizes the Supervisor to Execute an Agreement (Mary Hopkins), so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #566**

Councilman Dunleavy: “Adopts the Change of Zone Classification of a Certain Parcel known as 9 Sound Road, Wading River, New York (SCTM) #0600-049-02-020.01) from

the Residence B-80 (RB-80) Zoning use District to the Hamlet Center (HC) Zoning use District and Authorizes the Amendment to the Zoning Maps and Graphical Information System (GIS), accepts Retirement of Town Engineer, so moved.”

Councilman Wooten: “Second.”

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

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

### **Resolution #567**

Councilman Wooten: “Approves Administrative Site Plan Approval for the Salvation Army Recreation Area, so moved.”

Councilman Hubbard: “Seconded.”

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

The Vote: “Hubbard, yes; Wooten, yes; Dunleavy.”

Councilman Dunleavy: “Yes this is going to put a little recreational area for the Salvation Army on Osborn Avenue in the vacant lot for the children when they go there for religious lessons and classes so I vote yes.”

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

### **Resolution #568**

Councilman Hubbard: “Awards Bid for Diesel Fuel 2016, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #569**

Councilman Dunleavy: “Awards Bid for Ford Automotive Replacement Parts, so moved.”

Councilman Wooten: “Second.”

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

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

**Resolution #570**

Councilman Wooten: “Awards Bid for Heating Fuel 2016, so moved.”

Councilman Hubbard: “Seconded.”

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

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

**Resolution #571**

Councilman Hubbard: “Authorization to Publish Advertisement for Truck Parts for Town of Riverhead, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

**Resolution #572, 573, 574, 575, 576**

Councilman Dunleavy: “I’d like to know if we can put all the Recreation ones together and move them in one motion.”

Supervisor Walter: “Is that ok? I’ll read them off. Resolution 572 ratifies the Appointment of a Call-in Assistant Recreation Leader to the Recreation Department (Mary Flood); 573 Appoints a Call-In Recreation Specialist to the Recreation Department (Sheree Elder); 574 Ratifies the Appointment of a Call-In Park Attendant II to the Recreation Department (Sarah Freeborn); 575 Ratifies the Appointment of a Call-In Park Attendant II to the Recreation Department (Quinn Lewis) and 576 Ratifies the Appointment of a Call-In Park Attendant II to the Recreation Department (John King). Can we approve them all as one?”

Councilman Dunleavy: “I’d like to make a motion we move Resolutions 572 – 576 for the Recreation Department as read, so moved.”

Councilman Wooten: “I’ll second.”

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

The Vote: “Hubbard, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution3 572 through 576 are adopted.”

**Resolution #577**

Councilman Hubbard: “Authorizing Removal of Fixed Asset Records from System (Vehicles), so moved.”

Councilman Dunleavy: “And seconded.”

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

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

**Resolution #578**

Councilman Dunleavy: “Resolution to Approve Amendment to the Town of Riverhead Comprehensive Master Plan, so moved.”

Councilman Wooten: “I’ll second.”

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

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

**Resolution #579**

Councilman Wooten: “Sets Fee for Inspections of Vacant and/or Abandoned Properties, moved.”

Councilman Hubbard: “Seconded”

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

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

**Resolution #580**

Councilman Hubbard: “Authorizes Installation of an Automated Teller Machine (ATM) in the Lobby of the Riverhead Justice court Building, Basketball Court Project at Horton Avenue Budget Adoption, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

**Resolution #581**

Councilman Dunleavy: “Ratifies in Park and Approves Remaining Events under Chapter 255 (Formerly Chapter 90) Application of Riverhead Raceway Inc. (Drive-in Movie Series), so moved.”

Councilman Wooten: “I’ll second.”

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

The Vote: “Hubbard, yes; Wooten, yes; Dunleavy.”

Councilman Dunleavy: “Yes, they’ve been great shows. There’s been great attendance and we have no difficulties with them so I vote yes.”

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

### **Resolution #582**

Councilman Wooten: “Authorizes the Creation and Appointment of Members to a Helicopter Noise Task Force, so moved.”

Councilman Hubbard: “Seconded.”

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

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

### **Resolution #583**

Councilman Hubbard: “Appoints Members to the Town of Riverhead Helicopter Noise Task Force, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #584**

Councilman Dunleavy: “Awards Bid for Sensus Water Meters and Accessories, or Reasonable Equivalent, and Repair to Meter Reading Equipment for the Riverhead Water District, so moved.”

Councilman Wooten: “Second.”

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

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

### **Resolution #585**

Councilman Wooten: “Order Calling Public Hearing – Extension No. 62R – Old Orchard Subdivision at Baiting Hollow, NY – Riverhead Water District, so moved.”

Councilman Hubbard: “Seconded.”

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

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

### **Resolution #586**

Councilman Dunleavy: “Appoints Special Counsel to the Board of Assessors (Scott DeSimone), so moved.”

Councilman Wooten: “I’ll second.”

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

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

### **Resolution #587**

Councilman Dunleavy: “Appoints a Planning Aide (Gregory Bergman), so moved.”

Councilman Wooten: “Second.”

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

The Vote: “Hubbard, yes; Wooten, yes; Dunleavy.”

Councilman Dunleavy: “I’m one if the Town of Riverhead resident qualifies that we should appoint the Town of Riverhead resident to a position. They are the ones who vote to pay our salaries and pay our taxes. I don’t go along with appointment out of town people if one of our residents qualifies. This person lives out of town, we have a resident that qualifies so I vote no.”

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

### **Resolution #588**

Councilman Wooten: “Appoints a Provisional Water Treatment Plant Operator Trainee (Daniel Keller), so moved.”

Councilman Hubbard: “Seconded.”

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

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

### **Resolution #589**

Councilman Hubbard: “Resolution to Approve Reuse and Revitalization Plan Enterprise Park at Calverton (“EPCAL”) Suffolk County, New York, (Phase II) as an Updated and Amended Urban Renewal Plan for a Portion of Property Identified and Designate as an Urban Renewal Area Under the Original Urban Renewal Plan “Calverton Enterprise Park Urban Renewal Plan” Adopted in 1998, so moved.”

Councilman Dunleavy: “And seconded.”

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

Robert Kozakiewicz: “Before you do that you have to add on the last page the second further resolved it states that the resolution number should be resolution number 578.”

Councilman Hubbard: “As amended.”

Councilman Dunleavy: “Seconded as amended.”

Supervisor Walter: “Moved and seconded as amended.”

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

### **Resolution #590**

Councilman Dunleavy: “Pays Bills, so moved.”

Councilman Wooten: “I’ll second.”

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

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

Supervisor Walter: “We have one resolution to come off the floor. Rob Hubbs has been an outside consultant for (GIS) and he has saved the town a significant amount of money

over the last year until we get the Town Engineer position settled and potentially Deputy Town Engineer position settled this job still has to go on so I'm asking to take this off the floor and."

Councilman Dunleavy: "I make a motion we take Resolution 591 off the floor for consideration, so moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded to take off the floor."

The Vote: "Hubbard, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 591 is taken off the floor."

### **Resolution #591**

Councilman Wooten: "Authorizes the Town Supervisor to Execute a Professional Service Agreement with Robert Hubbs, so moved."

Councilman Hubbard: "Seconded."

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

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

Supervisor Walter: "Can I get a motion to close the Board meeting and open the CDA meeting?"

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

Supervisor Walter: "I second, all in favor, aye."

**Town Board Meeting is Closed**

**Town Board Meeting is Reopened**

### **GENERAL COMMENTS**

Supervisor Walter: "Alright now we take public comment on matters before the Town and we're going to have this young lady go first as she was ahead of you and we ask you to limit your comment to five minutes."

Joan Zaniskey spoke regarding the 7-11 convenience store's possible opening at Vinland Commons. She handed to each Board member a copy of the letter she had written and sent previously to the each of them. In her letter Ms. Zaniskey pointed out that two Long Island towns

and fourteen municipalities in the United States have laws prohibiting formula stores. She continued by saying these laws have been challenged in the courts and upheld as constitutional. She urged the Board to order the hired Law Firm to research the New York State Municipal Law pertaining to this issue and suggested that Senator LaValle and Assemblyman Thiele should be contacted for guidance in proceeding with this matter.

Supervisor Walter informed Ms. Zaniskey that the matter is now in the Appellant Court and continued by say no permits will be issued to 7-11 until the conclusion of the litigation.

Eric Biegler congratulated the Town on the Alive on 25 and the Friday night concert series stating both are excellent and hopes they will continue in the future.

He then spoke on the wording of the new codes saying he was confused with the way some of them read. He wanted to know who he could speak to to help him understand them.

Supervisor Walter suggested he speak to the Town Clerk, Diane Wilhelm and then the Deputy Town Attorney, Annemarie Prudenti.

Eric then spoke about the two lifeguards who rescued three people last week who were in a boat that had collapsed. He said the lifeguards, one free swimming and one paddling on a paddle board had to go over five hundred yards to rescue these three people. To show the appreciation of the Sound Park Heights Civic Association he asked Ray Coyne to present to each lifeguard a gift certificate from the Association. He continued by saying the Civic Association appreciates all the lifeguards at Reeves Beach who watch over the swimmers making sure they remain safe while swimming and enjoying the beach.

As there was some difficulty communicating between the Police Department and the Coast Guard Cutter during this rescue he suggested that the town purchase a VHF radio that can be used on beach patrols and during a rescue.

Last to speak was Maria Lebron who said she has a proposal to amend the Town Code to prohibit formula business stores. Supervisor Walter said in order to amend the Town Code they would have to update the Master Plan. Ms. Labron stated that a lot of the formula stores are coming into rural areas, historical areas and that the residents do not want these stores in their towns as they destroy the quality of life in these towns.

Supervisor Walter: “Alright, can I get a motion to adjourn?”

Councilman Dunleavy: “I make a motion we adjourn.”

Supervisor Walter: “And seconded, all in favor, aye? Opposed? Abstentions? Town Board meeting is closed.”

**Meeting Adjourned at 3:35 P.M.**