

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, December 30, 2014 at 2:00 p.m.

**PRESENT:**

Sean M. 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.

Supervisor Walter welcomed Councilman Gabrielsen's grandchildren, Robert and Ava who were attending today's Town Board meeting.

Supervisor Walter read and presented a proclamation to each of the following retirees thanking them for their many years of service: Chet Majeski, Gary Pendzick, Verna Campbell, Emil Breitenbach, Timothy Hubbard and Richard Gadzinski. Also retiring are: Anne Clinton, Richard Warner, John Reeve, Joseph Hall, Christopher Parkin, Victoria Vouraski and Janet Griffin. Supervisor Walter wished all a long and happy retirement.

Supervisor Walter introduced two students from Mercy High School, Liz Perillo and (inaudible) who is an international student from Shanghai China.

Councilman Dunleavy made a motion, which was seconded by Councilman Gabrielsen to approve the minutes of the December 16, 2014 Town Board Meeting.

**CORRESPONDENCE**

- Seven letters from Civic Associations and individual residents regarding the public hearing of 12/2/14 expressing concern over the municipal services to private roads and communities
- One letter from Susan Bane expressing concern over the Special Permit petition of URT (public hearing of 10/21/14)
- One letter from Richard Luzzi regarding Gershow Recycling Facility lawsuit
- Petition to cease the operation of "Flyboard LI" in Treasure Cove for flyboarding

**REPORTS**

- Tax Receiver Total Taxes Collected to date as of 12/22/14 - \$9,013,584.09
- Tax Receiver Total Taxes Collected to date as of 12/26/14 - \$14,330,318.70
- Sewer District Discharge Monitoring Report November 2014

### **FIRE DISTRICTS NEWS**

Manorville Fire District – December 9, 2014 Election Results

- Dennis M. Hendrickson, Fire District Commissioner Five Year Term Commencing 1/1/15
- Proposition passed in favor of “Resolution for Establishment of a Vehicle Reserve Fund”

### **COMMENTS ON RESOLUTIONS**

Supervisor Walter: “Does anybody wish to be heard on Resolutions? Sal, how did we do?”

Sal Mastropaolo: “Sal Mastropaolo, Calverton. Resolution 874; first whereas, just insert the word of between purchase and communication and the first Resolve; should that be the Fire Marshall’s office or the Police Department?”

Councilwoman Giglio: “And what was the other one, the purchase of?”

Supervisor Walter: “Ok, I get the purchase of communication. What did you say about the Fire Marshall’s office?”

Sal Mastropaolo: “The first Resolve, should the copy go to the Fire Marshall’s office or the Police Department?”

Supervisor Walter: “No, that should go to the Police Chief, office of the Police Chief.”

Sal Mastropaolo: “Ok; Resolution 875, the second line of the two. Should that be personal services or personnel services; like as in p e r s o n n e l?”

Supervisor Walter: “I’m, assuming you want personnel services not personal services.”

Tara McLaughlin: “No it’s not it’s personal, that’s how it is in the (inaudible).”

Sal Mastropaolo: “Ok, I wasn’t sure. Resolution 879, I guess it’s the same then there too since it’s the same line item. Alright, so skip 879. 882, there’s no attached budget.”

Supervisor Walter: “Hold on a second. Is Chris here because I haven’t seen that attached budget for 882; that was for the schoolhouse renovation. Did she send me an e-mail? I didn’t see it. Is that the one’s that?”

Tara McLaughlin: “So then just Table that one.”

Supervisor Walter: “You’re right, we’ll table that because I didn’t see that budget. Go ahead Sal.”

(inaudible)

Sal Mastropaolo: “885, two questions. First question is, what was his salary before he became Superintendent?”

Supervisor Walter: “About the same. He had a base salary of I believe just under a hundred thousand dollars but he had a provision in his contract; this gentleman works a hundred plus hours a week for the Water District so he had a provision that he was allowed to buy back a certain percentage of his comp time. This is pretty much what he made every year so we eliminated the comp time and gave him just straight up salary.”

Sal Mastropaolo: “So his base salary went from a little under a hundred to a hundred and twenty-five?”

Supervisor Walter: “No, his base salary and his comp time were a hundred and twenty-five so we’re paying him a hundred and twenty-five now. He was making basically this before.”

Sal Mastropaolo: “So there’s no comp time?”

Supervisor Walter: “He’s a department head so.”

Sal Mastropaolo: “887; shouldn’t that go out to bid? I mean this guy’s had it for three or four years.”

Supervisor Walter: “We did a few years ago and I don’t think we got any responses when we did it. When did we do that, 2012 or 13 when it went out to bid for insurance purposes? (Inaudible) We did and I don’t think; did we even get anybody that responded? No, so.”

Sal Mastropaolo: “Ok, 890. I read this thing and I recalled when this came up the first time there’s no mention of an existing single family dwelling on the site in this Resolution and if I recall there is already a single family dwelling on this site and there’s a storage building which she wants to convert to single family so I don’t understand why we’re allowing two single family dwellings on the same site.”

Supervisor Walter: “We’d be allowing three. There would be three on the same site. That’s what the zoning allows it by Special Permit. George and I went over and looked at it and I agree with your sense of things. They, we allow the multiple uses in that zoning district. The problem is there’s a building back there that’s completely a wreck and I was not necessarily supportive of this but we went out and took a look at the building and the only way we’re ever going to see any economic improvement in this particular parcel in this building in particular is to allow the special permit because now she’s going to have to put in some sort of better driveway, drainage and redo the building otherwise the building is just a habitat for raccoons.”

Councilman Dunleavy: “Actually I went over there and if you drive back through that driveway there’s actually another residence back there but it’s on another lot and the only way you get to it is through the driveway and she owns that so actually these two pieces of property looks like one there’s going to be four residences on that piece of property but it’s actually two pieces of property. So I want back too, not with George and the Supervisor but by myself.”

Sal Mastropaolo: “Ok, 892 in the second line add the word action after Supreme Court.”

Supervisor Walter: “Ok.”

Sal Mastropaolo: “903.”

Supervisor Walter: “We were not very good today were we?”

Sal Mastropaolo: “903, this is an interesting one. I can’t believe you’re doing this particularly since every time.”

Supervisor Walter: “I don’t know whether we will.”

Sal Mastropaolo: “Since every time I complain that we don’t get the fees from nonprofits. This is totally against your existing policy, ok. Why are you differentiating between the Showmobile and the application fees when it comes to nonprofits? Why aren’t we consistent in how we deal with nonprofit organizations?”

Supervisor Walter: “Well the Showmobile costs us a hundred dollars an hour to run. The application is, really the application fee should be a nexus between the fee and the service provided.”

Sal Mastropaolo: “Doesn’t it cost us; when a nonprofit files an application fee and we have to send the Fire Marshall out and we have to put police out on the road to direct traffic. It costs the town money anyway.”

Supervisor Walter: “Depending on what we had started to charge for these events for the police services which are the bulk of it. The Fire Marshall gets paid based on tent; most of it’s based on tent, most of the time they have tents and they make a tent application and there’s fees associated with that. I don’t think we ever really waved those but the truth be told I don’t know that this resolution gets passed.”

Councilwoman Giglio: “There are some problems with it. We discussed it yesterday at work session and.”

Sal Mastropaolo: “I mean I totally agree with increasing the fees for the use of the Showmobile.”

Supervisor Walter: “It should be a flat five hundred dollars a day.”

Sal Mastropaolo: “I just don’t understand the inconsistency in the way we deal with nonprofits. That’s it.”

Councilman Dunleavy: “I agree but we have to start bringing in money and the Showmobile costs us money so we have to start charging the profits and the nonprofits so this is the way to start it and that’s the only reason I brought this up that this was is the way to start the process cause we have to start it.”

Councilwoman Giglio: “But John if Annemarie didn’t make the changes.”

Councilman Dunleavy: “We can amend it.”

Supervisor Walter: “No, you can’t.”

Councilman Gabrielsen: “I think discussion has changed a lot since yesterday so I think we should table it.”

(Inaudible)

Councilman Dunleavy: “That’s alright.”

Supervisor Walter: “Ok, can we get a motion since I have another Resolution and this one doesn’t really work anyway to withdraw 861 which Authorizes Town Clerk to Publish and Post a Public Notice for a Local Law to Consider Amendment to Chapter 106 Entitled “Waterways” of the Riverhead Town Code.”

Councilman Dunleavy: “I make a motion we untable Resolution 861, so moved.

Councilman Wooten: “I’ll second that to untable.”

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

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 861 is untabled.”

Supervisor Walter: Ok and the reason to withdraw it is it doesn’t make any sense because it has dates that don’t work anymore and there’s another Resolution covering it (inaudible) so can I get a motion to withdraw Resolution 861?”

Councilman Wooten: “So moved.”

Councilman Dunleavy: “And seconded.”

Supervisor Walter: “Moved and seconded as to withdraw Resolution 861”

Councilwoman Giglio: “I will support this because we were still making changes to this Resolution as of yesterday and I still don’t think it’s a safe place and we’re still talking to the Board about it so yes to withdraw.”

The Vote: “Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 861 is withdrawn.”

## **RESOLUTIONS**

### **Resolution #874**

Councilman Dunleavy: “General Fund Budget Adjustment as amended, so moved. (E911).”

Councilman Wooten: “And I’ll second.”

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

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

### **Resolution #875**

Councilman Wooten: “General Fund 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 #876**

Councilman Gabrielsen: “Highway 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 #877**

Councilwoman Giglio: “Refuse and Garbage District Budget Adjustment, 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 #878**

Councilman Dunleavy: “Sargent Sewer Extension Riverhead Sewer District Capital Improvement Project Budget Adoption, 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 #879**

Councilman Wooten: “Water District 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 #880**

Councilman Gabrielsen: “I make a motion to table 880, so moved.”

Councilwoman Giglio: “Seconded.”

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

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. “Resolution 880 is tabled.”

**Resolution #881**

Councilwoman Giglio: “Authorizes Acceptance of New York State Funding to Support a Suffolk County Reginald Agritourism Visitors Center, so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: Giglio.”

Councilwoman Giglio: “This is a Grant where it’s twenty-five percent of the cost so a developer would have to spend two and a half million dollars in order to get five hundred thousand dollars so anybody that’s willing to invest that type of money in downtown Riverhead I believe that this Grant would work for us. I’ve also spoken with the person who is the intended recipient who is not necessarily proposing a farmers market in the old fire house but he is proposing a market that would be, he would buy all the produce and what have you from local farmers so I will say yes.”

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

Councilman Dunleavy: “Yeah, I just want to say that this is a government and commercial going together to make this building. If you looked downtown every driving commercial business we have downtown the government has joined and helped them out somewhat and this is another one. Lets’ join together, lets help build and get Main Street and Second Street going so I say yes.”

Vote Continued: “Walter.”

Supervisor Walter: “I say yes but Jodi you have to move it, Dunleavy you didn’t second it so if you move it Jodi.

Councilwoman Giglio: “I make a motion that we move Resolution 881.”

Councilman Dunleavy: “I second it.”

Supervisor Walter: “And we all voted and I voted yes.”

Diane Wilhelm: “Resolution adopted.”

**Resolution #882**

Councilman Dunleavy: “I would like to make a motion that we table Resolution 882, so moved.”

Councilman Wooten: “I’ll second.”



Supervisor Walter: “Moved and seconded as to table.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 882 is tabled.”

### **Resolution #883**

Councilman Wooten: “Authorizes Town Clerk to Publish and Post the Attached Notice to Bidders for Town HVAC Systems Contract, 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 #884**

Councilman Gabrielsen: “Ratifies the Appointment of a Call-in Assistant Recreation Leader to the Recreation Department (Kyle Stephenson), 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 #885**

Councilwoman Giglio: “Appoints a Water District Superintendent (Type 1B Treatment facility), (Mark Conklin), so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I know he’s going to be working a lot more hours than what this salary pays for. They’re on call twenty-four hours a day seven days a week and they are always out overseeing the Water District so yes.”

Vote Continued: “Gabrielsen.”

Councilman Gabrielsen: “I don’t think he can work anymore hours than he puts in now. He puts in a hundred hours a week so yes.”

Vote Continued: “Wooten, yes; Dunleavy”

Councilman Dunleavy: “I don’t know how this fellow can work anymore than he works now. He’s always working with the Water District. I live down the block from him and he’s always passing in his Water District truck so I just want to congratulate him and vote yes on his promotion.”

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

### **Resolution #886**

Councilman Dunleavy: “Accepts the retirement of the Sanitation Superintendent (John Reeve), so moved.”

Councilman Wooten: “I’ll second.”

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

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

Councilman Dunleavy: “This is another fellow who works all the time. You call him out on Saturday or Sunday to pick sanitation stuff up, he’s there. So he’s done a great job and I want to wish him all the luck on his retirement. Hope he survives sitting home.”

(Inaudible)

Diane Wilhelm: “Is that a yes?”

Councilman Dunleavy: “That’s a yes.”

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

### **Resolution #887**

Councilman Wooten: “Extends Contract with Arthur J. Gallagher & Co. Risk Management Services for the Implementation of the Insurance Program for 2015.”

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 #888**

Councilman Gabrielsen: “Authorizes the Supervisor to Execute an Agreement with the Riverhead Business Improvement District Management Association, Inc., Regarding 2015 Calendar Year Events and Services, 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 #889**

Councilwoman Giglio: “Authorizes Re-Appointment of Third Party Administrator Processing and Payment of General Liability Claims and Workers Compensation Claims and Related Medical Claims, 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 #890**

Councilman Dunleavy: “Grants Special Use Permit Petition of Theodora Cohen (East Main Street, Riverhead), 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 #891**

Councilman Wooten: “Appoints Sinnreich, Kosakoff & Messina LLP as Special Counsel in the matter of the Claim of Gregory John Fischer, 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 #892**

Councilman Gabrielsen: “Authorizes Supreme Court action against the Town of Southampton and New York State Health Insurance Program (NYSHIP), 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 #893**

Councilwoman Giglio: “Authorizes the Supervisor to Execute a Musical Works License Agreement with SESAC LLC, 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 #894**

Councilman Dunleavy: “Extends Bid Contract for Disposal of Demolition and Construction Debris, 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 #895**

Councilman Wooten: “Authorizes the Supervisor to Execute an Agreement with Flynn Stenography & Transcription Services for Court Reporter Services for December 16, 2014 Town Board Meeting, 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 #896**

Councilman Gabrielsen: "Extends Bid Contract for Disposal and Recycling of Municipal Solid Waste, 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 897**

Councilman Gabrielsen: "Authorization to Publish Advertisement for Disposal and Recycling of Municipal Solid Waste, 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 #898**

Councilman Dunleavy: "Extends Bid Contract for Removal of Household Hazardous Waste, 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 #899**

Councilman Wooten: “Authorizes the Supervisor to Execute an Agreement with National Fire & Safety Solutions Inc., 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 900**

Councilman Gabrielsen: “Reaffirms Status of Certain Roads within the Town of Riverhead as Private Roads (Ock-A-Bock Homeowners Association Roads, Fairhaven Property Owners Association Roads, Bay Woods Community Road, Morningside Avenue, Cedar Court, Maple Lane), 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 #901**

Councilwoman Giglio: “Authorizes Town Clerk to Publish and Post a Public Notice for a Local Law to Consider Amendment to Chapter 106 Entitled “Waterways” of the; I think we’re tabling this Resolution. I make a motion we table Resolution 901.”

Councilman Gabrielsen: “Did we make the changes in here with the orange (inaudible) that’s in here?”

Councilwoman Giglio: “But I still have concerns about pushing this out to the Bay and I think I have two Board members who share my concerns that would like to see other amendments made to this and no one is out there right now doing this flyboarding and they probably won’t be doing it until the spring so I don’t know why we keep putting it on.”

Supervisor Walter: “Your only concern as expressed at the meeting, discussion I guess, was to make sure they were CPR trained.”

Councilwoman Giglio: “No, that they were safe and that there was a boat with an observer and there was a CPR certified person.”

Supervisor Walter: "Wow, we're having a discussion so."

Councilman Gabrielsen: "Two weeks ago I was part of tabling because one of the Councilman clearly said he needed two weeks, whoever and we had the two weeks, we had a work session yesterday so I think it's ready."

Councilman Wooten: "As it turns out my meeting with Jim (inaudible) who I was going over this with between the holidays, his family, his mother-in-law issues I didn't have time to have that meeting in any event (inaudible)."

Supervisor Walter: "There's a motion to table, I need a second."

Councilman Dunleavy: "I'll second it."

Supervisor Walter: "Ok, moved and seconded as to table. Vote please."

The Vote: "Giglio, yes; Gabrielsen, no; Wooten."

Councilman Wooten: "I just want to make this perfectly clear for all my friends on North Howell Lane and Riverside Drive I'll tell you, my whole goal is to get this out of the river altogether and you know what I think we can simplify this. It's redundant in so many ways and this town has been so reactive in throwing laws together to really draft a concern which is important where they represent the people but you throw a law together so quickly and then you do nine thousand amendments over the next ten years because it's redundant or didn't capture everything that you wanted to capture. This thing is so close but I think if we can get it out past the bridge, east of the bridge, just out of the river altogether out to the mouth of the river, out to where all those, Flanders Bay and (inaudible) Creek and Reeves Bay, where all that comes together where it's deep enough. My main concern is the residents who live there who are bothered by this activity and also the safety of the people who partake in this activity. The river is not the place for it. The middle of the bay is not the place for it but there are coves and there are areas that would be good enough to run a business that would be profitable to him, good enough that it would protect the residents who have problems with it and rightfully so. So I just think we are so close to doing it but I think with just a couple of wordings, changes, believe me I've been working with (inaudible). It can be done and it can be done right."

Supervisor Walter: "You wanted two weeks, we gave you two weeks."

Councilman Wooten: "Yeah, two weeks before Christmas."

Supervisor Walter: "Does that mean you're voting yes to table?"

Councilman Wooten: "I told a gentleman today it's not for anybody's favor other than to make sure it's done right the first time and only one time."

Supervisor Walter: "Alright, John?"

Councilman Dunleavy: “Jim feels the same way I feel. I want this done right. If it takes us; listen we’re in December no one is going to go out there and do this until April. So we got six months to do this in. Let’s get it right so we don’t have to keep amending it. So I’m going to vote yes to tabling it.

Vote Continued: “Walter.”

Supervisor Walter: “No to table. I’ll have my staff put it back on for work session for two weeks Jim?”

Councilman Wooten: “That’s great.”

Supervisor Walter: “Two weeks put it back on for work session.”

Diane Wilhelm: “Resolution 901 is tabled.”

### **Resolution #902**

Councilman Dunleavy: “Agreement with the Riverhead Charter School Regarding Completion of Extension, 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 #903**

Councilman Wooten: “Amends Resolution #330 of 2008. We’re going to table this. Move to table 903.”

Councilman Gabrielsen: “Second to table.”

Supervisor Walter: “Moved and seconded as to table.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 903 is tabled.”

### **Resolution #904**

Councilman Gabrielsen: “Reappoints Marriage Officer, so moved.”

Councilwoman Giglio: “Seconded.”



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

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

### **Resolution #905**

Councilwoman Giglio: "Rescinds Resolution #851 (Adopts a Local Law to Amend Chapter 108 Entitled "Zoning" of the Code of the Town of Riverhead, 108-64. Prefabricated Dwellings), 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 #906**

Councilman Dunleavy: "Adopts a Local Law Amending Chapter 52 Entitled "Building Construction" of the Riverhead Town Code, 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 #907**

Councilman Wooten: "Authorization to Publish Advertisement for Disposal of Town Generated Construction and Demolition Material, 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 #908**

Councilman Gabrielsen: "Pays Bills, 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.”

### **PUBLIC COMMENTS**

Supervisor Walter: “Ok, now we open it up for public comment on things that may be before the Town or not before the Town. Does anybody wish to be heard, yes?”

Kevin McAllister, Glen Brewster, Christopher Perillo, Liz Perillo, Jen Perillo and Lee Askin all spoke on Resolution 901, Flyboarding.

Mr. McAllister stated that flyboarding is not something that should be done in the river as this type of activity would be problematic due to water depths. He feels the potential of hitting the water hard would be unsafe and dangerous. Mr. McAllister feels this type of activity is inappropriate in Riverhead waters particularly the Peconic River. He urged the Board to just say no to this activity. When asked by Councilwoman Giglio if he was saying no to just the bay or to all of the legislation allowing this activity in any Riverhead waters Mr. McAllister said he feels that the water depths in some of the coves and Flanders Bay are not deep enough to support this activity.

Glen Brewster thanked the Board for working on this legislation for the past four months but said he would like the Board to finally settle on this piece of legislation. He asked Councilwoman Giglio what her objections to flyboarding were and she responded by saying any jet ski that is doing any flyboarding activity should be accompanied by a boat that has an observer and a certified CPA person on board. She continued by saying there was much to consider before this legislation could be passed. Mr. Brewster thanked the Board and again urged them to reach a decision.

Christopher Perillo also came forward to speak on Resolution 901. He said he agrees one hundred percent with Mr. McAllister as do other members of the Riverside Drive Association. He said they are all in favor of moving the operations of Flyboard LI out of Treasurer Cove and the Peconic River siting the environmental concerns brought forth by Mr. McAllister. He feels the Town of Riverhead should consider an environmental impact study in response to what Mr. McAllister stated today and he said as a boater if boaters are to be held to certain standards regarding no wake zones, etc. he feels Flyboard LI should also. He urges the Town to consider moving the Flyboarding operation out of the Peconic River.

Liz Perillo came forward to speak against Flyboard LI. She said she is planning on studying science in college and agrees with what Mr. McAllister said about the danger of flyboarding to the environment. She also said the constant noise is so bad that it’s impossible to have friends over. Councilman Wooten said he understands her frustration and stated that the entire Board wants this legislation settled.

Jen Perillo, mother of Liz came forward to speak on this Resolution. She said this matter has caused a lot of frustration and she is speaking mainly to reiterate the timeline of this legislation. She continued by saying this has been going on for quite some time and that there are multiply people not just two who are against flyboarding in Treasure Cove and the Peconic River.

Supervisor Walter assured Ms. Perillo that this matter will be discussed at work session within the next two weeks. She thanked the Board for their time.

Lee Askin was the last person to speak stating she does not live on the water but up from the water on the corner of Corwell and Riverside. She said she walks to the waterfront to view the wildlife that lives on the river. She said she is throwing her two sense in and stating that she, like the other residents in the area, do not want flyboarding in their neighborhood. Supervisor Walter thanked her and again stated the matter will be discussed at work session in two weeks.

Supervisor Walter: “Does anybody else wish to be heard today? Not seeing anybody can I get a motion to adjourn this Town Board Meeting?”

Councilman Dunleavy: “I make a motion that we adjourn the Town Board Meeting.”

Supervisor Walter: “All in favor?”

Collective ayes. Meeting is adjourned.

**Meeting Adjourned 3:15 p.m.**