

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, May 22, 2013 at 7:00 p.m.

**PRESENT:**

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

**ALSO PRESENT:**

Diane M. Wilhelm	Town Clerk
Robert Kozakiewicz	Town Attorney

The meeting was opened at 7:00 p.m. by Supervisor Walter with the Pledge of Allegiance.

Invocation was given by Pastor Jerry Halpin of North Shore Christian Church in Riverhead.

Councilman Dunleavy made a motion, which was seconded by Councilman Gabrielsen, to approve the minutes from the May 7, 2013 Town Board meeting. Motion carried, minutes were approved.

Councilman Wooten announced that Sunday, May 26, 2013 is the 17<sup>th</sup> annual Community Mosaic Street Festival which is sponsored by the East End Arts Council. He hoped everyone would come down and watch the artists and residents who rent spaces to paint on the street. He also asked that everyone meet at 12:30 at the Showmobile behind the East End Arts Building for the opening ceremonies. He said it's a fun day worth coming out and visiting.

Supervisor reminded everyone of the annual Memorial Day Parade on Monday, May 27, 2013. The parade begins at 10:00 a.m. at Osborne Avenue and Pulaski Street. At 1:00 p.m. there will be a service at Calverton National Cemetery honoring the servicemen and women who served in the Armed Forces.

**CORRESPONDENCE**

- Peter Danowski – Letter requesting clearing permit for project titled Knightland, Inc
- Peter Danowski – Petition to extend lateral water main for Subdivision titled Kristi Rose Court
- Peter Danowski – Letter regarding Driftwood Family Farms LLC, creation of new wetland meadow system
- Peter Danowski – Letter regarding Irwin Garsten proposed new retail center

- Riverhead Garden Club – Letter requesting assistance from the town in the restoration efforts for the Davis-Corwin Gardens at East End Arts on East Main Street, Riverhead

### REPORTS

- Tax Receiver – Tax Collection to date May 8, 2013 - \$72,741,172.50
- Tax Receiver – Tax Collection to date May 15, 2013 - \$77,522,039.05
- Sanitation – Yard Waste Fees Collected April, 2013 - \$11,700.00
- Town Clerk – Monthly Report April 2013 - \$9,482.02

### APPLICATIONS

(Pending Town Board Approval)

### Special Events (Chapter 90)

- Cornell Cooperative Extension of Nassau County – Charity Polo Event, 4-H Camp Sound Avenue, Riverhead, June 22, 2013
- Peconic Community Row – Learn to Row Program, Peconic Riverfront, Riverhead – June 1, 2013
- Polish Town Civic Assoc. – Annual Polish Town Street Fair, Pulaski St. and Osborne Ave, Riverhead, August 17 & 18, 2013
- Ken Barra/Peconic Bay Medical Center – Carnival, Rt. 25A Wading River, July 4 thru 7, 2013
- Cystic Fibrosis Foundation – Bike Tour, through Riverhead – October 5, 2013
- Old Steeple Community Church – Annual Antique Fair, on Church Grounds, Rt. 25 Aquebogue, August 24, 2013

**Public hearing opened: 7:10 p.m.**

Supervisor Walter: “Public hearing supposed to start at 7:10 p.m. and 7:10 p.m. having arrived we’re going to open the public hearing on the Consideration of a Proposed Local Law to Amend Chapter 62 of the Riverhead Town Code Entitled “Excavations”. Bob, I don’t know if you want to say anything?”

Bob Kozakiewicz: “I want to say a couple of comments.

I know this is something that’s been looked at for a while by my office and we looked at some other legislation that’s on the books including the Parks 360 regulations that are in place by the DEC concerning the amounts of bulk materials that could be brought onto a particular piece of property, those that are exempt and those that require registration. We incorporated those numbers into the proposed legislation that’s before the Board today defining a certain amount that would be exempt from a Chapter 62 application when it’s being done in conjunction with agricultural production as defined in Ag and Market Law.

In the past, under 62-5, the first sentence provided that if an owner/leasee who was involved in agriculture production would be entitled to; may qualify for an agricultural

assessment to be exempt and then the next sentence said that in order to receive this certificate of exemption they needed to go forward and get that exemption from the Town Board.

The idea is to remove that exemption requirement if their described activity falls within the exemption. There's some additional definitions added such as grade, material, natural drainage, natural grade and natural water shed. In addition there are other changes that are set forth in 62-4 which will require that anyone who is seeking an excavation permit under 62, where they're required to obtain a site plan approval, also have in hand a building permit or foundation permit."

Supervisor Walter: "Ok. Does anybody wish to be heard on this? Mr. Danowski."

Peter Danowski: "I do have several generic comments to make about the pre-existing law, the current law and what you're proposing.

Now before I address two specific clients and testify about the special facts of those particular clients matters, I always think when you talk the word exemption that means someone doesn't need a permit, they're exempt and it's sort of bothersome that we create these statues that let the elected officials decide by resolution whether you're exempt; so if a farmer in agricultural production is subject to this chapter, they have to go before the building department, file an application and then have you crown them exempt. I think if you're going to create laws in the town and talk about exemptions, by definition they shouldn't have to come before you for a resolution of approval so I think you should go back to the drawing board when you start talking about exemptions.

Second and it's always bothered me, that you lump the word excavation together with importation and exportation. Rumor has it that a number of years ago you felt that somehow you had the power to, as some might suggest, establish a taxing system for the importing and exporting of material. If that was the goal then talk about importing and exporting but not excavation.

Now you're creating a law that you think is going to be farmer friendly but it absolutely does the opposite. It says to you, and I've got a feeling that whoever wrote this law didn't understand what prime soils and the definition is, hasn't gone to the USDA mapping or categorizing because you'd understand that some areas are categorized as non-prime areas on a piece of farmland. And why are they not prime, because they have a steep grade. Just think about it naturally if water comes down a steep grade over a period of time, soils wash away, so you have a goal in the same section in Chapter 62. It's a good goal, it says you want to protect, encourage prime soils and then you pass a law that says a farmer can't excavate and grade his property to create more prime soils. It's self-defeating legislation. So you're saying, let's make sure when we write this law we're not going to let the farmer grade from that natural grade that exists there today to create more prime soils. Self-defeating, crazy; why would you say that right now? Why would you even use the word excavation in the ordinance?

So the first generic question that comes out is a farmer going to have to apply to the Town Board for a resolution and are you going to say on an annual basis that farmers have to apply for an excavation exemption? Not talking importing, exporting at this moment I'm talking about excavating. Every farmer excavates. If he changes the natural grade of his property he's not exempt and you're going to have to issue him a permit and require all the material you require on an application for a clearing permit for excavating his farm? Are you kidding me?

I know Ag and Market has supplied you, or at least the Supervisor, with a letter. I have a copy of the letter that's addressed to Mr. Walter and I'll hand those up in a minute. I may have provided them already to one or more Board members. So, I think you better take a serious look backward on this legislation; eliminate the word excavation let exemptions for farmers be exempt and not have to go through a process with you folks.

The second part that Mr. Kozakiewicz mentioned was this concept that you go through a year, two year, three year, four year, forget the number of year's process for site plans in the town with the town's planning board. At the end of the day you've been swipt, you've been graded and drainage to death ok? You've had outside consultants study, clients pay for some of the services because you pass laws saying they have to pay for the services at the end of the day what more could you possibly need? Now what you've said even currently is, that you've got a Site Plan Resolution of approval that's been studied to death and approved fully with a full Site Plan Resolution, covenant filed, whatever necessary has to be done, you say, oh, by the way even, even if it's a balance cut and fill plan even if you're not importing and exporting any material, you've got to go to the town building department and fill out a clearing permit application oh and by the way the Building Department doesn't issue the clearing permit, we've got to then go to the Town Board for resolution of approval to issue the clearing permit; wow.

All right, so you folks now think that you should be granting exemption, it shouldn't be just exempt. You think that a site plan is not good enough. You need a clearing permit, Building Department and Town Board Resolution and by the way I'm told you couldn't even pass the resolutions until you have a work session meeting to discuss it. Ok, further delay. Now, you get late fall, early winter and a project is coming to the end of the Planning Board process, asphalt plants are shut down, concrete plants are shut down, a client hasn't gotten his construction drawings done because he won't possibly know what the final site plan is going to be until he gets the resolution of approval. Now he's got his resolution of approval he wants to run, he wants to get building, he wants to clear, he wants to establish his grades, put maybe his parking in, his rough coats down, put the curbing in so in the spring when taxable status day comes guess what, the town might look at him and say you've done some improvements, we can increase your tax bill all right? Then he can have his construction drawings done during the winter and pull his building permit.

Now what you're proposing is a further delay on receiving taxes. You're not going to allow someone in late fall, unless he has full building permits with construction drawings done, to be able to move forward with his project and clear the land. You're delaying him through the late fall, through the winter until the early spring; a real loss for the town with no gain. You've got a detailed site plan, you've got covenants, you've got permits and bonding. Do you actually need to instill this extra requirement?

Now let's talk about a couple of people that I represent. Let's first talk about the night land clearing permit situation. You know and I know, because I've caused letters to be written to the Town Board and I've done them in the beginning of time by filing a clearing permit, balance cut and fill, full site plan, covenanted as approved, highway permits in place, bonding done for highway permits, ready to clear, ready to clear, I'm told oh; you need a Golden Nematode letter for this wooded land in Wading River. Ok, we'll get the Golden Nematode letter. We had a list of other questions we supplied the answers to, all of which arguably after the site plan is finished and after the mylar paper prints are signed and get distributed to the Building Department, the Building Department asked me the same questions they must have already known the answers to but I responded to that by letter. I was then told, oh you can't get your Clearing Permit

Resolution even though you're not importing or exporting; why, because the Town Board did not discuss it at a work session. I said, gee, a work session is coming up hopefully it will be discussed and then hopefully I will have my Resolution because what right do you have to deny the clearing permit? You don't have any right to deny that. That work session went. Nobody on the Town Board called for a discussion, no one placed it on the agenda. Another Town Board work session came, nobody again put it on the agenda, no one discussed it and obviously no Resolution is passed. And guess what? If you think now you can pass a law that says I can't have my Clearing Permit until I pull a Building Permit, we'll see you in Court. There's no question about that.

Just so people don't forget, I want to hand up, make part of the record the Clearing Permit documentations, enclosure letters and the requests for work sessions and resolutions. I want this part of the hearing minutes.

Now let's go a second time before you, and I certainly, although I might say late in the game, I do appreciate the work session meeting the other day for the Mezynieski family who are seated before you in the front row.

I think Councilman Wooten, you might not have been at the meeting but you got my letter. Ok. This is a series of letters here and this is something similar in the sense that my letter which was time stamped in the Town's Clerk's office addressed to the Town Board and the Building Department is dated January 29<sup>th</sup>. I'm going to hand it up and make it part of the record along with the other documents I comment on. January 29<sup>th</sup> and with that letter my client was good enough to put together a pictorial display of photographs kind of pointing out the situation on site. And so January 29<sup>th</sup> we delivered documents to Town Board, Town Clerk, and Building Department. Here it is I say, I read the statute you're now talking about amending and I say clearly this is done for agricultural production and clearly I'm exempt except that you're code says you must grant the exemption. Wow, word exempt but I have to get your clearance so I'm expecting people will take a look at it, react to it take a couple of weeks.

I invited you to visit the site and Councilman Gabrielsen, I appreciate your having recently visited the site, but February went, March went, April went, no one responded back to me in writing. I eventually get a meeting on, I think it was May 9<sup>th</sup>; 8<sup>th</sup> or 9<sup>th</sup>, and we discussed matters with the work session.

We again say look here's the situation, here are the facts, check our farm out in Orient; and we had a brochure produced as well for the Orient farm as well as the Riverhead farm. You know, go out and see how beautiful it is. We're raising privet on a lot of acreage, we do a wonderful job, we've been recently damaged by the storm; you know we're real farmers out there. Then I say talk to any farmer in the neighborhood, talk to Joe Gergela from the Farm Bureau, talk to anyone that's been out to that site before Mr. Mezynieski got there and tell me how attractive it was.

I'm not blaming anybody historically for the condition of the farm at the time, we bought it but he has done a magnificent job of restoring the buildings keeping the historic water tower structures and making the place look as magnificent as it can. What he wants to do is increase the amount of prime soils on the property and as he told you at the work session, if one of the thoughts was that you felt that we should build this out in phases, if you give us the permit or give us the exemption and say, you know what, do phase one. We'll give you the full permit but you're not going to start phase two till we see an agricultural prediction on phase one. We agreed to that kind of condition and we showed the phase lines on the map.

After the meeting I redelivered maps. Unfortunately we renumbered them in a different way so six became one but I corrected that on my last letter to the Town Attorney. So, we're there saying how long do we wait to exercise what we consider to be our right to move forward and you know, whether fair or unfair if you're going to say all farmers that want to import and export have to pay a fee, we'll pay that fee but don't delay us in the process for the years' worth of matters that a farmer would have to go through if you consider this some sort of site plan.

Farmers should be exempt for agricultural production purposes. They should produce whatever plan shows what they want to do. You should look at them, verify they're in the Ag district, verify they're farmers, and ask reasonable questions. Come out and see the farm in Orient, do any of those things. You should act promptly and encourage farmers to be there. This land continues to exist continuing the agricultural production. Even if I was to develop this as an industrial and put buildings on it and no longer farm, I'd have to grade the land the same way. It's almost impossible to put buildings on it.

So, we've done and the Town Clerk made mention of it, we've consulted with the USDA, we've consulted with their recommendations. They suggested a wet meadow system at the back of the property at a low area of the property and we're willing to construct that, we show it on the plan. We've done everything possible to do things the right way and yet the answer seems to be to let's see how we can stop this guy. And really what's bothersome was we're at this May 8<sup>th</sup> or 9<sup>th</sup> meeting and the Board knew that typed up on May 7<sup>th</sup>, I presume they knew, was a notice to call this public hearing. Wow, calling a public hearing, you knew about it, you noticed it, you talked to us and no one bothered to say oh by the way we're going to have a public hearing that changes all the definitions, changes things around, eliminates what you want to do. I would say this, you want to change the law, and I say this many times, you really want to change it and effect all farmers go ahead. I think you have to consult with Ag and Market by law. I think you want to encourage prime soils. I think you want to not be doing what you're doing with this proposal but at the end of the day if you adopt legislation, make it prospective only not retroactive to people who are in the hopper now. That includes my client specifically the Meszynieski family it also includes Ken Barra. Thank you."

Councilman Dunleavy: "Pete, I just have one statement and a couple of questions for you. I've been out to the farm but there are big gates that are closed so I'm not going to drive up and start looking for people so I keep going. I guess they're closed. I see they're working on the house, they're working in there but I just don't know." (inaudible)

Peter Danowski: "Here's the response to that and I appreciate this and I don't mean this as a criticism. George Gabrielsen found a way to get in there the other day. He didn't climb over the fence; the Town Attorney gave me a call and said George wants to come out."

Councilman Dunleavy: "He has a four wheel drive truck and I have a car and a new one so I don't want to scratch it up."

Peter Danowski: "The other thing is we made George, or he volunteered I'm not sure which, to take a walk as opposed to ride around."

Councilman Gabrielsen: "We walked down 42 acres. Bob Kozakiewicz was out there, Drew was out there so we did an inspection and I think that as a result of our tour." (inaudible)

Peter Danowski: “I will say this too that one of the other comments and criticisms over the years has been dirt bike activity and people trespassing on properties and a need to secure this facility. We deer fenced the perimeter of this property that’s why you see the gating there so we don’t want people trespassing.

Even I went out there one day, had to call up Steve to get in and some woman is walking around the barns, looking inside the barns. She doesn’t have anybody’s permission, she just thought, she was out in the in the country she could just walk around and look around. I said pretty amazing.

I also just recently said, touch base with your neighbors. Robin Gibbs next door on the horse farm, go say hello and so they did and I think they had a very good conversation. She welcomes the Meszynieski’s to the neighboring property. She appreciates the facts that the deer fence went up, sets demarcation line for her horses so I think unlike other people in the area who might have wanted to do different things, this application gains the support of its neighbors. All you’re going to do is improve the amount of farm and the amount of prime soils to handle runoff in a better way. So, I’ll hand this up.”

Councilman Dunleavy: “Another question. I heard, spoke to people that are have been here, that that water we were talking about is a natural drain from the north to Canoe Lake and I thought they said they were going to keep it there but they were going to make it nicer.”

Peter Danowski: “That is correct. Howard Young said that he has prepared his plan consistent with not interfering with matters but not adding to the flow which you would not want because you know, as a goal on anyone’s property, you try to retain as much of the water on its’ site. That’s why the depressed area at the back of the property is going to be a newly created wet meadow system. Also what we noted and you folks did too, it is sort of unfortunate but the water flies off the state highway and it certainly comes from the north coming through there. So we’re not interfering with the progress of what that natural stream may be but what we’re trying to do in addition to that is to keep what we do on our property by creating this extra drainage area.”

Councilman Dunleavy: “And the last statement I want to make is we do not put things on a work session, the Supervisor does. We go ask him, he does the schedules so if he doesn’t want it to go on, it doesn’t go on because we’ve had three votes to put something on and we come and it’s not on because he doesn’t want to put it on. So we cannot just say what’s put on a work session. (inaudible) He’s saying we put it in, we can’t.”

Peter Danowski: “Well I’m only telling you that’s why from now on you’ll see I send letters to each individual town board member and when I do that I always propose and I would think you individual people, I think you’ve got your own independent thoughts and ability to say you know what, if three Board members want to move something to get it considered and discussed I would tend to think they would have the ability to do that.”

Supervisor Walter: “I think so.”

Peter Danowski: “My ending statement though; I appreciate everyone’s comments and the opportunity to speak.”

Supervisor Walter: “I just want to point out that Mr. Mezynieski himself said at the last work session that he wasn’t pushing this and didn’t necessarily care whether we acted on it in the spring because he wanted to beautify the buildings so he wasn’t in any rush for this unless that has changed I mean I think that’s what he said. He wanted to get the buildings up, looking better, clean the farm operation up, show the community what he was all about, what his family was all about and now he’s ready to proceed with the application process. That’s the way I took his conversation. Correct me if I’m wrong.”

Peter Danowski: “Well I just think you want to say that we did clean up the area so that’s in the past. We never asked to delay the review. Never asked that in any way but it is a fact that with issued permits from the Building Department we have cleaned up the area, fixed it up and it looks very, very attractive. I think anybody who has been there.”

Councilman Dunleavy: “I can’t get in there but it looks nice from the outside.”

Peter Danowski: “We’re going to get you in. We’re going to pick you up, we’re going to take you for a ride.”

Councilman Dunleavy: “Look, you’re saying that this is going to make him more difficult for him to do this before we approve what he wants to do.”

Supervisor Walter: “We can’t approve what you want because we had to do, this is the wrong farm for this but I’m telling you we went to the DEC, you need a sand mining permit from the DEC.”

Peter Danowski: “I’m telling you we filed an application with the DEC and prior to filing it the general comments; we did have meetings with the DEC was, what’s the opinion of the Town and so we need a cooperation between the Town and the State and if the Town says you need the State and the State says you need the Town we can argue about whether each of them is right but we’re going to both agencies. Thank you.”

Supervisor Walter: “All right, give us a copy of the sand mining application you filed with the state DEC. I’d like to have that for the record. We’re not moving forward without that application.”

Councilman Dunleavy: “Pete, if you’ve driven up Rt. 58 I think a lot of people on Rt. 58 will need DEC Sand Mining Permits because look at Northville Turnpike they have to be taking out at least three or four hundred yards of sand at that location. We just don’t have anybody to police it, to look at it.”

Peter Danowski: “All I want to say is there’s apples and oranges, there’s different projects. All I’m saying to you is simplify the process for all people especially farmers. Encourage more farmland to be created and if you go through a process make it a quick process. Thank you.”

Supervisor Walter: “Thank you Peter.”

Dominique Mendez: “Dominique Mendez, Riverhead Neighborhood Preservation Coalition. It’s going to come as a great surprise to everyone that I don’t agree with Mr. Danowski (inaudible). I know. It’s shocking.

I think it’s perfectly reasonable to try to prevent a situation where land is cleared where no building ever happens. What’s the rush to clear if you’re not ready to build? If Ken Barra, whomever intends to build; it seems to me that Mr. Danowski has been overstating a little bit the hardship it would create to get the Building Permit and the Clearing Permit. I mean we’ve all seen land that seems to get cleared overnight. It can happen extremely quickly and so to tie those two things together seems to make perfect sense to me and you’ll have to excuse my notes, I’m not a lawyer so I have to go by my notes.

I mean there are a lot of reasons why development might not happen; financing falls through, tenants back out, a law suit’s lost. Maybe the land owner never intended to develop. Some people just wanted to sand mine. Some people say they’re going to farm and just clear their land and never farm. I mean things happen. We all know but not everyone’s forthcoming and honest about what their plans are and may have other motives for land clearing and sometimes they just want to get a jump on it, their anxious.

Whatever, it doesn’t seem to be a particular hardship and when you look all around Long Island and see all those places where land was cleared and where nothing was ever developed you think what a crime. If we could prevent that from happening and take a step towards doing that why shouldn’t we and I think it’s the government’s responsibility to do that and that would be a step in the right direction. I don’t think it would actually pose that much of a hardship because we all, like I said, see how quickly land can be cleared. If you’re going to intend to build get the building permit at the same. It doesn’t seem at all unreasonable. Thank you for considering.”

Supervisor Walter: “How are you doing Joe?”

Joe Gergela: “Good evening Supervisor, members of the Board. I’m Joe Gergela Executive Director of the Farm Bureau; 104 Edwards Avenue in Calverton. I’m a little bit upset which I’ll talk about specifically about the hearing part in a second.

Two months ago I brought this issue to, and I talked to Jill and Jill said I’ll get this to the Town Attorney’s office which she did, and I also want to publicly thank her for putting together some meetings this week on different matters with the Farm Bureau with a couple other town agencies. So Jill has been very helpful and we’re the agency people. We had two productive meetings one on TDR today, yesterday it was about SWIP on a particular project up in Baiting Hollow, Wading River area but anyhow it went very well so I want to thank you for that.”

Supervisor Walter: “Thank you.”

Joe Gergela: “After I brought this particular code problem it says *farmers are exempt but you have to go to the town board* and we were like wow we didn’t realize this so we brought it to Jill, Jill took it to the Town Attorney’s office. I’ve not heard one word back until yesterday Jill handed me a copy of the proposed revision to the code.”

Supervisor Walter: “I apologize because I did ask Annemarie Prudenti to send this to you at the same time; before we put it on for public hearing. If she hadn’t done that I apologize.”

Joe Gergela: “I had a conversation with Annemarie yesterday very cordial.”

Supervisor Walter: “She works pretty hard.”

Joe Gergela: “She does and she’s very good, very good at what she does and very supportive ok? And this Town Board has been.

I’m very concerned about this particular thing because essentially you’re setting a precedent and I do agree with Pete Danowski. He said a lot of things I would love to say but I couldn’t tonight. Be that as it may, we have a problem with the notion that you have to go to the Town Board for permission to farm. You’re going to have people calling you saying what’s that guy doing out in that field over there maybe he’s filling in a hole because of the rain the night before. He may be doing simple ordinary farming things that now you’re going to require a permit for. We have a strong philosophical objection to that and I question also the validity of the certain exemptions both an Encon Law and Ag and Markets Law. So before you pass this code I would like to run it by Ag and Markets for an opinion Ok? It’s a philosophical thing.”

Supervisor Walter: “You know Joe, you know where the problem is, and I know where the problem is. One of the issues that Mr. Danowski is bringing up is the sheer volume of material, makes it look way more like a sand mining operation than a farm and this town has been bit in the you know what at least one maybe two occasions by people pretending to be farmers. So we’ve got to come to some with you; not Ag and Markets, with Long Island Farm Bureau.”

Joe Gergela: “Ok. What I propose then is let’s get to the table with Annemarie and Bobby or whoever you want and sit down and hammer this out so there are some thresholds so that we make sure that people do things appropriately. We don’t want a situation where people doing normal farming activities have to get a permit to do such. The way it is right now; that’s the way it reads.”

Supervisor Walter: “Absolutely.”

Councilman Gabrielsen: “It shouldn’t read that way Joe, I totally agree with you. Anything done on the farm whether it’s clearing trees excavation stays on the farm should be totally exempted not to have to come here. We get involved with exporting that’s where it gets tricky and that’s the difference and otherwise it should be exempt. Importing, importing.”  
(Inaudible)

Joe Gergela: “I didn’t come here to talk about Steve’s project but I’ll tell you this, the man is a member of the Farm Bureau, he’s highly regarded throughout the East End for the way he does things. This guy is a serious businessman. He is not going to do anything to violate the situation Ok? I know him, I know what he’s done, I know a lot of people that are friends of his and I assure you he’s a legitimate businessman. I know about the bad actors and that’s what I want to get to is that we need a threshold that would trigger that particular thing. You guys have to figure out, I’m not the lawyer, I can’t tell you what’s got to go to DEC or not but I can tell you that Mr. Danowski and Mr. Mezynieski are going to do things according to the book.”

Councilman Wooten: “I can appreciate that Joe and I’m looking at this for the first time and can understand what might have been the catalyst to get this going and absolutely agree that everybody should (inaudible) to make sense but that would be (inaudible) but I don’t think this was written in any way to be offensive.” (inaudible)

Joe Gergela: “Oh, I’m not suggesting that.”

Councilman Wooten: “Is advocating that.”

Joe Gergela: “It was an attempt to try to address it but the way that it’s addressed, I don’t think is good public policy.”

Supervisor Walter: “You came into me over the winter time and we talked about it and that’s really what the genesis to this resolution. I didn’t write it, Annemarie wrote it. Why don’t we do this? Let’s sit down with Annemarie, the Farm Bureau and try and see if we can come up with; because I don’t want to impact the farmers ability to farm but I have heard words and Mr. Mezynieski, you need to understand this, there are half a dozen other applications watching this and if the Town’s not careful and we approve yours then Calverton is going to be one ginormous sand mine that is someday you’re going to be converted back to a farm.”

Joe Gergela: “Down by my office on Edwards Avenue there’s a big hole right there for a bus company. its economic development in proper zone ok, there’s a lot of land being moved.”

Supervisor Walter: “And that’s exactly, that is all regulated and everybody knew what was happening there and that’s the difference under a site plan, you file your cut and fill, we know what’s happening. Here you don’t.”

Joe Gergela: “My point is, don’t punish the people that are doing the right thing, and this punishes good people that otherwise are going to have to come to the town board to get a determination whether they’re doing normal, accepted farming practices. I think it goes too far. We need to sit down and work out a better solution. (inaudible) I don’t want to belabor the point I know that you’ve got other business here.”

Supervisor Walter: “We’ll do that. The point I want everybody to understand is that what we do, if anything with the Mezynieski farm, which this really has nothing, shouldn’t be even discussed at this public hearing, has to be done in a way that Calverton doesn’t become one gigantic sand mine masquerading as a farm and that’s what there’s;, I understand the half a dozen more applications is out there looking to do the same thing. I don’t think that’s what you want to see and I don’t think that’s what the Board wants to see.”

Joe Gergela: “No, we totally get that and I don’t think that’s the case here. Like I said if you do a little homework, go see his place in Orient, he’s been out in the Hamptons, he’s got a very solid reputation and he’ll do what is required by this body and the state of New York. We just want to make sure that precedent of bad public policy, that’s what I’m concerned about.”

Supervisor Walter: “I agree.”

Joe Gergela: “Thank you for your time and for listening.”

Councilman Dunleavy: “I just thought we had everything straightened out at the work session when Mr. Mezynieski said he would only do two to three acres at a time and plant so it’s not creating a hole, it’s not taking much dirt out of there as he takes it out , he plants, he grows, he does a little more and I thought we had that all worked out. I assume we don’t though.”

Joe Gergela: “And again that’s Mr. Mezynieski, I’m looking at this more globally that we don’t want to punish the farm community, you know being over that’s history. I know about the history and I agree with you that we need a mechanism.” (inaudible)

Councilman Wooten: “Something global, something that relates to everything and not site specific.”

Joe Gergela: “Thanks very much.”

Supervisor Walter: “Mr. Mezynieski, am I pronouncing that correctly?”

Steve Mezynieski: “Mezynieski. My name is Steve Mezynieski from Driftwood Farms. I just want to publicly say I am opposed to the Amendment the way it is written and it should be looked at a little closer. I also just to let you, this is my son Cole.

As everyone knows by now we have a large farm production out in Orient. All the land that we’re operating on is in development rights sold agricultural land so we tried to buy, we’re looking for a piece of commercial, industrial land with agricultural easements on it so we could expand our farm operation and do the things we are not able to do on the development rights sold land.

There’s no land available like that in Southold. Where’s the closest place, we came to Riverhead. We found a piece of property that we can do this on (inaudible) but needed a lot of work to get it up to running for my son to be the next generational farmer out here. We’ve invested millions and millions of dollars. We’re looking to Riverhead to come here and say hey you know what, if he can get this up and running he can have it. Maybe his kids will be in Riverhead farming here.

I feel as though I have come to you guys really up front, up forward right from the get-go in January; never heard anything back. If I was trying to do something behind everyone’s back here, I wouldn’t have went to the USDA, I wouldn’t have went to the NRCS, I wouldn’t have had the Farm Bureau come out, I wouldn’t have had, you know the Agricultural the government come out and help me draw a comprehensive plan of how to do this and do it properly so it will be prime soils on commercial, industrial land.”

Supervisor Walter: “And I think that’s. I agree with you one hundred percent and I actually think what you want to do is what you say you want to do, you’re going to do.”

Steve Mezynieski: “We are.”

Supervisor Walter: “The problem is that we can’t set ourselves up to approve something in a way that the next guy’s going to come in and take another half a million cubic yards of sand

and nothing is left of it and the next guy after that. Our code seems not to be well written and our proposed code may even be worse than the original code so we've got problems."

Steve Mezynieski: "My thing is, with this plan that we've put forth to you, I don't see someone else coming in and doing this unless someone is going to dig a hole. If you have a piece of property, you have the topography around you on every other adjoining property is at a certain elevation, you're going to bring that property to the same elevation. There's going to be no hole, there's going to be a flat piece of land that will be useable for agriculture and you're not going to have a hole."

Supervisor Walter: "Bob, that may be how the code should be addressed; by elevations and not by cubic yards. That may be the way to do it because I guarantee you there's one sand mine in Calverton that they have Christmas trees at the bottom and they call it a farm."

Steve Mezynieski: "You do not farm at the bottom of a hole, you farm on flat, level land that has prime soils on it and anyone who says they are going to farm in a hole is pulling the wool over your eyes. You can't do it."

Supervisor Walter: "Yet in a code you may be able to do it. That's why we have to; we have to figure out a way to make the code work for farmers and it even works for industrial uses but doesn't allow us; we've got more than enough of our fair share. We've got plenty of sand mines in this town."

Steve Mezynieski: "But the way that it's written if you are to say that a farmer cannot change the grade of his property by importing or exporting which is how it's written, the natural grade will not be able to be changed. It's poorly written. If you have a major storm, four inches of rain and a farmer has huge washouts, they have a farm across the street with a hill on it he want to go in there and dig in the bank bring the material across the street and fill it all in on a major grading plan you're legally not allowed to do that without coming to you guys to ask for permission."

Supervisor Walter: "Well we had a lawyer write this so we have to sit down with the Farm Bureau whatever Joe went, oh he's outside but we'll do it , we'll do it."

Steve Mezynieski: "I just want to say thank you to you guys for all the time you've taken out to review this with us and you know we're full hearted here and we're looking for like I said the next generation in Riverhead."

Councilman Wooten: "Thank you Mr. Mezynieski."

Councilman Dunleavy: "Thank you."

Peter Danowski: "My last comment is, I think we start an application and we send a letter in and we don't hear. Sometimes worse than a no is no response so I'm hoping that you won't adopt this legislation but I also hope you'll move forward and have engagious discussion

to see how we could be granted the exemption with whatever reasonable conditions you might set forth.”

Councilman Wooten: “I have to apologize for that too Mr. Danowski because I know we reserve every Wednesday for Pete Danowski day because you write so much but it must have gotten stuck under another person’s desk.”

Peter Danowski: “Thank you so much.”

Supervisor Walter: “Thank you. Does anybody else want to say anything on this?”

Bob Kozakiewicz: “I just want to say the Deputy who was asked to do the legislation was asked to do a very difficult task. I don’t think it was poorly drafted I think it was just difficult to draft.

The problem that the Supervisor has addressed is that when we’re dealing with zoning we have to deal with something across the board regardless of who the person is regardless of who the user is regardless of whether the person has a good reputation, bad reputation, no reputation and it’s designed to try to alleviate a perceived perhaps issue, perceived problem. Nobody wants to stop a farmer from filling in a hole when they’ve had a washout. Nobody wants to prevent a farmer from tilling because tilling means excavating and then we have a problem and as farm boy or farm hand, whatever my brother wants to call me when he asks me to work, I know that better than anybody else and nobody wants to be adverse to the agricultural industry.

Agricultural has changed. I’ll be the first. Having grown up on a farm I’m not really sure I know where the box is anymore. I don’t know where farming starts and ends but I know what is truly farming and I know what’s maybe on the borders and we’ll go back to the drawing board. We’ll ask for input from Joe Gergela, is he still here?

Supervisor Walter: “We’ll let the farm hand work on the legislation.”

Peter Danowski: “I just want to say two things. That sometimes weeks becomes months becomes years and I always take this posture that you should not have laws applied retroactively yet at the same time when you honestly say to us would you live with certain conditions as we had a give and take at the work session we can say yes to many of those things even though there’s not a law created. For instance, John was just commenting on what came out of the work session that phase lines on the plan. More than happy to do that so when Jodi came up with a comment about conversion at a later date more than happy to do that about numbers so the client and I can move forward without new legislation without reasonable conditions that you might want and you can see clearly by looking at this land that whatever decision you write or whatever grant you give that it’s clearly distinguishable for any other piece of property because there aren’t too many like this in the town of Riverhead. Thank you.”

Supervisor Walter: “Thank you. Does anybody else wish to be heard on this? Not seeing anybody we will close the public comment portion and leave it open for written comment until the 31<sup>st</sup> of May.

**Public Hearing Closed: at 7:54 p.m.  
Left open for written comment until May 31, 2012, 4:30 p.m.**

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**Public Hearing opened at 7:54 p.m.**

Supervisor Walter: “We have two more public hearings this evening. The second public hearing is scheduled for 7:15 p.m. It is now 7:54 p.m. and it is a Consideration of a Proposed Local Law to Amend Chapter 108 of the Riverhead Town Code Entitled “Zoning” (Article XXVI. Site Plan Review 108-129 Review Authorizes; Approval Required; Penalties; Issuance of Permits and Certificates of Occupancy: Expiration) We open this hearing at now almost 7:55 p.m. Bob did you want to say anything about this?”

Bob Kozakiewicz: “This is a very small change where we’re amending of the site plan review ordinance to indicate that there should be no land clearing or excavation or grading or filling unless in addition to a land clearing permit being issued pursuant to Chapter 52 that a permit also as required by 62 or 63 also be required.”

Supervisor Walter: “Does anybody wish to be heard on this matter? Not hearing anybody we’ll.”

Councilman Wooten: “I think that was what Dominique was alluding to.”

Councilman Dunleavy: “Yeah, I think we have to look at this one too. (inaudible) tree removal, that’s what he was talking about.”

Dominique Mendez: “I mean, I think both I and Mr. Danowski did touch on this issue right?”

Councilman Wooten: “Yes.

Dominique Mendez: “All right, so maybe you can include that testimony into this. Can you do that?”

Supervisor Walter: “Yes we can hereby incorporate the entire hearing for the 7:05 hearing to the 7:15 hearing.

Dominique Mendez: “That works, then we don’t have to say it all over again. Great.”

Supervisor Walter: “Thank you. Ok, not hearing, not seeing anybody else who wants to be heard on this matter, we will close this public hearing and leave it open for written comment until May 31, 2013 and we have a third public hearing.”

**Public Hearing closed: 7:56 p.m.  
Left open for written comment until May 31, 2013 at 4:30 p.m.**

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**Public Hearing Opened: 7:56 p.m.**

Supervisor Walter: “Ok. The next public hearing being scheduled for 7:20 p.m. and it is now being 7:56 p.m., this is a Consideration of a Proposed Local Law to Amend Chapter 101 of the Riverhead Town Code Entitled “Vehicles & Traffic”, Article III, Traffic Regulations (101-8 Weight Limit of Eight Tons) John is this one of yours?”

Councilman Dunleavy: “I just want to say this is a public safety change because Pulaski Street is a very narrow street so when trucks come to go through where the stores are and cars and parked on both sides of the street and it’s dangerous for the western and eastern cars they have to pull over to let the large trucks pass them Marcy Avenue is a, there are no residents on this portion of Marcy Avenue, it’s all business so it’s a lot easier to let the trucks that are going from the west go down Marcy Avenue Route 25 to go east instead going through Pulaski Street in the business section of Pulaski Street.”

Supervisor Walter: “Does anybody else wish to be heard on this matter? Not seeing anybody I’ll close the public portion and leave it open for written comments until May 31, 2013.”

**Public Hearing closed at: 7:57 p.m.  
Left open for written comment until May 31, 2013 at 4:30 p.m.**

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Supervisor Walter: “Does anybody wish to comment on Resolutions? Not seeing anyone, Diane?”

Diane Wilhelm: “Are we going to do the CDA?”

Councilman Dunleavy: “I’d like to close the Town Board meeting and open the CDA meeting for Resolutions. So moved.”

Supervisor Walter: “And seconded.”

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

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

Chris Kempner: “The CDA meeting is now opened.”

Meeting Adjourned

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Meeting Opened

## **RESOLUTIONS**

### **Resolution #400**

Councilman Gabrielsen: “Brixmor Property Group Water Service Capital Project Budget Adoption. 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. Resolution adopted.”

### **Resolution #401**

Councilwoman Giglio: “2012 General Town Capital Projects Closure. 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 #402**

Councilman Dunleavy: “Open Space and Ethic Committees Budget Adjustment. So moved.”

Councilman Wooten: “I’ll second.”

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

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

Councilman Wooten: “I’d like to thank George and Jodi for this, yes.”

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

### **Resolution #403**

Councilman Wooten: “Resolution of Support and Authorization for Application by the Riverhead Sewer District to the Suffolk County Infrastructure Grant Program. 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 #404**

Councilman Gabrielsen: “Approves Support of Eyes on Main Street Arts Program. So moved.”

Councilwoman Giglio: “And seconded”

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

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

Councilman Dunleavy: “Everyone is being thanked here so I have to thank Councilman Wooten for bringing this to us. I vote yes.”

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

#### **Resolution #405**

Councilwoman Giglio: “Awards Bid for GE Evolve LED Series Avery Post Top Street Lights. So moved.”

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Discussion on this. Tara put a note on this. This Ninety Thousand is coming out of the Street Lighting Budget?”

Tara McLaughlin: “Yes. Originally the (inaudible) had given grant money to (inaudible) street lighting. (inaudible)”

Supervisor Walter: “We bought the LED lights for; and in Wading River they did them too. Ok. Moved and seconded. Vote please.”

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

#### **Resolution #406**

Councilman Dunleavy: “Authorizes Town Clerk to Publish and Post the Attached Notice to Bidders for the Light Poles for Main Street. 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 #407**

Councilman Wooten: "Accepts the Resignation of a Groundskeeper I. (Ezra Fife) So Moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "He did a great job for us and I wish him well. Yes."

Vote Continued: "Gabrielsen, yes; Wooten, yes."

Councilman Dunleavy: "Again I wish Ezra good luck in his new endeavors. I vote yes."

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

#### **Resolution #408**

Councilman Gabrielsen: "Authorizes the Supervisor to Execute an Amended Settlement Agreement with Crown Sanitation. 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. Resolution adopted."

#### **Resolution #409**

Councilwoman Giglio: "Approves Chapter 90 Application of Jamesport Fire Department to Conduct a Firemen's Carnival July 9<sup>th</sup> through July 18<sup>th</sup>. 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 #410**

Councilman Dunleavy: “Appoints Maintenance Mechanic II’s to the Building and Grounds Division of the Town Engineer’s Department. (Kevin Rambo, John Stoddard) So moved.”

Councilman Wooten: “I’ll second.”

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

The Vote: ‘Giglio.’”

Councilwoman Giglio: “Yes, this is replacing a vacancy in that division, two vacancies, it’s not creating a new job so yes.”

Vote Continued: “Gabrielsen, yes.”

Councilman Wooten: “I’m not sure; I’m going to abstain, I wasn’t there for the discussion.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “This is going to increase the payroll because we’re replacing a lower paid position with a higher paid position. I spoke to them about this but I see we have a Resolution appointing these two so they need it. I don’t want to hold them up so I’m going to vote yes.”

Vote Continued: “Walter. (inaudible) I vote yes. Resolution adopted.”

### **Resolution #411**

Councilman Wooten: “Approved the Chapter 90 Application of the Long Island Moose Classic Car Club (Car Show – June 15, 2013). 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.”

**Resolutions #412**

Councilman Gabrielsen: “Appoints a Wastewater Treatment Plant Operator II. (Sean McCabe) So moved.”

Councilwoman Giglio: “And Seconded.”

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

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

Councilman Dunleavy: “Yes. We sent this young man to school because we needed a Plant Operator. He completed his course so I vote yes.”

Councilwoman Giglio: “And there’s no increase in pay?”

Councilman Dunleavy: “No.”

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

**Resolution #413**

Councilwoman Giglio: “Ratifies the Appointment of a Temporary Student Intern III to the Engineering Department. (Thomas Houghton) 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 #414**

Councilman Dunleavy: “Appoints a Temporary Substitute Automotive Equipment Operator to the Highway Department. (Eric Turpin) So moved.”

Councilman Wooten: “I’ll second.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “One of the employees took a leave of absence so this is a temporary replacement until he returns. Yes.”

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

Supervisor Walter: “Any objection to putting Resolutions 415, 416, 417, 418, 419, 420, and 421 all together? Any objection to moving them all together?”

Diane Wilhelm: “Resolution 419 sets a salary.”

Supervisor Walter: “Ok, let’s move 415 through 418.”

### **Resolution #415, 416, 417, 418**

Councilman Wooten: “I want to move Resolution #415 through 418 which all have to do with Seasonal Beach Attendants, Call-in Lifeguards, Recreational Aides and Recreational Leaders to the Recreation Department. So moved.”

Councilman Gabrielsen: “And seconded.”

Councilman Dunleavy: “Moved and seconded as to 415 through 418. Vote please.”

The Vote: Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolutions 415, 416, 417 and 418 are adopted.”

### **Resolution #419**

Councilman Wooten: “Sets Salaries for 2013 Summer Personnel for th Recreation Department. So moved.”

Councilman Gabrielsen: “And seconded.”

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

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

### **Resolution #420**

Councilman Gabrielsen: “Appoints a Seasonal Clerk to the Recreation Department. (Jessica Rachubka) So moved.”

Councilwoman Giglio: “And seconded.”

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

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

Councilman Wooten: “I tell you, I’ve had an opportunity to work with her a lot within the past few weeks and she’s remarkable, she’s really good. So I vote yes.”

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

### **Resolution #421**

Councilwoman Giglio: “Appoints a Score Keeper Level I to the Recreation Department. (Ryan Heins) 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 #422**

Councilman Dunleavy: “Approves the Chapter 90 Application of Peconic Community Friends of Riverhead Crew (“Learn to Row” – Saturday, June 1, 2013. 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 #423**

Councilman Wooten: “Determines that the House Located at 79 Philip Street, Riverhead New York, also known as Suffolk County Tax Map No. 600-106-1-21 is an Unsafe and Abandoned Structure and Orders the Town Engineering Department to Facilitate the Remediation of Said Structure and to Assess Removal Costs Against the Subject Property. 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 #424**

Councilman Gabrielsen: “Authorizes the Supervisor to Execute a Memorandum of Understanding Regarding County of Suffolk/Town of Riverhead Empire Zone. 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. Resolution adopted.”

### **Resolution #425**

Councilwoman Giglio: “Awards Bids for Snack Vendors. 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 #426**

Councilman Dunleavy: “Approves Chapter 90 Application of Starfish Junction Productions LLC (North Fork Craft, Beer, BBQ & Wine Festival – August 10, 2013. So Moved.”

Councilman Wooten: “Second.”

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

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

### **Resolution #427**

Councilman Wooten: “Adopts a Local Law to Amend Chapter 108 of the Town Code of the Town of Riverhead Entitled, “Zoning” (Article XXXIV – Multifamily Residential Professional Office Zone - 108-171. Landscaping, Screening and Buffering). 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 #428**

Councilwoman Giglio: “Pays Bills. 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.”

Supervisor Walter: “Now we open the meeting for comments on any subject matter that may or may not be before the Board. We ask that you limit your comments to five minutes but I don’t think we’ve ever enforced that. Dominique Mendez.”

**GENERAL COMENTS**

Dominique Mendez thanked the Board for finally passing Resolution #427. She said she feels future possible homeowners in Wading River and along Route 25A will appreciate the buffers. She specifically thanked Councilwoman Giglio for taking up the matter. She stated that even though it took longer than was anticipated she knows that having more buffers will be a good thing and hopes it will be developed that way.

Judy Tillberg approached the podium and spoke of an incident that occurred May 8, 2013. She stated that after leaving the Courthouse she was followed outside by an obnoxious person screaming, yelling, cursing and chasing her with an umbrella. Upon reentering the Courthouse she questioned the Security Officer about cameras outside the building. She said she was surprised to hear there were no outside cameras at the Courthouse, the Police Station nor at Town Hall. She stated that in today’s times with the Town’s Judges and Town Officials walking around outside she feels that if something should happen, there are no cameras. The Board members did agree with her and Councilman Wooten did add that the Municipal buildings should have cameras outside.

Supervisor Walter: “Does anybody else wish to be heard? Not seeing anybody.”

Councilman Dunleavy: “I make a motion that we close the Town Board meeting.”

Supervisor Walter: “All in favor aye. Town Board meeting is adjourned.”

**Meeting Adjourned: 8:15 p.m.**