

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, September 1, 2015 at 2:00 p.m.

PRESENT

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

ALSO PRESENT:

Diane Wilhelm	Town Clerk
Robert Kozakiewicz	Town Attorney

The meeting was officially opened at 2:00 p.m. by Supervisor Walter with the Pledge of Allegiance followed by an Invocation by Reverend Arlen G. Vernava, from Old Steeple Church, UCC, Aquebogue.

Supervisor Walter introduced Harriette Haas who said she watched the Riverhead Teen Idol and was blown away by the talented teens who perform. She then entertained the audience by singing 9 to 5. The Supervisor thanked her for performing and complimented her on her performance.

Supervisor Walter said there was a fire on Williams Way in Calverton and the Runnalls family lost everything. He continued by saying there was nothing left of the house and the family is looking for help by establishing a Go Fund Me page. He said the prayers of the community are with the family and if anyone wanted to make a donation you can do so by going to the Runnalls family Go Fund Me page.

September is National Children's Cancer Awareness Month and Supervisor Walter asked that a representative from the Christina Renna Foundation come forward and accept a proclamation from the Town. He said the Town and the Board members extend their gratitude for the Foundation's support of childhood cancer research, cancer outreach programs and their direct support of those in need.

A Certificate of Appreciation was presented to Mark Alhadeff and Boy Scout Troop 422 for the Beach Clean Up work he and the Troop have done near Reeves Beach for the past five years. Supervisor Walter said its people like Mark who teach the youths of the Town that the environment matters and that it's wrong to throw litter around.

Mark responded by saying he does not deserve the credit, that it's the Scouts who are doing the cleanup. He also said that they've noticed that the area between the Rec and the boat ramp is now actually much cleaner than it was and thanked the Town for the work they've done in keeping the area clean.

Councilman Dunleavy made a motion, which was seconded by Councilman Gabrielsen that the minutes of the August 18, 2015 Town Board meeting be approved. Minutes were accepted.

REPORTS

- Building Department – Monthly Report August 2015 - \$112,551.25
- Sewer District – Discharge Monitoring Report, July 2015

CORRESPONDENCE

- Marie Andrews – letter expressing opposition to the amendment of Chapter 108, Agriculture Protection Zone (APZ) Public Hearing of August 18, 2015
- Letter from residents of private road off Jean Ct., Riverhead requesting that this private section of Jean Ct. be included as a Section 189 to allow for snow plowing and sanding.
- Oak Hills Association, Inc. - letter requesting inclusion of four roads in their community (Park Place, Laurel Lane, Glen Road East, Hickory Lane) as section 189
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CONSERVATION ADVISORY COUNCIL CORRESPONDENCE

- CAC Res. #2015-14, Roberto Crivello, SCTM #0600-69-4-4

COMMITTEE REPORTS

Councilman Gabrielsen wanted to remind everyone that the Bow Hunting Lottery will be held on Thursday, September 17th at Town Hall at 7:00 p.m.

Supervisor Walter reported that Nile Rogers gave the Town two checks; one for PAL for \$2,000.00 and another \$2,000.00 check was for the East End Arts Council. He thanked them for both donations.

COMMENTS ON RESOLUTIONS

Supervisor Walter: “Sal I’m not going to have you step up just yet because David Gilmartin is here on behalf of Columbia Care and I know he wants to say a few words about a resolution so we’re going to let them speak. Maybe it’s not David Gilmartin.”

Nicholas Vita: “Thank you very much. My name is Nicholas Vita and I’m the Chief Executive Officer of a company called Columbia Care. Columbia Care was recently awarded one of five Medical Marijuana licenses by the State of New York as a result of the Compassionate Care Act and we were selected out of a group of forty-three applicants all (inaudible) qualify and on behalf of the company I just want to thank you for the opportunity to speak to you and present to your (inaudible) holders.

What I thought was so interesting is that there were two themes that were introduced at the beginning of this meeting that I couldn’t have choreographed any better for the message that we hope to communicate to you as the leaders of the community. The first one is for recognizing the importance of supporting groups that advocate on behalf of people who live with illnesses such as cancer. That is a remarkable testament to the quality of those elected and the mindshare of the town and in our own way we try to support those groups in a different way. Different people have different members of family and friends who suffer from or have been affected by the qualifying

conditions that are approved under the Compassionate Care Act. In my own family it's basically rheumatoid arthritis and cancer and ultimately I found (inaudible) colleague of mine from Goldman Sachs who's actually he's a retired police officer from London. You know we made that decision based on our own personal belief that this was a product that could make a difference in patient's lives not, having nothing to do with the recreation debate and so as we've build the company over the past three years we were very deliberate in how we thought about building this business and now we find ourselves in a position where Illinois, Massachusetts, Arizona, Washington DC, New York have a very (inaudible) need. (inaudible)

What I hope to be able to do is have a dialogue with your counsel to describe the nuances of how New York built its framework and why we elected to choose Riverhead but ultimately the second theme that I think that I heard related to the activities of the Boy Scout Troop is engaged in and really related to our renewal. That theme of renewal is something we've again built our business around so whenever we build our facilities, wherever we build them, it's about the patients but it's also about being good corporate citizens and a good neighbor and so the community host agreements that we execute with our towns and with our municipalities sort of the economic impact we have in those communities that are independent of a community (inaudible) all the things that we try to do to build bridges and really demystify what we're all about is part and parcel with the philosophy of the company. And so to the extent that you know the counsel is going through the process of accessing and voting on the moratorium I think what I've heard in reading the newspaper articles was that there was an interest in having that dialogue and we would love to have that conversation with you.

We've never gone into a town where we haven't been welcome and what we've found especially in places like Boston where were the only licensed facility and Washington DC where we're one of a handful in Chicago and now New York City. Every town in every city has its own specific concerns and what we've done in New York which I think is unique is been able to establish a track record of success in other markets that we bring with us and that experience we think will end up showing itself to being a significant contributor to the Town of Riverhead and we would be able to address all the issues that I've seen raised in the public forum to make sure that those aren't the concerns of the community but you know I would just ask this that to the extent that anybody, any staple in Riverhead has concerns or questions all we ask for is the opportunity to discuss what those concerns are to either address them or to provide data not opinion on whether or not they are truly concerns that would create a material issue or even an immaterial issue from people's prospective and with that I guess I will hand over to my colleague David Gilmartin, thank you very much."

Councilman Gabrielsen: "Can I ask you a question? When did you select the site for Riverhead?"

Nicholas Vita: "We selected the site prior to the application being submitted about a month before and we did that."

Councilman Gabrielsen: "So that's back in?"

Nicholas Vita: "The applications were submitted on June 5th so it would have been the beginning of probably the second week in May and we selected the site just for everyone's edification based on the setback requirements as described by the state which this facility complies

with and it's zoning and so when we sat down and spoke with counsel about what would be an appropriate location to the zoning code; this is a pharmacy in the eyes of the state. This is a facility managed by a pharmacist and so we were very specific, we chose this location for two reasons. One, because we thought it provided a very good access point for all of eastern Long Island and by that I mean, you know, the patients of eastern Long Island which one might assume results in enormous traffic but I can tell you from operating in Washington, DC and Phoenix, Arizona these are not high volume facilities. These are very personal interactions where people who have the qualifying, you know one of the qualifying conditions or in some cases multiply facets of multiple qualifying conditions come and they're looking for a very private exchange to seek a pathway that isn't traditionally offered by a medicine and so there's a lot of education that's involved. There's a lot of information that we're able to share to that exposure and I think that results in a much different type of patient population than one might expect.

For one example in (inaudible) Arizona our average patient age is 54. In Washington, DC you know if you look at the way the demographics shake out it really is very closely related to the illnesses and not necessary the populations and so."

Councilman Gabrielsen: "I think really what my concern was that you came so late in the game to the Town of Riverhead. You should have approached us maybe early instead of waiting until what mid-July?"

Nicholas Vita: "Well I think the reality."

Councilman Gabrielsen: "You know give us a chance to react and digest."

Nicholas Vita: "You know we were delighted to be selected by the State. I don't think anyone could have predicted any outcome. When we were chosen we were just, we were so happy to be here. You know once we were notified we did reach out to the Town and we sort of tried to, we're playing a little bit of catchup but I think we're doing, we're trying to do in a very methodical way so hind sight is always twenty-twenty. I wish we had had more time to prepare but the application itself was unbelievably thorough and the process was rigorous."

Supervisor Walter: "You think the problem is that the State put the towns in a very precarious situation because they didn't once again didn't inform, didn't include, didn't involve us and so while I may have my own opinions about where medical marijuana ultimately goes because based on what I see in other states the town needs to take this time out if you will to make sure that if this is coming to Riverhead it goes, it's not a pharmacy, if it were it would be called a pharmacy, it's a medical marijuana dispensary so I think what we're looking to do is take a time out.

I have no problem setting up work sessions with Columbia Care. You and I spoke. We played telephone tag for two weeks. I'm glad to see your here and I'm assuming a resolution goes forward with a moratorium but I think the first thing to do is to start to talk about how if this is going to come to Riverhead what is the appropriate location and I tend to think the Town Board is not going to be looking favorable on the Old Blockbuster Video site so I'm hoping that in these conversations if you guys are open to working with the Board because if it has to happen because I suspect we don't have the legal authority to zone you out of business which I know we don't but if it has to happen I'm hoping we can work together to find a location that works but the Blockbuster Video, the backdoor's five hundred and."

Councilman Gabrielsen: “Five hundred and eighty-nine foot from the school grounds.”

Nicholas Vita: “This is, my intention for presenting today and introducing myself to those of you who I haven’t met was not to debate the merits of location or the program it really was just to let you know we’re here to have a conversation and you know go through the nuances of what one of these facilities looks like and incidentally you know our facilities nationwide are available to your scrutiny so if you’d like to go to Washington, DC and see how a facility works in a very high density environment that’s surrounded by sensitive uses or in Boston we’re happy to schedule those types of meetings. Our job, our primary job is to show you that we would be, if this is the law of the land who would you rather have and ten times you know in every case we’ve experienced so far leaders in your position and other locations have decided that we were the ones they wanted and we are incredibly grateful and respectful and understand seriously (inaudible) and so I’m not here to rush anything. I’m not here to sort of debate the merits of whatever course of action you take but what we hope we can do is communicate to the Council that if there are patients who are suffering from these illnesses and would like access to this this would be you know, if the Town of Riverhead is willing to have that dialogue that they would conclude what others have concluded if given the appropriate information.”

Councilman Dunleavy: “I just think that we and I don’t want to put you on the spot on television, that we have conversations I have some questions that are important to me. People do need medical marijuana, I’m not against medical marijuana that’s something that people do need, it’s the location. If we could sit down and answer my questions and get a better location for this we’ll be happy to accept you in the Town of Riverhead. I mean it’s just that right now we only heard about this what two weeks and we just haven’t had a chance to sit down and talk especially with you people. We never received any phone calls; at least I haven’t so we can sit down and talk. So these are the things we have to do. We have to discuss where it should go in Riverhead and what a good location. I mean coming out of Blockbusters all you can do is make right turns. You’re not supposed to make a left turn because you’re traveling across two lanes of traffic to go west. Everybody does it but there’s not too many cars. Once you open up there’s going to be a lot of cars in that parking lot and the traffic on 58 is heavy and we don’t know how we can fit that in to the Town of Riverhead ok? So that’s why we want to talk to you and just see where we can (inaudible); where people can come in, get their medical marijuana and leave with no problems with traffic or with anybody else. Plus the County gets twenty-two point five percent of the seven percent excise tax; we get nothing and our Police Department’s the one going to handle all the calls and everything that happens there and I think that’s a disservice to the Town of Riverhead with the County collecting this money and they don’t have to do anything so that’s where I’m coming from.”

Nicholas Vita: “I appreciate that and thank you very much. The traffic issues, I think part of that conversation would be helpful to be able to describe what happens in our other facilities, what we experience in other markets where they have similar qualifying conditions and I feel, I don’t want to, this is not sort of a point and counterpoint but I feel like we have enough information so that we can at least answer your questions in sort of an unemotional very kind of statistical manner and say this is what we’ve seen in other markets and this is what we can likely expect but

the point about, all of these questions are questions we can look at. We would love to have the opportunity to discuss it.”

Councilman Wooten: “I can tell you there are a lot of unknowns. I’m sure you have spot answers but the public hearing is going to be September 16th so that’s going to be a chance for us to ask some questions (inaudible). Today’s motion is just to call for a public hearing.”

Nicholas Vita: We’re grateful for the opportunity to be able to discuss things in detail.”

Councilman Wooten: “Thank you for this literature.”

Councilwoman Giglio: “What I would love to see before September 16th at a work session so that we can have a back and forth discussion because public hearings are generally for the Town Board to listen to the public and listen to the applicant not necessarily to discuss back and forth so perhaps this Thursday or the following Thursday there can be a work session and we could sit down and talk to you and I know I’ve heard several concerns from several members of the community. I think this resolution is getting adopted today for the public hearing for September 16th and you know we look forward to hearing from you as to some of the concerns of the Supervisor and both our Councilman Dunleavy and Councilman Gabrielsen in proximity to the school district and also.”

Councilman Wooten: “All of us are.”

Councilwoman Giglio: “Yes, all of us have concerns so I would like to sit down and talk to you back and forth.”

Nicholas Vita: “Thank you.”

Supervisor Walter: “Thank you. Mr. Gilmartin do you want to?”

David Gilmartin: “If we could set up that work session I think it would be very instructive for the Board. The state did pass the Compassionate Care Act and they’ve legislated in this field and I believe that you’re going to run into some preemption conditions. The imposition of a moratorium is a very difficult thing for my client to take at this point because they lose at least a year in this process and through our application to the State we do have timelines that we have to meet and the imposition of a moratorium is extraordinarily detrimental to us meeting those timeline so if we can establish a date that we can come in at a work session.”

Supervisor Walter: “You can speak to Deputy Supervisor in the back before you leave and set up an appointment.”

David Gilmartin: “And not a rush to judgment on a moratorium. Let us present with you at a work session and try and answer all your questions and if we have to come back I don’t think you have to rush this moratorium in without all the facts at least our side and then hear what the public has to say. I do think that there are some difficulties legally with you imposing a moratorium because again we have the Compassionate Care Act that has legislated this use.”

They've established the use. If the Town of Riverhead basically legislates us out with the moratorium I think there are some issues with that. When you do that one of the ways to defeat a moratorium is putting all of the burden of a moratorium on one property owner which is exactly what's happening here. It's a unique circumstance with the Compassionate Care Act and I think that if you take that into consideration and give us the opportunity to come in and present certainly our background and the way that we see it operating and if together we decide this isn't the place for it and that there's another place that that happens but again a moratorium on the use is extraordinarily detrimental and I ask you not to rush to judgment on that particular issue and gather all the facts."

Councilman Gabrielsen: "(inaudible)"

Councilman Dunleavy: "We're not voting for a moratorium, we're voting for public hearing before moratorium is voted on. So if you come in before we vote on a moratorium and we listen to you then it's up to the legislators here to either vote yes or no and how much you convince them and convince us that the area where you're looking is appropriate for this, ok? This is only scheduling a public hearing, that's all."

David Gilmartin: "I understand. A lot of times public hearings are scheduled, had and then there's a resolution that evening and I'm asking."

Supervisor Walter: "We don't do that and you have my word we won't do that."

Councilman Gabrielsen: "I'd like to ask you a question. Do you have other sites? When you submit to New York State I'm sure Riverhead's number one, you must have alternate sites in Suffolk County."

David Gilmartin: "We have five different sites."

Councilman Gabrielsen: "So you have different sites."

David Gilmartin: "One in Suffolk County."

Councilman Gabrielsen: "And which is the one, besides Riverhead?"

Nicholas Vita: "No just Riverhead."

Councilwoman Giglio: "I think the question that, George, are you asking him if they applied for more than one location?"

Councilman Gabrielsen: "That's right instead of just putting Riverhead in case you faced this you would have options number two being in Smithtown or you know other sites that would take."

Nicholas Vita: "No we only applied for this one location."

Councilman Gabrielsen: “Just this one site, no backup.”

Nicholas Vita: “The way the process was laid out we basically, the opportunity was to present four locations and in candidly we chose our location based on patient access so our four other cities are Rochester, New York City in Manhattan, Plattsburgh and Riverhead and we chose those locations because ultimately the State is regulating the number of operators to (inaudible) to exist we didn’t want to be in the position where any patient with any illness would ever feel they didn’t have access and so things like public transportation as well as private transportation; there are things that we factor into that planning process.”

Councilman Gabrielsen: “I’m surprised there’s no backup plan. I mean for the potential I’ say there are towns that’s not here, I’m saying an alternate site for that location.”

Nicholas Vita: “The letter, I mean, I guess; we are where we are today because from the letter of the law perspective I think that we’re all in agreement that this has been, that this is viewed as a pharmacy. There’s a permitted use in its current location and it satisfies the setback requirement mandated by the State but that doesn’t address the qualified issue I think we really want to work through with the Council.”

Supervisor Walter: “Actually we’re not all in agreement you’re a pharmacy but be that as it may Mr. Gilmartin we very rarely, I can’t even think it would be really exigent circumstances that we would actually vote to adopt on the night of the public hearing. I usually leave it open for ten days and vote the following Board meeting. I give my word I will do that. You also have my word that I think the moratorium is in order. It doesn’t necessarily have to be a year, we discussed six months, a year, six months, a year, six months and we landed on a year. It doesn’t have to be a year because the reality is this is a timeout for us to digest this. Without this timeout you probably could get this approved and the Board may be sitting on its zoning powers and not exercise them so I think if you sit down with the Deputy Supervisor come up with a date you can come in, I think we probably could get you scheduled even before the public hearing. We’ll have the public hearing and then it will be at least another Board meeting before we would adopt. Who knows maybe you can convince us that we don’t adopt it. Maybe we convince you that you should be in a different location and you say, you know that makes sense let’s try this but you know for us you have an application right now that is precipitating a very swift movement on the Board’s part. If you want to withdraw that application you know that would slow down the moratorium, I doubt you want to withdraw that application so you know I think that we’re covering our bases now with the moratorium but we’ll have you come in and that’s why Nick I mean we must have made four or five phone calls back and forth to each other and we never hooked up but I know how to get Mr. Gilmartin, it’s probably a little easier so we can schedule our meeting and we can work through the issues and let’s see where we land but I think what you’re going to hear from this Town Board is that that’s not the right location so I guess the research on your end besides all the legal preemptive research is can you move the site if the Town put a little pressure on you would the state allow you to move the site and my guess is that the State would with a little pressure by the State on the Town. So, I think you guys should look at that. We’ll look at the moratorium and how that goes and we’ll give you opportunity to come speak to us quickly.”

David Gilmartin: “We look forward to it. Thank you.”

Councilman Dunleavy: “But you could still keep it in the town of Riverhead if you move the site to some other place in the Town of Riverhead. If you looked around and saw a more appropriate place.”

Supervisor Walter: “With our guidance and zoning.”

Councilman Wooten: “I think the moratorium is our way of trying to get answers to some questions a lot of people have. There’s a lot of comments being made out there that are either fact based or not fact based and a lot of those questions have to be answered which is why this work session is important. So I think that’s the most important thing.”

David Gilmartin: “We’ll set that up definitely. Hope to see you before the vote is made.”

Councilman Dunleavy: “Thank you.”

Supervisor Walter: “Well, the Deputy Supervisor is texting me now. This is not like Brookhaven. You sit in Brookhaven and they have these huge monitors that the Board hides behind them so the Deputy Supervisor said it could be this Thursday but we really don’t want to do it on the 10th because Jodi and I have a date on the 10th in a primary and so we might get a little not focused on your particular issues so you can do this Thursday probably not the 10th or the following, what’s the Thursday after the 10th? The 17th which is after the public hearing.”

Nicholas Vita: “See you Thursday.”

Supervisor Walter: “See you Thursday. Thanks for clearing your calendar Mr. Gilmartin. Thank you folks.”

Councilman Dunleavy: “She’ll give you a time, ok Mr. Gilmartin? She’ll give you a time.”

Supervisor Walter: “Ok, does anybody wish to be heard on Resolutions?”

Sal Mastropaolo: “Sal Mastropaolo, Calverton; Resolution 616 and 617. How do you determine the costs associated with professional services engineering and administrative fee? This is a sixty thousand dollar development and the combination of those two costs is greater than fifty percent of the cost of the water mains and laterals. You look at the next one, 617 the water mains and laterals are fifty-two thousand eight hundred and fifty dollars and the cost of the professional services engineer and administrative fees is slightly more than twenty-five percent and definitely less than fifty percent of the cost of the water main. Doesn’t anybody review this stuff and say hey they’re reasonable costs? I mean they should at least be propositional.”

Supervisor Walter: “What we do with these. You only pay what they earn. In other words we go out to bid. We figure out what H2M is going to charge and what they bill us you pay and we return the balance so these are not set fees. The administrative fees does go to the Town but we do return the balance.”

Sal Mastropaolo: “I saw a couple resolutions where you’re returning the unspent money. What I’m saying is doesn’t anybody check to make sure that the professional services engineering fee and the administrative fee are proportionate to the cost of the water mains. I mean in this case on 616 the combination of those two fees is greater than fifty percent of the cost of the water mains and laterals and in the next resolution after that the engineering service fee is eleven thousand dollars on a fifty-two thousand dollar water main and the administrative fee is only thirty-seven hundred so the cost of the water mains is greater and the fees are less. There’s no rhyme or reason of how they determine. I mean does H2M just say this is our engineering fee.”

Supervisor Walter: “There is a way that we do it and this is actually the same project so that’s also interesting. The best thing I can tell you because I don’t want to speak out of turn is can you call my office and we’ll sit down with Mark Conklin and we’ll go over it. Mark Conklin’s a little busy right now pumping water to everybody that has nice, lush green lawns but we can go over that but there is a formulated way we do this.”

Sal Mastropaolo: “Ok, Resolution 626. I guess my first question is Melissa Messina a full-time employee of the town or is she a part-time employee working a six month assignment which is now extended to a one year assignment because of the leave of absences?”

Supervisor Walter: “She’s a six month employee stating the, it was the later.”

Sal Mastropaolo: “Then why are we giving her sick leave and vacation if she’s not a full-time employee?”

Supervisor Walter: “Well she works full-time.”

Sal Mastropaolo: “If she’s not a full-time employee she’s not getting benefits from the town just like on the next resolution where you have a part-time environmental planner you’re not giving him vacation and sick time.”

Supervisor Walter: “Well Ms. Messina works five days a week, fifty-two weeks a year.”

Sal Mastropaolo: “But she’s not a full-time employee.”

Supervisor Walter: “I understand that. Jeff Seeman works seventeen and a half hours a week.”

Sal Mastropaolo: “You’re not giving her retirement benefits.”

Councilwoman Giglio: “She was going to leave. She’s experienced; we’re coming into tax season. She said I’m going to leave because I need to. I need some time; my son is just diagnosed with cancer. I have to take him back and forth I’m going to have to leave. She’s a valuable employee. She makes very minimal wage. She is a person who took a leave of absence, was getting a full medical benefit package so we already saved half of her medical package by her taking a leave of absence and this other person needs the benefits for the six months in order to (inaudible).”

Sal Mastropaolo: “Well you’re setting a precedence.”

Councilwoman Giglio: “I don’t think so.”

Sal Mastropaolo: “I think so.”

Councilwoman Giglio: “It’s a temporary position; it’s not a full-time position.”

Sal Mastropaolo: “It’s a temporary position. A temporary position shouldn’t get vacation and sick time; that’s my point.”

Councilwoman Giglio: “It would probably cost us a lot more money to pay to bring somebody in right now or the taxes, the lines would be out the door trying to get somebody in to receive the taxes.”

Sal Mastropaolo: “It doesn’t justify paying benefits.”

Councilwoman Giglio: “I disagree.”

Supervisor Walter: “Ok, 633. There’s a statement in here which is very confusing and I’m going to ask you to net out. The next to the last *whereas* on the first page. It says, *whereas while the Town has continued to designate use of the parking area as a public parking lot and sets/enforce set parking regulations set by the Town neither the Town of Riverhead or the Town of Riverhead Public Parking District has not made an annual payment for the use of the parking area since on or about June 31, 2013.* So my question to you is have you made the payments or haven’t you made the payments?”

Supervisor Walter: “No we have not. We haven’t made the payments.”

Sal Mastropaolo: “Because that sentence makes no sense.”

Annemarie Prudenti: “Technically we have not.”

Robert Kozakiewicz: “Right technically we have not made the payments.”

Supervisor Walter: “We have not made the payments and we have had full use of the parking lot the whole time.”

Sal Mastropaolo: “So it should say has made an annual payments?”

Supervisor Walter: “We have not made annual payments since.”

Councilman Dunleavy: “Since June, it’s right here.”

Supervisor Walter: “Right we have not made payments since; we owe them from July 1st to today. How does that sound?”

Sal Mastropaolo: “Ok.”

Supervisor Walter: “So how do we fix this paragraph? Let’s see.

Sal Mastropaolo: “*So neither has made.*”

Robert Kozakiewicz: “That’s correct so if you leave the *neither. Neither the Town of Riverhead or the Town of Riverhead Public Parking has made.*”

Sal Mastropaolo: “Thank you.”

Supervisor Walter: “You’re adjusting that Bob?”

Sal Mastropaolo: “This begs a lot of discussion too. This is a situation you have one parking lot and you pay six thousand dollars a year. I don’t know how much more we’re paying for other parking lots that we lease from the Town.”

Supervisor Walter: “We do it by parking stall costs right John?”

Councilman Dunleavy: “We do it by parking stalls and again a lot of parking stalls plus this is the same as we pay other people that we lease the parking areas from.”

Sal Mastropaolo: “Do we recover that money through a taxing district?”

Supervisor Walter: “Yes.”

Councilman Dunleavy: “Yes.”

Sal Mastropaolo: “Ok so it doesn’t cost the town.”

Councilwoman Dunleavy: “It’s not coming out of the General Fund; it’s coming out of the Parking District.”

Sal Mastropaolo: “The only reason I ask the question is because you go to the Town of Port Jefferson you can’t park any place in the Town for free. Everything is metered.”

Supervisor Walter: “That’s ultimately what’s going to happen here someday. I guarantee it, we’re not there yet.”

Sal Mastropaolo: “Ok.”

Supervisor Walter: “I hope someday you can’t find a spot in downtown Riverhead without driving around twenty minutes like Patchogue or Sayville or Port Jefferson.”

Sal Mastropaolo: “Ok, another comment. On the second page first paragraph it says the fourth line down says *subject to a lease term of four years* yet when you look at the lease agreement it’s five years so change the first paragraph, it should say five years.”

Councilman Dunleavy: “It should say five years.”

Supervisor Walter: “Annemarie are you here somewhere?”

Annemarie Prudenti: “I’m right here.”

Supervisor Walter: “Was it a four year or a five year?”

Sal Mastropaolo: “Well it goes through 20.”

Annemarie Prudenti: “(inaudible) for five years.”

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Supervisor Walter: “Five year or so where do we want to have five year?”

Robert Kozakiewicz: “The first *whereas*.”

Councilman Dunleavy: “On the second page.”

Supervisor Walter: “Ok.”

Sal Mastropaolo: “634 is missing Schedule A and I was particularly looking for Schedule A to see what they were going to do for the Town with thirteen thousand dollars.”

Supervisor Walter: “I have it if you want to see it. It’s a professional services agreement.”

Sal Mastropaolo: “Right or the Poe Festival.”

Robert Kozakiewicz: “Correct.”

Sal Mastropaolo: “Ok, 648 there’s no mention of paid fees for the fireworks permit in the resolution.”

(Inaudible)

Supervisor Walter: “I’m wondering if this is one of those not-for-profits.”

Councilman Dunleavy: “It’s for a Memorial Fund so I would think that it’s a not-for-profit. We won’t split Memorial Funds so that’s why we don’t charge.”

(Inaudible)

Neil Krupnick: “Neil Krupnick 556 Sound Shore Road, Riverhead. I have a question about Resolution 638, the one year moratorium public hearing. I’m just trying to find out first why you want to lock yourself into a full one year moratorium? Supervisor Walter did mention that it could be six months, it could be a year. Either length seems rather lengthy to me given the fact we have access to Columbia Care Representative right here; they’ll be here on Thursday They should be able to answer a lot of questions and fears and put aside some of the fears that you have and to say that if this resolution says we’re voting yes or no on a one year moratorium are you going to be locked into that.”

Supervisor Walter: “No we’re not.”

Councilman Dunleavy: This is only for a hearing.”

Councilman Wooten: “There’s no vote.”

Supervisor Walter: “No we can adopt it for one year and then rescind it. The purpose of a moratorium is a timeout for the Town to amend its zoning code, amend its master plan because something is happening whether you’re maybe you’re working on your Master Plan and people are trying to get in at the last minute with subdivisions or commercial shopping centers that you know your master plan is looking at so you’re taking a timeout. You can, as long as we’re doing the work you can even extend I think the moratorium under Bob Kozakiewicz was a couple of years, two years. You can extend it because you’re not finished with the work. If you’re finished with it early you can withdraw that moratorium, adopt your zoning because we have to.

Here’s where the problem is. If we’re going to change the use we have to adopt, hold a public hearing on adoption of the zoning and amend the master plan. You have to send all of that to the County Planning Commission and they hold a public hearing on it, review it. So between the referrals and everything we have to do I would say six months is probably breakneck speed but if we have a meeting with them and come to a determination that you know we don’t like this but we’re kind of saying this might work for the Board and here’s why based on our analysis of the zoning they may say you know what that may work and as we’re moving forward to amend the master plan and the zoning we could then lift the moratorium.”

Neil Krupnick: “I’m hearing different reasons as to why there are objections. Traffic seems to be a big one.”

Supervisor Walter: “I’m pretty clearing on my reasoning.”

Councilwoman Giglio: “I think the impact it may have on the town is a big thing; reason for mine and whether or not the town will be compensated for anything, any costs.”

Neil Krupnick: “I think the Town definitely needs to be compensated.”

Supervisor Walter: “And we can’t even address that in the moratorium. That is going to require an amendment to the State legislation as I see it and I’ve not researched this out but that legislation presupposes that the County would get the money probably because in a lot of places,

you can't even say this because a lot of places it's not County police department but that legislation presupposes the county gets it I'm thinking for police services and things like that was what was in the legislators mind so I think we're a little unique and we would go back to the State and say listen we'd like an amendment in the legislation of course Suffolk County is not going to be happy but we would like an amendment in the legislation because this is the Riverhead police district so we should get the money but that's a Town issue."

Neil Krupnick: "Can a deal be struck with Columbia Care as well?"

Councilwoman Giglio: "I think so.

Neil Krupnick: "They obviously want to come here. They obviously did their homework in terms of what were the best areas to."

Councilman Gabrielsen: "Where they failed miserably is they should have come to us two months ago."

Councilman Dunleavy: "They didn't know two months ago."

(Inaudible)

Councilman Gabrielsen: "Or if they were awarded."

Neil Krupnick: "That would explain why they came to you so late."

Supervisor Walter: "They were awarded at the very end of July."

Councilman Gabrielsen: "They were awarded but they already had their sites. They already knew the site, that's my point. If they knew they were coming here if they gave us the heads had the work session two months ago right now this thing may be moving. They've created their own crises."

Councilwoman Giglio: "Before they made application they should have."

Councilman Dunleavy: "And I think why the County is getting money is because upstate New York most of your policing is done by the County Sheriff's Departments."

Supervisor Walter: "Right, Ticonderoga has their own four member police force."

Councilman Dunleavy: "Well, anyway I think that's probably why it goes to the county and nobody know what Long Island is because most of your legislators are from upstate New York."

Neil Krupnick: "I have a feeling all of these questions can be answered well."

(Inaudible)

Supervisor Walter: “Does anybody else wish to be heard on the resolutions? Mr. Coates.”

Anthony Coates: “Good afternoon Mr. Supervisor, members of the Town Board my name is Anthony Coates, I live on Roanoke Avenue. Just a few questions on Resolution 624 which is supporting special counsel to the lawsuit filed by Assessor Haas. I just have a few questions. As I understand it on Thursday is it still that there is an emergency Order to show cause in court?”

Robert Kozakiewicz: “Judge Zamperelli did stay proceedings until Thursday in order for the parties to have Counsel present in order to address the TRO on its merits. When this matter was heard on Friday given the situation Judge Zamperelli agreed it would be difficult or impossible for myself for obvious reasons to address the merits of the proceedings and he agreed it would make sense for Counsel to come in and address the TRO. So there is a stay in effect but it was not based upon the adjudication by the court whether there is a basis for a TRO or for preliminary injunction to be branded at this time.”

Anthony Coates: “So Bracken, Margolin would represent the town Thursday.”

Robert Kozakiewicz: “Correct if this resolution is adopted.”

Anthony Coates: “Right.”

Supervisor Walter: “Presumably lift the stay because the stay was not adjudicated. There was no hearing on the stay. Everyone in the Town Attorney’s office for obvious some obvious reasons some not so obvious reasons seem to be conflicted.”

Anthony Coates: “So is then is there a cap on the amount that Bracken, Margolin would cost the Town or is there any estimate associated with the resolution?”

Supervisor Walter: “It’s not something anybody’s going to be able to figure out at this stage.”

Robert Kozakiewicz: “There’s not a cap. They’ve agreed to that reduced fee which is the standard municipal rate of one seventy-five.”

Anthony Coates: “So it may be they’re just appearing on Thursday and that’s that.”

Supervisor Walter: “It could be, I mean it could get dismissed pretty quickly. I understand, I mean it could go on but I don’t want to say too much about the papers.”

Anthony Coates: “And if the Judge on Thursday allows it to go further we really don’t know how far Bracken, Margolin will run.”

Supervisor Walter: “Nor do we know how far the Republican Committee’s coffers will last.”

Anthony Coates: “Ok, those were my questions thank you.”

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

Robert Pecker: “Robert Pecker from Aquebogue on the same resolution Mr. Coates was talking about. He didn’t ask was there a retainer paid to this.”

Supervisor Walter: “No, we never pay a retainer.”

Robert Pecker: “So it was just basically an hourly rate?”

Supervisor Walter: “Correct.”

Robert Pecker: Ok, thank you.”

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

Councilman Dunleavy: “I would like to close the Town Board meeting and open the Community Development Agency meeting, so moved.”

Councilman Wooten: “I’ll second.”

Supervisor Walter: Moved and seconded. Vote please.”

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

Diane Wilhelm: “The CDA meeting is now opened.”

Town Board Meeting is now closed

Town Board Meeting is now reopened

RESOLUTIONS

Resolution # 616

Councilman Wooten: “Riverhead Charter School Water Ext. 77 Capital Project, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

Resolution #617

Councilman Gabrielsen: “Calverton Industrial Park – STR Systems, Inc. Water Extension #86 Capital Project Budget Adjustment, so moved.

Councilwoman Giglio: “Second.”

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

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

Resolution #618

Councilwoman Giglio: “Riverhead Water District Capital Project Closure #30126, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

Resolution #619

Councilman Dunleavy: “Riverhead Water District Capital Project Closure #30127, so moved.”

Councilman Wooten : “I second.”

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

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

Resolution #620

Councilman Wooten: “Riverhead Water District Insurance Recovery Budget Adjustment, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

Resolution #621

Councilman Gabrielsen: “Riverhead Water District Budget Adjustment, so moved.”

Councilwoman Giglio: “Seconded.”

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

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

Resolution #622

Councilwoman Giglio: “Authorizes Attendance of Assessor at Seminar, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

Councilman Dunleavy: Yes, we’re reimbursed by the State of New York so it’s not costing the Town any money to send him. We just have to give him the money and then we will be reimbursed so I vote yes.”

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

Resolution #623

Councilman Dunleavy: “Extends Bid Contract for Charter Bus Service, so moved.”

Councilman Walter: “Second.”

Supervisor Walter: “Moved and seconded to move all three at once. Vote please.”

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

Resolution #624

Councilman Wooten: “Appoints Bracken, Margolin, Besunder, LLP, as Special Counsel in the Matter of Mason Haas V. Town of Riverhead, Sean Walter, John Dunleavy, George Gabrielsen, James Wooten and Jodi Giglio, so moved.”

Supervisor Walter: “Can I ask a question? Bob I haven’t seen the papers on this did they sue us individually or not individually?”

Robert Kozakiewicz: (Inaudible) there’s no allegations of individual (inaudible). In the way the caption is read this is the order in which your names (Inaudible).”

Supervisor Walter: “Ok, do we get a second?”

Councilman Gabrielsen: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I think that we should be handling this in house and there is no cap on it so I’ll be voting no.”

Vote Continued: “Gabrielsen.”

Councilman Gabrielsen: “What a waste of tax payer’s money by disgruntled Party Boss, really so I’m voting yes.”

Vote Continued: “Wooten.”

Councilman Wooten: “I certainly would want this handled by outside Counsel so absolutely yes.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “I’m confused. I don’t know why one of our Deputy Town Attorney’s, I know why the Town Attorney can’t handle it but a Deputy Town Attorney could handle this. Spending tax payer’s money when this can be handled in house so I’m going to vote no.”

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

Resolution #625

Councilman Gabrielsen: “Amends Resolution #132 (Approves request for Parentage Leave of Absence – Cori Fife), so moved.”

Councilwoman Giglio: “Seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I think they said, they estimated that this is going to cost us around two thousand dollars and not that two thousand dollars is nothing to sneeze over but it is a trained employee that’s been with the Town on a part-time basis.”

Councilman Dunleavy: “This is the wrong one. This is a leave of absence.”

Councilwoman Giglio: “Oh, this is the wrong one, ok but, I’ll vote yes for this one.”

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

Resolution #626

Councilwoman Giglio: “Amends Resolution #152 (Appoints a Temporary Deputy Tax Receiver- Melissa Messina), so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “Again I just reiterate what I just said. We need to keep the tax money coming in for the Town and we need to keep that system flowing so that our tax payers aren’t affected by an employee that’s out on parental leave so I feel the cost is minimal and far out ways the services to the tax payers and I’m voting yes.”

Vote Continued: “Gabrielsen, yes; Wooten, yes; Dunleavy.”

Councilman Dunleavy: “Yes, we only have two employees, the Tax Receiver and this young lady and they collect the water bills and our taxes and we need that money to come in and this young lady has been working for the town for years. She knows what she’s doing. Someone doesn’t have to sit behind her and tell her what to do and again there is very little that we’re paying to keep her here for another six months and I vote yes.”

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

Resolution #627

Councilman Dunleavy: “Change the Status of an Employee (Jeffrey Seeman), so moved.”

Councilman Walter: “Second.”

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

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

Resolution #628

Councilman Wooten: “Authorizes the Supervisor to Issue a Letter to the Suffolk County Department of Health Services Allowing the use of Pine Barrens Credits Originated from Property Located in Riverhead, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

Resolution #629

Councilman Gabrielsen: “Accepts Highway Superintendent’s Personnel Report and Request for Town Board Resolution to Effectuate Personnel Request (Timothy Barget), so moved.”

Councilwoman Giglio: “And seconded.”

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

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolutions adopted.”

Resolution #630

Councilwoman Giglio: “Authorizes town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 62 Entitled “Excavations” of the Riverhead Town Code, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

Resolution #631

Councilman Dunleavy: “Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 96 Entitled “Rubbish, Refuse, Weeds and Other Rank Vegetation” of the Riverhead Town Code, so moved.”

Councilman Wooten: “I’ll second.”

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

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

Resolution #632

Councilman Wooten: “Adopts a Local Law to Amend Chapter 101 Entitled “Vehicles and Traffic” of the Riverhead Town Code (101-3 Stop and Yield Intersections: Railroad Crossings, Parking Fields. Middle Road Intersecting with Manor Road, Calverton), so moved:

Councilman Gabrielsen: “And seconded.”

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

The Vote: “Giglio, no; Gabrielsen, yes; Wooten yes; Dunleavy.”

Councilman Dunleavy: “I think that, I’m going to vote no, this came from the Supervisor’s office. I vote no.”

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

Resolution #633

Councilman Gabrielsen: “Authorizes the Supervisor to Execute an Agreement between the Town of Riverhead Parking District and Archangel Holding, LLC Subject to Permissive Referendum, so moved.”

Councilwoman Giglio: “Seconded.”

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

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

Resolution #634

Councilwoman Giglio: “Authorizes Co-sponsorship with the Riverhead Business Improvement District Management Association, Inc., and Approval of an Agreement with St. George Living History Productions, Ind. Regarding an Event Entitled ‘The Edgar Allan Poe Festival, so moved.”

Councilman Dunleavy: “And Seconded.”

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

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

Resolution #635

Councilman Dunleavy: “Expressing the Sense of the Town of Riverhead Requesting Construction of a Bus Shelter by Suffolk County and/or New York State at the Suffolk County Bus Stop on the North Side just East of Main Road’s Intersection with Edgar Avenue, Aquebogue, so moved.”

Councilman Wooten: “I’ll second.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I drive by this place all the time and I see people always sitting on the bench waiting for a bus and a bus does stop there. The bench is falling apart, there is no cover on the bench and I think that this is you know something that the community is asking for so I’ll vote yes.”

Vote Continued: “Gabrielsen, yes; Wooten.”

Councilman Wooten: “Yeah, this is a sense resolution. I know they’re looking into relocating it, I think a little west of there where there’s more room for the bus to actually stop, yes.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “I’m going to vote yes but I think the location should be changed because it’s right at the intersection and we have a school there so I think, I think this bench was put up by private people before the County or the State put bus stops up so I think that requesting the County to do it is appropriate so I vote yes.”

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

Resolution #636

Councilman Wooten: “Adopts a Local Law to Amend Chapter 101 Entitled “Vehicles & Traffic” of the Riverhead Town Code (101-10 Parking Prohibited and 101-10.2 No Parking Certain Hours – Ostrander Avenue, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

Resolution #637

Councilman Gabrielsen: “Authorizes Bow Hunting for Deer on Town Property at Enterprise Park at Calverton (SCTM No. 600-125-1-7.33, et al.); 1751 Sound Avenue, Calverton (SCTM No. 600-60-1-2); 437 Youngs Avenue, Riverhead (SCTM No. 600-80-2-6-1); Middle Road, Riverhead (SCTM No. 600-80-2-10.1), from October 5, 2015 to November 8, 2015, Inclusive, Sunrise to Sunset, so moved.”

Councilwoman Giglio: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “And I hope a notice will be given out to all hunters who are caught driving on the recreation trail but I’ll vote yes.”

Vote Continued: “Gabrielsen.”

Councilman Gabrielsen: “I will say the hunters are on top of this. They’ve been on top of it for a couple of years, they don’t have to be reminded, they’re reminding everyone else so I vote yes.”

Vote Continued: “Wooten, yes; Dunleavy,”

Councilman Dunleavy: “I think this is one way to thin out our deer population which someone just mentioned yesterday that they did thirty to fifty thousand dollars of damage on his property so this is one way we can thin that herd out and try to help some people with their property. I vote yes.”

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

Resolution #638

Councilwoman Giglio: “Authorizes Town Clerk to Publish and Post a Notice of Public hearing to Impose a One (1) Year Moratorium on the Establishment, Location, Construction, Use, Operation of Land or Structures as a Medical Marijuana Dispensary and Issuance of any Zoning, Site Plan, Building, Licensing, Permit or Other Approval to any Person, Entity or Premises for the Use of Land or Structures as a Medical Marijuana Dispensary, so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes to the public hearing; Dunleavy, yes; “Walter, yes. Resolution adopted.”

Resolution #639

Councilman Dunleavy: “Approves the Chapter 90 Application of Abate of NY Long Island Chapter (St. Mary’s Food & Toy Run - Sunday, November 8, 2015), so moved.”

Councilman Wooten: “I’ll second.”

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

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

Resolution #640

Councilman Wooten: “Approves Chapter 90 Application of Long Ireland Beer Company, LLC (Halfway to St. Patrick’s Day Party – Saturday, September 19, 2015), so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

Resolution #641

Councilman Gabrielsen: “Approves Chapter 90 Application of Bubble Palooza, LLC (Calverton Links – Saturday, September 26, 2015), so moved.”

Councilwoman Giglio: “Second.”

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

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

Resolution #642

Councilwoman Giglio: Approves Chapter 90 Application of the Cystic Fibrosis Foundation Greater New York Chapter (CF Cycle for Life – Saturday, October 3, 2015), so moved.”

Councilman Dunleavy: “And seconded.”

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

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

Resolution #643

Councilman Dunleavy: “Approves the Chapter 90 Application of Hallockville Inc. (Country Style fair – September 12 and 13, 2015), so moved.”

Councilman Wooten: “Seconded.”

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

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

Resolution #644

Councilman Wooten: “Approves Chapter 90 Application of the Island Classic Car Shows Inc. (Car Show and Vendor Fair – Sunday, September 27, 2015), so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

Resolution #645

Councilman Gabrielsen: “Approves Chapter 90 Application of Riverhead Foundation for Marine Research and Preservation (18th Annual 5K Run for the Ridley – Saturday, October 24, 2015), so moved.”

Councilwoman Giglio: “Seconded.”

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

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution Adopted.”

Resolution #646

Councilwoman Giglio: “Approves Chapter 90 Application of Starfish Junction Productions LLC (Pour the Core; Hard Cider Festival – Long Island Calverton Links – Saturday, October 3, 2015), so moved.”

Councilman Dunleavy: “And seconded.”

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

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

Resolution #647

Councilman Dunleavy: “Ratifies the Approval of the Chapter 90 Application of the Survival Race, LLC (5K Adventure and Mud Run – August 29, 2015 and August 30, 2015, so moved.”

Councilman Wooten: “I’ll second.”

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

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

Resolution #648

Councilman Wooten: “Approves the Application for Fireworks Permit of Fireworks by Grucci, Inc., (Robert Pole Memorial Fund – Baiting Hollow Club September 2, 2015), so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

Resolution #649

Councilman Gabrielsen: "Pays Bills, so moved."

Councilwoman Giglio: "Second."

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

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

Supervisor Walter: "Alright so, I don't know whether we want to pass this, take this off the floor. This was the gentleman that came in at least a month ago or more and talked to us. It didn't get into the packet, it should have been in the packet; talked to us about using, he was doing a low budget horror film and wanted to use our runway and some other stuff. This is what he wants to use and when he wants to use it. It's not going to cost us anything but we really didn't discuss it and I don't know if you're ok with it because he wants to get started. I guess he thought that there was approval but we didn't vote on it."

Councilwoman Giglio: "He's going to pay the four hundred dollar a day fee right Bob?"

Councilman Dunleavy: "No we're waving that because he has no money."

Councilman Gabrielsen: "Well that's not my problem. When Andrea (inaudible) was head of CDA it used to be a thousand dollars a day to use the EPCAL facility and then suddenly it got dwindled down to four hundred and its going, going, gone. That's not my problem. Yeah four hundred and I think we should change it back to a thousand."

Councilwoman Giglio: "Me too, me too."

Councilman Gabrielsen: "Really, the use of our facility."

Councilman Dunleavy: "We can't do it for this though."

Councilman Gabrielsen: "No, no we can't but I'm not going."

Supervisor Walter: "Ok, what I would say is we would amend it and so would it be four hundred dollars a day for each one of these days?"

Councilwoman Giglio: "Yup."

Councilman Gabrielsen: “Yeah sure why are we taking that responsibility for what goes on there.”

Supervisor Walter: “That’s fine.”

Councilman Gabrielsen: “What’s it called, the Devil’s Five?”

Supervisor Walter: “And that’s what we charge. So if he wants to pay four hundred dollars, that’s what we normally charge, right Bob, is four hundred dollars a day?”

Robert Kozakiewicz: “Four hundred dollars.”

Councilman Dunleavy: “It’s costing him four hundred dollars a day; if he wants to use the runway for three days.”

(Inaudible)

Supervisor Walter: “So we will amend it Bob so it’s four hundred dollars a day for each one of these days if he wants to use it. So can you give us a paragraph and with that change is it ok to take off the floor? Ok.”

Councilman Dunleavy: “Now that’s just for the runway, not Town Hall.”

Supervisor Walter: “Well, he’s using Town Hall after. I was going to say four hundred dollars a day for each one of these things.”

Councilman Dunleavy: “We don’t have it in the Code, nothing for Town Hall.”

(Inaudible)

Councilman Gabrielsen: “He’s looking to use the basement here, good luck.”

Councilwoman Giglio: “It’s a little scary down there.”

(Inaudible)

Supervisor Walter: “Do we want to amend this? So four hundred dollars a day for each, is that what I’m hearing.”

Councilwoman Giglio: “Yeah.”

Councilman Gabrielsen: “Yup, absolutely.”

(Inaudible)

Councilman Dunleavy: “Now you’re realizing that for a half hour use of the Town Hall basement we’re going to have to, everyone that’s going to want to use some other piece of property we’re going to have to charge four hundred dollars a day, not just this young fellow.”

Supervisor Walter: “No.”

Councilman Dunleavy: “So I mean we got to do something. We’ve got to put that in the policy so we have it written down so everybody’s charged the same and we’re not just making figures out of the top of our head, ok?”

Supervisor Walter: “So why don’t we put it down for four hundred dollars per day so whatever he might want to do, he might not even want to use the Town Hall basement.”

Councilwoman Giglio: “Who’s going to be here on a Friday night till eight o’clock with this guy?”

Supervisor Walter: “Larry said he would do it, he doesn’t get paid for that.”

Councilman Dunleavy: “I’m not saying that. We’re going to have to have a policy for anybody who wants to use any town property for filming.”

Supervisor Walter: “We actually have.”

Councilman Dunleavy: “Someone told me we didn’t have it.”

Supervisor Walter: “No we, I mean when we filmed.”

Councilman Dunleavy: “We have a policy?”

Supervisor Walter: “It’s a policy we’ve adopted by resolution.”

Councilman Dunleavy: “I know the Recreation Department charges a rental fee but I think that’s the only one we have a policy for is the Recreation Department. I just want to make this legal and everybody’s charged the same thing, that’s all I want to do.”

Supervisor Walter: “I think that’s what we’re charging four hundred dollars per day.”

Councilwoman Giglio: “That’s what we charged for the (inaudible) group, the (inaudible) group that was at the EPCAL runways.”

Councilman Dunleavy: “You’re talking about the runway. I’m talking about the runway but I’m also talking about. The runway’s four hundred dollars but I’m talking about the use of Town Hall, that’s what I’m afraid. This guy wants to use it for a half hour.”

Councilman Gabrielsen: “No, on the fourth day it’s seven hours.”

Councilman Dunleavy: “I know that, no, no I’m talking about the first one, the top one.”

Councilman Gabrielsen: “And then he wants to go back and use.”

Councilwoman Giglio: “From 8:00 am to 8:00 pm.

Councilman Wooten: “That’s eleven and a half hours.”

Supervisor Walter: “Do you want him just not to use Town Hall?”

Councilwoman Giglio: “What do you have down in the basement? Like do we have documents?”

Diane Wilhelm: “Records in a locked room, archived records. They’re not going in there are they?”

(Inaudible)

Councilman Dunleavy: “I just think we should have a policy.”

Supervisor Walter: “We do, by resolution. I think actually we passed a policy for filming I think, where is Chris Kempner?”

Robert Kozakiewicz: “We never adopted a film policy. We never had a public hearing on it.”

Diane Wilhelm: “Did we have?”

Supervisor Walter: “We never adopted?”

Robert Kozakiewicz: “I think we had a discussion on this, we never adopted anything.”

Supervisor Walter: “So we’re going to charge four hundred dollars?”

Councilman Dunleavy: “I’m ok with that I’m just saying we should have a policy.”

Supervisor Walter: “And you talked to Chris Kempner about that because we did have that and honestly I don’t know why that didn’t go forward.”

(Inaudible)

Supervisor Walter: “Joey come on up, this is just turning into a.”

Councilman Wooten: “Is this a Town Board resolution or a CDA resolution?”

Supervisor Walter: “No we have it as a Town Board resolution.”

Councilman Wooten: “It should be both.”

Joe Maiorana: “I surely think it’s appropriate to have a fee but I took this guy around EPCAL. It was definitely apparent that he doesn’t have any kind of a budget so I mean I think if you go ahead and now say that he has to pay he has all these plans and I know he’s flying people in and.”

Councilwoman Giglio: “If he’s flying people in he must have some kind of budget Joe?”

Joe: “He has a budget but it’s a very, very tight budget and you know I mean I think it’s a little late in the game to now say you have to pay. I think it’s going to probably axe the whole film.”

Councilman Dunleavy: “When he came before us at the work session we should have then told him that this is going to cost four hundred dollars a day”

Joe Maiorana: “I think when he was at the work session he had the impression that he was not going to be charged.”

Robert Kozakiewicz: “We talked about fees but when he appeared at work session the discussion was without a fee.”

Supervisor Walter: “Right so what do you want to do?”

Councilman Gabrielsen: “He was aware we were looking for a fee.”

Robert Kozakiewicz: “Not at work session.”

Councilman Gabrielsen: “Before that your conversation with him mentioned there could be a fee, possibly.”

Councilman Dunleavy: We should have made a decision at the work session or after the work session to let him know what it was going to cost him, that’s all I’m saying. I think we’re being underhanded. Now we’re going to charge him four hundred dollars a day, that’s all I’m saying.”

Joe Maiorana: (inaudible)

(Inaudible)

Councilwoman Giglio: “I don’t think we can take this off the floor. I think we’re going to have to wait until the next meeting.”

Councilman Wooten: “I think he’s got people coming.”

(Inaudible)

Supervisor Walter: “Are we taking it off the floor and are we charging four hundred dollars a day? What are we doing? John, what do you want to do? We’ll start with you.”

Councilman Dunleavy: “Well we already spoke to him at a work session and we gave him the impression that he was a startup company and we were going to help this startup company.”

Supervisor Walter: “We did do that.”

Councilman Dunleavy: “And that’s how I feel.”

Supervisor Walter: “Ok, you’re a no; you’re going to go with no fee.”

Councilman Dunleavy: “I’m going to go with no fee.”

Supervisor Walter: “Jim.”

Councilman Wooten: “I’m going to go with it as written.”

Supervisor Walter: “Ok, Jodie?”

Councilwoman Giglio: “I don’t think I was here for the work session I think I was in California. I’m not saying I would have brought it up.”

Supervisor Walter: “You weren’t. Ok, I think you were not here either George.”

Councilman Gabrielsen: “I was out too.”

(Inaudible)

Supervisor Walter: “Ok, so then let’s take it off the floor as it is and see where it goes.”

Resolution 650

Councilman Dunleavy: “I make a motion that we take Resolution 650 off the floor, so moved.”

Councilman Wooten: “I second it.”

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

The Vote: “Giglio, abstain; Gabrielsen.”

Councilman Gabrielsen: “I have to abstain. I wasn’t here when.”

Vote Continued: “Wooten.”

Councilman Wooten: “This is just to take it off the floor.”

Vote Continued: “Dunleavy, yes; Walter, yes. Resolution 650 is taken off the floor.”

Councilman Dunleavy: “Authorizes the Supervisor to Execute an Agreement with Mantaray Pictures, LLC for use of the Town of Riverhead Premises in Connection with a Motion Picture, so moved.”

Councilman Wooten: “I’ll second.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I wasn’t at the work session because I was in California with my mother who’s ill so I would have asked for the fee and seeing as there’s not a fee I’m going to have to say abstain which essentially is a no vote anyway.”

Vote Continued: “Gabrielsen.”

Councilman Gabrielsen: “I wasn’t here also but I would have adamantly fought for a couple thousand dollars, four hundred I think is taking advantage of you so I would have been no so I’ll stay no.”

Vote Continued: “Wooten.”

Councilman Wooten: “Well I was there and of course my ears were in tune to his pleas and so my benevolent self you know what it’s no impact to the town, it’s off hours this is before people (inaudible) so I vote yes.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “I vote yes because we gave him the impression that we’re going to help him out. He’s a startup film maker and this is one of his first films so I vote yes.”

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

PUBLIC COMMENTS

Supervisor Walter: “Ok, so hopefully there are no other resolutions. Please come up if you’d like to be heard on any other matter before the Town. We ask you to limit your conversation, your comments to five minutes, yes.”

Patricia Holland from Northville came forward and asked Councilman Wooten if the symposium originally scheduled for July was going to take place and if so when. Councilman Wooten responded by saying he had a very nice discussion with the head person on the silo. He continued by saying he is the person who wants to coordinate the entire symposium which he hope will be held by the end of October.

Noreen Magliano said she and Anita Pellegrino have been attending the past eight meetings to voice their concerns about their neighborhood and today they are in attendance to thank the entire Board for allowing the residents to talk about their concerns and for the Boards help in finding solutions to their problems. She thanked Councilman Dunleavy for attending their community meetings and steering them in the right direction, Robert Kozakiewicz for assisting them with the faulty lighting in the community and Councilwoman Giglio for visiting the community and getting many of the community's issues resolved in a matter of days. She said they will keep the Board apprised of the remaining issues especially the drainage issue the community has. She said on the advice of the Board the community did write a letter to the Town Planning Board and they will be at the Planning Board meeting on Thursday night.

Councilman Dunleavy told Ms. Magliano that he spoke to the Town Engineer and that the Engineer is going to send a letter to the golf club informing them of what they need for the Planning Department so that the Town can then look at what the golf course wants to build. He continued by saying they have to submit the engineering figures not just the architectural drawings.

Anita Pellegrino also thanked the Town Board. She said this is the best the community has ever looked however she said once the road is dedicated and the bond is released she is concerned about how they will be able to keep the community looking good. She also wanted to compliment the new construction company working on Lot 3 for their neatness and told them to continue doing what they are doing.

Supervisor Walter told Ms. Pellegrino that the minute she sees the grass growing she is to contact the Board and they will continue to pressure the company.

Councilman Dunleavy said he wanted to update her on the Town taking their road over. He said the Highway Superintendent sent a letter to the company telling them what needs to be done before the Town can take the road over.

Harriette Haas came forward and said she thought the Town could use a traffic light by Sound Avenue near the Garden of Eve Farm. She said she was there Saturday and traffic was very bad and that cars have to wait to get out of the farm.

Supervisor Walter thanked Harriette for her comments.

Warren McKnight came forward to speak about the Davis Peach Farm which the News Review published an article about. He said the farm has been in existence for over a hundred years and the various storms especially the last storm is just about putting them out of business. He continued by saying Christine Davis asked him to tell the Board about the GoFund Me that has been started to save the peach farm. If you can make a donation to GoFundMe.com save Davis Peach Farm it would be greatly appreciated. He said they need approximately a hundred and fifty thousand dollars to replant trees and put in an irrigation system.

Antoinette Carbone from Riverhead said at the last Traffic Safety meeting Councilman Dunleavy announced that nothing was going to be done about the visibility at the intersection. She

continued by saying that the Councilman said the farms and the agricultural centers need the fences. Ms. Carbone said she pointed out to the Councilman Dunleavy that other towns believe lives out way the cost of farmers having to move their fences so drivers have better visibility when approaching certain intersections. She said she will keep coming to the Town Board meetings and speaking on this matter until something is done.

Sal Mastropaolo asked if the Town received any feedback from ShopRite relative to the Waldbaum's store. Councilman Wooten informed him that there has been no feedback from them.

Sal's second concern had to do with people in the Town walking. He said people do not understand that when you walk you should walk against the traffic not with the traffic. He suggested that the paper write an article about walking against traffic not with traffic, and riding a bike with traffic.

Councilman Dunleavy said the police will stop people if they are walking with traffic and inform them that they should be on the other side of the road.

Supervisor Walter: "Does anyone else wish to be heard? Not seeing anybody can I get a motion to adjourn?"

Councilman Dunleavy: "I make a motion we adjourn the Town Board meeting, so moved."

Supervisor Walter: "All in favor, aye?"

Collective ayes, meeting adjourned.

Meeting Adjourned at 8:55 p.m.