

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 16, 2016 at 7:00 p.m.

**PRESENT**

Sean Walter	Supervisor
John Dunleavy	Councilman
James Wooten	Councilman
Jodi Giglio	Councilwoman
Timothy Hubbard	Councilman

**ALSO PRESENT:**

Diane Wilhelm	Town Clerk
Robert Kozakiewicz	Town Attorney

The meeting was officially opened at 7:00 p.m. by Supervisor Walter with the Pledge of Allegiance followed by an Invocation by Reverend Arlen G. Vernava, Interim Pastor of Old Steeple Church, Aquebogue.

The Town Board awarded Proclamations to Nichole Visintin, Michelle Behr, Megan Joseph and Erin Plitt for saving victims of capsized boats at Reeves Beach on July 26, 2016 and August 6, 2016. Supervisor Walter thanked them for their courageous efforts on both occasions. In appreciation of their efforts Sound Park Heights Civic Association presented each lifeguard with a gift certificate to Target. This was a small token of their appreciation for always being there and watching out for the swimmers at the beach.

Proclamations were presented to two Riverhead Town Police Officers, Anthony Montalbano and James Lydon, two members of the Riverhead Volunteer Fire Department and members of the Riverhead Volunteer Ambulance Corp for saving a man and his dog from a structure fire on July 31, 2016. Supervisor Walter thanked them for everything they did and do for the Town of Riverhead.

Councilman Dunleavy made a motion that the minutes of the August 2, 2016 Town Board meeting be accepted. Motion was seconded by Councilman Wooten and carried. Councilwoman Giglio abstained from voting since she was not present at that meeting.

**REPORTS**

- Calverton Wastewater Treatment Facility quarterly inspection report
- Police Department Monthly Report April, 2016

**FIRE DEPARTMENTS**

- Manorville Fire Distract – 2015 Financial Audit

**CORRESPONDENCE**

- Wading River Civic Association – letter regarding tonight’s public hearing for consideration of amending Chapter 221 “Community Preservation Fund” (CPF)

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### APPLICATIONS

#### Special Permit

- The Glass Greenhouse – installation of tables and chairs for bistro, 1350 West Main Road, Jamesport, NY

### COMMITTEE REPORTS

Councilman Dunleavy stated that Alive at 25 has been doing very well. He invited everyone to come to the last Alive at 25 night which will be August 25<sup>th</sup>. Councilman Wooten and Councilwoman Giglio agreed with Councilman Dunleavy both urging everyone to attend.

Councilman Dunleavy thanked Councilman Wooten for doing such a great job in arranging the Friday night concerts that have been held each Friday in Grangebel Park. He urged everyone to attend the last two concerts to be held Friday August 19<sup>th</sup> and Friday August 26<sup>th</sup>.

### PUBLIC HEARINGS

Supervisor Walter: “How many people want to speak on the first public hearing, the Petrocelli Conversion raise your hands? We’re going to hold that first because it will probably be the quickest public hearing. It is now 7:19 and the public hearing was scheduled for 7:05. It was a Consideration of a Special Permit of a J. Petrocelli Development Associates/Joseph Petrocelli to Convert an Existing Two-story Building for use as a Restaurant with a Bar and to Construct a Separate Five Story Hotel at 428 East Main Street, Riverhead (SCTM #0600-129-3-13) Mr. Russo will you fill us in on what’s going on.”

Eric Russo: “Good evening Mr. Supervisor and members of the Board. My name is Eric Russo and I’m with the law firms of Vanbrunt, Juzwiak & Russo with offices at 140 Main Street, Sayville, NY. I’m here tonight representing J Petrocelli Development Associates, a general partnership with offices at 100 Commack Street in Ronkonkoma. They are the applicant seeking the special permit for the hotel pursuant to Riverhead Town Code 301-4-141B and what the applicant has stated in the notice before you is seeking to convert the existing two-story building as a residence for use as a restaurant and bar with seating capacity of two hundred and six seats with the construction of a five story hotel with twenty unit for short-stay guests in the rear.

We have provided you with our application, updated copies of the site plan and proposed elevations and this evening I also gave you a binder which I’m, going to walk you through which explains the various stages in this application process which got us here this evening.

We have presented, there to my left, a copy of the building elevation with the building design as has been reviewed by the Riverhead Town Architectural Committee as well as the Landmark Preservation Committee and approved. There is on the site plan landscaping with trees and shrubberies and a u-shaped rear access driveway entering to the rear of the hotel and we have discussed and confirmed with the Planning Department that SEQRA in terms of this particular application has been designated as an unlisted action with no coordinated review required.

The site is known as 428 East Main Street in Riverhead and the property size is approximately twelve thousand eight hundred ninety-six square feet and it's zoned DC 1 which is your downtown zoning district for use. This property as I indicated is on the northeast corner of Ostrander Avenue and East Main Street, Rotate 25 and it's in the midst of a mixed use area; it's commercial and residential uses.

The proposed hotel which we are seeking tonight as part of the Special Permit consists of approximately nineteen thousand seven hundred seventy-seven square feet with five floors and a cellar. The cellar area is eleven ninety. The first floor is twenty-eight forty-two; the second floor is thirty-nine fifty-two. The third and fourth floors are thirty-nine thirty-one as well as the fifth floor. The restaurant as I indicated has two hundred and six seats proposed with a hundred and twenty-seven on the first floor, fifty-eight outside and twenty-one in the wine cellar.

The purpose of the application this evening however is to address the Special Permit. I think at some point later in your meeting you'll be scheduling a public hearing for the site plan review for September 20<sup>th</sup>. This particular application has been here in the Town of Riverhead since the inception of 2016. The applicant has obtained from the Riverhead IDA on January 4<sup>th</sup> and January 18<sup>th</sup> approvals for financial incentives. On May the 18<sup>th</sup> this Board may remember that we had an application before you to include this particular site into the parking district which the hearing was closed and we are awaiting SEQRA determination in order to proceed as to that application.

The Riverhead Landmark Preservation Committee has approved as of April 25, 2016; the commission approved the proposed use as to its design with comments which I provided you a copy of. In addition, on June 23<sup>rd</sup> we appeared before the Riverhead Town Board of Zoning Appeals for a rear buffer landscape relief of three and a half feet where ten feet was required. The Board closed the hearing and again they're wait for the determination of SEQRA in order to make its final determination. However, in the binder I've provided you it shows that the committee sent an email to the Town Supervisor and the Planning Department indicating there was no opposition to the release sort and if SEQRA is granted the Board is leaning towards and in favor of granting the relief that was sort.

The Architectural Review Board on June 22<sup>nd</sup> reviewed the elevation that's before you this evening and with a stipulation as to the glass to be used is granted the application with request to see the final plans review. Which leads us back to your Board tonight which granted a SEQRA determination and granted yourselves as lead agency on July 19<sup>th</sup>.

The sections of the code that we must review this evening are Sections 301-312, A thru R as it relates to the Special Permit criteria. With me this evening is Chic Voorhis from Nelson, Pope and Voorhis who will review with you those criteria in a summary fashion. In addition, we have Doug Adams who designed the site plan if you have any questions that should come up but we would anticipate in making that presentation on September 20<sup>th</sup> at that time when we're doing the site plan review.

I've also provided you with various photographs of the downtown area and the residential streets that were taken within the last thirty days that show you what the character of the neighborhood is and what the conditions of the properties within the neighborhood are as well.

That being said unless you have any other questions for me I would ask Mr. Voorhis to come up and review conditions A thru R with you and I would like to point out that our anticipation this evening as it relates to this public hearing is that it would be held pending a SEQRA determination.

Our SEQRA process and all of the comments that are flowing from that are being addressed by Nelson, Pope & Voorhis and we anticipate that that's being completed within the next two weeks and then turned back to your Planning Department and Mr. Seeman for their review and finalization and comments. So I thank you."

Supervisor Walter: "Hold that thought for a second. I apologize for my Planning Department I usually let them go first. Why don't you give a status Jeff Seeman? I do apologize. I think you probably summarized a lot of what they were going to say."

Robert Kozakiewicz: "Do you swear the testimony you're about to give will be the truth, the whole truth and nothing but the truth so help you God?"

Jefferson Murphree: "I do, Jefferson Murphree for the record, Building and Planning Coordinator. We got revised plans last date of August 8<sup>th</sup> and Karen Booth our planner prepared August 15<sup>th</sup> a memo addressed to you and to the applicant. We're going to be working with the applicant on revising those plans in anticipation of the public hearing next month. As the applicant's attorney alluded to we're waiting for a SEQRA determination before any of the actions can be enacted upon. We were looking for the Town Board to make that decision after the close of the public hearing on the site plan application next month. Jeff Seeman of (inaudible) is here this evening. He prepared a staff report back in February. Chic Voorhis has now been retained and I know he's actively working on and addressing Mr. Seeman's comments and as Mr. Russo pointed out we should be getting revised information from Mr. Voorhis within the next few weeks in anticipation of the public hearing next month so by the time we have the next public hearing next month most of the SEQRA questions will be finalized and either answered by the applicant or will be in the process of answered by you the lead agency."

Supervisor Walter: "This is a type two action."

Jefferson Murphree: "No, unlisted no type two (inaudible)"

Supervisor Walter: "Do we have anything, Mr. Seeman?"

Jefferson Murphree: "Unless you have any questions of Mr. Seeman or myself."

Supervisor Walter: "We may. John do you want to hold your questions until the rest of the presentation?"

Councilman Dunleavy: "Jeff, people might now know this area. Is this a mixture of residential and businesses? I know there's dental offices and there used to be a lawyer's office on Ostrander Avenue. There's a shopping center just east of this area on the north side and a restaurant on the south side east of this area. So it's a mixture of residential and business, am I correct in saying that?"

Jefferson Murphree: "Yes."

Councilman Dunleavy: “Ok, just so people realize that it’s not going into a residential area it’s going into a mixture of area.”

Jefferson Murphree: “That is correct.”

Supervisor Walter: “Thank you John. Jeff, we may have questions.”

Eric Russo: “That being said, Mr. Supervisor and members of the Board, I would also just like to point out that as to the timing of approvals we have also looked at your schedule and because parts of your approvals requires SEQRA determination, after your SEQRA determination is completed and reached in its conclusion the Zoning Board has to grant its approval in order for you to go forward in granting approval as to site plan and the special permit. So, this application may continue in the month of October based on the schedule of the September 20<sup>th</sup> hearing and then your schedule for October 4<sup>th</sup> and October 18<sup>th</sup>. We hope it all will be concluded by the end of October.”

Supervisor Walter: “Thank you Sir.”

Eric Russo: “I have nothing further and Mr. Voorhis will come forward.”

Supervisor Walter: “Mr. Voorhis if you can raise your right hand.”

Robert Kozakiewicz: “Do you swear the testimony you’re about to give will be the truth, the whole truth and nothing but the truth so help you God?”

Chic Voorhis: “Yes I do. Good evening Mr. Supervisor and members of the Board. For the record, Chic Voorhis from Nelson, Pope and Voorhis, 572 Walt Whitman Road in Melville and I’m a certified planner, certified environmental professional and recognized as an expert and performed work in those respects for this Board as well as others for the town.”

Supervisor Walter: “Not only are you an expert in your field Sir we’re very familiar with your body of work.”

Chic Voorhis: “Thank you; and I’m here of course on behalf of J. Petrocelli Development Associates for the Special Permit in the DC 1 for a hotel at the subject site as described by Mr. Russo tonight. I’m very familiar with the sited area. We did traffic work, parking counts, other (inaudible) and planning work in the area under a Department State Grant for a recently completed project for the town and I believe that I’ll be able to address all of the special permit criteria as contained in Subsection 312 of the Zoning and Land Development Code of the Town of Riverhead, specifically with respect to A thru R for the hotel use.

As Eric said the site is at the northwest corner of Ostrander and East Main Street. The proposed use conforms to zoning under a special permit for the hotel and the project involves adaptive reuse of the Preston House for a two hundred and six seat restaurant as noted on the site plan prepared by Young & Young as well as the five story hotel with twenty units.

I believe this use is complementary to the other uses in the area. It provides dining and overnight accommodation options in the downtown area of Riverhead where there are many

attractions, services and activities within a safe walking distance. The site is located in a number of districts, again we recognized some of the things that Mr. Dunleavy referred to. It's in the downtown urban renewal area, the empire zone, business improvement district, the downtown historic district and as Mr. Russo said the town has expressed an intent to place this parcel in the parking district once the SEQRA process is complete.

Our firm has also been retained as was indicated to address the staff report dated February 29<sup>th</sup> and we will do that fully. We have had conversations with Mr. Seeman regarding parking and traffic counts and different activities that were expressed in that February memo that we will be inventorying and conducting those analyses and that will be submitted under separate cover. Based on the work we have done to date I'm able to provide insight and information on parking and traffic to satisfy these special permit considerations.

The considerations are A thru R. The first is site suitability and we believe that the site location and the districts that I mentioned, the mixed uses in the area, the proximity to other activities, the intent to place it in the parking district, the walkability of the site in my opinion this site is ideal for the proposed use. The immediate area is serviced by parking and bus as well as shuttle transportation. There are nearby uses along the Riverfront and other restaurants as well as the aquarium right in the central area so the synergy of these uses make the site particularly suitable for the proposed use and that's really one of the first and most important of the considerations that the Board has; that the area of the site is sufficient.

Mr. Russo mentioned the hearing before the Zoning Board of Appeals the only relief sort is for a landscape buffer of ten feet to be relieved down to three and a half feet and it was determined that the site plan benefits from a turnaround driveway so that guests at the site can be managed properly by the management of the hotel. There is heavy landscaping on the north property line as well as throughout the site and I think that the sites configuration is well designed by Young & Young. It uses the adapted reuse of the existing house, situates the proposed hotel and provides landscaping throughout as well as good circulation. So, in my opinion the site is suitable in terms of size and the layout."

Supervisor Walter: "For the record Mr. Voorhis does Mr. Petrocelli own the property immediately to the north?"

Chic Voorhis: "That is my understanding, yes."

Supervisor Walter: "That's our understanding as well (inaudible) Mr. Russo can answer that question."

Eric Russo: "In answer to your question, the property immediately adjacent to the north is owned by a separate LLC known as Ostrander Avenue LLC and its managing members are similar to those as are the existing application."

Supervisor Walter: "My point was the buffer is a buffer to his own property."

Chic Voorhis: "Correct and I will refer you to Mr. Russo's handout with the exhibits that were included and there is a four page document dated today's date, August 16<sup>th</sup> that goes through the criteria so I will just summarize some of the key points and complete the testimony for the purpose of the special permit.

Item C is suitability as related to area uses and that speaks to what's in the surrounding area. Are there churches, schools and is there unsuitability. In this case there are no churches and schools but a theater and other activities in the area really make the use appropriate and therefore we do meet that condition.

Access facilities; there is an offset suggested of seventy-five feet from an intersection. The proposed access to Ostrander is a hundred and thirty feet north of the intersection and access is suitable.

Curb cut approvals; we are addressing the DOT memo. We will be looking at any of the items that they've outlined but there's just the one access on Ostrander and if you know the site there are already curb cuts there. It's fenced, there's a parking area and we're looking to improve that for the proposed hotel use.

Emergency conditions; Young & Young have designed a plan that meets design requirements. It will be reviewed by the Fire Marshall. Fire service will be indicated. Appropriately it will go through site plan review and must conform to New York State building code.

Off street parking is very important. There is a reference to that under Item G in the criteria but as I said this is in the parking district and you'll see in the third page of the documented that I presented, we looked at on street parking in the area, we looked at parking management in the area. There's dedicated parking for the aquarium. There's available parking to the north. There's shuttles including that parcel in the parking district providing for management of the guest of the facility and utilizing the existing parking in the area parking will be properly managed at the site.

One of the other's is buffer yards and landscaping which I mentioned there is that minimal relief but a heavy landscaped plan is provided for screening meaning aesthetic considerations. There are no other special set back requirements that we believe were needed. The use will have the semipublic aspect of outdoor dining but there's suitable outdoor public space in the area.

Obviously the site's designed for proper storm water, waste water and refuse management including a trash receptacle with masonry walls and sufficient height and gates for screening and the site is well served by municipal facilities in the area.

Most of the others are fairly minor issues that you can read for yourself in the report but based on my assessment of the special permit criteria specifically A thru R, it's my professional opinion that the proposed use is completely consistent with the considerations that the Town Board must make for the hotel use in the DC 1 under the 301-312 and I believe the use is well suited to the site and area, that it advances town planning goals for the downtown area, that's it's complementary and synergistically supports other uses in the area to create a vibrant downtown and I urge the Board to consider approval of this special permit once the SEQRA process is complete."

Supervisor Walter: "Thank you Sir. I do have some questions. Do you have other?"

Eric Russo: "Mr. Walter the only thing I was going to share with you was the comments that were provide to us as of August 15<sup>th</sup> by Karen (inaudible) have already been reviewed by Young & Young. They've already addressed them in revisions to the site plan and comments and responses back and after the hearing tonight hopefully tomorrow or the next day they will be resubmitted to her so that can proceed with the site plan. We have nothing further to add. Mr. Petrocelli is here if you have any questions of the managing member property owner and I would close at this time unless you have questions of us."

Supervisor Walter: “Ok, I do have a question. Always looking at the bottom line so here’s the question. Just for the one crossing guard it costs the town twenty thousand dollars a year to cross the aquarium, just one and we have additional crossing guards. In the latest comments Karen you mentioned we should have a mechanized crossing light, maybe not a traffic signal but a mechanized crossing signal across Main Street. Given what it’s costing us and the fact that we are now in the height of the aquarium season to keep everybody safe shutting southbound traffic on Ostrander Avenue so that that intersection can be properly managed by the one crossing guard we think that the town is going to have to ask you guys to put some sort of signalized cross in there because it is difficult on its best day to get through Main Street and what we have now is problematic so from my perspective, again always looking at the town’s bottom line, I think I’d like your side to explore something with the Planning Department that would alleviate some of the need for a crossing guard or you can just provide a fulltime crossing guard there but it has become difficult, I’ll just say that, for getting across the intersection. So, I will be pursuing that with the planning staff and with you folks during the site plan process. Does the Board have any?”

Councilman Dunleavy: “Well the, sometimes we have one, the other day we had three crossing guards there so I concur with the Supervisor that something has to be done with that intersection because to take three people to manage that intersection, I know it’s a cross walk and you put signs up but people do not stop with people in the crosswalk. It takes somebody to get out there and stop them so I think you might think of a permanent crossing guard that could be there to help the town out.”

Supervisor Walter: “Or a mechanized.”

Councilman Dunleavy: “Mechanized but you have to go through the state for that because it’s a state highway. If someone’s there directing traffic you don’t have to go through the state for that. We’re revitalizing Main Street and Mr. Petrocelli is here and I want to thank him because he’s done a lot for Main Street, the aquarium, the Hyatt Hotel. He bought the (inaudible) house and if you go past the (inaudible) house you see what kind of construction he’s turning in, that was falling apart but that’s bringing East Main Street up. So this is part of his giving to the town to revitalize East Main Street and I just want to thank Mr. Petrocelli for all he’s done for the Town of Riverhead and he doesn’t live here so he’s just coming here just to put these projects and bring them to Riverhead so thank you very much.”

Supervisor Walter: “And we concur with those sentiments. He and his family and the (inaudible) family has made some wonderful investments and we thank you. Does any of the other Board members have any comments?”

Councilman Wooten: “I’m looking forward to the renderings. I know you’ll have to do something on the west side of that building to hide that property next to you.”

Supervisor Walter: “I’m going to close the public comment portion and leave it open for written comment for thirty days. Is that going to work with the Planning Department?”

Eric Russo: “No what I wanted to add in response to your comments about the crossing guard; there was a May 25<sup>th</sup> letter which I provided you a copy of from the New York State DOT. We’re in the process of addressing those comments and concerns and we are going to complete a traffic analysis as part of their investigation and also to respond to Karen (inaudible) comments as well. So that information may reveal what would be best and appropriate to address the concern that you’re placing. However, I just want to remind everybody that the expectations under the Riverhead Town Urban Renewal Plan and all of the process that has brought us here over the decade and a half between the hotel and the Hyatt and this proposed activity which is revitalized downtown is yes, it was a combined effort, a joint effort, a financial commitment on the part of the Bissett, Petrocelli family as well as the Riverhead Town Supervisor at the time and his predecessor to allow this to go forward. So I’m sure we’ll find an amicable and suitable arrangement that will benefit everybody. I thank you.”

Supervisor Walter: “What we’ll do I’ll leave the written comment open until September 20<sup>th</sup> so that kind of ties it all in together.”

Eric Russo: “Because I would anticipate, I would hope that by then we would have back all of the information, planning would have reviewed it and been able to come back with some sort of recommendation, the very least the end of that hearing you could adopt the SEQRA finding and conclude that we could then proceed and then after that once you do that step the Zoning Board can act, I think we’re put on for September 26<sup>th</sup> which is your next Zoning Board meeting then we would have to be back to you October 4<sup>th</sup> or October 18<sup>th</sup>.”

Supervisor Walter: “Ok, so if I, you don’t have an objection to leave it open for written comment for the SEQRA.”

Eric Russo: “We have no problem with that.”

Supervisor Walter: “Ok, so that’s what we’re going to do. I close the public comment portion Diane and I leave it open for written comment in the Town Clerk’s office and we’ll make it till 7:00 p.m. because people will be here, with the Town Clerk. Thank you Sir. I apologize does anyone from the public wish to comment? Alright I close the public comment portion and leave it open for written comment until September 20<sup>th</sup>.”

**Public Hearing Closed at 7:47 p.m.  
Left Open for Written Comment until September 20, 2016 at 7:00 p.m.**

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Supervisor Walter: “The second public hearing was scheduled for 7:10 and it is now 7:47 and we’re going to open up the this for the Consideration of a Site Plan Petition of Peconic Care C/O The Engel Burman Group for the Construction of a Health Care Facility Located at Lot/Block 17 on the Approved Subdivision Map of Calverton Camelot, at EPCAL, Calverton, NY (SCTM #0600-135-1-7.56). Mr. Messina let me hold you for a second. Jeff do you want, that’s fine. Mr. Messina are you here for the applicant?”

Vincent J. Messina: “I am. Mr. Supervisor and members of the Board, thank you; Vincent J. Messina Jr.; Sinnreich, Kosakoff & Messina, 267 Carlton Avenue, Central Islip for the applicant. We’re here about a very exciting project, the first of its kind really in the nation. This is a project with which my clients have partnered with Northwell Health to bring as I said a first of its kind research facility and we hope it will be world-class research facility to the Town of Riverhead.

So just to describe the project a little to you before we get into the actual land use aspects of it. Jeffrey Kraut is here from Northwell Health our partner in the project. He is the Executive Vice President of Northwell Health and the Associated Dean of Hofstra Northwell School of Medicine. So he’ll address you at this time on the project.”

Supervisor Walter: “How do you do Mr. Kraut? If you could raise your right hand?”

Robert Kozakiewicz: “Do you swear the testimony you’re about to give will be the truth, the whole truth and nothing but the truth so help you God?”

Jeffrey Kraut: “I do. Thank you very much and thank you for the opportunity to address some of the unique aspects of this project. As you’ve heard I work for Northwell Health. We run many hospitals and we just welcomed our...

Robert Kozakiewicz: “Excuse me, your name. I know it was mentioned before but we didn’t catch it.”

Jeffrey Kraut: “Oh, I’m sorry, it’s Jeffrey Kraut and we most recently welcomed our newest partner which is Peconic Bay Medical Center right near here.

Running hospitals and providing health care I’d say if you ask anybody who does that one of the worst phone calls you can get is from a friend, family or community member who says I have a family member who is addicted and needs to go into treatment; what can we do? Can you help me? Where can they go? What services are available? And, it’s troubling because you probably read in the paper that it’s an epidemic in our region, it’s an epidemic in our country and what we’ve kind of done in partnering with Peconic Care to do this is we’ve re-conceptualized I think what would be a state of the art facility that would also incorporate some of the most cutting edge treatments and one of the things we are still trying to understand is why is that some people succeed in care why do they fail? Why do people relapse after treatment and not? What we’ve come to learn is there are three major factors. There’s your generic makeup; there’s something about you, your family history and that. There’s something about the neuro-psychology, something about how your brain functions and of course there’s how those things interact to create personal behaviors, good choices and bad choices and one of the hallmarks of this facility and what makes it truly unique in the country, there’s very places that do this, is we’re not only going to be providing care but everybody that’s participating in the care can voluntarily also participate in research. So every individual here will be part of research protocols and different things to try and answer these questions as can we essentially personalize care and treatment to make it more effective to prevent recidivism and to understand, you know, now we can understand your genetic makeup, are you lacking a protein? Is there something about your brain physiology and how these things interact.

That’s what we’re going to be doing here. We’re going to be partnering with Peconic Care to create essentially a national environment where we could try out some of the more cutting edge treatments that are being developed and this facility provides a unique opportunity for us to do

that. It's also providing an opportunity for us to gather people, they'll be a two hundred seat auditorium in here where we hope to bring together national thought leaders with our other partner in the city which is Casa-Columbia which is the kind of national think tank on cutting edge treatment with the National Institutes of Health.

So we've discussed this opportunity in the industry. It's an exciting thing. It's one of the reasons why we chose to participate in this project and I want to thank you for your time."

Vincent Messina: "So now turning to the actual land use issues that are before the Board tonight. I want to go over just a brief history of how we got here.

Back in March of 2014 the Zoning Board of Appeals determined that this facility, as has been described briefly to you tonight, is an as of right use in its current zoning district, the Planned Industrial Park Zoning District; that permits research facilities again as of right.

After that we went forward. We've received Suffolk County Planning Commission approval; in fact, I was at the meeting of the Planning Commission. They thought it was such a wonderful idea they asked if there was any way it could be expedited. In addition, we have received Architectural Review Board Approval from the Town of Riverhead as well.

Our site plan meets or exceeds all the criteria and we'll get to that in a minute. I'm going to let the design professionals discuss that more fully with you.

As you know this is about a thirty-five acre portion or forty acre portion of a one hundred, approximately one hundred acre parcel.

It has some history to it. In December 1997 there was a generic EIS to the Town of Riverhead CDA. On October 15, 2001 there was a minor subdivision improved that created four lots essentially. An expanded EAF was conducted at that time and then later in January 2007 there was a major subdivision of two of those lots and that consisted I think of four hundred and seventy acres total and it created three blocks of thirty-four lots with a total potential development of almost three million square feet, two point nine million.

The one hundred acre parcel we're talking about tonight, what's part of the one hundred acre parcel, was approved or has development potential of over a million square feet. Our proposal tonight talks about development of only one hundred and thirty-four thousand square feet on approximately forty acres. The remainder is going to be left in its natural state and again as we're going to discuss more fully in a few moments as a result of this is that the impacts of development on the (inaudible) hundred acres are tremendously diminished by every metric whether you judge it by disturbance, water use, sewer flows, traffic, solid waste generation, impervious surface coverage however you want to look at it, the development of roughly a little over ten percent of what could potentially be developed there and leaving the rest in its state is a tremendous benefit to the Town of Riverhead.

To talk about some of the specifics tonight I'd like first to introduce to you Kevin McAndrew of Carme Engineering and he'll address some of the specific site plan issues that he's like to bring to your attention."

Robert Kozakiewicz: "Do you swear the testimony you're about to give will be the truth, the whole truth and nothing but the truth so help you God?"

Kevin McAndrew: "I do. Good evening Mr. Supervisor and fellow Council members, Kevin McAndrew Cameron Engineering, Civil Engineers, Planners and Landscape Architects for the application and just to further reinforce Mr. Messina's opening remarks the first couple exhibits

will speak to a little bit specificity and the first exhibit on the screen and before you for contact purposes outlines the subject parcel in blue within that defined parcel is a shaded blue area. This is the thirty-nine point eight acre lease area that is known within the lot as lot/block 17 and consists in total of ninety-five point six acres.

As Mr. Messina stated, lot/block 17 is an approved subdivision parcel on the map of Calverton Camelot II which is part of the town's Calverton Enterprise Park known as EPCAL. As part of this approved subdivision map development thresholds were established and improved including for this ninety-five acre lot the ability to build over one million square feet of building floor area and as Mr. Messina stated the Site Plan application before you proposes less than fourteen percent of this allowable floor area that had been proved as part of those development thresholds.

To further illustrate and demonstrate the limited physical scale of this site plan before you, this second exhibit illustrates several important points. First, the shaded area in the center area of the parcel is the proposed development area. This area is nineteen point seven acres and approximately twenty percent of the entire ninety-five point six acres. The area shaded in green is over sixty acres, it's sixty point five acres and represents sixty-three percent of this lot. The balance that would total the one hundred percent of this parcel is the existing taxi and tie down area (inaudible). Importantly within this sixty acres of undeveloped area there is a crossed hatched area that totals forty-two point one acres. This area will be preserved and covenant as such never to be further developed.

Supervisor Walter: "I want to hold my questions to the end because I don't want to interrupt you but I'm hearing conflicting things here. Are you donating or covenanting the rest of the property or are you just where the crossed hatch is? You're developing how many acres?"

Kevin McAndrew: "There is, the development area is nineteen point seven acres."

Supervisor Walter: "So are you covenanting?"

Kevin McAndrew: "No we're covenanting the crossed hatched area which is forty-two point one acres."

Supervisor Walter: "What's happening with the rest of the property?"

Kevin McAndrew: "The rest of it is undeveloped and there's no proposal at this time."

Supervisor Walter: "So you're not covenanting the rest of the property?"

Kevin McAndrew: "The rest of it is not being covenanted and offered as total preservation.

The next exhibit before you is the overall Site Plan exhibit and to pick up on the compact development objective which was demonstrated on the prior exhibit, this Site Plan was formulated as a traditional campus layout with the main research building anchoring this campus and adjacent to that there are three supporting buildings all of these four main buildings organized as a traditional campus around a central green space which we'll talk about in a little more greater detail on the next exhibit.

There are several key, really underlying developmental design objectives that support this application that I would just like to briefly touch. The first is that the building architecture, the site layout as well as the landscape have been designed in a highly integrated fashion to support the research based campus and you'll hear from the project architect Roger Smith in that the cohesive nature of the architecture and the landscape ultimately are indigenes to the existing physical character of this property.

One of the key other design objectives, development objectives is consistent with good campus design and that is that the campus is pedestrian focused. Other than the parking and vehicular circulation which is limited to just the perimeter of this Site Plan you have a campus core that I will talk about in a little bit greater detail that is entirely pedestrian focused and also as touched upon in Mr. Messina's opening remarks was the objective from the outset of this application being consistent with the town's planned industrial park designed standards, performance criteria as well as the Suffolk County Planning Commission recommendations.

Moving on to touch upon the key attributes of the Site Plan and then we'll switch to the closer zoomed in image of the Site Plan, the first area is site access. Site access for all vehicles and all operations associated with this campus will come from Jan Way within the Calverton and EPCAL property and there's an existing driveway which will be improved and widened that will provide the access into the core campus area. The distance of that driveway is a little bit over a half of a mile, six tenths of a mile.

This entry driveway will lead to the gatehouse which will be located at the northerly side of this campus. The gatehouse will function as both the control and center of arrival into this campus. As I mentioned previously and better illustrated on this exhibit you can see that the parking as well as circulation is limited to the perimeter of this campus with the entire core being a combination of building and landscape giving an entirely pedestrian focus environment that supports the research based operations.

The parking has been designed as such where it's not one main lot but there are smaller lots distributed around the perimeter to provide for efficient access to building operations. Just by way of reference, town code requires one hundred twenty spaces. There are one hundred and fifty spaces provided at the recommendation of Town Planning. This plan also incorporates the ability of thirty-three land blank spaces which are down in the southwesterly portion of the campus in the event that additional parking is needed in the future.

The building campus consists of in total six buildings. Four of these buildings comprise the core area again with the main research building anchoring this campus. As I stated earlier at the conclusion of my remarks here Roger Smith will give a little greater overview of these buildings.

An important element of this main research building are a series of courtyards that ultimately tie into a whole series of courtyards that are part of this central greenspace. The supporting buildings that are organized around this greenspace are the short term research building, the wellness and fitness building on the southerly side of this campus and to the east is what is referred to as the arts barn. The supporting or utility buildings are a maintenance building off to the westerly side of the core campus area and a gatehouse that I previously touched upon.

With any Site Plan application supporting infrastructure is a key component. With regard to this application water, sewer, natural gas and electric are all well advanced currently in various stages of review with the necessary agency. This includes both the town's water district as well as the sewer district. Utilities that will support this campus will be routed out to Jan Way in an easement that will be a line directly adjacent to the driveway that provides access to the campus.

Another key piece to this site plan in particular is the progressive approach to storm water management. The design associated with this campus is largely reliant upon the natural landscape as well as proposed green infrastructure, in this case a series of rain gardens that in conjunction with the topography will use the natural landscape for both storm water quality and quantity control. There's only a small area of this development area that will rely upon what is traditional hard structure drywells and piping. So, we're quite excited about the approach to storm water management which is also very much integral to the landscape design of this property.

The campus will largely be restored to the existing indigenous grassland cover and that will effectively occur almost right up to the perimeters of the buildings. It's only the area right in front of the main research building and through the courtyards and central green space that will be a managed landscape. These areas will be a series of garden spaces all very much a part of the research based operations, they're an extension of the buildings and an integral part to the operation.

At this time, I would like to ask Mr. Roger Smith from BBS Architects to provide an overview of the buildings."

Councilman Dunleavy: "Can I ask you one question?"

Kevin McAndrew: "Sure."

Councilman Dunleavy: "I know you mentioned the (inaudible) the ten thousand foot runway and I'm looking at this picture here and are you leaving that taxiway open or are you going to close portions of the taxiway to an active runway?"

Kevin McAndrew: Now there is no proposal to touch or modify the taxiway or tie down areas. One of the details that had you not mentioned as part of the town's Site Plan review is that is this driveway that we're utilizing to provide access to the campus will actually have a fence, a post and rail fence that will provide separation from this access driveway to the taxiway and tie down area so that there is not the ability to leave that roadway and not disturb any operation that might be part of that active runway."

Councilman Dunleavy: "Ok, you should have mentioned (inaudible), thank you."

Robert Kozakiewicz: "Do you swear the testimony you're about to give will be the truth, the whole truth and nothing but the truth so help you God?"

Roger Smith: I do. My name is Roger Smith and I'm the principle architect of BBS Architects, Landscape Architects and Engineers in Patchogue and I've had the wonderful opportunity to be the architect of this project.

Part of the inspiration of our architect is that in fact our project is just nestled within the woods. What we've done is literally just imbedded the project as you can see within some of the actual aerial photography. It gave us inspiration and how we were going to handle the design of the project and as Mr. McAndrew's has done I'm not going to revisit all of the pieces of technically of drainage, etc. We did have the opportunity to take the project before the Architectural Review Board. It was approved. It was in high detail which meant that all of the colors, material, etc. was

completely approved and if I could I would first like to take you through the general architecture of the design.

In my world this could be called shingle style however there is a vernacular that has kind of transformed over time because it's not what we might know as high-end shingle. There is kind of a conformity that we've all gone through as architects to get that development to occur and that allows us to use certain materials obviously high pitched roofs, cedar shingle sheet siding, cultured stone bases. One of the wonderful details of the design which also works to the treatment as well as the research we have an enormous amounts of covered porches on the property and in essence all of those details have been brought into play. As you can see in the campus plan there are six buildings and Mr. McAndrew also did mention those all in their entirety but in essence each one of them has a composition to the whole and to each other and the detailing of each building has a composition to itself and to the others and I think that starts to give us the sense of tranquility.

As I was trying to think of how I to approach to describing the project to you tonight I think one of the wonderful pieces of this was we were able to develop a tranquil property for the sense of research and we were able to do so and again reflex that in its architecture and if you have any questions I would be happy to answer them.”

Supervisor Walter: “Mr. Messina do you have other people to testify?”

Vincent J. Messina: (Inaudible)

Supervisor Walter: “Ok.”

Councilman Dunleavy: I just to ask you. Do these buildings have one or two stories?”

Roger Smith: “Most of the buildings are all one. There is a portion of the main building that does have a second floor. All the others are one story.”

Councilman Dunleavy: “Thank you.”

Vincent J. Messina: “Mr. Supervisor I just wanted to close my presentation with an overview of what has occurred with regard to SEQUA to date. It's a key step in this project moving forward, in particular with this Board ultimately making a determination of significance in accordance with SEQRA. The Site Plan application that has been presented to you has been supported by a comprehensive supplemental environmental assessment that both reinforces and demonstrates that the use is low impact and that the site plan built out that is proposed is substantially reduced from the prior approved development threshold associated with this property.

The supplemental EA includes an analysis of land use and zoning, a detail on community services, a traffic and parking assessment, an infrastructure update and ecological assessment that was prepared by Nelson, Pope and Voorhis and Mr. Chic Voorhis is present here if you need any additional clarification on that. The EA demonstrates both consistency compliance with the town's regulatory standards as well as the other involved agencies associated with this application.

I think it's noteworthy to clarify to the Board that the comprehensive review that has been performed by the planning staff, your environmental consultant and engineering consultant has demonstrated the low impact use that this application is before you. In fact, the nature of the comments that have been received on this application have been minor in nature, they've been

good comments. We're pleased to report that in addressing these comments in a very recent submission we believe the plan has been enhanced and improved but importantly the nature of the comments have been more coordination and clarification comments which have been addressed in a comprehensive resubmission.

And lastly I think its significantly important to point out the benefits that are associated with this application particularly as they relate to SEQRA. The economic benefits in terms of private investment, the tax revenues as well as the employment that will be generated by this application before you. The social benefits that Mr. Kraut had spoken to that this world class facility will bring associated with this research based campus and the environmental benefits. The fact that sixty point five acres of this property will be undeveloped, forty-two of those covenanted to be preserved maintaining the diversity of natural habitat that is on this property. And that concludes my presentation."

Supervisor Walter: "Mr. Seeman, Mr. Murphree would you like to present the town's SEQRA, where we are with SEQRA and where we are with the site plan?"

Robert Kozakiewicz: "Do you swear the testimony you're about to give will be the truth, the whole truth and nothing but the truth so help you God?"

Jeffrey Seeman: "I do. For the record Jeff Seeman, Environmental Planner for the Town of Riverhead. Where we are on SEQRA today is that this action was deemed to be Type I under State Environmental Quality Review Act. There were a number of reasons why it was Type I one being its overall size, excess of ten acres of land disturbance. A second is because this is a ninety-five acre piece and the primary development will be located on forty acres as described to the Board. The balance of the area, that area that's been described as being preserved, is also encumbered with fresh water wetlands and sensitive habitats that supports species of significance. The applicant has addressed that in the site plan application and the environmental studies that have been prepared to date.

As part of the SEQRA process this Board has requested lead agency status. There was the thirty-day period for that circulation to be completed, that has expired a few weeks ago, two weeks ago so tonight you have the opportunity by resolution to deem yourself lead agency.

After that is completed and additional information that I'm still waiting for from New York State DEC because I have not weighed in on it although they're not going to be the lead agency, I will be in a better position by this Board's additional recommendations on a final determination."

Councilwoman Giglio: "Is the property situated within the jurisdiction of Wild (inaudible) Recreational Rivers and New York State DEC?"

Supervisor Walter: "Part of it is."

Jeffrey Seeman: "Part of it is, yes."

Councilwoman Giglio: "(Inaudible) the DEC oversees the whole property, correct?"

Jeffrey Seeman: "Everything."

Supervisor Walter: “I have a lot of questions and not one of them was answered by his presentation so we’re going to (inaudible). Why don’t we bring the applicant back up.”

Jeffrey Seeman: “Mr. Supervisor before you do that there were additional comments and I can provide those after you ask your questions.”

Supervisor Walter: “Planning Board comments, yes.”

Jeffrey Seeman: “And planning staff comments that may be relevant. If you’d like me to share those now?”

Supervisor Walter: “Yes.”

Jeffrey Seeman: “As part of the SEQRA review process we do this internally as well so as representing for the moment the Planning Board. They had several comments with respect to the application. They are in summary the ability for the Riverhead Water District to provide adequate water supply for the project. The status of the waste water treatment facility at EPCAL and the ability for the Calverton Treatment Plant to adequately accept this waste were, they had questions regarding security of the site with regard to its proximity to the runway and the taxiway areas and they did have some questions with regard to its status as a research center vs. their interpretation as a health care facility or hospital unit and tied to that was the question as; if this facility were to change at some point in the future what would this repurpose look like because once this campus designed, has been said they have limited uses that would fit in with exiting land use regulations, thank you.”

Supervisor Walter: “Thank you Mr. Seeman. Mr. Murphree I’m going to ask you to come up for a second. You wrote a memo to myself and the Town Board and the Town Clerk dated July 27, 2016 and it was a draft Planning Board minutes from July 21, 2016. I have a copy of that. I want to make sure that gets put into the record. You can take it just make sure that is your memo and those are your comments. If the applicant doesn’t have one we will give one to the applicant. So, you’re going to take a look at that?”

Jeffrey Murphree: “These are the minutes of the meeting.”

Supervisor Walter: “Ok, I would like, give that to Diane Wilhelm for the record and just make sure you get a copy to Mr. Messina. So Mr. Messina we’re going to go through this. You and I have discussed this project for a couple of years. You’ve had your design professionals come and discuss the project. So I started talking to you about the use and how we could get to the use and you’ve come up with the mechanism to get to the use.

My comments are going to focus on why this should not be pos-dec’d and I’m going to go through why I can’t even image why we wouldn’t pos-dec’d it and let’s start, this is more stream of consciousness as you guys were going through their presentation but I want to start with possibly the worst thing you have to deal with.

The Riverhead Water District does not have the ability at this point to supply water to this facility, does not exist. The Riverhead Water District can pump maybe twenty-one million gallons a day of water, maybe. We invested about six million dollars into the Water District in the last six

years and because we drew up chlorides in Well 17, in Northville Turnpike and 105 we lost over half of that's supply wells production capacity and because we pulled up perchlorate in Well 16 we had to put a treatment filter on that and Well 16 now is going to be about a sixteen hundred gallon production well it's below fourteen hundred gallons per minute So in the last year while all this was going on we lost about a million and a half gallons of production. So every week this summer we have hit eighteen to twenty million gallons a day, almost every week this summer on any particular day.

We are flirting with about forty-five pounds of water pressure in Wading River and the eastern part of Riverhead. You need forty-five pounds of pressure to maintain fire protection. I know probably more about the water district than most Town Supervisors because we are working to rebuild it. So, what we have done is embarked on a plan. We've raised your water fees and we've embarked on a plan that will invest another ten million dollars into the Riverhead Water District.

During our Impact Statement we studied, which is why I'm saying I don't know how we are not pos-decing this, we studied the water availability for the Calverton Subdivision and we came up with a plan that we were going to tie into the Suffolk County Water Authority with about a hundred and twenty-five feet of pipe but that doesn't solve one of the main problems. The main problem is the Suffolk County Water Authority has a tremendous amount of water in Ridge; you can't get it past Plant 11 and Plant 12 which is right by the ballfields of Calverton. So Plant 11 and 12 are on full, which they're full all summer long, I can't move water past that point so here's the first thing. If this project gets built it's never going to be a loop that comes down and loops around and then goes back out for the water. It has to go through the Navy property and get hooked into River Road because the only way we can supply this property is to come in the back door because we cannot get any more water past 11 and 12 to that site coming in the way you would normally hook up. So the first thing you have to study is how you're going to get access to the Navy property and where you're going to tie the water main in. I'm not sure where the water mains are on River Road but it has to happen.

The second part of that is the impact, the Town Board because the water issues are a little more severe at the moment in Tuthills Lane in Aquebogue. The ten million dollars of water infrastructure money we were going to look at bonding five million hopefully at the end of this year the beginning of next year to do the first phase which is a two million gallon storage tank in Tuthills because we know it's a little tough for the Town Board to bond the whole ten million dollars and with what we have studied in our impact statement we know that we can get by with what we need just tied in but it's not going to be enough, we don't have the water for this project probably for the next two years. That's something you need to be mindful of and that's something that would get looked at in the Impact Statement. Those are facts, there's nothing to refute here. We have the numbers.

The second side of it is we have a secondary treatment plant. When we did the impact statement, most people don't know what a secondary treatment plant is but it's not tertiary, there's no nitrogen removal, the DEC told us when we were doing our Impact Statement that we were not going to be able to tie anything from that subdivision into the Impact Statement until the Trent Plant was upgraded. We actually had this conversation a long time ago.

We received about seven million dollars in Grants from the State to do the upgrades to the treatment plant. The upgrades to the treatment plant, this is the map and plan and I suggest you get a copy, you're all environmental professionals so start reading it.

The Map and Plan calls for, we wanted a three hundred thousand gallon per day sewage treatment plant. We couldn't afford it. We don't have the capitol for it, so we're building a one hundred thousand gallon per day sewage treatment plant, which is just barely going to be enough to handle the first phase of our subdivision. Because again we studied it, we knew what we were trying to build. There isn't additional capacity for this project until you add the second, they're going to be built in hundred thousand gallons per day increments. They're packaged plants, the modules that we add. The earliest that's going to happen is two years. I think we did the bond, I'm not even sure we did the bond. I think we did a public hearing, we may not have even done the bond authorization on that. I think we did a public hearing I don't know if we adopted the bond or not but we're working with EFC to get EFC financing. So you're two years out before we could ever hook the sewage treatment plant up and the problem is we have a Map and Plan for, it's a hundred thousand gallons per day so the sewage treatment is two years off.

So nobody even discussed that. We just kind of glossed over that you're working with our consultants but you're nowhere near working with our consultants, you're no way near there because I know for a fact that the DEC is not letting us tie your facility into the secondary treatment plant, they're not going to let you do it. They're not going to let us do it. So that's two years so let's go to tranquility.

I snickered when we said tranquility. We talked about Luminati Aerospace. I don't know if Luminati is going to be the best thing that happened to Riverhead or maybe they will take off, no pun intended but it is a ten-thousand-foot runway. I can't think of a less tranquil spot in Riverhead than that ten-thousand foot runway. Luminati Aerospace is working with Sea Max to build an amphibious plan or one of those planes that land on the water, seaplane and they should start production fairly soon. They leased hanger space so there going to start manufacturing these planes very shortly. They have the contract. They're also working on military defense contracts, not just the solar contracts.

So my point to that long diatribe is I don't know how we could discuss tranquility when one aviation facility was there they would skydive; they would drop five hundred people a day or a weekend from planes and it was pretty noisy and so what I'm worried about if we're not doing the pos-dec'd looking at alternative options or no action I don't know how we can give this a fair shake because I didn't hear anybody talk about how if we start to land C130's or other aircraft here that are very noisy how that's going to impact the residents here so I didn't hear anything about that and that is going to be crucial.

So now we get to the post and rail fence. That's not happening yet we've been in contact with, we have a consultant with the FAA. If this is to be built you're going to build a fence with barbwire separating this facility from the airport. That's what our consultant from the FAA said. There will be no post and rail fence. This place will be. I don't know if the southern end will be but it's going to look like a jail because you're going to have to be completely walled off.

So now and I'm not expecting you to respond now Vinnie, I get this."

Vincent J. Messina: "I'm going to respond to some of it because I have responses and I'm sure you have responses."

Supervisor Walter: "I'm just trying to get to the point where we haven't even. Nobody's explained to me how we're not pos-dec'ing this, So now we get to your approval from the ZBA and the ABZ approval is one hundred and thirty beds but then I hear tell of a hundred and sixty

beds and we studied two hundred beds and I don't, I mean if anything were to be approved it would a hundred and thirty beds period, end of conversation.”

Vincent J. Messina: “Absolutely, let me go a step further. We're not even approved for a hundred and thirty by Oasis at this time so they're won't even be that many at of the gate.”

Supervisor Walter: “Ok, that's good but.”

Vincent J. Messina: “We're governed by the Board, the Zoning Board and Oasis so anything over a hundred and thirty would have to be reviewed if it ever got to that and it's not anticipated at this time.”

Supervisor Walter: “Ok, good. I'm going to go through, I read the engineering, I have to say I think you did a very good job with the report. Karen is very thorough and going through this with her you guys did a great job. Now Karen has not had the opportunity to finish this, Planning Staff hasn't had the opportunity to finish review but there's a couple of things, let me just go here; the utility easement we mentioned. You're going to figure out how to tie that into the Navy property. I can't get water to you except through the back door. Site Plan, wetlands, the property that you're preserving is that inhibited by wetlands? Write that note, just take that note. I'm going to going to list everything, take that note.”

Vincent J. Messina: “You want us to answer that at the end?”

Supervisor Walter: “Sure, you come and answer because I want to know. See on ninety-five acres in my mind it's always a pos-dec'd because of the size of the property. You're telling me your developing on twenty or thirty acres and covenanting the rest of the property never to be developed that's something that moves me off to be pos-dec'ing but if you're telling me you're covenanting property by the Maltese Cross because I know there's a tiger salamander pond in that vicinity and you can never really construct on that you're not really giving us any work so that moves you back to pos-dec'd. So I'll let you answer that, let me just get; parking calculations it would be on a hundred and thirty beds. RTZ valves, we prefer them inside, you can figure that out later. Easements, I'm just going through my notes here. The proposed sanity system, you're absolutely going to have a backup generator? There was question we said we wanted to have a backup generator. You're going to have a backup generator; that's not even an issue. Your comment was we'll do whatever Suffolk County Health Department standards, no you'll have a backup generator because if we have a hurricane I don't need to have to worry about a hundred and thirty beds and not being able to move the sewage.

Ok, so here's the biggest issue beyond the water District. Our staff talks about an FAA, us giving the FAA notification by a form 7460-1. That's got to be researched. My planning staff has gone through this and said the core of the building does not meet the height elevations whatever.”

Vincent J. Messina: “We're prepared to answer that.”

Supervisor Walter: “So that's got to be fixed. Whether it is or it isn't but if this form for the FAA has to be filed, I want it filed because whatever we do on this night.”

Vincent J. Messina: “Mr. Supervisor whatever legal requirements there are we’re going to comply with, we have to and so do you.”

Supervisor Walter: “You guys just glossed over that, that’s why I’m bringing it up”

Vincent J. Messina: “Again we’ll address it more fully in a few minutes.”

Supervisor Walter: “That’s fine. And then I don’t, my staff did tell me that you have some good news. My staff has had meetings about our property and your property has come up in conversations about the 182 (inaudible) Permit and the WSR Permit. You may be in good shape with the DEC, I will leave that to the DEC as to whether or not that.”

Vincent J. Messina: “Mr. Voorhis will discuss that with you.”

Supervisor Walter: “Those are my comments and does the Board have comments they can kind of put them all together and answer them?”

Councilman Dunleavy: “I’ve just got two questions. You’re not covenanting north, the south part of this property. You intend to build at any point on that property that you’re not covenanting?”

Vincent J. Messina: “We have no plans right now that I am aware of.”

Councilman Dunleavy: “No plans right now but you don’t know what’s going to happen in the future?”

Vincent J. Messina: “I don’t think any of us do.”

Councilman Dunleavy: “Ok, now, some people have asked me what kind of employment that you’re going to have there? And a hundred and thirty-five beds, or sixty beds or forty beds, you must have some realization of what employees, how many employees and what kind of employees you’ll be hiring because that’s important.”

Vincent J. Messina: “Northwell of course is the largest employer in this town and we’re talking about good paying jobs where, you know, Riverhead residents have typically had, I’d don’t want to say priority, but have benefited significantly from that. I’ll get you some of those numbers in a minute. We did that for our ZBE presentation. I don’t want to miss speak so I want to check even if we don’t have it tonight I want to get it to you within twenty-four hours.”

Councilman Wooten: “My one question is and I realize, I appreciate the whole sentiment of what this is going to be (inaudible); is this a voluntary or mandatory?”

Vincent J. Messina: “Oh absolutely, it’s not like court mandated. Is that what you’re referring to? We don’t take court referrals.”

Councilman Wooten: (inaudible), thank you.”

Vincent J. Messina: “No, nothing like that and we discussed that at ZBA and that was part of the ZBA’s determination.”

Supervisor Walter: “Does the rest of the Board have questions?”

Vincent J. Messina: “No, then I’ll address a few then and I’ll leave Mr. McAndrew and Mr. Voorhis for the balance. Let’s take a couple of your comments first about tranquility and looking like a jail.

Even assuming your statements were correct that’s a marketplace decision. If that is going to turn people off from coming to a world class research facility then, you know what, that’s a business risk that my client takes. Ok so that’s not a site plan type issue, that’s not an environmental issue, that’s a market issue.”

Supervisor Walter: “No but it’s going to be a requirement that I’m going to put on you because we have a lot of problems with trespassing the runways so this Board, believe me, if this goes forward is going to put that requirement so I want you to know that ahead of time.”

Vincent J. Messina: “Ok, the Board will do what the Board decides to do. Again, you know we’ve taken elaborate measures to insure the safety of everyone who may be on this property be they research participant, be they staff, be they employees, be they visitors, we’ve taken great pains and we can discuss that.

The other thing and I think you and I have had this discussion before, just to be clear, the people here are not residents, they’re there for short periods of time in accordance with research protocols. None of them are residents It’s not like any other type of facility where you would reside there for a year at a time or any long period. We’re governed again by the state on a lot of that so we’re not talking about residents, we’re talking about people who are there for discrete periods of time in accordance with the research protocol.”

Supervisor Walter: “What’s the longest they would stay?”

Vincent J. Messina: “I can answer that in a minute while Mr. McAndrew answers some of your other questions I’ll get that answer for you again I don’t want to miss speak.”

Vincent J. Messina: “Let’s get to Luminati. Again Northwell Health is the largest employer in this town, they will continue to be when Luminati comes no matter what Luminati does. So in terms of an economic generator Northwell Health is still the bigger economic generator and with all due respect Luminati does not get to dictate by virtue of what they use their property for what anyone else can use their property for in accordance with the law and we are in accordance with the zoning ordinates. We’ve gotten that determination. So Luminati can fly planes, they can fly drones, they can do whatever they want, whatever’s legal on their property but that does not affect my clients right to use his property in accordance with the law.”

Supervisor Walter: “No it doesn’t but they have a runway use agreement and if they wanted to land large jet planes because it was part of their manufacturing they would do it and unfortunately the complaints that are going to come from that facility.”

Vincent J. Messina: “From who? You know.”

Supervisor Walter: “Are going to come to us.”

(Inaudible)

Vincent J. Messina: “Well we can accommodate noise buffers into our design and by the way again Ok, so that would conclude my portion of this. I’ll get those two answers. I’ll ask Mr. McAndrew and Mr. Voorhis some of the environmental concerns.”

Supervisor Walter: “And what AI want you to focus on is how, we can’t provide water and sewer or two years which those are the facts. That pushes you back two years. How does that affect the project?”

Vincent J. Messina: “Again I’ll let them address it first and then I’ll come back if I need too.”

Kevin McAndrew: “Mr. Supervisor in regard to your update on both the water and sewer infrastructure considerations, tonight is the first night that we’ve actually received this level of an update with regard to what you have laid out on the water and sewer.

We’ve been working, Cameron Engineering has been working closely with your consultants both with the Water District and Sewer District. In fact, with regard to sewer we’ve prepared a detailed study that included all aspects of this operation, projected flow, pump station design, (inaudible) connection. All of that has been reviewed and not once was there any disclosure about not the ability to accept this flow from this operation; likewise, on water.”

Supervisor Walter: “That’s not really accurate enough in the comments but go ahead.”

Kevin McAndrew: “With regard to water we’re also been working with the town’s consultant. You have pointed out that there is going to be the requirement of a connection to River Road. There is a provision that has been made in our plan for that future connection to River Road. This was a detail in fact that was raised by your.”

Supervisor Walter: “Again I’m sorry I’m looking for the comment. There is a qualification in our comments that says whether we can support this facility. So you are tying into River Road?”

Kevin McAndrew: “We have a provision for the future connection into River Road. You clarified that tonight Mr. Supervisor. To date we have a loop that goes back out. Again with that being said they still has not been any further objection to our present design by your consultant. That being said we are prepared to move forward and to work as closely as closely as we can with your consultant to accelerate a resolution to these issues. It’s something again that we’ve dealt with and faced with other projects on similar scale and we’re prepared to do that.”

Supervisor Walter: “Ok, you didn’t answer my questions. I’m telling you right now I cannot provide you with the water for two years. I know this for a fact. It’s a mathematical certainty. We pump eighteen to twenty million gallons in anyone week during the course of the summer, maybe we can pump twenty-one million gallons and we’re fluctuating with pressure pumps. The question is, we lost basically almost a full well due to chlorides and some other contamination that we filtered out so those are all new things that happened in the last year. If I can’t give you water for two years because I’m telling you I can’t; this Board had meeting after meeting, not that you pay attention to the Riverhead Local, that meeting after meeting this summer about increasing water fees, about a ten million dollar upgrade project about EPCAL and it really wouldn’t be too difficult to figure it out and there are some qualifications, you have to petition the Town Board for the water but if I can’t give you the water for two years you’re not going to be able to start this until the water is available. How does that affect the project?”

Kevin McAndrew: “I think as you stated that without water, without watering being available and supplied to the property, the project cannot be built.”

Supervisor Walter: “And that is honestly why, I found you guys un-preparing the draft Supplemental Impact Statement right now as the Town Supervisor is speaking because I think you’re getting pos-dec’d and I think I’m giving you a really big head start as to what you need to be looking at so we can assess everything we need to do to provide what you need. So water issues aside, sewer is very easy to figure out. All you had to do is read the Impact Statement from the town in subdividing our property, read the comments from the DEC. The DEC basically said that we’re not going to, these aren’t the exact words but the DEC basically said listen you’re not hooking anymore stuff up to that secondary treatment plant. That is definitely two years out and again this Map and Plan is dated, the first draft is dated May 1, 2015 but the Map and Plan is done and we’re going through the process so sewers are two years out too. So I don’t know where we go from here.”

Councilman Dunleavy: “I just think that, and you realize this, that your engineers are going to have to get together with our consulting engineers and figure it out. I’m sure with the brains between your engineers and our engineers something can be figured out with the water and sewage.”

Kevin McAndrew: “We’re confident that could happen and with that being said that is exactly why we would not expect this Board to move forward with a positive declaration; that this is an engineering matter that we are confident that we will get a resolution to that does not warrant at this point in time to move forward with the positive declaration.”

Supervisor Walter: “So water, sewer and the final thing is tranquility. I think noise is something that should be studied in the Impact Statement.”

Vincent J. Messina: “With all due respect, it’s not something we can control and that is an as-of-right-use just like we are. So with all due respect the noise that they throw off, again assuming they’re within appropriate limits as governed by the regulations of the appropriate governing body, it’s going to be what it’s going to be but they don’t get to dictate that we can’t use our property because they make too much noise.”

Supervisor Walter: “I’m not saying that. What I’m saying is that if you look at the full Impact Statement, the supplement, the Impact Statement is not a terrible Impact Statement to do because we’ve done it. You just need to take our Impact Statement and create a supplemental to it for this project. We probably wasted more time talking about this in the past two hours than it would take to really dive in and get that data because one of the key things I would really like to look at and I’m not opposed to this facility, I just don’t see it being adjacent to a runway and Mr. Messina you and I have discussed this so many times.”

Vincent J. Messina: “We differ in an opinion on that and again the market is going to determine.

Supervisor Walter: “And so that is one of the issues that I think would be looked at, no (inaudible) and other alternatives and so whether we do the Impact Statement or not, if we can all agree that the Town can’t provide water for two years then your approval is not.”

Vincent J. Messina: “If water can’t be provided by the town then some other, you’re talking about if water can’t be provided by the town some other method again. It’s an engineering issue and I’ll rely on the expertise both your professionals and ours. To address that issue and address it to everyone’s satisfaction. I have the information the Councilman requested before so before I forget. First this facility is estimated to create a hundred jobs. Those jobs range all the way from doctors and research professionals to food service people, to maintenance people runs the complete gamut of all skill levels so they’ll be lots of opportunity for everyone in the Town of Riverhead regardless of whatever skill level they’re at.

Maximum stay, the stay is between thirty and ninety days. A maximum of ninety as governed by again the State and the Oasis permit as I understand it. How many will fall in the thirty range, how many will fall in the ninety is really going to be determined by the research protocols and how and what need they are to do things along the way so that can fluctuate at any time.

And lastly to address the one of the other comments about the disturbed portion by not the covenant portion. That’s part of our Site Plan and let’s assume for the sake of arguing Mr. Supervisor we’ll cover all of your concerns and we go forward and we’re approved the Site Plan.

This is a project that has been determined of regional significance by the State. We’ve gotten million dollar Grant but the point is it’s undisturbed on the site and for us then to do anything with the rest, with that undisturbed portion we’d have to come back here to modify the Site Plan so whether or not it’s covenanted you still maintain control because we can’t do anything with it without a Site Plan modification.”

Supervisor Walter: “We should not be segmenting this we should be looking at the whole.”

Vincent J. Messina: “We’re not segmenting it, we’re looking at the whole thing. What I’m saying is you have control over that. It is what it is and it can’t change unless you say it changes is so the fact is as a practical matter that operates the same as a covenant; you’re the only ones that can change it.”

Supervisor Walter: “It upsets me to have these comments out there because everything I’m saying to you is going to impact our future development which is why we’ve done this and why we’re doing the things we are for the Water District and it is what it is. I don’t, there is one other.”

Vincent J. Messina: “Is there anything that we missed, anything that we didn’t address for you?”

Supervisor Walter: The backup generator and you are going to put the water easement and start negotiating with the Navy because we can’t move it back it’s got to be back then.”

Vincent J. Messina: “Again whatever the engineering solution is that’s going to dictate what we have to do beyond that.”

Kevin McAndrew: “Mr. Supervisor just one clarification. I’ve been provide an update in fact that discussions and negotiations have already commenced with the Navy that have gone quite favorable so far as far as securing an easement for the purposes of utility connection from River Run.”

Supervisor Walter: “That is fantastic. We need it. This helps us, you dong that helps us because we have a pressure blockage in Plant 11-1 and 11-2 by the ballfields. We can’t get anything by it when those things run at full tilt. So if you provide the back door we can start feeding people through the backdoor as well. Thank you.”

Councilman Hubbard: “I have one quick question. It hasn’t been mentioned, is this drug and alcohol?”

Kevin McAndrew: “It’s addiction.”

Supervisor Walter: “Does anybody from the public wish to speak? Can you state your name?”

Craig Dohlgren: “My name is Craig Dohlgren.”

Robert Kozakiewicz: “Do you swear the testimony you’re about to give will be the truth the whole truth and nothing but the truth so help you God?”

Craig Dohlgren: “I do. I live on River Road. I’m hearing a lot of comments about bringing water from River Road. There is no public water on River Road. I don’t know, unless I’m missing something and if there was pubic water there I would have it at my house because it’s quite frankly a pain to maintain a well system. So I don’t know where you intend to hook your water up to publicly because there’s nothing on River.”

Supervisor Walter: “If a well goes down, the main goes down to Peconic Sportsman Club so they.”

Councilman Dunleavy: “It doesn’t go down River Road into Manorville.”

Craig Dohlgren: “Yeah and they had a plume in their well system which is why their water is undrinkable, unusable now. Well now they have bottle.”

Supervisor Walter: “So we would tie in wherever that main goes in probably along Grumman’s Blvd. where they would tie in.”

Craig Dohlgren: “Ok.”

Supervisor Walter: “Grumman Blvd. and River Road, not the part you live on but Grumman Blvd., River Road. The part that abuts the southern end of the property. I’m not quite sure where the main is in there.”

Councilman Dunleavy: “I think it’s probably east of the railroad.”

Craig Dohlgren: “I don’t know, like I said I’m slightly further east of that and none of us have public water down there so I wasn’t aware there was any public water in the area.”

Councilwoman Giglio: “The Sportsman Club is served by public water.”

Supervisor Walter: “I’m not positive where the main is on the southern end.”

Craig Dohlgren: “Ok, so that was one of my things and then just a comment and if they wanted to add their own well into the property that’s something that there’s problems with, with the ground water on the property now too.

But moving forward traffic is a big one with this and future EPCAL projects going on. We get a lot of traffic on River Road. It’s where I live down there in (inaudible) town, it’s pretty small, it’s a narrow land each way. We have school bus stops there so I realize the traffic is not directly going to spill onto River Road but what happens to it after hits Jan Way and moves up. If this project is approved can it somehow be directed towards 25 instead of coming down to River Road. We take on pretty much all of the heavy truck traffic now to EPCAL because, I don’t know if Brookhaven did it or what but they closed off all heavy truck traffic on Wading River Road so now everybody has to come around and come on River Road. So it’s loud. I have a newborn, a three month old that’s woken up by a truck traffic so I would like to see a little bit less traffic added to the road with the future project if that takes place.

The other thing in going on with it is, you know I feel for the people that have an addiction and need help. I know people that have been there with it but I’m also concerned with the community that’s there. I know we’re a small community, we only have four or five homes and we all have children now and people that are going to be in this place are not going to be in the right state of mind when they go in there. From what I understood, I read something about this that it was going to be completely voluntary and the people can leave anytime that they want to which scares me a little bit. If you get somebody, you’re going to get people who aren’t going to do well with it and will want to leave and bail out where does that put them? That puts them in my neighborhood. The last thing I want is people walking around that aren’t in the right state of mind. Like I said we have bus stops all of our homes we all have children.

The other thing is the piece of property to the south that you're saying is going to be undeveloped. Why not include that into the permanently preserve piece? The Town of Riverhead had a piece of property that was almost three thousand acres and is down to only six hundred acres. I don't think it's too far off for you to ask that. That piece of property would fall into the scenic river recreation. I believe that's the most southern portion of their property so why not permanently turn that over to being protected land to shield it from River Road. When you drive that section of road right now you don't see a single building. There's nothing there. In the ultimate buildout of your plan if that were all to go well and you were to continue to build it and it would be in plain sight of River Road which currently there's nothing so it would act as a nice buffer; you would never know your project is there. Those are a couple of my concerns. Thank you for your time."

Councilman Dunleavy: "Excuse me, can I ask you a question? Do you live east of EPCA?"

Craig Dohlgren: "Yes I live immediately east of, there's this project, there's the runway, there's a very small sliver of State land then that's where I live, so probably as the crow flies probably a half a mile or maybe less."

Councilman Dunleavy: "Ok, thank you."

Councilwoman Giglio: "I'm going to be looking at State limits and weights limits and things like that on certain roads."

Craig Dohlgren: "Yeah, I realize that with that EPCAL project going forward and stuff like that you know there really is only two access points. You know whether it's 25 or River Road, Grumman Blvd. and as it sits now is."

Councilman Dunleavy: "There's one more, there's Connecticut Avenue. Off the Expressway you can take Connecticut Avenue there."

Craig Dohlgren: "Yup, Connecticut Avenue, there's that too. As it sits right now like I said we incur a lot of traffic and all the heavy truck traffic. So I mean, is it tolerable now? It's not ideal but I'm living with it. I don't complain to you guys about it but it's just what it's going to progress and what it's going to become and frankly I think I'd rather hear Luminai's planes landing, you know when and if that would ever happen than incur more traffic on the road because they drive like maniacs."

Supervisor Walter: "Thank you Sir. Does anybody else wish to be heard tonight? Vinnie are you wrapping it up tonight?"

Vincent J. Messina: "Mr. Voorhis has one thing to add and then we'll wrap up."

Chic Voorhis: "Good evening Sean. Chic Voorhis from Nelson, Pope & Voorhis. As Kevin said we have participated in the preparation of ecological assessments but our history with this property probably goes back about ten years when we began working cooperatively with the DEC to inventory the grasslands in connection with other projects that were

proposed east of the runway years ago and so we built up a working relationship when we were inventorying species, exchanging information, at that time it had to do with the short eared owls at the apex of the runways to the north. You may remember some of those inventories. We also prepared the restoration plans for the car storage areas that the DEC approved.

We were able to capitalize on those efforts in the past and begin a dialogue with the DEC when this project came up and met them at the site early on. So we did identify the Wild Scenic Recreation River boundary and corridor does go across a very small triangle at the southeast corner of this property. If nothing takes place in there no permanence is needed. That's been confirmed by DEC and it's also confirmed because we do have an application."

Councilwoman Giglio: "That's why I fought for an umbrella study."

Supervisor Walter: "I only say that because we're not even doing anything to build anything and to lay a subdivision down we have to get a WSR (inaudible) boundary amendment.

Chic Voorhis: "You may be a little more comprehensive approach in that case and you do have a habitat protection plan that was done as part of your overall map. So that issue has been dealt with and satisfied.

There are Article 24 wetlands on the property but if you don't do anything within one hundred feet of those there's permit necessary.

So really the main issue that comes up from a regulatory standpoint is under Article 11 which has to do with endangered species. So early on last year we inventoried the ponds, we did confirm the presence of tiger salamanders on one of the ponds roughly in the center of this site."

Supervisor Walter: "Can you show us, walk over and show us what property is not developable from your perspective. I'm not going to hold you to it. Obviously you're not going to draw the thousand foot but just roughly what's not."

Chic Voorhis: "(inaudible) but for the most part this entire area is considered protective for a variety of reasons."

Supervisor Walter: "(inaudible) you would put on the property it really probably wouldn't matter because it's not developable. I already knew this, I'm just listening."

Chic Voorhis: "I am confirming it."

Supervisor Walter: "We spend a lot of money figuring this out on our side."

Chic Voorhis: "So the process was to identify the species was there and then to establish the safeguards to ensure that there is not an effect on the essential habitat on the species. That was done through working with the policy documents of the DEC for the thousand foot radius and the five hundred and thirty-five foot radius to ensure there was no loss of suitable upland habitat for the tiger salamander. And that essentially covers those areas.

The grassland habitat is also sensitive because the grassland species that occupies it some of it is listed species. The effect there is to have no loss of continuous suitable grassland. So in fact as part of our Article 11 permit we are going to restore the area of the Maltese Cross as you

referred to it before in order to establish continuance grassland habitat. And that's really to offset a very small sliver of grassland that would be disturbed by part of this proposed project. It's a suitable tradeoff, it's actually an improved tradeoff and that's been reflected in the paperwork that we filed with the DEC.

I know that when I met with Jeff Seeman and Jeff Murphree to bring them up to speed as far as our efforts, we've provided the application that's been submitted to DEC. I believe Jeff Seeman has reached out to DEC several week ago. We were hoping to actually have the Article 11 permit in hand or at least some letter from the department that it was approvable. It has been represented to me that it would be, that it is approvable and as I said the department indicated they were hoping to get us the permit by this date. That has not come through yet but we've had no indication that it would not be received and we'll look to confirm that with staff and make sure you have that information."

Supervisor Walter: "Our staff has confirmed that you're well with the DEC. I don't know about the status of the permit but the DEC is probably not an issue for you. You have three big issues, noise, water, sewer."

Chic Voorhis: "If I could just add and kind of support what Kevin said before, my role has been the ecological aspects of this but you know my background and I really do not believe there's anything additional to be learned through an Environmental Impact Statement. I think you have identified serious issues and this may be an opportunity. This is a big investment in the community. There's a lot of support for the project. As Mr. Messina mentioned the project regional significance and if those items can be addressed through engineering solutions I think that everyone can benefit from this."

Supervisor Walter: "It's a monetary issue quite frankly not an engineering issue. Oh we can design it in two seconds but we don't have the money to do it. Alright Sir. Are you wrapping it up or?"

Chic Voorhis: "Yes one final clarification, one final question. With the ability to secure an easement from River Road to the property, would it be a fair assumption that the schedule to have water brought to this property could be accelerated to a much shorter time frame than the two-year period you have?"

Supervisor Walter: "Not (inaudible) because seriously the, Plant 11, that's part of the problem. The other part of the problem is Plant 11 runs at maximum capacity and so routing that stuff around will be helpful but even when we tie ourselves into Brookhaven in Ridge, Wading River is again forty-five pounds is the minimum we need to maintain so before it even hits the turn where it's going to get to you it's going to shoot up, I'm assuming it going to go up Wading River Manor Road so more or less everything that comes out of Brookhaven is going to shoot north to Wading River, it's going to be gone before you get it. What we're trying to do is build a two-million-gallon storage tank. What happens and this is district wide and you probably know this, we trained everybody to water in the middle of the night. Now that everybody waters in the middle of the night the water district's wells, whether it's somebody's water authority or our water authority the wells can't keep up so you put ground storage tanks. So fill these tanks up all during the day and at night when the onslaught hits the storage tanks provide the extra amount of water,

the wells are run at full (inaudible) and we drain down the storage tanks. Right now we only have one storage tank in Wading River close to the Sound. It's not enough so we have to build a two million gallon storage tank for the capacity because we're kind at a loss as to where else we could put a well because just that tie-in right there between going north and where we'll be doing our subdivision which is right in line with that water pipe I don't know how much water will be left but that's why we're doing what we're doing."

Chic Voorhis: "Appreciate your clarification and we have a clear take away that we need to get back with our consultants and thank you."

Councilman Dunleavy: "I'm not an engineer (inaudible) but I think these years working together can figure that out."

Vincent J. Messina: "So that concludes our presentation and I thank you for your time and we look forward to your favorable consideration, thank you."

Supervisor Walter: "Mr. Messina what I'm going to do is I'm going to leave this open, the hearing and as we get to the point where we can resolve a few of these things we will re-notice it so you can come and talk to us and we will close it out at that point but because there's a lot of unanswered questions we're going to leave the public hearing open. I know that's not what you wanted to hear."

Vincent J. Messina: "No and frankly a comment period I can understand and if it's short I can understand but again many of these things are still to be addressed in a different."

Supervisor Walter: "I will not keep it open for an indefinite period of time. I was going to say within the next thirty to sixty days we're going to have a clear path as to where we're going to go. You have my word. I just don't want to give you a time frame and then us not figure out that clear path and be back in a situation where a public hearing was (inaudible)."

Vincent J. Messina: "Then may I suggest this? Let's do thirty days and if we need to we can extend it thirty days."

Supervisor Walter: "I'm going to leave the public comment open for a period and when we figure it out within thirty to sixty days you will know and we'll re-notice it. I don't want to do it in thirty days."

Vincent J. Messina: "Again that's a decision of the Board so the Board's going to make a motion and vote on it. I would respectfully request that that not be done and that we close the hearing tonight. We're going to work on the environmental issues and that's going to be addressed in a different form."

Councilman Dunleavy: "I just don't know how many comments we're going to get. If we get very few comments, then that could be shortened because you can't answer the comments until we submit them to you. So we have to close the meeting, the hearing so you can get the comments and answer them so we have to work on that."

Vincent J. Messina: "I'd just like to point out we've been before the Zoning Board of Appeals on five separate occasions. We've been before you tonight and one person has spoken from the public."

Councilwoman Giglio: "We usually leave them open for ten days for a comment period but because there are additional things so the staff wants us to leave it open for sixty days."

Supervisor Walter: "Staff has asked to leave this open so we can resolve these issue and we've never vote on this because I think in our rules I open them and I close them so. Just the way the Planning Board did it for EPCAL they left it open for a year because the Impact Statement had to get done and they re-noticed it. So unless I hear otherwise from the Board I'm going to leave it open for public comment and we will re-notice the hearing. Have you come back in but you have our word that as quickly as you can move this stuff to us and we can get answers, I'm not going to be tied into sixty days because the water district, the sewer district issues may not get resolved."

Vincent J. Messina: "So now the thirty or sixty days you just promised me is no longer a promise."

Supervisor Walter: "I'm saying I'm leaving it open and then we will re-notice it to reopen the public hearing and close it when we have the answers and we know the direction we're going in and I will have, we'll have an answer to you within thirty to sixty days as to when we're going to reopen it and close it and move it in a certain direction."

Vincent J. Messina: "So in thirty to sixty days from tonight you're going to have an answer for me when you reopen."

Supervisor Walter: "Right but I'm going to leave it open now because if you guys don't respond to us I can't respond to you. You have our word you will have a decision of the direction the Board is going to go in next thirty to sixty days based on what you."

Vincent J. Messina: "Let's be clear what is it specifically that you want us to answer so that I don't have misunderstandings."

Supervisor Walter: "Specifically?"

Vincent J. Messina: "Just the topics, I mean not."

Supervisor Walter: "I want to know because nobody has."

Vincent J. Messina: "Sewer, water."

Supervisor Walter: "Sewer, water and the noise issue, the ninety-five acres. Everything I know about SEQRA leads me to pos-dec'd this so I."

Vincent J. Messina: “That’s a different decision for a different day, that’s not part of this.”

Supervisor Walter: “That absolutely is part of this because if you’re not pos-dec’d and you’re going to go on your way with your site plan approvals, your long form environmental assessments and move thru the process but if your pos-dec’d then you’re going to wind up doing Supplemental Impact Statement. Vinny, I just don’t know what to tell you. There’s nothing here that way said that doesn’t push me in a direction.”

Vincent J. Messina: “Again that’s the vote of the Board and I respect that you’ve made your position clear, I understand that but that’s a vote of the Board on another day, not part of this hearing.”

Supervisor Walter: “If you want me to give you a date I’ll give you a date ninety days out and you can open public comment portion for ninety days.”

Vincent J. Messina: “You just told me thirty to sixty and now we’re at ninety.”

Supervisor Walter: “You’re pushing us into a position.”

Vincent J. Messina: “No, I just want to make sure that two things and your word is good with me, it always has been, ok? So when we say thirty to sixty days I want to know from what and I need to know because I want to address your comments what it is specifically you want me to address. Water and sewer I get. Noise we can’t address. Noise we don’t control. I’ve made my position very clear on that. The fact is you have a user next door who’s using its property in accordance with the zoning law and the way it’s allowed so be it. That doesn’t affect or control anything we don on our property. We can’t be told you can’t use that property for an as-of-right use because someone next door to you is noisy.”

Councilman Wooten: “Well you can only report on your noise.”

Vincent J. Messina: “Correct and we’re happy to report on our noise.”

Supervisor Walter: “Nobody is telling you that. What we’re saying is the parameters of this application, the ninety-five acres triggers a pos-dec’d in my mind period but because the parameters.”

Vincent J. Massine: “That issue we will address for you, that’s fine.”

Supervisor Walter: “Because of the parameters of what you’re trying to do here and what we’re trying to bring back an active airpark, not an airport but an active airpark combined with the water and sewer issue we don’t have, I know just financially it’s two years out. Those are all issues that you have to address and our staff is going to come in and tell us if they think we should pos-dec’d it or not and that’s the answer you’re going to have from us within the next thirty or sixty days.”

Vincent J. Messina: “Fair enough and we’re happy with that and we’ll address all of the issues as to whether or not this should be (inaudible) or pos-dec’d. We’re thrilled to do that but

with respect to the Site Plan approval what I have to address for you I understand it, water and sewer, right?"

Supervisor Walter: "I think SEQRA's not done but."

Vincent J. Messina: "SEQRA is SEQRA, I understand, I have to address in SEQRA."

Supervisor Walter: "Hold on, Jeff if you want to say something you have to come up to the podium."

Jeffrey Murphree: "We just got revised Site Plans. Karen Gluth has got to review them and provide the Board with whatever revisions or adequacy of what they represented to us. She has not done that yet so the answer to Mr. Messina's question is you the Board can't answer that until you get our staff review and report back to you as to the nature of the revisions to the Site Plan."

Supervisor Walter: "But SEQRA."

Jeffrey Murphree: "SEQRA comes first."

Supervisor Walter: "Vinnie I'll give you a date but it's going to be ninety days out, I think you're better off with the thirty or sixty days with my word that we'll get an answer and then we'll wrap it up."

Jeffrey Murphree: "If I can offer this, we'd be happy to meet with the applicant again. We met with him at least two or three occasions, I've lost count. I've written all my notes down of all the comments you've raised this evening. We'll go over them with Ken McAndrew and Chic Voorhis. We've been working very well with them. We'll go over what we heard tonight as to what we heard from you and then it's up to them to respond to you."

Supervisor Walter: "Got it? That's why I wanted to leave it open so we can I don't want to leave it open (inaudible)."

Vincent J. Messina: "Thank you again for your time."

Supervisor Walter: "So Mr. Messina you asked for it, I'm going to ask for a vote from the Town Board to leave it open for thirty to sixty days."

Vincent J. Messina: "No need to vote if it's never been your protocol."

Supervisor Walter: "It's never been our protocol."

Vincent J. Messina: "Then I'm not asking."

Supervisor Walter: “Ok, so we’re going to leave the public hearing open and we will re-notice it and let you know when to come back and we’ll have the answers for you as quickly as humanly possible.”

**Public Hearing Closed at 9:20 p.m.  
Public Hearing Left Open for the Next Thirty to Sixty Days**

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Supervisor Walter: “The third public hearing is scheduled for 7:15 and it is now 9:20 and we’re going to open up the Consideration of a Local Law to Amend Chapter 221, Entitled “Community Preservation; Open Space” of the Riverhead Town Code. Does anybody wish to be heard on this issue? Yes, please step up to the microphone.”

Kim Quarty: “Good evening, my name is Kim Quarty with Peconic Lane Trust and I’d like to thank you for the opportunity to speak in support of the extension of the Community Preservation Fund provided our communities with the critical funding to preserve over ten thousand acres of working farms, natural lands and the historic resources in our community’s on the East End.

The Peconic Land Trust supports the proposal to place on the ballot this November the extension of the Community Preservation Fund to 2050 including water quality initiatives as described in the plan to be developed and approved by the Town Board.

The extension and modification of the CPF will provide our towns with the capital necessary to not only protect the land that defines our communities but to invest in measures and technologies to restore and protect our water quality.

The CPF extension is a positive declaration for the voters to make this November to continue the groundbreaking conservation and preservation work that has been done in Suffolk County and to allow nonprofit organizations like the Peconic Land Trust to leverage funds we raise to conserve more land for the public benefit.

Funding from the CPF can also insure the future of fresh drinking water, locally farmed food, beautiful beaches, pristine woodlands, miles of coastline and walking trails, natural habitats and protect endangered species and historic resources.

The extension and inclusion of water quality initiatives including those that would provide our local farmers with the support they need to be the best (inaudible) possible for our land and water resources will benefit our local economy and our families for future generations.

So thank you for your consideration and your leadership and preservation in conservation.”

Supervisor Walter: “Thank you. Anyone else wish to be heard on this issue?”

Jenn Hartnagel: “Good evening Supervisor and members of the Town Board. My name is Jenn Hartnagel and I’m here on behalf of Group for the East End and we are here tonight to offer our strongest support for the proposed local law. We believe that the CPF has proven to be one of the most tangible and effective tools preserving our rural heritage and protecting our natural resources.

The economy of our region is integrally linked to the environment and the dollars invested in CPF planned protection and future water quality projects will serve as a sustaining source of revenue to protect these assets. For these reasons we urge you to support this proposal and offer

it to your voters the opportunity to decide whether the natural and economic values provided by extension will best serve the long term interest of Riverhead Town.

We would also like to thank you for all the previous substantial efforts this town has made with your CPF purchases and we hope you will join all the other East End towns and vote to put this on the ballot. Several of them have past the initiative already.

So again thank you for the opportunity to speak and we know you know how important the CPF is to this region and your town, thank you.”

Supervisor Walter: “Thank you. How are you doing Sir?”

Robert A. Skinner: “Robert A. Skinner, 14 Island Circle, Jamesport. I’m all in favor of extending this and I’m all in favor of acquisition, I’m not in favor of putting the water quality portion of this in there. I don’t think this fund has enough money as it is to acquire the necessary lands going forward. If they did then certain things would have been done already. I don’t see where you can take twenty percent out of this. If it’s that flushed with cash, then it should have more access to more pieces of property.

If we’re going to take twenty percent out which is a significant portion, you say up to twenty percent, you know it’s going to go right to twenty percent. If you’re going to take twenty percent out for these water quality initiatives, that’s twenty percent that you’re going to have for land. The price of land is going up; amount of land is getting less.

I think we should keep the money. All in favor of extending, let’s be brief, not in favor of the water quality thing, thank you very much.”

Supervisor Walter: “I want to answer that so you don’t really have to worry about it and here’s why. We’re never, I don’t want to say never but it’s going to be probably twenty years out before would ever even be in any position to use the twenty percent because our CPF program and this is the State code. We’re adopting the State Code the way every other town did so they put it in there, I agree with you; I wouldn’t have put it in there. The state put it in there so we’re keeping basically the State’s model that the other five towns, the other four towns, it’s going to be the same model so when people vote they’re voting on the model that the State of New York put forward but because our CPF debt, DPF program is so far behind in money we need to be able to have it extended because we pass special State legislation this year that Governor Cuomo signed to allow us to refinance the CPF program which we would never be able to do because of the way of local fiancé law works you have to have a special piece of legislation that allows to refinance it. IN that legislation says the Town of Riverhead can no longer borrow money under the CPF until such time we pay back our debt because, it wasn’t us it was predecessors that didn’t spend too much money. So, that twenty percent is something, my guess is we’re about twenty years out before you’re going to see the twenty percent get used for anything because all of the income is going to be used for debt service.”

Councilwoman Giglio: “And there’s a plan that has to be adopted before any money can be spent. So this is putting it out for a vote on the referendum. I’ve asked it be split into two; one to extend the debt which I do support, the other for water quality. I think with that we’re asking for trouble. I don’t agree with the twenty percent for the water quality but it is going up for a referendum. There’s a plan that will be proposed, it’s in draft form right now saying that part of the CPF fund can be used for sanitary systems and for Grants to upgrade sanitary systems. I just

see the federal government and the State putting down all these unfunded mandates to us saying well you have the money in your CPF fund so use it for that rather than preserving open space and farmland.

So I have the same concerns you do. I'm liaison for the Peconic Estuary Program. Water quality is up most important to me but the Sound is governed by the federal government and the estuaries are governed by the state and the federal government, some of them and I think it is a regional issue and I think that the federal government and the State should be using their money to improve water quality in this region."

Robert A. Skinner: "Right, ok."

Councilman Dunleavy: "Now I just had a, and I have to concur with the Supervisor; I just had a meeting today and I said we're not going to purchase any more land until our debt is paid down. That's our first objective."

Supervisor Walter: "You could if you have extra money."

Councilman Dunleavy: "We don't have any extra money. We have to pay our debt down before we purchase any other land."

Supervisor Walter: "We're going to try to refinance for the minimum duration possible to a debt service and income (inaudible) together so it's sustainable. You know it could be fifteen or twenty years before there's income for this program. If we don't do this, if we don't pass this the General Fund, we had a little bump up in the CPF so it would have been in 2017 or 2018 the general public would have to cover the CPF debt but it's more like 2019 that the general public will have to start covering the CPF debt. So if the residents don't vote this in the General Fund is going to have to start paying the CPF debt. I mean it's an absolute necessity."

Councilwoman Giglio: "But no money can be spent from the CPF fund unless it's in accordance with the plan that gets adopted at a later time. So, like I said the plan is in draft form the first section of the plan shows all about a septic system upgrade and the second set of the plan talks about stewardship and nitrogen levels for the fertilizers and the pesticides from the farmers and how to address those issue with water quality and I think that's where our focus should be. If we were going to take any of the money to do anything with besides preservation of farm land and open space it should go towards stewardship of the farms and that's the way it currently is now but the; I asked the Board to separate the resolutions because I do believe in extending the debt but I don't believe in using the money for water quality. So I'm going to (inaudible) because I want to support the resolution and because I want to put it up for a referendum for the voters but I think the voters will all agree to extend the debt but I don't know if they will agree with spending the money for water quality and I think it should be separated out. The State doesn't require us to use the twenty percent towards water quality in a legislation. That's something we can opt to do or not to do and I'm hoping that the Plan will address that."

Robert A. Skinner: "Now can it be separated out or does it have to go through?"

Supervisor Walter: "It's going to get adopted tonight."

Robert A. Skinner: “As a lump sum or what?”

Supervisor Walter: “If it doesn’t get adopted tonight it won’t be on the ballot, it’s got to get adopted tonight. It’s cutting it right to the line.”

Robert A. Skinner: “Like I said extended, good; water quality stuff should be funded elsewhere but...”

Supervisor Walter: “Mr. McDonald would you like to? Just step on up.’ table.”

Kevin McDonald: “Hi, I’m Kevin McDonald with the H Conservancy. H Conservancy has been heavily involved with the beginning of the Community Preservation Fund. It’s eighteen year run, it’s significant of meanings by which the transformation of the East End’s conservation effort was able to be actualized as other speakers have said and the proposal before you and ultimately the voters does two t things; it extends the Community Preservation Fund from presently set to expire in 2030 to 2050 and it authorizes, it just gives you an option to use if you so choose just like there are other things in the statue that you do but haven’t yet you may use up to twenty percent of the fund in any one year for the purpose of doing water quality projects. Running for thirty-four years is a good long time to have a sustained funding source and an authorization to use the funds for water quality projects.

It could be five years from now we have an entirely different set of circumstances in Riverhead in regard to your revenue source, right? With regard to your revenue source, with regard to other matching funds from other locations where the flexibility would be every Town Board member’s dream to have in that period of time. So, let’s think the long term, the long term need and it’s clear by any assessment that we have a major water quality problem that we have to address.

The contribution to the town from the CPF fund even if fully maximized would only be a small contribution to that but it would still be a contribution. Those of us who have been working on this issue for the last five years or more understand fully that there is a greater effort that has to be made at the state, county and possibly federal level. We all understand that and we agree with it so you’re being given the opportunity to deal with a little slice that the state legislature is now affording you to act on so that the voters can then look at the same issue.

We strongly support that option, we strongly support one ballot proposition because all it does is give you the option and give future Town Board members the option and we hope you move to pass it soon and that the voters get to do it as well. So, thank you very much.”

Supervisor Walter: “All you have to do is look at (inaudible).”

Councilman Dunleavy: “I think they go hand in hand, water quality and land preservation.”

Kevin McDonald: “Agreed.”

Councilman Dunleavy: “So I said it should stay in one project.”

Kevin McDonald: “Thank you.”

Supervisor Walter: “Thank you. Barbara Blass.”

Barbara Blass: “I actually have a prepared statement that’s a little bit longer than three minutes but in that you are adopting tonight I actually have some comments on the language of local law itself.”

Supervisor Walter: “Yeah we have to adopt tonight (inaudible).”

Councilwoman Giglio: “We might be able to amend it based on your comments.”

Barbara Blass: “Well first of all the language of the referendum itself, you need to replace the word *East Hampton* with the *Town of Riverhead*, it’s not the Town of East Hampton.”

Councilwoman Giglio: “What resolution is it?”

Barbara Blass: “22-41. I could have an older version. Maybe I have a draft version but that’s what mine says. Good, I’ll put that in my back pocket for the next meeting when you don’t charge for Chapter 90’s.”

Supervisor Walter: “We can fix that”

Barbara Blass: “Ok, while you’re in the fixing mode would you consider Section 21-34B refers to figures, financial figures that take you through the middle of April of some arbitrary year. I’m wondering why you wouldn’t just use the current figure, April 1999 to 2015 CPF has raised one point one billion dollars. I don’t know why you would pick a figure of ninety-eight million in the middle of 2002 when we’re long past that. Section 21-34D, you have.”

Supervisor Walter: “Because we copied East Hampton’s apparently they did the same thing.”

Barbara Blass: “Well we don’t want to copy East Hampton.”

Robert Kozakiewicz: “I think the reason for Sub-Section B is because 2002 was part of the threshold of the chronology of how legislation got enacted. You had the first legislation in ’98 which took effect in April of 1999 then from the inception date to 2002 there was the laws of 2002 which then allowed it to be extended so that’s why the 2002 date was chosen for Sub-Section B. It was more of a narrative trying to go through a chronology as opposed to anything else. I think that’s the reason why it was done.”

Barbara Blass: “I believe I understand the purpose of the date itself but to leave in there the Community Preservation Fund and the Peconic Bay Region town has generated ninety-nine point twenty-eight million dollars for land preservation that’s where I think it should be corrected because it has generated a lot more. So, just something to consider perhaps.”

I'm a little concerned about the use of the word primary when describing what is eligible for funding. In Section 221-35A and also again in 37D when you use the term primary use, I'll read it specifically, let's see; *primary purpose for, in describing projects which are not eligible funding* you use the word primary."

Councilwoman Giglio: "We don't know where you are."

Barbara Blass: "221-5A, in the last sentence it says *project which have a primary purpose to permit or accommodate new growth*. To me the word *primary* leaves a little bit too much wiggle room. I think it's much better if we could possibly say *project which have as their purpose the accommodation of new growth shall not be included in the definition*. That sentence occurs not only Section 221-35 but it's also in 222-37D which really needs to be rewritten grammatically."

Supervisor Walter: "I don't know that we can do this Barbara because we have to adopt this. I get East Hampton but it was publicly noticed this way."

Barbara Blass: "Well if you read Section and I apologize I don't mean to be so technical but if you actually read Section 221-37D I don't know that it reads where it makes any sense at all. *Said plans shall list every water quality and improvement projects which the town plans to undertake presumes to the Community Preservation quality plan and shall state how such projects would improve existing water quality and have as their primary purpose the accommodation of new growth opposed to the remediation of water quality which shall not qualify under this*. I don't know if that makes sense. If you just put a period after the end of the word of the existing water quality period and just start the next sentence with project which have."

Supervisor Walter: "I agree with you."

Barbara Blass: "I mean they're not really substantive changes. They're not changing the intent of the law."

Supervisor Walter: "Such projects would improve the existing water quality. The primary purpose is not growth."

Barbara Blass: "That's why even just omitting the word primary in each of those instances would help say well anything that is associated with new growth is not permitted."

Councilwoman Giglio: "It can't be funded by it."

Barbara Blass: But that's not how it reads."

Supervisor Walter: "So said plan shall list every water quality improvement project which the town plans to undertake pursuant to Community Preservation project plan and shall stay how such project would improve the existing water quality period."

Barbara Blass: "Project which have their purpose accommodation of new growth blah, blah, shall not quality. That would be."

Councilwoman Giglio: “So.”

Barbara Blass: “Period after the word quality. Start with projects which have as their purpose the accommodation of new growth as opposed to the remediation of water quality shall not qualify for funding under this article.”

Supervisor Walter: “So we’re striking the rest of that sentence and giving you, doing what you said, right?”

Barbara Blass: “No just striking the words (inaudible) as their primary. And has as their primary and then the last word in the next line.”

Supervisor Walter: “Bob do you have that?”

Robert Kozakiewicz: “No”

Councilwoman Giglio: “I think accommodation should be crossed out and inserted would be project which have as their purpose new growth as opposed to the remedial water quality shall.”

(Inaudible)

Barbara Blass: “That could do it.”

Supervisor Walter: “Bob why don’t you take Barbara’s copy, what’s she’s done.”

Robert Kozakiewicz: “We’re doing a period after water quality and the rest of that subsection is being deleted?”

Barbara Blass: “No, it would read; projects which have as their purpose new growth as opposed to the remediation of water quality shall not qualify for funding under this article. Bob I can hand this up to you if it makes it any easier.”

Supervisor Walter: “What about a farming project. If farmers wants to have access to this money do we have the ability to use it for (inaudible) practices for farming. Is that new growth?”

Barbara Blass: “I don’t think so.”

Supervisor Walter: “Good, it’s on record. Bob do we know what fixed. Do you have Barbara’s comments?”

(inaudible)

Barbara Blass: “Good evening Supervisor Walter, members of the board, ladies and gentlemen, my name is Barbara Blass and I live in Jamesport.

I am here tonight to express my strong support for this legislation authorizing the extension of the Peconic Bay Region Community Preservation Fund to 2050 and providing for the use of a

portion of the funds for water quality improvements projects. We all value clean water. We drink it we bathe in it, we swim in it and we eat food that comes from it. We have an obligation to protect our drinking water and surface waters for the next generation. As data emerges which identifies the threats to our clean waters, scientists and engineers have been working on solutions. This amendment would provide a source of funds to implement some of these solutions.

Support for this legislation and approval of the November referendum may be, in my opinion, one of the only viable avenues to accomplish the goals of land preservation and improving water quality which goals are not mutually exclusive. Connecting the emergence of the need for water quality improvement to a predictable, guaranteed revenue stream which the CPF affords, is a creative and clever way to address this most important issue. While this is a good first step in addressing our regional water quality concerns, I will continue to advocate for a revised structure of the CPF. With more than fifteen years of data, it is clear that the North Fork will continue to be at a financial disadvantage, although we remain steadfast in our commitment to land and water protection while strong development pressures continue.

While not understating the significance of the opportunity to use a portion of the fund for water quality improvement projects, the CPF in Riverhead has been to date primarily about farmland preservation.

Our town has done a tremendous job in respecting the heritage which is rooted in farming. Working farms define our community and with farmland preservation as the cornerstone of our Comprehensive Plan it remains a part of our vision for the future.

From the onset of the Peconic Bay Region CPF, the TOR took very seriously the state mandate to give farmland preservation the highest priority and we have rarely deviated from that. According to a report by the Suffolk County Department of Economic Development and Planning released in 2015, Riverhead has over fifteen thousand acres of farmland, more than any other town and has, with the cooperation of landowners and in partnership with other levels of government, preserved almost forty-nine percent or approximately seventy-five thousand acres of farmland, again more than any other town

The County's report continues; the highest priority farmlands are those concentrated in the Town of Riverhead and Southold, these lands are the most essential to the current agricultural industry of Suffolk County because this is where the majority of the remaining farmland is and where the most land with undeveloped prime soils is found.

This translates to, there is still much work to be done. By adopting this legislation our community will have the opportunity to reaffirm our commitment and stand by our decisions to protect our farmland as well as our water resources.

Let's look forward to a rebounding economy which will bring the revenues where they need to be to support our preservation program and implement those water quality improvements all of which are critical to our health, our economy and our quality of life now and for future generations.

Please adopt this local law now and work towards the approval of the referendum on November 8<sup>th</sup>; thank you.

Supervisor Walter: "So Bob do you have the changes. Does anyone else want to speak on the CPF? How are you doing Angela?"

Angela DaVita: "Angela DaVita, South Jamesport. Just one other piece of tweaking. On this, Barbara and I went over this. Section 221-34D. Midway down there's a reference to, it further

allows Town Boards of any town within the Peconic Bay region and it lists East Hampton, Riverhead, Shelter Island and Southold and leave out South Hampton. That needs to be added. That's it, thank you."

Supervisor Walter: "Ok, does anybody else wish to be heard on this? Not seeing anybody we'll close the public comment portion. Thank you everybody; we will be adopting this as amended tonight."

**Public Hearing Closed at 9:50 p.m.**

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**COMMENT ON RESOLUTIONS**

Supervisor Walter: "Does anybody wish to comment on resolutions? Ok, Sal."

Sal Mastropaolo: "Sal Mastropaolo, Calverton, Resolution 595. Just a quick question. If you take out the colored and imprinted asphalt pavement surfacing how are you going to finish it?"

Supervisor Walter: "We're taking it out and just finishing it with asphalt. It's not going to be pretty asphalt but."

Sal Mastropaolo: "Then shouldn't you be adding a line in because none of these are finished asphalt."

Supervisor Walter: "We already went over this thing six times. It's ok."

Sal Mastropaolo: "Well alright."

Supervisor Walter: "What else have you got?"<sup>47</sup>

Sal Mastropaolo: "Resolution 610. 610 is the co-sponsorship of the Riverhead Country Fair. There's no mention of a dollar budget and no mention of sharing of costs and revenues from the country fair."

Supervisor Walter: "It's a whole new thing we're embarking on."

Sal Mastropaolo: "Yeah I know but we have extra money in the budget?"

Supervisor Walter: "No, it's not a monetary thing for us it's an (inaudible) on our insurance policy. (Inaudible) What else have you got for us Sal?"

Salvatore Mastropaolo: "621, there's no mention of the five hundred dollar administration fee like there is in Resolution 627 and 628. Didn't we charge her the five hundred

dollar administration fee for the fireworks? There should be something in the resolution otherwise it's not consistent with the other two resolutions.”

Supervisor Walter: “Diane you would have taken the fee on the Baker fireworks. Did you take a fee?”

Diane Wilhelm: (Inaudible)

Sal Mastropaolo: “Well why would we waive it, she's not a not-for-profit.”

Councilwoman Giglio: “I'm just saying, I think we took it.”

Diane Wilhelm: “(inaudible) I can't be absolutely sure.”

Councilman Dunleavy: “We should add that in. “

Supervisor Walter: “Bob figure out how to add that in and Diane will check tomorrow to see whether we took it or not.”

Sal Mastropaolo: “628 I see no mention of approving overtime expenditures for the Fire Marshall.”

Supervisor Walter: “We always have a Fire Marshall for the weekend

Sal Mastropaolo: “Well the only reason I mention it is because it's in 627. Why aren't we consistent?”

(Inaudible)

Supervisor Walter: “We have a Fire Marshall for the weekends.”

Sal Mastropaolo: “Alright, 630, you know this is my sore point. I mean there are about six not-for-profit that we've waived the fee. Who's footing the bill for the Fire Marshall? I mean we cover the police costs, we charge a fee, why do we waive the fee when we use the Fire Marshall to check all of these things out?”

Supervisor Walter: “Because we like not-for-profits.”

Sal Mastropaolo: “640, just a question on 640. Did 640 have a positive or a negative effect on the Town finances?”

Supervisor Walter: “Well it depends; some of it was positive and some of it was negative on balance we probably lost a little bit of money. There was a typo in one of the contracts.”

Sal Mastropaolo: “And we're going back and fixing three year worth of mistakes?”

Supervisor Walter: “Yes. Some we giveth and some we taketh away.”

Sal Mastropaolo: “Ok, 643. What percentage increase did we go with for the rate after minimum is exceeded; it says a dollar seventy-three per thousand gallons? Was that five, ten, fifteen; what did we wind up?”

Supervisor Walter: “I don’t know what the percentage increase is. These are what the new rates are going to be.”

Sal Mastropaolo: “Alright I’ll go back and look at my notes at home because I have the work sheet that I gave you.”

Councilman Wooten: “They used to be five thousand now they’re giving you four.”

Sal Mastropaolo: “Yeah I know. They used to give us twelve thousand with the one inch and now they’re giving us nine which was my concern that I brought up at the last meeting that you’re hitting us double.”

Councilman Dunleavy: “The percentage has to raise.”

Sal Mastropaolo: “No but you lowered the gallons included in the minimum and you raised the rate over the minimum so you double banged the public again.”

Councilman Wooten: “Welcome to America.”

Sal Mastropaolo: “Thank you.”

## **RESOLUTIONS**

### **Resolution #592**

Councilman Wooten: “Parking district Budget Adjustment, so moved.”

Councilwoman Giglio: “Second.”

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

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

### **Resolution #593**

Councilwoman Giglio: “Classifies Applications as an Unlisted Action without Coordinated Review, Assumes Lead Agency and Authorizes the Town Clerk to Publish and Post Notice for a Public Hearing for a site Plan Application Known as Preston House on a Certain

Parcel Located at 428 East Main Street, Identified as SCTM No. 600-129-3-13, Riverhead, NY, so moved.”

Councilman Hubbard: “Second.”

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

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

#### **Resolution #594**

Councilman Hubbard: “Authorizes Grant Application Submission to LISC NYS Housing Stabilization Fund, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

#### **Resolution #595**

Councilman Dunleavy: “Awards Bid for Grangebelle Park Sidewalk Improvement Project, so moved.”

Councilman Wooten: “I’ll second.”

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

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

#### **Resolution #596**

Councilman Wooten: “Promotes a Detective (Patrick Waski), so moved.”

Councilwoman Giglio: “Second.”

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

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

#### **Resolution #597**

Councilwoman Giglio: “Promotes Police Officer Dino Isgro to the Position of Detective Grand III, Classifies Applications as an Unlisted Action without Coordinated Review, so moved.”

Councilman Hubbard: “Second.”

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

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

### **Resolution #598**

Councilman Hubbard: “Authorizes Publication of Help Wanted Advertisement for an Assistant Engineer, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #599**

Councilman Dunleavy: “Reclassifies the Title of a Paralegal Assistant (Laura Lenox), so moved.”

Councilman Wooten: “I’ll second.”

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

The Vote: “Hubbard, yes; Giglio.”

Councilwoman Giglio: “This is being done because paralegal assistant was removed from the Civil Service and it’s just now paralegal so yes.”

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

### **Resolution #600**

Councilman Wooten: “Appoints a Town Engineer (Drew Dillingham), so moved.”

Councilwoman Giglio: “Second.”

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

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

### **Resolution #601**

Councilwoman Giglio: "Appoints a Provisional Water Treatment Plant Operator Trainee (Ariel Reichel), so moved."

Councilman Hubbard: "Seconded."

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

The Vote: "Hubbard, yes; Giglio."

Councilwoman Giglio: "I am very proud of this because this young lady will be the first woman plant operator the Town of Riverhead has ever had so this is a historic moment. I know she's going to do a great job. I advocated for her and welcome aboard, yes."

Vote Continued: "Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes, I concur with Councilwoman Giglio."

Vote Continued: "Walter, yes. Resolution adopted."

### **Resolution #602**

Councilman Hubbard: "Declares Lead Agency Status for SEQRA Review Site Plan of Peconic Care within a Portion of the Calverton Enterprise Park (EPCAL) Known as Lot/Block 17 which is 95.6 Acres on the Approved EPCAL Subdivision Map Located along the Southwest Side of Eastern Runway, (+/-) 3,300 Feet Southeast of Jan Way, EPCAL, Calverton, NY Described as Suffolk County Tax Map #0600-135-1-7.56, so moved."

Councilwoman Giglio: "If I can just say this needs to be amended because it's not approved on the EPCAL subdivision map. It's on the approved map of Calverton Camelot. We need to amend it to identify the appropriate map. So John do you want to second the amendment?"

Councilman Dunleavy: "I second the amendment."

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

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

### **Resolution #603**

Councilman Dunleavy: "Awards Bid for Automotive Parts 2016, so moved."

Councilman Wooten: "I'll second."

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

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

#### **Resolution #604**

Councilman Wooten: "Awards a Re-bid for Food and Meat Products, so moved."

Councilwoman Giglio: "Second."

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

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

#### **Resolution #605**

Councilwoman Giglio: "Resolution to Rescind Portion of bid Award for Paint Items (Paint Items Identified in Bid as #19 and #21) Due to Error and Award that Portion to Lowest Responsible Bidder, so moved."

Councilman Hubbard: "Seconded."

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

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

#### **Resolution #606**

Councilman Hubbard: "Appoints a Beach Attendant to the Recreation Department (Emma Loscaizo), so moved."

Councilman Dunleavy: "And seconded."

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

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

**Resolution #607**

Councilman Dunleavy: “Adopts a Local to Amend Chapter 301 (Formerly Chapter 108) Entitled “Zoning” of the Riverhead Town Code (Addition of Article LXIII. Planned Development (PD) Zoning Use District), so moved.”

Councilman Wooten: “I’ll second.”

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

The Vote: “Hubbard, yes; Giglio.”

Councilwoman Giglio: “I appreciate the efforts of the Board. I disagree with the housing and retail and I’m going to vote no.”

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

**Resolution #608**

Supervisor Walter: “As amended. Bob do you have the amendment for this?”

Robert Kozakiewicz: “I just want to make sure we’re (inaudible) so what’s going to happen is, well actually the adopted legislation did bump up 221-34 so that’s it’s covering from 99 to 2015. So what you’re adopting is going to reflex comments from former Councilman Barbara Blass as far as the statement for the time period. At 221-35A we’re going to strike *a primary* and insert there in that section, (inaudible) so it’s going to read *projects which will have as their purpose* the accommodation of new growth shall not be included into this definition so that will be one change. Going to 221-37 striking and having their primary purpose in the third sentence in subsection D so it’s going to say water quality projects which have as their purpose new growth as opposed to the remediation of water quality. Strike *which shall not qualify for funding*. Those changes and of course the referendum; it’s been corrected which we pointed out in 221-41 that the third sentence in the first paragraph it’s going to say Town of Riverhead general election not Town of East Hampton.

(Inaudible)

Councilman Wooten: “As amended. Adopts a Local Law to Amend Chapter 221 (Community Preservation; Open Space) of the Riverhead Town Code to Extend the Effective Date of the Community Preservation Fund Real Estate Transfer Tax, Imposed Pursuant to Article 31-D of the New York State Tax Law, until December 31, 2050 and to Authorize the use of a Portion of the Town Community Preservation Fund, not to Exceed 20% for Water Quality Improvement Projects, Subject to Mandatory Referendum, so moved.”

Councilwoman Giglio: “Second.”

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

The Vote: “Hubbard, yes; Giglio.”

Councilwoman Giglio: “I am going (inaudible) because I do support a spending CPF guide until 2050. I don’t necessarily agree with the other aspects of it however it is up to a referendum for a vote by the public and a plan has to be adopted by the Town Board and any expenditure of the CPF Fund the public is invited to speak about so if any of the CPF Fund were to be used for a water quality project it would be discussed at a public hearing and a resolution would have to be adopted for the expenditure of funds so the public has a third opportunity to weight in, a second opportunity to weigh in so I’m going to vote yes.”

Vote Continued: “Wooten.”

Councilman Wooten: “I’m not I (inaudible). I think it’s tool and like the gentleman said it’s vision. You don’t have to spend twenty percent every time (inaudible) but it’s certainly a way to generate a reserve that twenty years from now or fifteen years from now and even if the economy recovers and there is a project that needs, it’s a reliable source that can be tapped if it needs to be tapped so, and believe me on the south side they don’t have land (inaudible) reserving for historic buildings their using building funds from other things that it’s allowed to be used. So, actually future Town Boards, I’m just saying there are other things (inaudible) as a board I can’t see us using if we don’t have the money. It’s a good thing, I vote yes.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “It’s hard to believe that preservation and water quality go hand in hand and again we don’t have to use twenty percent if we only use five or ten percent as much as the Town Board wants to do and I think that using this for people to upgrade their septic systems and we can maybe give them a five percent grant to help them I think the Town should help our citizens because of water quality so I vote yes.”

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

### **Resolution #609**

Councilwoman Giglio: “Adopts a Local Law to Amend the Zoning Map of the Town of Riverhead to Implement the EPCAL Reuse and Revitalization Plan and the Planned Development Zoning District, Classifies Applications as an Unlisted Action without Coordinated Review, Assumes Lead Agency and Authorizes the Town Clerk to Publish and Post Notice for a Public Hearing for a site Plan Application Known as Preston House on a Certain Parcel Located at 428 East Main Street, Identified as SCTM No. 600-129-3-13, Riverhead, NY, so moved.”

Councilman Hubbard: “Seconded”

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

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

**Resolution #610**

Councilman Hubbard: “Authorizes Co-Sponsorship of Riverhead Country Fair on Sunday, October 9, 2016 with the Riverhead Townscape Inc. along Main Street; Authorizes the Supervisor to Execute a license Agreement with Designated Craft/Food Vendors and Alcohol Vendors; Suspends Enforcement of Riverhead Town Code 205-3 (Public Consumption and Open Possession of an Alcoholic Beverage) Solely Limited to the Aforementioned Date of the country Fair, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

**Resolution #611**

Councilman Dunleavy: “I’d like to amend one art of this. The side is not the south, it’s the west side of Osborne Avenue. Osborne doesn’t have a south side, it travels.”

Supervisor Walter: “Ok, good, put west.”

Councilman Dunleavy: “Adopts a Local Law to Amend Chapter 289 Entitled” Vehicles”, Traffic and Parking Regulations” of the Riverhead Town code (289-10. Parking Prohibited. – Osborne Avenue) as amended, so moved.”

Councilman Wooten: “I’ll second.”

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

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

**Resolution #612**

Councilman Wooten: “Authorizes Legal Action against the Owners, Tenants Occupants and Mortgagee of Premises Located at 70 Creek road, Wading River NY, so moved.”

Councilwoman Giglio: “Second.”

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

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

**Resolution #613**

Councilwoman Giglio: “Authorizes Legal Action against the Owners, Tenants, Occupants and Mortgagee of Premises Located at 70 Creek Road, Wading River, NY, so moved.”

Councilman Hubbard: “Seconded.”

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

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

**Resolution #614**

Councilman Hubbard: “Authorizes Legal Action against the Owners, Tenants, Occupants and Mortgagee of Premises Located at 76 Creek Road, Wading Riverhead, NY, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

**Resolution #615**

Councilman Dunleavy: “Authorizes Legal Action against the Owners, Tenants, Occupants and Mortgagee of Premises Located at 86 Creek Road, Wading River, NY, so moved.”

Councilman Wooten: “I’ll second.”

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

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

**Resolution #616**

Councilman Wooten: “Authorizes Legal Action against the Owners, Tenants, Occupants and Mortgagee of Premises Located at 124 Creek Road, Wading River, NY, so moved.”

Councilwoman Giglio: “Second.”

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

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

### **Resolution #617**

Councilwoman Giglio: "Authorizes Legal Action against the Owners, tenants, Occupants and Mortgage of Premises Located at 128 Creek Road, Wading River, NY, so moved."

Councilman Hubbard: "Seconded."

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

The Vote: "Hubbard, yes; Giglio, illegal rental, yes; Wooten, yes; Dunleavy, yes; Walter, abstain. Resolution adopted."

### **Resolution #618**

Councilman Hubbard: "Authorizes Legal Action against the Owners, Tenants, Occupants and Mortgagee of Premises Located at 148 Creek Road, Wading River, NY, so moved."

Councilman Dunleavy: "And seconded."

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

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

### **Resolution #619**

Councilman Dunleavy: "Authorizes Legal Action against the Owners, Tenants Occupants and Mortgagee of Premises Located at 184 Creek Road, Wading River, NY, so moved."

Councilman Wooten: "I'll second."

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

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

### **Resolution #620**

Councilman Wooten: “Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of Premises Located at 901 Scott avenue, (Enterprise Park) Calverton, NY, so moved.”

Councilwoman Giglio: “Second.”

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

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

### **Resolution #621**

Councilwoman Giglio: “Ratifies the Approval of the Application for Fireworks Permit of Richard and Lisa Baker as amended, so moved.”

Councilman Hubbard: “Seconded.”

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

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

### **Resolution #622**

Councilman Hubbard: “Approves the Chapter 255 Application of Garden of Eve, LLC (Long Island Garlic Festival – September 17 and 18, 2016), so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #623**

Councilman Dunleavy: “Approves the Chapter 255 Application of George Bartunek (18<sup>th</sup> Annual Antique Car Show – Sunday, September 18, 2016), so moved.”

Councilman Wooten: “Second.”

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

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

### **Resolution #624**

Councilman Wooten: “Approves the Chapter 255 Application of Hallockville Inc. (36<sup>th</sup> Annual Fall Festivals and Craft Show – Sunday, September 11, 2016), so moved.”

Councilwoman Giglio: “Second.”

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

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

### **Resolution #625**

Councilwoman Giglio: “Approves the Chapter 255 Application of the Long Island Moose Classic Car Club (Car Show to Benefit Moose Club Charities Sunday, September 11, 2016), so moved.”

Councilman Hubbard: “Seconded.”

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

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

### **Resolution #626**

Councilman Hubbard: “Ratifies the Approval of the Chapter 255 Application of PC Ricard & Son, Inc. (Tent Sale – August 11, 2016 through August 21, 2016), so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #627**

Councilman Dunleavy: “Approves the Application for Fireworks Permit of Riverhead Raceway Saturday, August 20, 2016), so moved.”

Councilman Wooten: “I’ll second.”

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

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

### **Resolution #628**

Councilman Wooten: "Ratifies the Approval of the Application for Fireworks Permit of the Vineyards (Private Wedding – Friday, August 5, 2016), so moved."

Councilwoman Giglio: "Second."

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

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

### **Resolution #629**

Councilwoman Giglio: "Approves Chapter 255 Application of riverhead Raceway Inc. (Island Import Day Car Show/Race Expo – Sunday, August 21, 2016), so moved."

Councilman Hubbard: "Second."

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

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

### **Resolution #630**

Councilman Hubbard: "Approves Chapter 255 Application of Railroad Museum of Long Island (September 11<sup>th</sup> Memorial Service and Mural Art Exhibit 2011-2016 – Sunday, September 11, 2016), so moved."

Councilman Dunleavy: "And seconded."

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

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

**Resolution #631**

Councilman Dunleavy: “Approves Chapter 255 Application of Railroad Museum of Long Island (Museum Open House 206 – 26<sup>th</sup> Anniversary, August 27 and August 28, 2016), so moved.”

Councilman Wooten: “I’ll second.”

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

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

**Resolution #632**

Councilman Wooten: “Approves Chapter 255 Application of Riverhead Foundation for Marine Research and Preservation (19<sup>th</sup> Annual 5K Run for the Ridley – Saturday, October 22, 2016), so moved.”

Councilwoman Giglio: “Second.”

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

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

**Resolution #633**

Councilwoman Giglio: “Denies Chapter 255 “Special Events” Application of Starfish Junction Productions “Long Island Potato Festival”, so moved.”

Councilman Hubbard: “Seconded.”

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

The Vote: “Hubbard, yes; Giglio.”

Councilwoman Giglio: “We’ve asked them to come in for a Site Plan and they haven’t submitted one yet, yes.”

Vote Continued: “Wooten, yes; Dunleavy.”

Councilman Dunleavy: “We ask everyone to come in with a site plan, we don’t know that they’re going to have there so I have to vote no.”

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

**Resolution #634**

Councilman Hubbard: “Denies Chapter 255 “Special Events” Application of the Survival Race, LLC “Zombie Run”, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

**Resolution #635**

Councilman Dunleavy: “Denies Chapter 255 “Special Events” Application of Starfish Junction Productions “Pour the Core: Hard Cider Festival – Long Island”, so moved.”

Councilman Wooten: “I’ll second.”

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

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

**Resolution #636**

Councilman Wooten: “Approves MJM Plumbing and Mechanical Inc. as Drain Layer for Riverhead Sewer District, so moved.”

Councilwoman Giglio: “Second.”

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

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

**Resolution #637**

Councilwoman Giglio: “Establishes Fireworks Permit Application Non-refundable Expedited fee, so moved.”

Councilman Hubbard: “Seconded.”

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

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

### **Resolution #638**

Councilman Hubbard: “Authorizes the Supervisor to Execute an Agreement with Picrow, Inc. for use of Town of Riverhead Premises and for Police Department Personnel and Vehicles in Connection with a Television Production, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #639**

Councilman Dunleavy: “Ratifies Agreement Between Nonfiction Unlimited and the Town of Riverhead in Connection with Filming (Utilize Public Beach and Parking), so moved.”

Councilman Wooten: “I’ll second.”

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

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

### **Resolution #640**

Councilman Wooten: “Authorizes the Supervisor to Execute Stipulation with Riverhead Town Superior Officer Association, Inc., so moved.”

Councilwoman Giglio: “Second.”

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

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

### **Resolution #641**

Councilwoman Giglio: “Sets Hourly Rate Schedule for the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP, so moved.”

Councilman Hubbard: “Seconded”

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

The Vote: “Hubbard.”

Councilman Hubbard: “This has no reflection on their law group whatsoever but I have to vote no.”

Vote Continued: “Giglio.”

Councilwoman Giglio: “Again I agree this has no reflection on the law firm I just think we’re opening up a can of worms and offering to pay people more money when the budget is in the condition that it’s in so I’m going to vote no.”

Vote Continued: “Wooten.”

Councilman Wooten: “This has no reflection of the law firm so I’m going to vote yes.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “Ok, I think this is going to open a bag of worms because I think all our attorneys are going to ask for.”

Supervisor Walter: “Wait a minute John, this attorney is the lead attorney on a case you’re paying the other attorney, the second seed more money.”

Councilwoman Giglio: “You’re breaking Roberts Rules right now.”

Councilman Dunleavy: “This is a great firm and they’re doing a lot of work for us and I did say the last time this came up that this was supposed to come up with another resolution and we settled the other resolution so I’m not backing down on what I said; it’s settled so I have to vote yes on this.”

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

### **Resolution #642**

Councilman Hubbard: “Authorizing Waiver of Thirty Day Notification Required by the New York State Liquor Authority (Chipotle), so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #643**

Councilman Dunleavy: “Increases Rates for the Riverhead Water District, so moved.”

Councilman Wooten: “I’ll second.”

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

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

### **Resolution #644**

Councilman Wooten: “Authorizes Execution of Letter of Modification to Existing Tenant Equipment – Riverhead Water District Plant #9, so moved.”

Councilwoman Giglio: “Second.”

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

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

### **Resolution #645**

Councilwoman Giglio: “Pays Bills, so moved.

Councilman Hubbard: “Seconded.”

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

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

Supervisor Walter: “Alright, we’ve got three resolutions to come off the floor. Can I get a motion to move Resolutions 646 Authorizes the Sale of Surplus/Unusable Town Vehicles, Resolution 647 Adopts a Social Media Use Policy for the Town of Riverhead and Resolution 648 Awards Bid for Recreation Brochure off the floor?”

Councilman Dunleavy: “I make a motion we take Resolutions 646, 647 and 648 off the floor, so moved.”

Councilman Wooten: “Second.”

Supervisor Walter: “Moved and seconded to take the three resolutions off the floor.”

The Vote: “Hubbard, yes; Giglio, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution =3 646, 647 and 648 are taken off the floor.

### **Resolution #646**

Councilman Hubbard: “Authorizes the Sale of Surplus/Unusable Town Vehicles, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

Councilman Dunleavy: “I don’t know, Gershow Recycling I know we have a lot of old police cars I think we’ll get more if we took them and recycle them to a recycling center.”

Supervisor Walter: “Larry called, how many did you call? Seven, that’s pretty good.”

Councilman Dunleavy: “I vote yes.”

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

### **Resolution #647**

Councilman Dunleavy: “Adopts a Social Media Use Policy for the Town of Riverhead, so moved.”

Councilman Wooten: “I’ll second.”

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

The Vote: “Hubbard, yes; Giglio.”

Councilwoman Giglio: “I agree with John Dunleavy with the comments but we’re going to see how it goes and if the policy becomes a problem then we can amend it at a later date, yes.”

Councilman Dunleavy: “It was amended.”

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

**Resolution #648**

Councilman Wooten: “Awards Bid for Recreation Brochure, so moved.”

Councilwoman Giglio: “Second.”

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

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

Councilman Dunleavy: “And seconded.”

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

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

**PUBLIC COMMENTS**

Joseph Sangudolce came forward to speak about signs on the south end of Roanoke Avenue. He said one sign says “no parking here to corner” and another sign further up near the parking lot entrance says “Two hour parking between 9:30 and 5:30”. He continued by saying any vehicle parking there has to park with their tires on the sidewalk. He feels there should be no parking, stopping or standing on that part of the road as the road is not wide enough for parked cars and cars traveling on the Roanoke Avenue.

Supervisor Walter responded by saying the matter will be brought up to the Traffic Safety Committee. He invited Mr. Sangudolce to attend the Traffic Safety Committee meeting on Thursday where he can then present his thoughts to them. The Supervisor then added that it will be reviewed by Traffic Safety and if they thought it warranted a public hearing a public hearing would then be held.

Stephanie Rangeli an advocate for health and wellness came forward to speak. She said there is a migration of senior citizens coming to Riverhead and there are no local pools, no YMCA, no playgrounds, no local tracks for children, children with special and needs and seniors to use.

Supervisor Walter asked Ms. Rangeli exactly what she was looking for. She responded by saying she wants a playground. The Supervisor then said that there is only a certain amount of money to maintain all the parks already in Riverhead. Ms. Rangeli asked what about applying for bonds and grants.

Councilwoman Giglio said several parks have been put in and after asking and recently receiving funding she hopes some of the rec trails will be able to be completed. She also said a park for children Ms. Rangeli’s son’s age is being put in Enterprise Park and when more funds become available a park for older children will be put in also.

Councilman Dunleavy said he understands what Ms. Rangeli is talking about as he has young grandchildren. He continued by saying there are no parks for children under the age of five

but after speaking to Ray Coyne the Rec Department is going to begin putting in rides for children under five years of age.

Councilman Hubbard added that Phase I at Veterans Park is going to be a younger child's playground.

Jason Rangeli spoke saying his development, Sound View Meadows doesn't even have a pocket park. Councilman Dunleavy said the Planning Board must require the developer to put in a pocket park.

Supervisor Walter again asked what the Rangeli's want the Board to do. Mr. Rangeli said Veterans Park is the perfect location for a park. The Supervisor responded by saying the Town applies for Grants and when or if the Grants are received the funds are put directly into the parks. He named several parks that have already benefited from Grant money. He also said everyone wants something from the Board and it is their responsibility to balance all the requests and fund the things the Board thinks are the most important and will benefit the residents the best.

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 10:57 p.m.**