

12/30/2008 Minutes

Minutes of a Town of Riverhead Board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, December 30, 2008 at 2:05 p.m.

**PRESENT:**

Philip Cardinale,	Supervisor
James Wooten,	Councilman
John Dunleavy,	Councilman
Timothy Buckley,	Councilman

**ALSO PRESENT:**

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

**ABSENT:**

Barbara Blass,	Councilwoman
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Supervisor Cardinale: "Okay. This is the December 30<sup>th</sup> meeting of the town board, the final meeting of the year which is traditionally called to wrap up loose ends prior to the organizational meeting which will be on Tuesday, January 6<sup>th</sup>, at 2:00 p.m. in this very room.

So we're going to begin with as we usually do with the Pledge of Allegiance and Chris Kempner is going to lead us in song."

(At this time, the Pledge of Allegiance was recited, led by Chris Kempner).

Supervisor Cardinale: "Okay. We have a brief agenda but we initially want to approve the minutes of the December 16<sup>th</sup> town board meeting. Would somebody please offer them?"

Councilman Dunleavy: "I offer the minutes of the December 16<sup>th</sup> town board meeting. So moved."

Councilman Buckley: "I second."

Supervisor Cardinale: "Moved and seconded. Could we have a vote please?"

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. Minutes approved."

Supervisor Cardinale: "Okay. I should note the absence of Barbara Blass, whose mother passed away today— her father, I'm sorry. Her mother is still alive, I regret wishing ill of her. She is still alive and kicking. It's her father who passed away and he had been ill a long time so our thoughts are with her and her family.



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State Quality Communities Initiative and the purpose of the grant is to conduct a bulk study and to develop historic guidelines to improve the implementation of the DC-1 zoning district which includes a portion of our downtown historic district.

So the grant requires public input is encouraged throughout the indicated 90 day process. This is the beginning if anyone has any comments on the project, they could be mailed to the community development department at 200 Howell Avenue, Riverhead, New York 11901, through March 1<sup>st</sup>, 2008 and when we have the first draft of the final product, we'll have another formal hearing at night.

What we have up on the screen is just a visual of the zoning for downtown. The dark blue area is our DC-1 zoning district and then there's a green outline that shows the downtown historic district.

So as part of this grant from Department of State, we are developing historic guidelines. We've selected PDF as our consultant through an RFP process and she's a historic preservation consultant who's developing eight brochure topic areas for things such as exterior maintenance, roofing, historic properties and tax benefits that may be available.

Those will be in brochure format and PDF will put them on line so they can be helpful to homeowners when they want to make some changes to their buildings that are in the downtown historic district. Hopefully we can use it with some of our other historic districts in the future.

The bulk study will be conducted by AKRF which is a planning firm consultant that was consulted through the RFP process and the bulk study is an analysis of land use, building heights, lot coverage, floor area and parking lots- parking for all lots within the DC-1 district.

There will be three scenarios for the bulk study. The first scenario will be a base line that will include a study of the area that exists today overlaid with projected development of known pending projects. And those were in our generic environmental impact statement and in the executive summary on page F-11.

Then we'll have two additional scenarios for two additional zoning scenarios beyond the baseline. We expect the first draft for our bulk study to be in early January and we're working with some of the first drafts (inaudible) historic guidelines.

We expect our final drafts for the nighttime public hearing to be available in March and we'll hold another public hearing with probably a 10 day comment period at that point."

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Supervisor Cardinale: "Now if people have comments as a result of this informational hearing and are not able to attend today and want to send them in, who should they send them to? The CDA director, you, or to the clerk?"

Chris Kempner: "They can send them to- they should send them to the CDA office. If they send it to the clerk, it will be routed to our office as well."

Supervisor Cardinale: "Okay. So and you'll take comment throughout this whole period? I'm not going to leave it open for comment because it's going to be- we're advising the public on this informational hearing that we're in this process and we would like their comment."

Chris Kempner: "It's an open process."

Supervisor Cardinale: "It's an open process and there will be a public hearing at the end of it but I will note then that if they wish- if anyone wishes who is not here to make a comment, please send a comment in writing to Community Development Agency, attention Christine Kempner, K-E-M-P-N-E-R, at town hall here what is it- 200?"

Chris Kempner: "Two hundred Howell Avenue."

Supervisor Cardinale: "Howell Avenue. Anything else you wanted to say?"

Chris Kempner: "No, that's it."

Supervisor Cardinale: "Thank you for the presentation."

Chris Kempner: "Thank you."

Supervisor Cardinale: "Is there anyone who would like to make a comment on this informational hearing setting forth on this bulk study and this historic guidelines study?"

I should point out this is being funded, these studies, by a grant and it's very necessary because we have an historic district downtown. We do not have adequate historic district guidelines.

We have zoning that is up to 60 feet downtown in this area. We do not have what we believe to be adequate study of the impact of the bulk of such buildings going up downtown.

We were fortunate to get this grant and we are using it for the purposes of- and I think you told me and I want to make it clear that there is going to be some visual result- there will be a visual

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presentation of what these buildings might look like if they were built along Main Street?"

Chris Kempner: "The final analysis will include a power point visual presentation of the three scenarios and that should be some time in March and (inaudible) will present at a night meeting."

Supervisor Cardinale: "Great. Thank you. Any comment, please, from the public? If there is, I'll take it. If there isn't, we will note that the hearing is concluded. However, we would be anxious to take your comment addressed to the CDA director at 200 Howell Avenue in regard to the bulk study or the historical guidelines. I know we'll get comment from Landmark Preservations people and others."

That concludes the hearing begun at 2:10, scheduled for 2:05, and concluded at 2:15."

Public hearing closed: 2:15 p.m.

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Supervisor Cardinale: "We have resolutions 1141 through 1157 to consider and there's 1158 which is being considered as well which is extending the agreement with the Riverhead Volunteer Ambulance Corps for 45 days so that we can conclude through legal staff the arrangement for the next five year agreement."

And we also have a tabled resolution adopting- which we tabled at the last meeting, 1132, adopting stormwater management and erosion and sediment control section of law which we'll also consider.

So if anybody has a comment on any of those, please come up. If there is no comment, we'll consider them and then take general comment.

Did you have a comment, Mason?"

Mason Haas: "I just want to take this opportunity to thank Mr. Dunleavy and the board for bringing Resolution 1151 forward and that your support is greatly appreciated by the people who have been actively working on this issue."

This resolution supports the Senate bill A- Senate bill S-08035 and the Assembly bill, A-04988. For those of you in the audience that don't know what that is, that's bills having to deal with the sex- directs the county of Suffolk's Department of Probation, Department of Social Service to take factors into consideration when determining placement of level two and level three sex offenders in the area.

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As everybody knows, we have a trailer that's been enlarged that will hold up to 20 and can possibly now hold more than that as the County of Suffolk has ordered bunk beds to go inside that trailer.

That trailer is just on the border line there of Southampton and Riverhead town.

Again, I want to thank you all for bringing this board forward. Thank you."

Supervisor Cardinale: "Thank you, Mason. I want to add also that the law will take effect on January 20<sup>th</sup> and specifically states that one of the considerations for placing sex offenders is the number in any one location. And, of course, that state mandate to consider that before placement would appear to be in direct contravention of the county policy to place all at one location.

I'd also want to point out that on January 15<sup>th</sup> is it- there will be a-

Mason Haas: "That's correct."

Supervisor Cardinale: "-- gathering at the Riverhead High School and maybe you could tell us the details."

Mason Haas: "Yes. On January 15<sup>th</sup> at 7:00 p.m. at the auditorium at the high school there is going to be a meeting. We have gathered together Assemblymen Thiele and Alessi, Supervisors Cabot and Cardinale, legislators Romaine and Schneiderman. We've extended an invitation out to Senator LaValle.

There will be representatives also from the Human Health Service Commission which has Legislator Kennedy and Kate Browning on it, and we also have representatives from the Department of Social Service and Probation and the county exec's office to see if we can come up with a solution to resolve the issues that are raised regarding the placement of these offenders in our town.

These offender- I don't know if everybody is aware of it, that these offenders are not from our town. They're from all over Suffolk County and they're placed here in the one location.

So like I said, we're having this meeting. We're asking everybody to come out to this meeting and attend and support this as we hope we can get some issues resolved then.

Thank you again."

Supervisor Cardinale: "Thank you. And I look forward to people coming out to that on the 15<sup>th</sup>.

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The— if there's no further comment on any of the resolutions, we'll consider the resolutions and then take general comment.

Okay, would you call them, please?"

Resolution #1141

Councilman Dunleavy: "Budget adjustment. So moved."

Councilman Buckley: "Seconded."

Supervisor Cardinale: "Moved and seconded. May we have a vote?"

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1142

Councilman Buckley: "Baiting Hollow Club water extension capital project budget adjustment. So moved."

Councilman Wooten: "Seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1143

Councilman Wooten: "Town of Riverhead water district budget adjustment. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1144

Councilman Dunleavy: "Appoints interpreter for the police department and justice court. So moved."

Councilman Buckley: "Seconded."

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

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The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1145

Councilman Buckley: "Ratifies the appointment of a temporary clerk to the tax receiver's office. So moved."

Councilman Wooten: "Seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1146

Councilman Wooten: "Extends the contract with Arthur J. Gallaher & Co., Vericlaim and Perma (phonetic). So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1147

Councilman Dunleavy: "Authorizing the items listed below pursuant to clean water, clean air bond act of 1996. So moved."

Councilman Buckley: "Seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1148

Councilman Buckley: "Amends Resolution 1099, authorizes the supervisor to execute a professional services agreement with Baum Management System. So moved."

Councilman Wooten: "Seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1149

Councilman Wooten: "It's a resolution in support and concurrence with the Suffolk County, Town of Riverhead Empire Zone formerly the Economic Development Zone regionally significant project application. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1150

Councilman Dunleavy: "Resolution and consent approving the dedication of the highway known as Louise Court, Roanoke Court, and recharge basins Roanoke Landing. So moved."

Councilman Buckley: "Seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1151

Councilman Buckley: "Resolution in support of New York State's enactment of a law requiring promulgation of procedures on the placement of certain sex offenders. So moved."

Councilman Wooten: "I'll second."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1152

Councilman Wooten: "Accepts 100% security of JP Morgan Chase. So moved."

Councilman Dunleavy: "And seconded."

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

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The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1153

Councilman Dunleavy: "Authorizes the release of two letters of credit of Riverhead Commerce Park. So moved."

Councilman Buckley: "And seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1154

Councilman Buckley: "Authorizes the town clerk to advertise for bids construction of plant No. 15 contract W well construction for the Riverhead water district. So moved."

Councilman Wooten: "Seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1155

Councilman Wooten: "Authorizes town clerk to publish and post public notice of a public hearing to consider a proposed local law for an amendment to Chapter 101 entitled Vehicles and Traffic, Article VIII, 101-33 expiration and renewal of permits of the Riverhead town code. I believe this deals with handicapped permits that they can get from two years to five years. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1156

Councilman Dunleavy: "Authorizes town clerk to publish and post a public notice of a public hearing to amend the town of Riverhead zoning use district map. So moved."

Councilman Buckley: "Seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1157

Councilman Buckley: "Motion to pay bills."

Councilman Wooten: "Seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Resolution #1158

Councilman Buckley: "I have 1158 off the floor."

Supervisor Cardinale: "Okay."

Councilman Buckley: "Authorize the supervisor to execute an extension agreement with the Riverhead Volunteer Ambulance Corps. So moved."

Councilman Wooten: "Seconded."

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

The Vote: "Wooten,"

Councilman Wooten: "Yes. It's a 45 day extension?"

Councilman Buckley: "Yes."

Councilman Wooten: "Yes."

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

Diane Wilhelm: "This is a tabled resolution."

Councilman Wooten: "I move to untable former Resolution 1132. So moved."

Councilman Dunleavy: "And seconded."

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

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The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is untabled."

Supervisor Cardinale: "May we have a motion to consider, please."

Councilman Wooten: "Okay. Now that we untabled, I'd like to move-- motion for resolution 1132 which adopts a local law amending Chapter 110 entitled stormwater management, erosion and sediment control, Section 110-12 of the Riverhead town code which deals with fees for services. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolution is adopted."

Supervisor Cardinale: "Okay. That concludes the matters before us resolution-wise."

We'd like to take any general comment that anyone wishes to make. And if you don't have comment, we'll be seeing you on Tuesday, a week, for the organizational meeting at 2:00 p.m., that's January 6<sup>th</sup>, Tuesday.

And myself and the entire board want to wish everybody a happy new year and a peaceful and productive new year. And thank you."

Meeting adjourned: 2:25 p.m.