

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

**Minutes of the Town Board Meeting
of the
Riverhead Town Board**

Meeting held at Riverhead Town Hall, Howell Avenue,
Riverhead, New York, on Tuesday, January 15, 2013,
at 7:00 p.m.

MEMBERS PRESENT:

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

ALSO PRESENT:

Diane M. Wilhelm,	Town Clerk
Robert Kozakiewicz,	Town Attorney

1 (The Meeting was Called to Order, After
2 the Pledge of Allegiance, at 7:00 p.m.)

3 SUPERVISOR WALTER: And Lieutenant Kelly Ross
4 from Salvation Army, would you like us to sit or
5 stand?

6 LIEUTENANT ROSS: Sit, it's fine.

7 Father, we thank you for another day of life,
8 Lord, and we ask that we would not take that --
9 help us not take that for granted. And, Father, as
10 we gather here tonight to discuss the business of
11 the Town, Lord, we pray that you just be with each
12 leader of the Town here, Lord, that you would just
13 bless them and just give them insight and wisdom,
14 Lord. And, Father, we pray that everything that we
15 say and do tonight, we bring honor and glory to
16 you. In Jesus' name we pray. Amen.

17 ("Amen" Said in Unison)

18 SUPERVISOR WALTER: Thank you, Lieutenant
19 Ross. John.

20 COUNCILMAN DUNLEAVY: I'd like to make a
21 motion we approve the minutes of the Town Board
22 meeting for December 27th, 2012 and January 2nd,
23 2013. So moved.

24 COUNCILMAN GABRIELSEN: And seconded.

25 SUPERVISOR WALTER: Moved and seconded.

1 Vote, please.

2 (Roll Call Vote by Town Clerk)

3 COUNCILWOMAN GIGLIO: Yes.

4 COUNCILMAN GABRIELSEN: Yes.

5 COUNCILMAN WOOTEN: Yes.

6 COUNCILMAN DUNLEAVY: Yes.

7 SUPERVISOR WALTER: Yes.

8 MS. WILHELM: The minutes are approved.

9 Under Reports, for the Building Department,
10 their monthly report from December, \$78,570.25.

11 Under Town Clerk, monthly report for
12 December, \$7,104.94.

13 Tax Receiver, Utility Collection Report for
14 December, \$291,945.98.

15 Tax Receiver for their tax collection to date
16 as of January 4th, \$35,159.862.04.

17 Tax Receiver, tax collection to date as of
18 January 9th, \$43,657,971.70.

19 Under Correspondence, we had a petition with
20 17 signatures expressing concern about the
21 settlement of lawsuits allowing excessive
22 commercial development at Manor Road and Route 25
23 in Calverton.

24 Greater Calverton Civic Association sent a
25 letter in opposition to the location of an animal

1 shelter, a spay/neuter clinic at 165 Youngs Avenue,
2 Calverton.

3 And Philip J. Kenter of Relay Communications
4 sent a letter with concerns over proposed tavern
5 and newly posted notice at 155 Griffing Avenue in
6 Riverhead.

7 SUPERVISOR WALTER: Bob, I didn't see --
8 what's the newly posted notice, do you know?

9 COUNCILMAN WOOTEN: They're opening Friday.

10 MR. KOZAKIEWICZ: They indicated they're
11 opening.

12 COUNCILMAN DUNLEAVY: Yes. It's in Spanish
13 and nobody knows what it says, yeah.

14 COUNCILMAN GABRIELSEN: And the windows are
15 all shaded so we can't see what's going on.

16 SUPERVISOR WALTER: That would be
17 interesting. Well, they do have some permits.

18 MR. KOZAKIEWICZ: They have a CO for a
19 luncheonette.

20 SUPERVISOR WALTER: All right. Any other
21 committee reports?

22 COUNCILMAN GABRIELSEN: I'm just going to
23 throw out there, and I'm sure some people are aware
24 of it, that the ice skating rink is open at Stotzky
25 Park, and we're just praying for some cold weather.

1 (Laughter)

2 But I heard, Tuesday, the high is in the
3 twenties on Tuesday, so I think we're almost there.

4 SUPERVISOR WALTER: Yeah, but we need a
5 couple of days of cold weather.

6 COUNCILMAN GABRIELSEN: We got two or three
7 days, so --

8 COUNCILMAN DUNLEAVY: It's an ice skating
9 rink, but it's all water.

10 COUNCILMAN WOOTEN: It's a nice Slip 'n
11 Slide.

12 (Laughter)

13 COUNCILMAN GABRIELSEN: It should be ready
14 next Thursday.

15 SUPERVISOR WALTER: All right, good.

16 COUNCILWOMAN GIGLIO: The Alternative
17 Transportation Committee is having the bike drive
18 for gently used bicycles. You can bring them to
19 Twin Forks Bicycles on Main Street. They will be
20 refurbished. And Suffolk County Cooperative
21 Extension Creating Healthy Places will be providing
22 helmets for the children.

23 There'll be an essay contest for Grades 5
24 through 9, which will be graded by the Alternative
25 Transportation Committee. And the bikes will be

1 awarded at the Bike Rodeo that the PAL has at the
2 beginning of May.

3 So, if anybody has any gently used bicycles,
4 if you got a new bicycle for Christmas and you want
5 a place to deposit the old one, that's a good way
6 to do it, and you'll be providing a kid with
7 bicycle transportation. So anybody that wants to
8 participate, we would appreciate it. And you'll
9 get a 10% coupon for Twin Forks Bicycles.

10 SUPERVISOR WALTER: Okay. No other reports?
11 And we have one public hearing. It's a
12 Consideration of a Local Law Amending Chapter 108
13 of the Zoning Code of the Riverhead Town Code, Site
14 Plan Review.

15 Bill, do you want to come up and present what
16 this is?

17 MR. DUFFY: Good evening. Section 108-132
18 was a previous section of the Code. It set forth
19 some of the requirements of the site plan and what
20 had to be included.

21 We've just amended it to make it more
22 inclusive and more user friendly, I think. It
23 includes a cover letter, says that the fee has to
24 be paid before the Planning Board would consider
25 it, and also requires title reports be submitted

1 with chain of title and recorded easements and
2 covenants on the subject property. So we're
3 reviewing and we know they can have the right to do
4 what they want to do.

5 And besides that, it just goes -- after that,
6 it really just contains a lot of the legal and
7 planning data required on a site plan, and I think
8 it sets it forth in a fashion that makes it a
9 little bit easier for everybody to understand.

10 SUPERVISOR WALTER: Okay, good. Does anybody
11 wish to be heard on this?

12 MS. MENDEZ: Hello. Good evening.

13 SUPERVISOR WALTER: Is this known as the
14 Mendez Resolution?

15 MS. MENDEZ: Yes, that's what -- I think
16 that's what you dubbed it.

17 SUPERVISOR WALTER: Yes.

18 MS. MENDEZ: Dominique Mendez, Riverhead
19 Neighborhood Preservation Coalition. My remarks
20 are going to address proposed Section 108-132-1E
21 and 2-A-10, and those are the ones that refer to
22 the covenants and easements and restrictions.

23 I think it's very important that you now are
24 incorporating language to try and ensure that all
25 such restrictions are revealed at the very start of

1 the site plan process.

2 Obviously, if the Town is not aware of the
3 covenants, easements and restrictions, then uses
4 that are specifically prohibited on a particular
5 property can actually be established. We all know
6 this has happened in at least one time where
7 expressly prohibited uses were allowed. Of course,
8 if those covenants are revealed, there's a standard
9 part of the site plan process that is not likely to
10 happen.

11 So, in trying to avoid a situation, you know,
12 where something might be approved that is actually
13 specifically prohibited, I just wanted to make sure
14 that this is going -- is not going to be open to a
15 situation where someone didn't provide you with
16 complete information. And because they omitted
17 certain things, that you still -- that that
18 wouldn't be able to be done, and you still would be
19 able to be assured that you have full covenants,
20 easements and restrictions, and you have that
21 information so that someone couldn't just --
22 because it has been done, just lift the parts they
23 didn't like.

24 COUNCILWOMAN GIGLIO: Yeah, but that title
25 report has an index and it says that there's a

1 covenant from Suffolk County and an easement from
2 the water district or drainage. So it's listed in
3 the index and then it's attached as a document,
4 so --

5 MS. MENDEZ: So you feel pretty confident, as
6 long as someone checks against the index?

7 COUNCILWOMAN GIGLIO: And it's numbered.

8 MS. MENDEZ: Great. So as long as someone
9 checks against the index, you should be covered.
10 Great.

11 SUPERVISOR WALTER: It's the same type of
12 search you'd have when you buy your house.

13 COUNCILWOMAN GIGLIO: Yes.

14 MS. MENDEZ: Southampton does something, I
15 hear, which is they keep a database of covenants
16 and easements and other restrictions that they, the
17 Town, put on properties. I don't think we do that
18 in Riverhead. And I know that it might be
19 difficult to do that going backward, but maybe
20 going forward it wouldn't be too difficult.

21 SUPERVISOR WALTER: Well, you probably
22 couldn't do it on a Cobalt-based commuter system
23 like the Town has. The system that Southampton has
24 is light years ahead of us. We're working on it,
25 but it's probably not something we can do with the

1 systems we have.

2 MS. MENDEZ: Really, not even just via an
3 Excel spreadsheet or a little database or
4 something?

5 SUPERVISOR WALTER: It would be -- I don't
6 know what the work that would be, because what they
7 do is they have it on each parcel, then there's a
8 GIS system, or whatever they -- having it on a
9 spreadsheet to me is no different than indexing it
10 and putting it in a file someplace.

11 MS. MENDEZ: Right, but I don't even think
12 you guys do that. I don't think you keep that
13 stuff here; supposedly just filed with the County
14 and you don't necessarily have copies. So it just
15 maybe is a --

16 SUPERVISOR WALTER: Of course we have copies.
17 We keep copies of everything that gets filed with
18 the Town.

19 MS. MENDEZ: Of the covenants, the easements
20 and restrictions and all that?

21 SUPERVISOR WALTER: Of course.

22 MR. KOZAKIEWICZ: Any covenant gets filed
23 with respect to a site plan --

24 MS. MENDEZ: Right.

25 MR. KOZAKIEWICZ: -- within the last ten

1 years or so, I would say. I'm not sure if I can go
2 out further than that.

3 MS. MENDEZ: Right

4 MR. KOZAKIEWICZ: When the Planning Board
5 approves it, in this case now with the site plan
6 review, it's subject to a covenant being reported.

7 MS. MENDEZ: Right.

8 MR. KOZAKIEWICZ: Our office receives a title
9 report, and within the proposed covenant should be
10 recording the reviews saying before it's sent back
11 to the applicant to record. Then when they record
12 it, they're asked to provide us with the certified
13 copy to show it's been recorded, as well as a
14 number of copies, which then get distributed to the
15 Building Department and the Planning Department,
16 and I believe the Town Clerk, but I'm not positive
17 of that, and I might misspeak. But so that we do
18 keep a record of those site plan covenants and
19 restrictions that are required as part of any site
20 plan, so we do have those records.

21 MS. MENDEZ: Yeah. That's not the
22 information I had about how things happened in the
23 past, but that's good, because then it's surprising
24 that what happened did.

25 MR. KOZAKIEWICZ: The Building Department

1 will not issue -- if there's a site plan approval
2 that requires the filing and approval of covenants,
3 they will not issue a building permit until they've
4 been provided proof that it's been recorded.

5 MS. MENDEZ: Right.

6 COUNCILWOMAN GIGLIO: I think she's referring
7 to an instance where a covenant specified that a
8 use was not permitted and the Building Department
9 didn't know that that covenant --

10 MS. MENDEZ: Or Planning.

11 COUNCILWOMAN GIGLIO: -- existed, so they
12 issued the permit.

13 MR. KOZAKIEWICZ: Right, okay.

14 MS. MENDEZ: Yeah, the Planning Department,
15 right, didn't know of it. And so you'd think they
16 would, if it's filed here in the Town, would have
17 just so easily been able to find it.

18 MR. KOZAKIEWICZ: Well, I'm dealing with now
19 a question of site plan covenants.

20 MS. MENDEZ: Right.

21 MR. KOZAKIEWICZ: Okay.

22 MS. MENDEZ: Which is what these were --

23 MR. KOZAKIEWICZ: Okay.

24 MS. MENDEZ: -- by the way.

25 MR. KOZAKIEWICZ: All right.

1 MS. MENDEZ: And they were not revealed in
2 the process. But this, hopefully, is another thing
3 that will help avoid that happening in the future.

4 We didn't find -- we looked and didn't find a
5 similar requirement in Town Code for subdivisions.
6 Did we miss that, or is that something you want to
7 add so that the same title search is required for
8 subdivisions? I thought you might want to check.
9 We didn't notice it, we looked for it.

10 SUPERVISOR WALTER: Okay. Thank you.

11 MS. MENDEZ: That's actually it. Thank you
12 very much.

13 SUPERVISOR WALTER: Does anybody else wish to
14 be heard on this matter? Not seeing anybody, we'll
15 close the public comment portion.

16 Thank you, Mr. Duffy. What is today, the
17 15th? We'll leave it open to January 25th for
18 written comments in the Town Clerk's Office.

19 Okay. Before we take up -- I really need
20 bifocals. I can't read and see the audience at the
21 same time. I know having glasses from 1999 is
22 probably not a good thing either.

23 MR. KOZAKIEWICZ: They're called progressives
24 now.

25 (Laughter)

1 SUPERVISOR WALTER: Well, if I only went back
2 to the eye doctor since 1999, that would be a good
3 thing, I guess.

4 Let's take public comment on resolutions.

5 MR. MASTROPAOLO: Sal Mastropaolo, Calverton.

6 SUPERVISOR WALTER: How did we do, Sal?

7 MR. MASTROPAOLO: No errors, just a lot of
8 questions.

9 SUPERVISOR WALTER: All right. What do you
10 got?

11 MR. MASTROPAOLO: Resolution 43, the question
12 I have is the lease of the runway, is that by the
13 Town or by the CDA?

14 MR. KOZAKIEWICZ: CDA.

15 SUPERVISOR WALTER: CDA.

16 MR. MASTROPAOLO: CDA. So that means I don't
17 have a question.

18 Resolution 46, my understanding was the MTA
19 tax was repealed.

20 SUPERVISOR WALTER: It is repealed.

21 MR. MASTROPAOLO: So then why --

22 SUPERVISOR WALTER: But we still have to pay
23 it, is my understanding, although we did file for a
24 refund.

25 MR. KOZAKIEWICZ: I don't think it's been

1 finally adjudicated what the issue was.

2 MR. MASTROPAOLO: Okay.

3 MR. KOZAKIEWICZ: That's the question.

4 MR. MASTROPAOLO: Well, that's the question,
5 because I noticed a line item here, MTA tax, police
6 uniform.

7 SUPERVISOR WALTER: Yeah. We filed for a
8 refund, but I think we still have to pay it. I
9 think that's what Bill said to do. It's not
10 removed from the statute just because the court
11 found that it's not --

12 MR. MASTROPAOLO: Resolution 48, the
13 recreational trail, is that the bicycle path or is
14 that something else? Is that the eight-foot-wide
15 blacktop --

16 COUNCILWOMAN GIGLIO: No.

17 COUNCILMAN DUNLEAVY: Yes, that's the bicycle
18 path.

19 MR. MASTROPAOLO: Well, you're saying yes,
20 she's saying no.

21 COUNCILWOMAN GIGLIO: There's nothing else
22 we're accepting.

23 SUPERVISOR WALTER: That's the bicycle path.

24 COUNCILMAN DUNLEAVY: Yeah.

25 SUPERVISOR WALTER: Yeah, that's the bicycle

1 path.

2 MR. MASTROPAOLO: Okay. That was the
3 question.

4 COUNCILMAN GABRIELSEN: Anything in
5 Calverton, just in that --

6 COUNCILMAN DUNLEAVY: Yeah.

7 COUNCILMAN GABRIELSEN: Okay.

8 COUNCILWOMAN GIGLIO: That's what this says.

9 MR. MASTROPAOLO: Resolution 57, on the last
10 page, just above the vote, is a boat ramp permit
11 something new this year?

12 COUNCILMAN GABRIELSEN: Where is this now?

13 MR. MASTROPAOLO: It's the beach stickers.
14 The second line down, it says, "Boat ramps permit."

15 SUPERVISOR WALTER: Is it on the first page
16 or second page?

17 MR. MASTROPAOLO: The last page, the
18 signature page of the --

19 SUPERVISOR WALTER: Oh, okay.

20 COUNCILMAN GABRIELSEN: Where do you see it?

21 COUNCILMAN WOOTEN: Program permits, \$15.

22 That's for the -- that's for the State ramp.

23 COUNCILMAN GABRIELSEN: Most of these fees
24 haven't changed from last year.

25 SUPERVISOR WALTER: I think that's wrong. I

1 don't remember ever paying it. Well, if it's --

2 MR. MASTROPAOLO: I'm asking the question
3 because --

4 SUPERVISOR WALTER: I don't think anybody's
5 every paid it, because I've never --

6 MR. MASTROPAOLO: I've never heard of it,
7 okay?

8 SUPERVISOR WALTER: We asked him.

9 MR. MASTROPAOLO: Now, are we talking about
10 the Wading River ramp, the Iron Pier ramp, the ramp
11 in Jamesport, which used to be the State ramp?

12 SUPERVISOR WALTER: Yup.

13 MR. MASTROPAOLO: So, in other words, you
14 need a parking sticker and you need a boat ramp
15 permit?

16 COUNCILMAN DUNLEAVY: I never heard of a boat
17 ramp permit.

18 MR. MASTROPAOLO: That's why I'm asking the
19 question, I never heard of it either.

20 COUNCILMAN DUNLEAVY: Usually you buy a beach
21 sticker that allows you to park in any one of our
22 parks.

23 SUPERVISOR WALTER: We don't have our Code
24 Book here. We should find out if it's in there
25 now, because I specifically --

1 COUNCILMAN GABRIELSEN: It has to be one or
2 the other. I was at the last meeting.

3 COUNCILMAN DUNLEAVY: We'll have to check on
4 that, all right? I never heard of it.

5 COUNCILWOMAN GIGLIO: Bob, you have your
6 computer?

7 MR. KOZAKIEWICZ: Yeah.

8 COUNCILWOMAN GIGLIO: We'll have to look it
9 up.

10 MR. KOZAKIEWICZ: That's what I'm trying to
11 figure out.

12 SUPERVISOR WALTER: We'll look it up. We
13 might strike that out. That was a good catch,
14 because I didn't notice it.

15 MS. MC LAUGHLIN: Sean, I think in the backup
16 it was specifically Jamesport. Do you want me to
17 grab that backup?

18 COUNCILMAN WOOTEN: I think it is, I think
19 it's the State ramp.

20 COUNCILMAN DUNLEAVY: Yeah, but the State
21 ramp is now a Town ramp.

22 COUNCILMAN WOOTEN: I know, but I think that
23 for the longest time, even when I was patrolling,
24 you had to have a sticker on your car to be parked
25 there.

1 MR. MASTROPAOLO: Yeah, but that's a parking
2 sticker, because I've gotten a ticket over there.

3 COUNCILMAN GABRIELSEN: Or maybe the
4 opposite, you won't need that beach permit, you'll
5 just need the parking ticket.

6 COUNCILMAN DUNLEAVY: But you wouldn't have
7 to spend --

8 COUNCILMAN GABRIELSEN: It's one or the
9 other --

10 COUNCILMAN DUNLEAVY: But you won't have to
11 spend \$30 on a beach sticker and a boat ramp
12 sticker.

13 COUNCILMAN GABRIELSEN: But if you want to
14 use the boat ramp, maybe, I guess.

15 COUNCILMAN DUNLEAVY: So, I mean, the one
16 sticker --

17 SUPERVISOR WALTER: Let's find out what Bob
18 has. Let's find out.

19 MR. KOZAKIEWICZ: In the current code, there
20 is a unique permit, which is entitled South
21 Jamesport Boat Ramp Parking Permit, which is a \$10
22 permit that's only for that particular location.

23 SUPERVISOR WALTER: Oh. Maybe that's for --

24 COUNCILMAN DUNLEAVY: Maybe it was put in
25 when it was the State, when the State regulated it.

1 SUPERVISOR WALTER: It says boat ramp parking
2 permit, and this says boat ramp permit.

3 MR. KOZAKIEWICZ: Under 48-13(B)(4).

4 COUNCILMAN DUNLEAVY: I think that was
5 something to do when the State regulated it and
6 everybody from the State could park there. The
7 Town could not have a Town parking permit to park
8 there at that time. After it reverted back to the
9 Town, I think now it's just the Town parking
10 permit.

11 MR. MASTROPAOLO: Well, let me ask Diane.
12 Diane, have you ever sold a \$15 boat ramp permit?

13 MS. WILHELM: I don't sell those permits,
14 Recreation Department does.

15 MR. MASTROPAOLO: Oh, okay.

16 SUPERVISOR WALTER: I have a boat and I've
17 never had one, Sal.

18 MR. MASTROPAOLO: I do, too, and I've never
19 had one either.

20 SUPERVISOR WALTER: I don't know that anybody
21 has.

22 COUNCILMAN DUNLEAVY: I think this goes back
23 about 28 or 25 years.

24 MR. KOZAKIEWICZ: You gotta start collecting
25 those fines.

1 (Laughter)

2 MR. MASTROPAOLO: Well, if it's valid, you
3 better inform the Police Department. That way they
4 can collect the \$5 for the parking sticker and the
5 \$15 for the trailer.

6 All right. Resolution 71.

7 SUPERVISOR WALTER: I don't know that we'd
8 hold this resolution over --

9 COUNCILMAN DUNLEAVY: See, I would go along
10 with that, to have a trailer park permit.

11 SUPERVISOR WALTER: But then you got to put
12 somebody down there to watch it.

13 COUNCILMAN DUNLEAVY: Make it in two spots.

14 MR. MASTROPAOLO: Yes, except for one thing,
15 John, you open up a can of worms. Okay? What
16 about the guy who has a little trailer that tows
17 one jet ski, okay? Or the guy who backs in with
18 his pickup truck with his aluminum boat in the back
19 and dumps it on the ramp and uses the pier?

20 SUPERVISOR WALTER: We may table that
21 resolution if we don't have to do it today, because
22 I want to find out a little bit more about that.

23 MR. MASTROPAOLO: Okay. Resolution 71.

24 SUPERVISOR WALTER: Can you text, Tara, him
25 and find out if we can table that resolution? Yes.

1 MR. MASTROPAOLO: I would think so, since
2 we're a long way off from the boating season

3 SUPERVISOR WALTER: Yeah.

4 MR. MASTROPAOLO: Resolution 71. There's a
5 whole bunch of resolutions here that release site
6 plan securities. Doesn't our Building Department
7 process include a step which says when you issue a
8 Certificate of Occupancy, you release the site plan
9 security; and if it doesn't, shouldn't it?

10 SUPERVISOR WALTER: Don't you remember way
11 back when we talked about the Trust and Agency
12 Account that hadn't been audited in 25 years?

13 MR. MASTROPAOLO: Oh, this all came up in an
14 audit? Because there's some stuff here from 1999.
15 I'm surprised the applicants haven't been yelling
16 and screaming for their money.

17 SUPERVISOR WALTER: This is cement money.

18 COUNCILMAN WOOTEN: This is cement money.

19 MR. MASTROPAOLO: Now that we did the audit,
20 have we put a process in place that says issue a
21 certificate of occupancy, release the site plan
22 security?

23 SUPERVISOR WALTER: Yes. And we don't put
24 the money in a Trust and Agency Account, it goes
25 directly -- well, depending on what it is, it goes

1 directly to the Town coffers, it's not held in a
2 Trust and Agency Account.

3 MR. MASTROPAOLO: Okay. Resolution 74, this
4 is an interesting resolution. I guess the question
5 I have is what is the cost to the taxpayer in lost
6 tax revenue of the Town taking over this property?
7 Okay? And there's got to be some impact to the
8 taxpayer, because now the Town owns the property,
9 so somebody isn't paying taxes on it and somebody
10 lost the property for failure to pay tax.

11 SUPERVISOR WALTER: Well, the property was
12 always supposed to be an open space, it was not
13 supposed to be developable property.

14 MR. MASTROPAOLO: Okay. Well --

15 SUPERVISOR WALTER: And so it should -- I
16 agree with you, there is lost tax revenue here, but
17 the taxes on an open space parcel are fairly --
18 they're not as significant as the taxes on a
19 regular parcel. The problem is that there are 220
20 homeowners in that community?

21 MR. KOZAKIEWICZ: Two-twenty-two.

22 SUPERVISOR WALTER: Two hundred and
23 twenty-two homeowners in that community that bought
24 in there relying on this being open space. And the
25 developer keeps trying to build on it, and now he's

1 lost it to taxes, and to make probably hundreds of
2 thousands of dollars of potential litigation go
3 away, if we can take it and make it the open space
4 it was supposed to be.

5 COUNCILMAN DUNLEAVY: Right.

6 SUPERVISOR WALTER: The Town, and I've said
7 to the Homeowners Association, the Town's not going
8 to pay the back taxes on this, so if that's
9 required, the Homeowners Association is going to
10 have to pay that. And if we can, I've told the
11 Homeowners Association, because some of them are
12 here, that I want to turn it over to them, and,
13 therefore, we would get that little bit of tax that
14 you're talking about. I just don't know whether
15 there's a mechanism to do that with the County Law
16 taking it under 72-h.

17 MR. MASTROPAOLO: Okay.

18 COUNCILWOMAN GIGLIO: And I'm not voting for
19 this resolution at this time because I -- when I
20 got this request from the Supervisor to put this
21 into the packet tonight, I started doing some
22 research, and I found out that the owner of the
23 property has two-and-a-half years to pay the back
24 taxes and reclaim the property.

25 So for us to sign off on it now, we're facing

1 litigation with him for signing it off and
2 returning it to open space.

3 SUPERVISOR WALTER: We're not facing
4 litigation. The County has to do it and there is
5 an instance that the County has done this before.
6 I was in the Town Attorney's Office. There was a
7 piece of property that was the -- Jim Lull wanted
8 to use for the animal shelter, and the County -- it
9 was the same exact situation, they lost it in the
10 first year. And the County, whatever their
11 mechanism was, and they were able to convey the
12 property to the Town after the first year for
13 public purposes.

14 COUNCILMAN DUNLEAVY: Right.

15 COUNCILWOMAN GIGLIO: I spoke to the
16 Assessor. I spoke to two attorneys within the Town
17 Attorney's Office today that felt that this
18 resolution should be pulled from the packet, so I'm
19 not voting for it this evening.

20 SUPERVISOR WALTER: Good. Don't vote --

21 COUNCILWOMAN GIGLIO: I don't think it's
22 ready.

23 SUPERVISOR WALTER: Good. Don't vote for it.

24 MR. MASTROPAOLO: Well, I have another
25 question.

1 COUNCILWOMAN GIGLIO: It's not ready, Marge?
2 Marge is very familiar with it.

3 MS. ACEVEDO: I know the 72-h process --

4 SUPERVISOR WALTER: Okay. We're not having
5 conversations from the floor like that.

6 MR. MASTROPAOLO: I have another question
7 about this.

8 COUNCILWOMAN GIGLIO: That's not ready yet.
9 Another two weeks --

10 SUPERVISOR WALTER: Can you stop
11 interrupting?

12 COUNCILWOMAN GIGLIO: I'd like to finish what
13 I was saying without being interrupted.

14 SUPERVISOR WALTER: You were having a private
15 conversation while Sal was talking about this. Can
16 we just finish with Sal?

17 MR. MASTROPAOLO: When they did the site plan
18 for this 222 acres, that I think it was to start
19 off with, why did we allow him to separate out the
20 land --

21 SUPERVISOR WALTER: We didn't.

22 MR. MASTROPAOLO: -- that was going to be
23 open space under a separate deed so that he can go
24 and default on just the vacant land and not the
25 rest of it?

1 SUPERVISOR WALTER: We didn't.

2 MR. MASTROPAOLO: And maybe --

3 SUPERVISOR WALTER: We didn't.

4 COUNCILMAN DUNLEAVY: He did it illegally.

5 MR. MASTROPAOLO: Okay.

6 SUPERVISOR WALTER: He split the property
7 illegally by deed.

8 MR. MASTROPAOLO: Now, do we have something
9 in place now to protect us in the future, so that
10 nobody else in the future splits out separate deeds
11 for the open space so that they can't do the same
12 thing?

13 SUPERVISOR WALTER: It's a misdemeanor under
14 State Law, and we actually have him in Justice
15 Court on this very issue.

16 MR. MASTROPAOLO: Okay.

17 COUNCILWOMAN GIGLIO: And we have covenants
18 in place now that say that the metes and bounds of
19 this particular property shall remain natural in
20 perpetuity, whereas when this development was
21 approved, there were no covenants that were
22 required. So that's another problem with the map
23 that we need to fix.

24 We hope to take title to it and then transfer
25 it to the Homeowners Association, and have the

1 Homeowners Association have it as open space.

2 I don't want to see anything ever built on
3 this property, but we have to go about it the right
4 way to protect the Town, the residents that are
5 living within the development, because if the
6 County takes this property, they could sell for
7 auction tomorrow to anybody. And it's in a
8 receiving area, so someone could buy Pine Barrens
9 credits and transfer them to this piece and build
10 something, and I don't think that this property is
11 suited to be built, to have anything built on it,
12 so --

13 COUNCILMAN DUNLEAVY: That's why we want --
14 we're taking it.

15 COUNCILWOMAN GIGLIO: Yeah, but the Town
16 Attorneys are telling us that we're not ready to do
17 that yet.

18 SUPERVISOR WALTER: Okay. And what I'm
19 telling you, and what I told Bob Kozakiewicz, and I
20 can identify the property, we did the exact same
21 thing for the residents of this Town on a
22 triangular piece of property connected to the Water
23 District over on Ostrander Avenue. And for me to
24 try to protect the 222 residents in there, I'm
25 willing to pass this resolution tonight and give it

1 a try.

2 COUNCILMAN DUNLEAVY: That's right.

3 SUPERVISOR WALTER: The Town has no liability
4 here. If the County does it, the County does it.
5 They did it before, they can do it again. If they
6 choose not to do it, then we've done everything we
7 can do. If we have to wait the two-and-a-half
8 years, we have to wait the two-and-a-half years.
9 There's not liability on the Town, that this is the
10 first step in trying to protect those 222
11 residents.

12 COUNCILMAN WOOTEN: I agree with all of that.
13 My only question is the County, a lot of times with
14 these defaulted properties, make good on the taxes,
15 right; don't they normally do that?

16 COUNCILWOMAN GIGLIO: Yes.

17 COUNCILMAN WOOTEN: Now by doing this
18 transfer tonight, they're not obligated to do that;
19 is that correct? But, yet, they still would have
20 to be for the next couple of years; is that what
21 you're saying?

22 SUPERVISOR WALTER: No, they would still
23 make -- the question -- the County would still make
24 up the taxes. The Town may be required to pay the
25 pro rata share of the taxes, which is something we

1 would have to work out with the Homeowners
2 Association.

3 COUNCILWOMAN GIGLIO: I just don't understand
4 that this resolution was put before me today, and
5 I've made a few phone calls, and I don't like what
6 I'm hearing. And I don't know why we have to do it
7 tonight. Why can't we wait two weeks so I have
8 time to take a hard look at it?

9 COUNCILMAN DUNLEAVY: We've been in
10 litigation with this for years, about six or seven
11 years, and this is a way to end it and have this as
12 open space. I think it's a good way.

13 If the County had it and they paid the taxes
14 back, they'd get the property back, the same with
15 us. If we have it and they come within three years
16 and pay, then we'll have to give the property back
17 to them. But I think this way we know we're not
18 going to sell the property to somebody else and let
19 them develop it.

20 SUPERVISOR WALTER: Right, it's never going
21 to be developed.

22 COUNCILMAN DUNLEAVY: It will never be
23 developed. And I --

24 COUNCILMAN GABRIELSEN: If they auction the
25 property off, in two years they're still going to

1 come back and pay the taxes and recoup it either
2 way.

3 COUNCILWOMAN GIGLIO: Yup.

4 COUNCILMAN GABRIELSEN: So this more gives us
5 the guarantee to neutralize this property to --

6 COUNCILMAN WOOTEN: I appreciate all this,
7 especially with the 222 homeowners. My only
8 question is that the 72-h became available, what,
9 15 days ago?

10 SUPERVISOR WALTER: In November.

11 COUNCILMAN WOOTEN: Just seems kind of like
12 we're pouncing on it pretty quickly.

13 SUPERVISOR WALTER: Well, I'll be honest with
14 you, it's something we want to try to do. The
15 Homeowners Association came in. They come into me
16 every -- I don't know, Joe, three months to talk to
17 me about it? They told me about it --

18 COUNCILMAN WOOTEN: I know what they're
19 dealing with.

20 SUPERVISOR WALTER: -- early in January. We
21 weren't able to make the first meeting in January.
22 Unfortunately, I had -- Bill Duffy had been out, so
23 I hadn't been able to get it -- talk to him. And
24 I, unfortunately, forgot about it for Thursday, to
25 have it in for Thursday. I asked him to draft it

1 late last week, he did, and I don't know when it
2 was emailed, yesterday? I think it was e-mailed
3 yesterday, wasn't it?

4 COUNCILMAN DUNLEAVY: All I can say is I've
5 been on the Board for almost eight years, seven,
6 and this has been going on with litigation.

7 SUPERVISOR WALTER: Longer before that.

8 COUNCILMAN DUNLEAVY: For my seven years and
9 before that. And if we could end it now, I'm all
10 for ending it now and say --

11 COUNCILWOMAN GIGLIO: It's not ending it now,
12 John, because they can come back and pay the taxes
13 and we'll be right back to the way we were.

14 SUPERVISOR WALTER: No, no, no, no, no.

15 COUNCILWOMAN GIGLIO: Yes.

16 SUPERVISOR WALTER: I don't think you
17 understand the process. If the County --

18 COUNCILWOMAN GIGLIO: Well, that's why I need
19 time to look into it.

20 SUPERVISOR WALTER: If the County deeds us
21 the property, if they're willing to do it --

22 COUNCILWOMAN GIGLIO: Right

23 SUPERVISOR WALTER: -- we get it. It cuts
24 off the liens, period.

25 COUNCILWOMAN GIGLIO: Bob, is that true, or

1 do they have three years to pay the taxes and then
2 they can sue the Town for their property back?

3 MR. MASTROPAOLO: Well, can I ask a question?

4 MR. KOZAKIEWICZ: The reality is I am not
5 sure where it is in the County process, and that's
6 the problem.

7 MR. MASTROPAOLO: The question that --

8 MR. KOZAKIEWICZ: I may have been given wrong
9 advice yesterday by an individual by the name of
10 are RJ whether the Town -- whether the County has
11 taken a deed.

12 What happens, from what I understand, is
13 there's a nonpayment of taxes. Ultimately, that
14 catches up; there's a notice; owner fails to pay.
15 The property is then sold from the Treasurer to the
16 County for tax sale. Then, from that point, a
17 redemption period starts. And depending upon the
18 type of property, there's a one-year or three-year
19 redemption under which a property owner, or a party
20 having interest, can redeem the property and
21 acquire it back.

22 What I don't know is if we're in that one or
23 three-year period, or whether we're at the end of
24 the one or three-year period where there's been an
25 actual tax deed or a deed to the County of Suffolk.

1 So, depending where we are makes a difference.

2 COUNCILWOMAN GIGLIO: But Mr. Duffy --

3 SUPERVISOR WALTER: And what I'm saying to
4 you is --

5 MR. KOZAKIEWICZ: I'm not sure if there's any
6 liability on our part. I mean, I know that's been
7 suggested, because, you know, if we take it, we
8 would do a search and there would be a --

9 COUNCILMAN WOOTEN: Well, we can't take it
10 unless they're willing to give it to you.

11 SUPERVISOR WALTER: The County gives -- if
12 the County is willing to give it to you, the same
13 exact -- the same exact fact pattern when I was in
14 the Town Attorney's Office. We got the property
15 under the same exact fact pattern and it was within
16 the redemption period. The County gave it to the
17 Town because it was a higher governmental purpose,
18 and that was how the County gave it to the Town and
19 we kept it. And all I'm -- listen. I'm asking you
20 to vote on it. This protects 222 homeowners.

21 COUNCILMAN GABRIELSEN: Okay. Just a little
22 objective here.

23 COUNCILWOMAN GIGLIO: I don't understand why
24 you can't table it.

25 COUNCILMAN GABRIELSEN: She has questions,

1 yous don't; Jim may have and I may have it. But
2 I'm saying, can we get a definitive answer, Bob, in
3 three weeks?

4 MR. MASTROPAOLO: Can I make a comment?

5 COUNCILMAN GABRIELSEN: On your --

6 MR. MASTROPAOLO: Every year in the paper
7 they list several hundred properties that are --
8 taxes weren't paid. I doubt that the County is
9 transferring property after the first year that the
10 tax wasn't paid. I'd like to think that the Town
11 -- that the County transfers the property, the
12 ownership after the third year.

13 COUNCILMAN DUNLEAVY: After the third year,
14 that's what they do.

15 COUNCILWOMAN GIGLIO: Yes.

16 MR. MASTROPAOLO: Which means they've already
17 blown their opportunity to pay back taxes.
18 Otherwise the County would be doing this to three,
19 four hundred pieces of property that go -- that the
20 taxes go unpaid.

21 COUNCILMAN DUNLEAVY: Every time they auction
22 a piece of property off, what they're saying is
23 they get into this three-year that he can pay and
24 get it back. The County waits three years. After
25 the third year, it can auction off the property --

1 MR. MASTROPAOLO: It goes to default.

2 COUNCILMAN DUNLEAVY: -- and you get a title.

3 COUNCILWOMAN GIGLIO: Mr. Duffy, could I
4 please ask you a question on the record, because
5 what you told me today is that the property owner
6 has two-and-a-half years to reclaim the property,
7 so they're not at the end of the three years.

8 SUPERVISOR WALTER: All right.

9 MR. DUFFY: Well, Mr. Kozakiewicz and I --

10 MR. KOZAKIEWICZ: I had that conversation.

11 MR. DUFFY: -- we both -- we got two
12 different stories from the County. I called the
13 County earlier this year, I'm not sure of the
14 month, but Mr. Ferrigno came and saw me. We called
15 them and they said, "Call me in January and we
16 could do it." Bob got a different story when he
17 called this week, and he was told that we --
18 there's still two-and-a-half years on it. So we're
19 not sure where the County is on it.

20 SUPERVISOR WALTER: And I'm telling you,
21 Jodi, I will give you the tax map, you can look it
22 up. It's the same fact pattern. I was a Deputy
23 Town Attorney, I put the resolution forward. I was
24 a little stunned that the County would do it. I
25 think it was Legislator Romaine put the resolution

1 forward at the County and we obtained the deed.

2 COUNCILWOMAN GIGLIO: Well, how big was that
3 parcel?

4 SUPERVISOR WALTER: And all I'm saying, it's
5 not a question of --

6 COUNCILWOMAN GIGLIO: It is, because this is
7 a 40-acre parcel.

8 SUPERVISOR WALTER: All I'm saying --

9 COUNCILWOMAN GIGLIO: I'd be more interested
10 in reclaiming the taxes on a 40-acre parcel than an
11 eighth-of-an-acre parcel that I can't build
12 anything on. If they think they have --

13 SUPERVISOR WALTER: All I want to do is try
14 to protect the 222 homeowners in Willow Ponds.

15 COUNCILWOMAN GIGLIO: So do I.

16 COUNCILMAN GABRIELSEN: Bill.

17 COUNCILMAN DUNLEAVY: Councilwoman Giglio,
18 this Town has been sued over some ridiculous things
19 in the past and we still are sued over ridiculous
20 things. I think this is a positive thing for the
21 Town and the homeowners up there. And if we have
22 to take a chance that someone's going to sue us
23 over this, I'd rather take this chance, because
24 it's a positive step forward, instead of getting
25 the ridiculous lawsuits that we get every single

1 day in this Town. So I think this is a positive
2 step for the homeowners up there and ending these
3 years of litigation that we've been in.

4 COUNCILWOMAN GIGLIO: John, our attorneys are
5 telling us that we have to wait two-and-a-half
6 years.

7 SUPERVISOR WALTER: No, they're not, Jodi.

8 COUNCILMAN DUNLEAVY: No, they're not,
9 they're not telling you that.

10 COUNCILWOMAN GIGLIO: That's what I was told.

11 COUNCILMAN GABRIELSEN: Well, you said you're
12 not sure on one issue; am I correct?

13 COUNCILMAN DUNLEAVY: They're not telling
14 us --

15 MR. KOZAKIEWICZ: I was told two-and-a-half.
16 I'm not sure.

17 COUNCILWOMAN GIGLIO: Yes.

18 MR. KOZAKIEWICZ: Bill was told --

19 SUPERVISOR WALTER: All right.

20 COUNCILMAN GABRIELSEN: So would we --

21 MR. KOZAKIEWICZ: Bill was told earlier in
22 the year, at the end of 2012, that the 72-h could
23 start this year after the beginning --

24 COUNCILMAN GABRIELSEN: But will we have a
25 definitive answer --

1 MR. KOZAKIEWICZ: We were told two different
2 things.

3 COUNCILMAN GABRIELSEN: -- by next board
4 meeting, something, a real definitive answer?

5 COUNCILMAN DUNLEAVY: Well, I want to take
6 the chance --

7 COUNCILWOMAN GIGLIO: John, I don't have any
8 problem voting on this. Two weeks.

9 COUNCILMAN DUNLEAVY: -- on being sued. It's
10 a positive step for us.

11 COUNCILMAN WOOTEN: One at a time, please.

12 SUPERVISOR WALTER: I'm cutting off debate.
13 It's done. The resolution is going to be put up
14 for a vote, it's done. Let's move to the next one,
15 Sal.

16 MR. MASTROPAOLO: That's it.

17 SUPERVISOR WALTER: Okay.

18 COUNCILMAN WOOTEN: Thank you, Sal.

19 SUPERVISOR WALTER: Thank you.

20 MR. ROMANO: Good evening. Steve Romano,
21 Riverhead.

22 SUPERVISOR WALTER: How are you doing, Steve?

23 MR. ROMANO: Good. How are you guys doing?

24 SUPERVISOR WALTER: Good.

25 MR. ROMANO: The two Resolutions, 45 and 46,

1 do they have anything to do with the recent article
2 in News Review about the Town needing to transfer
3 \$500,000 from the reserve fund into the Police
4 budget for this year, or was that something totally
5 different?

6 COUNCILMAN GABRIELSEN: Forty-five, you mean.

7 SUPERVISOR WALTER: Forty-five.

8 MR. ROMANO: I'm sorry, 45 and 46.

9 SUPERVISOR WALTER: Forty-five is the money
10 to -- for the increased police patrols downtown; 46
11 is the 2% contract, the raises that we negotiated
12 with the PBA.

13 MR. ROMANO: All right. Correct me if I'm
14 wrong. A couple of meetings ago, you guys voted on
15 the Police contract four to one; John voted against
16 it. And then there was a discussion later on,
17 because I had asked and it's -- unless I
18 misunderstood, which I don't think so. You guys
19 said that it was basically going to save the Town
20 money. Why do we then have to go into the reserve
21 fund for \$500,000, which was the point Mr. Dunleavy
22 made; that if that's what was going to happen, he
23 didn't think it was a good contract. But after you
24 guys explained everything, I walked away saying it
25 was either going to be a wash at the worst, or at

1 the best, save some money. But now -- because it
2 looks like you're doing a back-door, rather than
3 raising the taxes 2%, which you would have --
4 you're stealing money out of the reserve fund.

5 Now the additional police, the part-time
6 police, that's something you guys could vote on and
7 do that, and I could understand that, but not the
8 other 400,000. Something's not right.

9 SUPERVISOR WALTER: Well, Steve, what we said
10 was the Police contract, the -- not the contract,
11 the retirement incentive saved \$250,000 a year
12 every year, and it phased out until the cops went
13 to top pay in six years. That's where the \$250,000
14 came from. The 295, if I'm not mistaken, Bill,
15 that 295 is the 2% raise?

16 MR. ROTHAR: Yes.

17 SUPERVISOR WALTER: The 295 is the 2% raise.
18 There were two separate things that happened at the
19 end of last year, was the approval -- the
20 approval of the Police contract and the approval of
21 the early retirement incentive.

22 MR. ROMANO: Okay. So then that contract is
23 costing the Town taxpayers a whole lot more money,
24 it's not saving the Town taxpayers any money.

25 SUPERVISOR WALTER: Nobody ever said it would

1 save the Town money. And I don't know why you
2 would think that, because they got a 2% raise,
3 which is below the cost of living.

4 MR. ROMANO: Well, I thought the discussion
5 was based on when the new people come in, based on
6 the new people coming in at the lower salary, and
7 we were having older people retire. That's where
8 it would be a wash, it wouldn't cost us any more,
9 and that's why the deal was a good deal and you
10 couldn't extract anymore.

11 SUPERVISOR WALTER: Okay, I understand. What
12 we talked about was the health insurance versus the
13 added step. That's what the conversation, my
14 recollection of the conversation was, because
15 that's where the debate was. It was would we
16 require their health insurance or would we require
17 the extra step. And the health insurance saved the
18 250 or -- excuse me. The extra step saved more
19 money than requiring the health insurance. And now
20 I'm forgetting what -- I think it was \$106,000 or
21 \$110,000 was the savings for the extra step over a
22 six-year period, and the health insurance was like
23 45 or 50,000, requiring the new hires to pay into
24 their health insurance.

25 COUNCILWOMAN GIGLIO: And we also -- the

1 police officers that retired or taken out of the
2 budget and they were at top pay. So the difference
3 between what they're getting -- what they were
4 getting paid versus what the new officers are
5 making, there's a savings there also, so -- but the
6 five that retired weren't budgeted for in 2013,
7 that money was put back into the fund balance.

8 MR. ROMANO: I'm just going to talk bottom
9 line then.

10 COUNCILMAN DUNLEAVY: You're talking the
11 health insurance and they're saving over a five or
12 six-year period, but you have to look over a
13 10-year or 20-year period here. The health
14 insurance will save you just as much or more. It
15 all depends if they have a family plan or a single
16 plan. If they take the family plan, you'll double
17 the savings in -- on the health insurance in 20
18 years.

19 MR. ROMANO: All right. But I don't want to
20 talk 20 years out. Just so that I'm clear, because
21 I was totally under -- I misunderstood, then, what
22 you folks were saying. If you have to pull out
23 \$400,000, excluding the other 100 for the part-time
24 additional police patrol on Main Street, is that
25 also going forward? Is the next year's Police

1 budget going to be -- you're going to have to come
2 up with that other 400,000 going forward each year
3 or even more?

4 SUPERVISOR WALTER: Bill, please step up to
5 the microphone, because I'm going to ask you some
6 questions. Do you have that resolution in front of
7 you? You may need it.

8 MR. ROTHAR: I do not.

9 SUPERVISOR WALTER: The \$104,000 may or may
10 not be in the Supervisor's budget next year, it's
11 hard to say if there's a problem, if there's not a
12 problem. The 2% raise would be for every year in
13 the budget.

14 MR. ROMANO: For the big number, for the
15 \$400,000.

16 SUPERVISOR WALTER: That's what I'm asking
17 Bill. Bill, we're taking out \$295,000. That's the
18 raise to the Police Department?

19 MR. ROTHAR: Yes, that's the salaries. They
20 got a 2% in '12, and then on top of that, the 2% in
21 '13.

22 COUNCILMAN WOOTEN: This reflects both those
23 numbers?

24 MR. ROTHAR: Yes, it's a cumulative effect.

25 SUPERVISOR WALTER: So that's both '12 and

1 '13?

2 MR. ROTHAAAR: Well, it's '13's base, because
3 we were working with '11 numbers at the time, and
4 we didn't know what the contract was going to wind
5 up being. We knew how much it was per percent, but
6 we didn't know what we were going to agree on.

7 SUPERVISOR WALTER: Okay. So my question is,
8 is this to cover the raise in '12 and '13?

9 MR. ROTHAAAR: Twelve was paid out of the '12
10 fund, but this is to cover the '13 raise.

11 SUPERVISOR WALTER: Okay.

12 MR. ROTHAAAR: It's the cumulative effect of
13 the '13 raise.

14 SUPERVISOR WALTER: Okay. So 295 is the
15 cumulative effect of the '13 raise?

16 MR. ROTHAAAR: Right.

17 SUPERVISOR WALTER: What's the 11,213?

18 MR. ROTHAAAR: That's longevity, because they
19 get longevity on their base pay. So these are the
20 separate lines that have to increase based on --
21 that's just their base pay. The longevity, Social
22 Security, MTA tax and everything else are the
23 effect of that 2% raise.

24 SUPERVISOR WALTER: And Social Security tax,
25 that's the increase because their salaries are

1 higher?

2 MR. ROTHAAAR: Yes.

3 SUPERVISOR WALTER: And the MTA tax, do we
4 still have to pay that, even though it's --

5 MR. ROTHAAAR: Yes.

6 SUPERVISOR WALTER: Okay. And the New York
7 State Police Retirement, that's a cost we have to
8 pay?

9 MR. ROTHAAAR: That's the percentage and
10 that's based on -- that's based on the current
11 employees that are being contributed to for the
12 retirement system.

13 SUPERVISOR WALTER: So these numbers are
14 cumulative numbers and will have to be put into the
15 budget for next year to carry it forward for the --

16 MR. ROTHAAAR: 2014 will be the same number,
17 plus whatever the raise is in 2014, plus or minus
18 however many police officers are there.

19 SUPERVISOR WALTER: And the 104,000 is not a
20 cumulative, it's -- this is to run increased
21 patrols on Main Street for a year?

22 MR. ROTHAAAR: Correct.

23 SUPERVISOR WALTER: Okay. Did we reduce the
24 number of police officers in the budget or did we
25 leave it at 85?

1 the CFO, when things try to get explained, I'm
2 totally confused. I'm a bottom-line guy. It
3 sounds like, and that's all I need to know, is that
4 we had to come up with \$400,000 more based on this
5 new contract, regardless of what transpired, who
6 retired.

7 SUPERVISOR WALTER: Yes.

8 MR. ROMANO: In 2014, we're going to have to
9 come up with another 400,000?

10 SUPERVISOR WALTER: Yes.

11 MR. ROMANO: Okay.

12 SUPERVISOR WALTER: Plus 2%.

13 MR. ROMANO: Plus 2%. So my point being that
14 the Town is already in the hole. They're going to
15 be at a 4% increase next year just to pay for the
16 Police based on the old -- no, I'm sorry. It's 1%
17 for every 200,000 or 250,000 that you have to
18 spend, something like that, the taxes?

19 SUPERVISOR WALTER: No. What do we have,
20 300,000?

21 MR. ROTHAR: It's \$100,000 per percent.

22 SUPERVISOR WALTER: No, it's not that.

23 MR. ROTHAR: You're talking about the
24 increase in taxes?

25 MR. ROMANO: An increase in property taxes.

1 MR. ROTHAAAR: It's \$300,000.

2 MR. ROMANO: Okay. So, basically, you're
3 already at -- going to be next year at a
4 one-and-a-half percent tax increase based on just
5 the Police increase. And if the tax cap of New
6 York State is 2%, which the Board's always tried
7 to -- how are you going to do it?

8 SUPERVISOR WALTER: Steve, I haven't gotten
9 there this year. What you --

10 MR. ROMANO: You might be better getting
11 elected to the Legislature, Sean.

12 SUPERVISOR WALTER: I haven't gotten there.
13 And here's the only thing you need to know, is
14 somehow over the past three years, real spending in
15 this Town only went up 1.07%. I don't know how we
16 can -- if we can continue to do that, but that's my
17 job, that's the Supervisor's job. So I don't know
18 how you get there.

19 It's very expensive. The Police Department
20 is more than 50% of the Town General Fund budget.
21 And, as you can see, with things that are going on,
22 it's money well spent, because if we were a Suffolk
23 County Policing District, we would not be able to
24 divert the level of force that we may need to
25 correct some problems in different areas.

1 MR. ROMANO: As I said, I don't know how you
2 guys are going to do it. Anyway, thanks for your
3 time.

4 SUPERVISOR WALTER: I don't know either.

5 MR. ROMANO: I think I finally have it
6 cleared now. Thank you.

7 SUPERVISOR WALTER: Thank you.

8 COUNCILMAN GABRIELSEN: Oh, Bill, I just have
9 one question. I want to know, the increases, was
10 the longevity to the Police 11,214?

11 MR. ROTHAR: Yes.

12 COUNCILMAN GABRIELSEN: In the tentative
13 budget for '13, I think we identified an
14 overstatement of about 18,000. Would that have
15 been on top of this, or why did we tap into that
16 number?

17 MR. ROTHAR: This is just to account for the
18 two -- the contract and the increases in '13, in
19 '12 and '13.

20 COUNCILMAN GABRIELSEN: Right.

21 MR. ROTHAR: It has nothing do with the
22 potential of savings that we had looked at --

23 COUNCILMAN GABRIELSEN: And so that
24 overstatement of longevity money went where? Why
25 aren't we tapping into that to erase this out?

1 MR. ROTHAAAR: This is what we need. There
2 are other lines in there. We never passed a
3 resolution back on November 20th moving any of that
4 money.

5 COUNCILMAN GABRIELSEN: Right, but we know
6 it's there, we identified it as being there.

7 SUPERVISOR WALTER: Yeah, of course.

8 COUNCILMAN GABRIELSEN: So it's kind of like
9 the cushion. We didn't erase that line out of this
10 line.

11 SUPERVISOR WALTER: No. We could take it
12 from there, but the problem is it doesn't really
13 matter from a real perspective.

14 COUNCILMAN GABRIELSEN: Right. I'm just
15 saying that number would have --

16 SUPERVISOR WALTER: That little bit of money,
17 if we don't spend it, it just goes back to fund
18 balance.

19 MR. ROTHAAAR: Those lines that you're --
20 those lines that you're referring to and any of the
21 benefit lines are not lines that we just go out and
22 spend anyway. The benefit lines are spent based on
23 what the salaries are and the rates for those
24 benefits. So being in that line does not -- I
25 mean, it gives us the authority to spend that, but

1 we can't pay anything but benefits out of the those
2 lines. So they're not going to be spent just
3 because it's in there, as opposed to maybe another
4 line that we have. I think we had a couple of
5 salary lines that were in there because we had
6 grants for them that we could take out. But those
7 specific lines doesn't give us the authority to go
8 out and buy another chair or something like that.

9 COUNCILMAN GABRIELSEN: And that's the same
10 benefit, which I realize we just won't be tapping
11 into that.

12 SUPERVISOR WALTER: You could. I mean, you
13 could take it out of there. If it doesn't get
14 spent, it just goes back to fund balance. We move
15 all the stuff around all year long.

16 COUNCILMAN GABRIELSEN: And then it would get
17 pushed back into fund balance, but he said it had
18 to stay there.

19 SUPERVISOR WALTER: Marge, we are going to
20 pull your resolution first, I promise.

21 MS. ACEVEDO: Thank you. Good evening. I
22 have a letter here.

23 COUNCILMAN DUNLEAVY: Would you move the mic
24 down, please, Marge?

25 MS. ACEVEDO: Sure.

1 COUNCILMAN DUNLEAVY: Thank you.

2 MS. ACEVEDO: Diane. Good evening,
3 everybody. My name is Marjorie Acevedo, I live in
4 Wading River. I'm Chairman, presently, I think,
5 until I read this letter, of the Board of
6 Assessment and Review for the Town of Riverhead.

7 It is with much regret that I will be
8 resigning as Chairwoman from the Board of
9 Assessment and Review for the Town of Riverhead
10 effective January 15th, 2013.

11 It has been my pleasure to have served the
12 Town of Riverhead for 25 years. It has been an
13 honor to have worked with so many other members of
14 the Board over the years, Judy O'Connell, Brian
15 Mills, Rich Parker, Larry Galasso, Ann Wald and
16 many others. I have also been very fortunate to
17 work with Assessors Laverne Tannenbergl, Paul
18 Leszczynski and Mason Haas. Their guidance and
19 professional manner is an asset to this Town and
20 has been very -- and they have been very helpful to
21 the Board of Assessment Review.

22 Also, I want to thank the Riverhead Town
23 Board for always being so gracious to me in your
24 response to any request by me as the Chair.

25 Also, Diane, could you just take this?

1 MS. WILHELM: Sure.

2 MS. ACEVEDO: I just wanted to add that I
3 believe it is in the best interest of Riverhead
4 Town that the Board of Assessment and Review remain
5 bipartisan. The many years that I have served on
6 this Board tells me how important it is to do this.

7 At a recent meeting at Martha Clara
8 Vineyards, our Town Supervisor pointed out that
9 having representatives from all parties is a must
10 for good government wherever you are serving.

11 SUPERVISOR WALTER: I did, didn't I?

12 MS. ACEVEDO: Yes, you did. And this is why
13 I did this, Sean. I have had discussions with
14 Supervisor Walter and other Town Board Members and
15 the Assessors about who should be appointed by this
16 Town Board. The consensus was that as long as the
17 person is qualified, they should be considered for
18 the job. The Supervisor himself has said that as
19 long as the person is qualified, he will consider
20 the applicant. We have to take the politics out of
21 these appointments.

22 Tonight I am submitting Rob Gottschalk's name
23 as a candidate, and requesting that this Town Board
24 consider him as my replacement on the Board of
25 Assessment and Review. Rob has served as an

1 Assessor for the Town of Riverhead in the past and
2 is qualified for this position. Most important, he
3 is a New York State licensed real estate person,
4 with past certifications as an Assessor.

5 I have here copies of Rob's -- Rob
6 Gottschalk's resume for you to review and consider.
7 I ask this Board to please do the right thing.
8 Again, take the politics out of appointments to the
9 boards in the Town of Riverhead and appoint someone
10 with the knowledge, background and skills to do
11 this job. Appoint Rob Gottschalk.

12 And I thank you very much for your time.

13 SUPERVISOR WALTER: Thank you, Marge.

14 COUNCILWOMAN GIGLIO: Thank you.

15 COUNCILMAN WOOTEN: Thank you, Marge, for
16 your -- 25 years, is it?

17 MS. ACEVEDO: Twenty-five years, the last
18 Twenty-five years here.

19 COUNCILMAN DUNLEAVY: Thank you.

20 SUPERVISOR WALTER: Are you retiring
21 altogether from the Leg, too?

22 MS. ACEVEDO: No, I am still -- I'll still be
23 at the Leg. I have exactly 100 and -- about 110
24 more Fridays until my retirement

25 SUPERVISOR WALTER: Listen, don't count down

1 your time on the Leg, come on.

2 MS. ACEVEDO: I remember when it was 1,000.
3 But I really do hope that you'll seriously consider
4 this.

5 SUPERVISOR WALTER: We will.

6 MS. ACEVEDO: I think you all can understand
7 the concern about this. I mean, I've worked with
8 wonderful people on this Board. And, as I said,
9 the Assessors have been equally fair and honest
10 with me always, and I just want to keep the Board
11 that way. Thank you.

12 SUPERVISOR WALTER: All right. Thank you,
13 Marge.

14 COUNCILMAN GABRIELSEN: And I'd like to point
15 out that Marge is still serving the Town of
16 Riverhead. She's on the Recreation Advisory
17 Committee as Secretary. We appreciate that.

18 COUNCILMAN WOOTEN: And Open Space.

19 MS. ACEVEDO: And the Board -- and the Open
20 Space Committee.

21 COUNCILMAN GABRIELSEN: Oh, the Open Space.

22 MS. ACEVEDO: And I just want to let you know
23 that I've been reappointed over the years by every
24 single -- almost every single reappointment, except
25 for one, was by -- an appointment was by a

1 Republican Supervisor. So there was, in the wisdom
2 of our forefathers, there was that this Board
3 should be bipartisan. Thank you.

4 SUPERVISOR WALTER: Thank you, Marge.

5 COUNCILMAN DUNLEAVY: Thank you.

6 Congratulations.

7 SUPERVISOR WALTER: All right. Anybody else
8 wish to be heard? Not seeing anybody, Diane, can I
9 get a motion to take Marge's resolution? We're
10 going to do that off the floor. Marge wanted us to
11 do the Res.

12 COUNCILMAN DUNLEAVY: I make a motion that we
13 take Resolution #82 off the floor and present it.
14 So moved.

15 COUNCILMAN GABRIELSEN: And seconded.

16 SUPERVISOR WALTER: Moved and seconded. Vote
17 as to taking it off the floor.

18 (Roll Call Vote by Town Clerk)

19 COUNCILWOMAN GIGLIO: Yes.

20 COUNCILMAN GABRIELSEN: Yes.

21 COUNCILMAN WOOTEN: Yes.

22 COUNCILMAN DUNLEAVY: Yes.

23 SUPERVISOR WALTER: Yes.

24 MS. WILHELM: Resolution #82 is taken off the
25 floor.

1 Resolution 82 to be adopted.

2 COUNCILMAN GABRIELSEN: Okay. Accepts
3 Resignation of Chairwoman of the Board of
4 Assessment and Review (Marjorie Acevedo). So
5 moved.

6 COUNCILWOMAN GIGLIO: And seconded.

7 COUNCILMAN DUNLEAVY: And seconded.

8 SUPERVISOR WALTER: Moved and seconded.
9 Vote, please.

10 (Roll Call Vote by Town Clerk)

11 COUNCILWOMAN GIGLIO: Yes.

12 COUNCILMAN GABRIELSEN: Yes.

13 SUPERVISOR WALTER: No, make her stay.

14 COUNCILMAN WOOTEN: Yes.

15 COUNCILMAN DUNLEAVY: Yes. And I want to
16 thank you for all the years of what you gave this
17 Town in the Assessment -- this is some workload
18 that these guys have, because we have a lot of
19 people that are grieving their assessments.

20 COUNCILMAN WOOTEN: More and more every year.

21 COUNCILMAN DUNLEAVY: And Marge has to sit --

22 MS. ACEVEDO: When I started out, there were
23 about 203 grievances; now we're up to at least
24 1800.

25 COUNCILMAN DUNLEAVY: Yeah. So, I mean, she

1 has to sit and listen to them and make decisions on
2 it. So thank you very much for your dedication.

3 MS. ACEVEDO: Thank you.

4 SUPERVISOR WALTER: Marge, thank you very
5 much. Your service is a testament to your
6 bipartisanship with the Town, various Town
7 Supervisors, and we thank you for that. And I hope
8 you enjoy whatever it is you do in the next -- how
9 many Fridays?

10 MS. ACEVEDO: You know, you are aware that I
11 am only stepping down because I've taken the
12 leadership of the Democratic Party of the Town?

13 SUPERVISOR WALTER: I might have heard that
14 somewhere.

15 MS. ACEVEDO: And I have to do this. I
16 really -- as I said, I regret having to do it, but
17 I'll be back.

18 (Laughter)

19 COUNCILMAN DUNLEAVY: Thank you.

20 SUPERVISOR WALTER: Well, who knows, I might
21 be coming to visit you. We'll know that in a
22 little while, won't we?

23 MS. ACEVEDO: Yeah, we'll see.

24 SUPERVISOR WALTER: Take care. That didn't
25 sound very confident, Marge.

1 (Laughter)

2 MS. WILHELM: And that was a yes?

3 SUPERVISOR WALTER: That was a yes.

4 MS. WILHELM: Resolution adopted.

5 Resolution 41.

6 COUNCILMAN DUNLEAVY: Capital Project

7 Closures Budget Adjustment. So moved

8 COUNCILMAN WOOTEN: Seconded.

9 SUPERVISOR WALTER: Moved and seconded.

10 Vote, please.

11 (Roll Call Vote by Town Clerk)

12 COUNCILWOMAN GIGLIO: Yes.

13 COUNCILMAN GABRIELSEN: Yes.

14 COUNCILMAN WOOTEN: Yes.

15 COUNCILMAN DUNLEAVY: Yes.

16 SUPERVISOR WALTER: Yes.

17 MS. WILHELM: Resolution adopted.

18 Resolution 42.

19 COUNCILMAN WOOTEN: This is the Calverton

20 Sewer District Budget Adjustment. So moved.

21 COUNCILMAN GABRIELSEN: And seconded.

22 SUPERVISOR WALTER: Moved and seconded.

23 Vote, please.

24 (Roll Call Vote by Town Clerk)

25 COUNCILWOMAN GIGLIO: Yes.

1 COUNCILMAN GABRIELSEN: Yes.

2 COUNCILMAN WOOTEN: Yes.

3 COUNCILMAN DUNLEAVY: Yes.

4 SUPERVISOR WALTER: Yes.

5 MS. WILHELM: Resolution adopted.

6 Resolution 43.

7 COUNCILMAN GABRIELSEN: CDA Calverton Budget
8 Adjustment. So moved.

9 COUNCILWOMAN GIGLIO: And seconded.

10 SUPERVISOR WALTER: Moved and seconded.

11 Vote, please.

12 (Roll Call Vote by Town Clerk)

13 COUNCILWOMAN GIGLIO: Yes.

14 COUNCILMAN GABRIELSEN: Yes.

15 COUNCILMAN WOOTEN: Yes.

16 COUNCILMAN DUNLEAVY: Yes.

17 SUPERVISOR WALTER: Yes.

18 MS. WILHELM: Resolution adopted.

19 Resolution 44.

20 COUNCILWOMAN GIGLIO: General Fund Marina and
21 Docks Budget Adjustment. So moved.

22 COUNCILMAN DUNLEAVY: And seconded.

23 SUPERVISOR WALTER: Moved and seconded.

24 Vote, please.

25 (Roll Call Vote by Town Clerk)

1 COUNCILWOMAN GIGLIO: Yes.
2 COUNCILMAN GABRIELSEN: Yes.
3 COUNCILMAN WOOTEN: Yes.
4 COUNCILMAN DUNLEAVY: Yes.
5 SUPERVISOR WALTER: Yes.
6 MS. WILHELM: Resolution adopted.

7 Resolution 45.

8 COUNCILMAN DUNLEAVY: General Fund Part Time
9 Police Budget Adjustment. So moved.

10 COUNCILMAN WOOTEN: Second.
11 SUPERVISOR WALTER: Moved and seconded.

12 Vote, please.

13 (Roll Call Vote by Town Clerk)

14 COUNCILWOMAN GIGLIO: Yes.
15 COUNCILMAN GABRIELSEN: Yes.
16 COUNCILMAN WOOTEN: Yes.
17 COUNCILMAN DUNLEAVY: Yes.
18 SUPERVISOR WALTER: Yes.
19 MS. WILHELM: Resolution adopted.

20 Resolution 46.

21 COUNCILMAN WOOTEN: This is a General Fund
22 Police Budget Adjustment. So moved.

23 COUNCILMAN GABRIELSEN: And seconded.
24 SUPERVISOR WALTER: Moved and seconded.

25 Vote, please.

1 (Roll Call Vote by Town Clerk)

2 COUNCILWOMAN GIGLIO: No.

3 COUNCILMAN GABRIELSEN: The question I had
4 was that we could identify some of these numbers
5 and that we had maybe found that before in the
6 tentative 2013 budget, and Bill says we possibly
7 can go in there and take them. So, knowing that, I
8 would vote yes.

9 COUNCILMAN WOOTEN: I concur with Councilman
10 Gabrielsen. I think it's important that we fund
11 this. And if we could find other sources prior to
12 going in the piggybank, we should do that, so yes.

13 COUNCILMAN DUNLEAVY: I'm going to vote --
14 I'm going to vote yes. I can't see voting yes for
15 the contract and then voting no for this. This is
16 to pay part of the contract that everybody voted
17 for.

18 COUNCILMAN WOOTEN: Oh, yeah. No, we support
19 it.

20 COUNCILMAN DUNLEAVY: So I have to vote yes.

21 SUPERVISOR WALTER: Yes.

22 MS. WILHELM: Resolution adopted.

23 Resolution 47.

24 COUNCILMAN GABRIELSEN: Riverhead Downtown
25 Revitalization Improvement Project. It's a Budget

1 Adjustment. So moved.

2 COUNCILWOMAN GIGLIO: And seconded.

3 SUPERVISOR WALTER: Moved and seconded.

4 Vote, please.

5 (Roll Call Vote by Town Clerk)

6 COUNCILWOMAN GIGLIO: Yes.

7 COUNCILMAN GABRIELSEN: Yes.

8 COUNCILMAN WOOTEN: Yes, of course.

9 COUNCILMAN DUNLEAVY: Yes.

10 SUPERVISOR WALTER: Yes.

11 MS. WILHELM: Resolution adopted.

12 Resolution 48.

13 COUNCILWOMAN GIGLIO: Authorizes the

14 Supervisor to Execute an Amendment to a Grant

15 Agreement with New York State Office of Parks,

16 Recreation and Historic Preservation for Funds to

17 Support the Calverton Park Recreational Trail. So

18 moved.

19 COUNCILMAN DUNLEAVY: And seconded.

20 SUPERVISOR WALTER: Moved and seconded.

21 Vote, please.

22 (Roll Call Vote by Town Clerk)

23 COUNCILWOMAN GIGLIO: Yes.

24 COUNCILMAN GABRIELSEN: Yes.

25 COUNCILMAN WOOTEN: Yes.

1 COUNCILMAN DUNLEAVY: Yes.

2 SUPERVISOR WALTER: Yes.

3 MS. WILHELM: Resolution adopted.

4 Resolution 49.

5 COUNCILMAN DUNLEAVY: Ratifies the
6 Reappointment of a Temporary Student Intern II
7 (Thomas Houghton). So moved.

8 SUPERVISOR WALTER: This guy left already?

9 COUNCILMAN DUNLEAVY: He left already.

10 SUPERVISOR WALTER: How do we even pay him,
11 Bill?

12 MS. MC LAUGHLIN: That was my fault, Sean.
13 I'll take full responsibility for it. I didn't put
14 it in the packet when he was hired.

15 COUNCILMAN DUNLEAVY: The man's no longer
16 here, so we have to approve this.

17 SUPERVISOR WALTER: Okay. Moved and
18 seconded.

19 COUNCILMAN DUNLEAVY: Have you seconded that?

20 COUNCILMAN WOOTEN: I did second it.

21 SUPERVISOR WALTER: Moved and seconded.

22 Vote, please.

23 (Roll Call Vote by Town Clerk)

24 COUNCILWOMAN GIGLIO: Yes.

25 COUNCILMAN GABRIELSEN: Yes.

1 COUNCILMAN WOOTEN: I don't know. What did
2 we just talk about?

3 COUNCILMAN DUNLEAVY: He's no long working
4 here.

5 COUNCILMAN WOOTEN: Then no.

6 (Laughter)

7 SUPERVISOR WALTER: We've got to pay him.

8 COUNCILMAN DUNLEAVY: We've got to pay him,
9 though.

10 COUNCILWOMAN GIGLIO: They found the money.

11 MS. WILHELM: Is that a yes or a no?

12 COUNCILMAN WOOTEN: Yes.

13 COUNCILMAN DUNLEAVY: Yes.

14 SUPERVISOR WALTER: Yes.

15 MS. WILHELM: Resolution adopted.

16 Resolution 50.

17 COUNCILMAN WOOTEN: This Reappoints a
18 Temporary Clerk to the Tax Receiver's Office
19 (Melissa Messina). So moved.

20 COUNCILMAN GABRIELSEN: And seconded.

21 SUPERVISOR WALTER: Moved and seconded.

22 Vote, please.

23 (Roll Call Vote by Town Clerk)

24 COUNCILWOMAN GIGLIO: Yes.

25 COUNCILMAN GABRIELSEN: Yes.

1 COUNCILMAN WOOTEN: Yes.

2 COUNCILMAN DUNLEAVY: Yes.

3 SUPERVISOR WALTER: Yes.

4 MS. WILHELM: Resolution adopted.

5 Resolution 51.

6 COUNCILMAN GABRIELSEN: Appoints a Call-In

7 Recreation Aid I to the Recreation Department

8 (Dezarae Brown). So moved.

9 COUNCILWOMAN GIGLIO: And seconded.

10 SUPERVISOR WALTER: Moved and seconded.

11 Vote, please.

12 (Roll Call Vote by Town Clerk)

13 COUNCILWOMAN GIGLIO: Yes.

14 COUNCILMAN GABRIELSEN: Yes.

15 COUNCILMAN WOOTEN: Yes.

16 COUNCILMAN DUNLEAVY: Yes.

17 SUPERVISOR WALTER: Yes.

18 MS. WILHELM: Resolution adopted.

19 Resolution 52.

20 COUNCILWOMAN GIGLIO: Appoints a Call-In

21 Recreation Aide I to the Recreation Department

22 (Jessica Cheatom). So moved.

23 COUNCILMAN DUNLEAVY: And seconded.

24 SUPERVISOR WALTER: Moved and seconded.

25 Vote, please.

1 (Roll Call Vote by Town Clerk)

2 COUNCILWOMAN GIGLIO: Yes.

3 COUNCILMAN GABRIELSEN: Yes.

4 COUNCILMAN WOOTEN: Yes.

5 COUNCILMAN DUNLEAVY: You know, I'm going to
6 vote yes, but I think these people deserve a raise.
7 Working for 7.50 an hour, this is cheap labor.

8 COUNCILMAN WOOTEN: I think it's pretty good,
9 I like that.

10 COUNCILMAN DUNLEAVY: So, I mean, I vote yes.
11 We should look at their salaries.

12 SUPERVISOR WALTER: Yes.

13 MS. WILHELM: Resolution adopted.

14 Resolution 53.

15 COUNCILMAN DUNLEAVY: Sets Salaries for 2013

16 Part-Time/Call-in Personnel for the Riverhead

17 Recreation Department. So moved.

18 COUNCILMAN WOOTEN: Seconded.

19 SUPERVISOR WALTER: Yeah, you're up to \$12.

20 COUNCILMAN DUNLEAVY: That's right.

21 SUPERVISOR WALTER: Thirteen-eighty-nine.

22 Moved and seconded. Vote, please.

23 (Roll Call Vote by Town Clerk)

24 COUNCILWOMAN GIGLIO: Yes.

25 COUNCILMAN GABRIELSEN: Yes.

1 COUNCILMAN WOOTEN: Yes.

2 COUNCILMAN DUNLEAVY: Yes.

3 SUPERVISOR WALTER: Yes.

4 MS. WILHELM: Resolution adopted.

5 Resolution 54.

6 COUNCILMAN WOOTEN: This Sets Salaries of
7 Various Recreation Employees for the Year 2013. So
8 moved.

9 COUNCILMAN GABRIELSEN: And seconded.

10 SUPERVISOR WALTER: Moved and seconded.

11 Vote, please.

12 (Roll Call Vote by Town Clerk)

13 COUNCILWOMAN GIGLIO: Yes.

14 COUNCILMAN GABRIELSEN: Yes.

15 COUNCILMAN WOOTEN: Yes.

16 COUNCILMAN DUNLEAVY: Yes.

17 SUPERVISOR WALTER: Yes.

18 MS. WILHELM: Resolution adopted.

19 Resolution 55.

20 COUNCILMAN GABRIELSEN: Appoints a Call-In
21 Recreation Aide I to the Recreation Department
22 (Courtney Troyan). So moved.

23 COUNCILWOMAN GIGLIO: And seconded.

24 SUPERVISOR WALTER: Moved and seconded.

25 Vote, please.

1 (Roll Call Vote by Town Clerk)

2 COUNCILWOMAN GIGLIO: Yes.

3 COUNCILMAN GABRIELSEN: Yes.

4 COUNCILMAN WOOTEN: Yes.

5 COUNCILMAN DUNLEAVY: Yes.

6 SUPERVISOR WALTER: Yes.

7 MS. WILHELM: Resolution adopted.

8 Resolution 56.

9 COUNCILWOMAN GIGLIO: Appoints Part-Time

10 Recreation Aides/Volleyball Attendants and

11 Officials to the Recreation Department. So moved.

12 COUNCILMAN DUNLEAVY: And seconded.

13 SUPERVISOR WALTER: Moved and seconded.

14 Vote, please.

15 (Roll Call Vote by Town Clerk)

16 COUNCILWOMAN GIGLIO: Yes.

17 COUNCILMAN GABRIELSEN: Yes.

18 COUNCILMAN WOOTEN: Yes.

19 COUNCILMAN DUNLEAVY: Yes.

20 SUPERVISOR WALTER: Yes.

21 MS. WILHELM: Resolution adopted.

22 Resolution 57.

23 SUPERVISOR WALTER: Do we want to do anything

24 with this?

25 COUNCILMAN GABRIELSEN: Table it.

1 SUPERVISOR WALTER: George, you want to table
2 it?

3 COUNCILWOMAN GABRIELSEN: Yeah, I think table
4 it.

5 MS. MC LAUGHLIN: Sean, I spoke to Ray.

6 COUNCILMAN GABRIELSEN: Okay.

7 MS. MC LAUGHLIN: Yeah. I spoke to Ray and
8 he said that it is a New York State boat ramp, and
9 the Town of Riverhead residents do not have to pay,
10 because if they have a green sticker, they don't
11 pay that boat ramp fee. If they are not a resident
12 of Riverhead, then they do have to pay that fee.

13 COUNCILMAN DUNLEAVY: Okay.

14 COUNCILMAN GABRIELSEN: Is that the same fee?
15 Did he say it was the same fee from last year?

16 MS. MC LAUGHLIN: Yes.

17 COUNCILMAN GABRIELSEN: It's the same.

18 MS. MC LAUGHLIN: It's been the same one for
19 the past ten years, he said.

20 COUNCILMAN GABRIELSEN: Okay. Then I should
21 move on it.

22 COUNCILMAN DUNLEAVY: It should say --

23 COUNCILMAN GABRIELSEN: Yeah, it's not clear.

24 COUNCILMAN DUNLEAVY: -- nonresident there.
25 It's a nonresident fee, it should say nonresident.

1 It will clarify -- it will clarify it. So I want
2 to amend it to say nonresident boat ramp permit.

3 COUNCILMAN GABRIELSEN: Because the
4 nonresidents can also buy a beach sticker. It's
5 not green, though.

6 COUNCILMAN WOOTEN: No, they can't.

7 COUNCILMAN GABRIELSEN: Yes, it's like \$250.

8 COUNCILMAN DUNLEAVY: It says nonresident,
9 \$200.

10 COUNCILMAN GABRIELSEN: So they can buy it.

11 COUNCILMAN WOOTEN: I guess so.

12 COUNCILMAN GABRIELSEN: So would that cover
13 it? Is it one or the other?

14 SUPERVISOR WALTER: It sounds like this is
15 like a daily pass.

16 MS. MC LAUGHLIN: As long as you have the
17 sticker, you don't have to pay.

18 COUNCILMAN GABRIELSEN: Okay. So you can't
19 put nonresident, because nonresident --

20 COUNCILMAN DUNLEAVY: A nonresident pays \$30
21 a day.

22 COUNCILMAN GABRIELSEN: Right. But if a
23 nonresident buys a 200, whatever the fee is,
24 sticker --

25 COUNCILMAN DUNLEAVY: Two hundred dollars.

1 COUNCILMAN GABRIELSEN: -- he's good, right.
2 So this wouldn't be a nonresident, because they
3 would be exempt by buying the other sticker; am I
4 correct?

5 MS. MC LAUGHLIN: Right. Well, you could put
6 without sticker.

7 COUNCILMAN WOOTEN: It's been there for ten
8 years.

9 COUNCILMAN DUNLEAVY: Yeah.

10 COUNCILMAN WOOTEN: Just found it out now?

11 COUNCILMAN DUNLEAVY: Yeah.

12 COUNCILMAN GABRIELSEN: We could just leave
13 the language alone, and it's good for ten years,
14 maybe. I'm just thinking how we can tweak it.

15 SUPERVISOR WALTER: Just leave it alone? I'm
16 okay with leaving it alone.

17 COUNCILMAN DUNLEAVY: It's just confusing.

18 COUNCILMAN WOOTEN: It's more confusing by
19 the minute.

20 COUNCILMAN DUNLEAVY: Yes.

21 COUNCILMAN GABRIELSEN: It sounds a lot more
22 simple the way it is.

23 SUPERVISOR WALTER: Why don't we just leave
24 it just the way it is, and if we have to do
25 something, we can ask Ray if there's -- let's find

1 out if ever sells it.

2 COUNCILMAN GABRIELSEN: It's been good for
3 ten years.

4 SUPERVISOR WALTER: He may not even sell
5 these.

6 COUNCILMAN DUNLEAVY: No. There's a lot of
7 cars and trailers in that --

8 COUNCILMAN GABRIELSEN: But we write a lot of
9 tickets there, too. So we're making more money,
10 that's what I hear.

11 COUNCILMAN DUNLEAVY: Okay.

12 COUNCILMAN GABRIELSEN: So it goes right
13 to --

14 COUNCILMAN DUNLEAVY: Okay.

15 SUPERVISOR WALTER: Let's leave it.

16 COUNCILMAN DUNLEAVY: All the other ones we
17 have -- we need to do.

18 SUPERVISOR WALTER: So move 57?

19 COUNCILMAN DUNLEAVY: All right. (Res. # 57)

20 Sets the Fees for Usage of Recreation and Other
21 Town Facilities. So moved.

22 COUNCILMAN WOOTEN: And second.

23 SUPERVISOR WALTER: Moved and seconded.

24 Vote, please.

25 (Roll Call Vote by Town Clerk)

1 COUNCILWOMAN GIGLIO: Yes.

2 COUNCILMAN GABRIELSEN: Yes.

3 COUNCILMAN WOOTEN: Yes.

4 COUNCILMAN DUNLEAVY: Yes. I vote yes.

5 MS. WILHELM: Is it amended or no?

6 COUNCILMAN DUNLEAVY: No.

7 SUPERVISOR WALTER: No. Let's leave it alone
8 for now.

9 MS. WILHELM: Okay.

10 COUNCILMAN DUNLEAVY: He doesn't want to
11 amend it, so I'm going to vote yes.

12 SUPERVISOR WALTER: Yes.

13 MS. WILHELM: Resolution adopted

14 SUPERVISOR WALTER: Talk to him and see if it
15 has to be amended at all.

16 COUNCILMAN DUNLEAVY: Okay.

17 MS. WILHELM: Resolution 58.

18 COUNCILMAN WOOTEN: This Authorizes the
19 Supervisor to Execute a Professional Services
20 Agreement with Converged Technology Group,
21 Incorporated, CTG. So moved.

22 COUNCILMAN GABRIELSEN: And seconded

23 SUPERVISOR WALTER: Moved and seconded.

24 Vote, please.

25 (Roll Call Vote by Town Clerk)

1 COUNCILWOMAN GIGLIO: Yes.

2 COUNCILMAN GABRIELSEN: Yes.

3 COUNCILMAN WOOTEN: Yes.

4 COUNCILMAN DUNLEAVY: Yes.

5 SUPERVISOR WALTER: Yes.

6 MS. WILHELM: Resolution adopted.

7 Resolution 59.

8 COUNCILMAN GABRIELSEN: Authorizes the
9 Supervisor to Execute a Professional Services
10 Agreement with Suffolk Online Advertising. So
11 moved.

12 COUNCILWOMAN GIGLIO: And seconded.

13 SUPERVISOR WALTER: Moved and seconded.

14 Vote, please.

15 (Roll Call Vote by Town Clerk)

16 COUNCILWOMAN GIGLIO: Yes.

17 COUNCILMAN GABRIELSEN: Yes.

18 COUNCILMAN WOOTEN: Yes.

19 COUNCILMAN DUNLEAVY: Yes.

20 SUPERVISOR WALTER: Yes.

21 MS. WILHELM: Resolution adopted.

22 Resolution 60.

23 COUNCILWOMAN GIGLIO: Authorizes the
24 Supervisor to Execute an Agreement (Thomas Parris)
25 for -- this is for services for the Senior Citizen

1 Department for the entertainment there. So moved.

2 COUNCILMAN DUNLEAVY: And seconded.

3 SUPERVISOR WALTER: Moved and seconded.

4 Vote, please.

5 (Roll Call Vote by Town Clerk)

6 COUNCILWOMAN GIGLIO: Yes.

7 COUNCILMAN GABRIELSEN: Yes.

8 COUNCILMAN WOOTEN: Yes.

9 COUNCILMAN DUNLEAVY: Yes.

10 SUPERVISOR WALTER: Yes.

11 MS. WILHELM: Resolution adopted.

12 Resolution 61.

13 COUNCILMAN DUNLEAVY: Authorizes the

14 Supervisor to Execute a Settlement and Release

15 Agreement with Troy & Banks Consultants, LLC, and

16 the Accounting Department to Pay Fees in the Amount

17 of \$17,500.00 to Troy & Banks Consultants, LLC. So

18 moved.

19 COUNCILMAN WOOTEN: Seconded.

20 SUPERVISOR WALTER: Moved and seconded.

21 Vote, please.

22 (Roll Call Vote by Town Clerk)

23 COUNCILWOMAN GIGLIO: Yes.

24 COUNCILMAN GABRIELSEN: Yes.

25 COUNCILMAN WOOTEN: Yes.

1 COUNCILMAN DUNLEAVY: Yes. This is -- we're
2 paying them out of a \$50,000 settlement we got from
3 Cablevision, so it's not coming out of our coffers.
4 I vote yes.

5 SUPERVISOR WALTER: Yes.

6 MS. WILHELM: Resolution adopted.

7 Resolution 62.

8 COUNCILMAN WOOTEN: Awards Bid for Annual
9 Audit Services for the Town of Riverhead. So
10 moved.

11 COUNCILMAN GABRIELSEN: And seconded.

12 SUPERVISOR WALTER: Moved and seconded.
13 Vote, please.

14 (Roll Call Vote by Town Clerk)

15 COUNCILWOMAN GIGLIO: Yes.

16 COUNCILMAN GABRIELSEN: Yes.

17 COUNCILMAN WOOTEN: Yes.

18 COUNCILMAN DUNLEAVY: Yes.

19 SUPERVISOR WALTER: Yes.

20 MS. WILHELM: Resolution adopted.

21 Resolution 63.

22 COUNCILMAN GABRIELSEN: Awards Bid for Audit
23 Services for Town of Riverhead Justice Court. So
24 moved.

25 COUNCILWOMAN GIGLIO: And seconded.

1 SUPERVISOR WALTER: Moved and seconded.

2 Vote, please.

3 (Roll Call Vote by Town Clerk)

4 COUNCILWOMAN GIGLIO: Yes.

5 COUNCILMAN GABRIELSEN: Yes.

6 COUNCILMAN WOOTEN: Yes.

7 COUNCILMAN DUNLEAVY: Yes.

8 SUPERVISOR WALTER: Yes.

9 MS. WILHELM: Resolution adopted.

10 Resolution 64.

11 COUNCILWOMAN GIGLIO: Awards Bid for Audit

12 Services for Town of Riverhead Peconic Bay

13 Community Preservation Fund. So moved.

14 COUNCILMAN DUNLEAVY: And seconded

15 SUPERVISOR WALTER: Moved and seconded.

16 Vote, please.

17 (Roll Call Vote by Town Clerk)

18 COUNCILWOMAN GIGLIO: Yes.

19 COUNCILMAN GABRIELSEN: Yes.

20 COUNCILMAN WOOTEN: Yes.

21 COUNCILMAN DUNLEAVY: Yes.

22 SUPERVISOR WALTER: Yes.

23 MS. WILHELM: Resolution adopted.

24 Resolution 65.

25 COUNCILMAN DUNLEAVY: Authorizes the Release

1 of Site Plan Security of Calverton Links LTD. So
2 moved.

3 COUNCILMAN WOOTEN: Seconded.

4 SUPERVISOR WALTER: Moved and seconded.

5 Vote, please.

6 (Roll Call Vote by Town Clerk)

7 COUNCILWOMAN GIGLIO: Yes.

8 COUNCILMAN GABRIELSEN: Yes.

9 COUNCILMAN WOOTEN: Yes.

10 COUNCILMAN DUNLEAVY: Yes.

11 SUPERVISOR WALTER: Yes.

12 MS. WILHELM: Resolution adopted.

13 Resolution 66.

14 COUNCILMAN WOOTEN: Authorizes the Release of
15 Site Plan Security of Lincoln Street Development
16 Corporation, Inc. So moved.

17 COUNCILMAN GABRIELSEN: And seconded

18 SUPERVISOR WALTER: Moved and seconded.

19 Vote, please.

20 (Roll Call Vote by Town Clerk)

21 COUNCILWOMAN GIGLIO: Yes.

22 COUNCILMAN GABRIELSEN: Yes.

23 COUNCILMAN WOOTEN: Yes.

24 COUNCILMAN DUNLEAVY: Yes.

25 SUPERVISOR WALTER: Yes.

1 MS. WILHELM: Resolution adopted.

2 SUPERVISOR WALTER: I wonder if Chuck Thomas
3 knows he'll be getting \$153 back from the Town.

4 COUNCILMAN DUNLEAVY: I know. It's been a
5 long time.

6 MS. WILHELM: Resolution 67.

7 COUNCILMAN GABRIELSEN: Authorizes the
8 Release of Site Plan Security of East End Wireless,
9 Inc. at Cherry Creek Golf Course. So moved.

10 COUNCILWOMAN GIGLIO: And seconded.

11 SUPERVISOR WALTER: Moved and seconded.
12 Vote, please.

13 (Roll Call Vote by Town Clerk)

14 COUNCILWOMAN GIGLIO: Yes.

15 COUNCILMAN GABRIELSEN: Yes.

16 COUNCILMAN WOOTEN: Yes.

17 COUNCILMAN DUNLEAVY: Yes.

18 SUPERVISOR WALTER: Yes.

19 MS. WILHELM: Resolution adopted.

20 Resolution 68.

21 COUNCILMAN DUNLEAVY: Authorizes the Release
22 of Site Plan Security for Nicolia's LLC. So moved.

23 COUNCILMAN WOOTEN: Is that 68?

24 COUNCILMAN DUNLEAVY: Is that 68 or 69?

25 MS. WILHELM: 68.

1 SUPERVISOR WALTER: 68.

2 COUNCILMAN WOOTEN: You skipped one.

3 COUNCILMAN DUNLEAVY: Authorize the
4 release of site plan -- no, that's not me.

5 MS. WILHELM: It's Jodi.

6 COUNCILWOMAN GIGLIO: Authorizes the Release
7 of Site Plan Security of Fox Hill Country Club
8 Caterers Inc. So moved.

9 COUNCILMAN DUNLEAVY: Second.

10 SUPERVISOR WALTER: Moved and seconded.

11 Vote, please.

12 (Roll Call Vote by Town Clerk)

13 COUNCILWOMAN GIGLIO: Yes.

14 COUNCILMAN GABRIELSEN: Yes.

15 COUNCILMAN WOOTEN: Yes.

16 COUNCILMAN DUNLEAVY: Yes.

17 SUPERVISOR WALTER: Yes.

18 MS. WILHELM: Resolution adopted.

19 Resolution 69.

20 COUNCILMAN DUNLEAVY: Authorizes the Release
21 of Site Plan Security for Nicolias LLC. So moved.

22 COUNCILMAN WOOTEN: Seconded.

23 SUPERVISOR WALTER: Moved and seconded.

24 Vote, please.

25 (Roll Call Vote by Town Clerk)

1 COUNCILWOMAN GIGLIO: Yes.

2 COUNCILMAN GABRIELSEN: Yes.

3 COUNCILMAN WOOTEN: Yes.

4 COUNCILMAN DUNLEAVY: Yes.

5 SUPERVISOR WALTER: Yes.

6 MS. WILHELM: Resolution adopted.

7 Resolution 70.

8 COUNCILMAN WOOTEN: Authorizes the release of
9 Security of Traditional Links LLC, Golf Training
10 Building. So moved.

11 COUNCILMAN GABRIELSEN: And seconded.

12 SUPERVISOR WALTER: Moved and seconded.

13 Vote, please.

14 (Roll Call Vote by Town Clerk)

15 COUNCILWOMAN GIGLIO: Yes.

16 COUNCILMAN GABRIELSEN: Yes.

17 COUNCILMAN WOOTEN: Yes.

18 COUNCILMAN DUNLEAVY: I'm going to vote yes,
19 but we've been holding this money for some time for
20 these people. I don't know, they must not have
21 accountants.

22 SUPERVISOR WALTER: We could figure out the
23 Town accounting system to see what they're entitled
24 to.

25 COUNCILMAN DUNLEAVY: I vote yes.

1 SUPERVISOR WALTER: Yes.

2 MS. WILHELM: Resolution adopted.

3 Resolution 71.

4 COUNCILMAN GABRIELSEN: Authorizes the
5 Release of Site Plan Security of Verizon Wireless
6 at Cherry Creek Golf Course - Munley, Meade,
7 Nielsen and Re'. So moved.

8 COUNCILWOMAN GIGLIO: And seconded.

9 SUPERVISOR WALTER: Moved and seconded.

10 Vote, please.

11 (Roll Call Vote by Town Clerk)

12 COUNCILWOMAN GIGLIO: Yes.

13 COUNCILMAN GABRIELSEN: Yes.

14 COUNCILMAN WOOTEN: Yes.

15 COUNCILMAN DUNLEAVY: Yes.

16 SUPERVISOR WALTER: Yes.

17 MS. WILHELM: Resolution adopted.

18 Resolution 72.

19 COUNCILWOMAN GIGLIO: Adopts a Local Law
20 Amending Chapter 108 Entitled "Zoning" of the
21 Riverhead Town Code. So moved.

22 COUNCILMAN DUNLEAVY: And seconded.

23 SUPERVISOR WALTER: Moved and seconded.

24 Vote, please.

25 (Roll Call Vote by Town Clerk)

1 COUNCILWOMAN GIGLIO: Yes.
2 COUNCILMAN GABRIELSEN: Yes.
3 COUNCILMAN WOOTEN: Yes.
4 COUNCILMAN DUNLEAVY: Yes.
5 SUPERVISOR WALTER: Yes.
6 MS. WILHELM: Resolution adopted.

7 Resolution 73.

8 COUNCILMAN DUNLEAVY: Authorizes Execution of
9 Main Street Grant Program. So moved.

10 COUNCILMAN WOOTEN: Seconded.

11 SUPERVISOR WALTER: Moved and seconded.

12 Vote, please.

13 (Roll Call Vote by Town Clerk)

14 COUNCILWOMAN GIGLIO: Yes.

15 COUNCILMAN GABRIELSEN: Yes.

16 COUNCILMAN WOOTEN: Yes.

17 COUNCILMAN DUNLEAVY: Yes.

18 SUPERVISOR WALTER: Yes.

19 MS. WILHELM: Resolution adopted.

20 Resolution 74.

21 COUNCILMAN WOOTEN: Authorizing the Transfer
22 of County Owned Property to the Town of Riverhead.

23 So moved.

24 COUNCILWOMAN GIGLIO: I wanted to -- I

25 mean is the --

1 SUPERVISOR WALTER: He moved the resolution.

2 COUNCILWOMAN GIGLIO: So you need a second, I
3 guess, but --

4 COUNCILMAN DUNLEAVY: Yeah, we have to second
5 before discussion, Jodi.

6 COUNCILMAN GABRIELSEN: Do we want to --
7 well, let me just say, we can't table now?

8 SUPERVISOR WALTER: No. You moved it, so now
9 you got to vote on it, so --

10 COUNCILMAN GABRIELSEN: I second it.

11 SUPERVISOR WALTER: Moved and seconded.
12 Vote, please.

13 (Roll Call Vote by Town Clerk)

14 COUNCILWOMAN GIGLIO: It's not fair that this
15 resolution was put before me today. I have not had
16 enough time to do the research. When I went to the
17 Assessor's Office, they were concerned about it. I
18 went to the Town Attorney's Office, they were
19 concerned about it. They said it was premature.
20 They said the resolution should not be in the
21 packet tonight.

22 I don't see why we can't wait two weeks to
23 adopt this resolution. The property can't be
24 developed without a site plan. And we all want it
25 preserved, but I want it to be done right so that

1 it is forever preserved, and that we're not putting
2 ourselves at risk.

3 So I am put in a position where I have to
4 abstain because I don't have enough information or
5 time to do the research because this resolution was
6 put before me today. So I have to abstain.

7 COUNCILMAN GABRIELSEN: I agree with
8 Councilwoman Giglio on this. I think the questions
9 asked today. Listening to our Town Attorneys, it
10 seems to me that two weeks shouldn't make a
11 difference.

12 I support it, I absolutely support this, you
13 know, but I would say I couldn't approve it now
14 without more, you know, work session, whatever, or
15 dialogue on it. So I would abstain, too.

16 MS. WILHELM: Wooten.

17 COUNCILMAN WOOTEN: What? What do you want
18 from me?

19 (Laughter)

20 SUPERVISOR WALTER: If the County can't do
21 it, they can't do it.

22 COUNCILMAN WOOTEN: My only concern was it
23 seemed rushed to me. But, obviously, if the County
24 isn't in any position to 72-h it, I am certainly in
25 no position to receive it. So I think this is more

1 or less letting the County know that, you know, the
2 Town would be interested if that happens, but I
3 don't think this is forcing the Town to do anything
4 that it wouldn't normally want to do anyway.

5 We all know the flaws in the subdivision and
6 how that was all done, and I know the concerns of
7 the people in Willow Ponds. I've been here for
8 five years, so I understand all of that. So I
9 don't think there's any harm or foul by supporting
10 this, I really don't, but unless there's something
11 I'm missing. So I'm going to vote yes.

12 COUNCILMAN DUNLEAVY: I guess I'm supportive
13 of this. I just want to end the litigation, and I
14 think that this is telling the County. And I
15 really never want to say no to somebody that's
16 going to give us something, and this is telling the
17 County, "If you give us this, we will accept it."

18 I know we've tabled things last year and they
19 still haven't come up. Our Council People want to
20 look into things. So, I mean, once this is tabled,
21 it will never come up again. I'm assured because
22 of things last year that were tabled that haven't
23 come up again. So I'm voting yes to this.

24 MS. WILHELM: Walter.

25 SUPERVISOR WALTER: Yes.

1 MS. WILHELM: Resolution adopted.

2 Resolution 75.

3 COUNCILMAN GABRIELSEN: Authorizes the
4 Settlement of Legal Action Against the Owners,
5 Tenants, Occupants and Mortgagee of the Property
6 Located At 5506 Sound Avenue, Jamesport, New York.

7 So Moved.

8 COUNCILWOMAN GIGLIO: And seconded

9 SUPERVISOR WALTER: Moved and seconded.

10 Vote, please.

11 (Roll Call Vote by Town Clerk)

12 COUNCILWOMAN GIGLIO: Yes.

13 COUNCILMAN GABRIELSEN: Yes.

14 COUNCILMAN WOOTEN: Yes.

15 COUNCILMAN DUNLEAVY: Yes.

16 SUPERVISOR WALTER: Yes.

17 MS. WILHELM: Resolution adopted.

18 Resolution 76.

19 COUNCILWOMAN GIGLIO: Ratifies the
20 Reappointment of a Member to the Riverhead Open
21 Space/Park Preserve Committee (Charles Cetas). So
22 moved.

23 COUNCILMAN DUNLEAVY: And seconded.

24 SUPERVISOR WALTER: Moved and seconded.

25 Vote, please.

1 (Roll Call Vote by Town Clerk)

2 COUNCILWOMAN GIGLIO: Yes.

3 COUNCILMAN GABRIELSEN: Yes.

4 COUNCILMAN WOOTEN: I'm going to vote yes,
5 but when did we call it the Park Preserve
6 Committee? I never heard that before.

7 COUNCILMAN DUNLEAVY: I never heard it
8 either.

9 COUNCILMAN WOOTEN: I vote yes.

10 COUNCILMAN DUNLEAVY: I vote yes.

11 SUPERVISOR WALTER: Yes.

12 MS. WILHELM: Resolution adopted.

13 Resolution 77.

14 COUNCILMAN DUNLEAVY: Ratifies the
15 Reappointment of Member to the Riverhead Open
16 Space/Park Preserve Committee (Nancy Gilbert). So
17 moved.

18 COUNCILMAN WOOTEN: Second.

19 COUNCILMAN DUNLEAVY: I think we just added
20 another word to it.

21 COUNCILMAN WOOTEN: That's because we got our
22 first park, I guess.

23 COUNCILMAN DUNLEAVY: That's it.

24 SUPERVISOR WALTER: Moved and seconded.

25 Vote, please.

1 (Roll Call Vote by Town Clerk)

2 COUNCILWOMAN GIGLIO: Yes.

3 COUNCILMAN GABRIELSEN: Yes.

4 COUNCILMAN WOOTEN: Yes.

5 COUNCILMAN DUNLEAVY: Yes.

6 SUPERVISOR WALTER: Yes.

7 MS. WILHELM: Resolution adopted.

8 Resolution 78.

9 COUNCILMAN WOOTEN: This Authorizes the
10 Release of Site Plan Security of Baiting Hollow
11 Club. So moved.

12 COUNCILMAN GABRIELSEN: And seconded.

13 SUPERVISOR WALTER: Moved and seconded.

14 Vote, please.

15 (Roll Call Vote by Town Clerk)

16 COUNCILWOMAN GIGLIO: Yes.

17 COUNCILMAN GABRIELSEN: Yes.

18 COUNCILMAN WOOTEN: Is this \$153 really going
19 to upset him? Yes.

20 COUNCILMAN DUNLEAVY: Yes.

21 SUPERVISOR WALTER: Yes.

22 MS. WILHELM: Resolution adopted.

23 Resolution 79.

24 COUNCILMAN GABRIELSEN: Authorize the Town
25 Clerk to Publish and Post a Public Notice to Amend

1 Section 58 Entitled "Dogs" of the Riverhead Town

2 Code. So moved.

3 COUNCILWOMAN GIGLIO: And seconded.

4 SUPERVISOR WALTER: Moved and seconded.

5 Vote, please.

6 (Roll Call Vote by Town Clerk)

7 COUNCILWOMAN GIGLIO: Yes.

8 COUNCILMAN GABRIELSEN: Yes.

9 COUNCILMAN WOOTEN: Yes.

10 COUNCILMAN DUNLEAVY: Yes.

11 SUPERVISOR WALTER: Yes.

12 MS. WILHELM: Resolution adopted.

13 Resolution 80.

14 COUNCILWOMAN GIGLIO: This wasn't discussed
15 at work session Thursday either.

16 SUPERVISOR WALTER: I don't know. I guess it
17 wasn't. This was -- this is East End Accounting
18 Services that we -- that the Independent Audit
19 Committee uses to do their audits, that they want
20 them, East End -- Jack Orben wants to make sure
21 that East End Accounting Services gets put back in.
22 This is the company that the Independent Audit
23 Company wants, so we appointed them last year.

24 COUNCILMAN DUNLEAVY: We agreed to this last
25 year. It's just the --

1 COUNCILMAN GABRIELSEN: Have the fees stayed
2 the same?

3 SUPERVISOR WALTER: Yeah, I think it's the
4 same. Yes, it's the same, \$20,000 or whatever.

5 COUNCILMAN GABRIELSEN: I'm looking at the
6 hourly thing.

7 COUNCILMAN DUNLEAVY: Bill is going to come
8 up.

9 SUPERVISOR WALTER: Bill.

10 COUNCILMAN WOOTEN: And that was not to
11 exceed.

12 COUNCILWOMAN GIGLIO: There was no
13 not-to-exceed, it's only hourly.

14 SUPERVISOR WALTER: They have a limit because
15 the budget has a limit.

16 MR. ROTHAAAR: Right. The same amount is
17 budgeted as last year, \$20,000. A rate for every
18 title is still the same as it was last year.

19 We missed this at the reorganization because
20 we failed to realize that the last one expired
21 December 31st. So we normally will do this at the
22 beginning of the year, but we're putting it in now
23 because we didn't --

24 COUNCILMAN GABRIELSEN: So we budgeted --

25 MR. ROTHAAAR: It's budgeted. Yeah, it's

1 budgeted.

2 COUNCILMAN GABRIELEN: -- last year's
3 amount?

4 MR. ROTHAR: \$20,000.

5 COUNCILMAN GABRIELEN: Right, okay. And
6 they got to that 20,000?

7 SUPERVISOR WALTER: No, they didn't --

8 MR. ROTHAR: They actually didn't spend the
9 whole 20,000.

10 COUNCILMAN GABRIELEN: They haven't spent
11 all the \$20,000.

12 MR. ROTHAR: The limit is the \$20,000.

13 COUNCILMAN GABRIELEN: Right. I just
14 wondered how far did they go with that, do you
15 know?

16 MR. ROTHAR: I didn't know if it was the
17 last thing that was in there for the project at the
18 end of the year.

19 SUPERVISOR WALTER: I think it was 13.

20 COUNCILMAN GABRIELEN: Thirteen, okay. I
21 just didn't want them spending --

22 MR. ROTHAR: Yes. The Audit Committee
23 directs this company on which projects to go
24 forward with or which audits to go forward with.

25 COUNCILMAN GABRIELEN: Okay.

1 COUNCILWOMAN GIGLIO: Okay.

2 COUNCILMAN DUNLEAVY: Are you going to call
3 it?

4 COUNCILWOMAN GIGLIO: Did you call the
5 resolution, Diane, Resolution 80?

6 MS. WILHELM: I did.

7 COUNCILWOMAN GIGLIO: Okay. (Res. #80)
8 Authorizes the Supervisor to Execute Professional
9 Services Agreement with East End Accounting
10 Services Corp. So moved.

11 COUNCILMAN DUNLEAVY: And seconded

12 SUPERVISOR WALTER: Moved and seconded.
13 Vote, please.

14 (Roll Call Vote by Town Clerk)

15 COUNCILWOMAN GIGLIO: Yes.

16 COUNCILMAN GABRIELSEN: Yes.

17 COUNCILMAN WOOTEN: Yes.

18 COUNCILMAN DUNLEAVY: Yes.

19 SUPERVISOR WALTER: Yes.

20 MS. WILHELM: Resolution adopted.

21 Resolution 81.

22 COUNCILMAN DUNLEAVY: Pay the Bills. So
23 moved.

24 COUNCILMAN WOOTEN: And seconded.

25 SUPERVISOR WALTER: Moved and seconded.

1 Vote, please.

2 (Roll Call Vote by Town Clerk)

3 COUNCILWOMAN GIGLIO: Yes.

4 COUNCILMAN GABRIELSEN: Yes.

5 COUNCILMAN WOOTEN: Yes.

6 COUNCILMAN DUNLEAVY: Yes.

7 SUPERVISOR WALTER: Yes.

8 MS. WILHELM: Resolution adopted.

9 SUPERVISOR WALTER: We paid the Business
10 Improvement District \$2.50.

11 (Laughter)

12 All right. So now we open the Town up to
13 questions and comments on things that may be within
14 the purview of the Town. Sal Mastropalo.

15 MR. MASTROPAOLO: First question, will the
16 ball fields be open in the spring at EPCAL?

17 COUNCILMAN GABRIELSEN: Yes. They're
18 actually finished, except for a little bit of
19 raking out along the trails. The sidewalks are in,
20 the parking lot's done.

21 COUNCILMAN DUNLEAVY: Well, I don't know if
22 the sidewalks are down the middle.

23 COUNCILMAN GABRIELSEN: Yes, they're done
24 where they're going to be. The rest -- all we have
25 left is just a little bit of raking out and

1 seeding, but the fields are done.

2 COUNCILMAN DUNLEAVY: That's all going to be
3 grass?

4 MR. MASTROPAOLO: Actually, I was down there
5 Sunday. I walked the property.

6 COUNCILMAN WOOTEN: I take my dog out on
7 weekends. It's looking great.

8 COUNCILMAN GABRIELSEN: And that's just along
9 the sidewalks. But the field themselves, the turf
10 is beautiful, ready to go.

11 MR. MASTROPAOLO: Next question. Will the
12 Board comment on a rumor that I heard that the FAA
13 wants -- was looking for a site for an additional
14 control center, which would have about 800 jobs,
15 and Riverhead walked away from it?

16 SUPERVISOR WALTER: We didn't walk away from
17 it, Sal. What's happened is the facility that's in
18 question is the TRACON facility in Islip. The
19 Supervisor had a -- Tom Croci, the Supervisor of
20 Islip Town, had a rally last Spring. Almost every
21 elected official came to that rally, Supervisors,
22 County Executives, the County Executive -- I think
23 both County Executives may have been there, but I'm
24 not sure; Assemblymen, Senators all across Suffolk
25 County. And the thought is that we have to act as

1 a region here.

2 We didn't want to put forth to the FAA that
3 we were fractured, that we wanted this facility.
4 If that facility leaves Islip, that could very well
5 be the death knell to that airport, and that that
6 is the facility, the TRACON facility at Islip.

7 So it's not that we walked -- nobody walked
8 away from it, we, "we" meaning the group that got
9 together, we were asked by the County Executive and
10 the Supervisor of Islip to support him in his
11 efforts to try to keep that.

12 There are, I don't know how many, but, you
13 know, dozens of people, it's my guess, that work in
14 that facility in Riverhead. And if we were to lose
15 that facility, it would not be a good thing.

16 So, instead of having a very parochial
17 approach -- there was one Supervisor that took a
18 parochial approach, but instead of having a
19 parochial approach to be -- try to argue -- or not
20 argue, but compete with Islip MacArthur Airport for
21 this.

22 The Board was never asked to do a resolution,
23 it's just my opinion that we should be working with
24 the other Towns, because what comes around is going
25 to go around. And, at some point, the Supervisor

1 of Islip is going to come out here and say, "Hey,
2 this is something that belongs here," whatever that
3 something is. So that's where --

4 COUNCILMAN DUNLEAVY: Sa1, they wanted to
5 move this off of Long Island to Upstate.

6 COUNCILMAN GABRIELSEN: Yes, to Upstate.

7 COUNCILMAN DUNLEAVY: And you have to rally
8 around someplace to keep this.

9 EPCAL, we're not subdividing EPCAL yet, so
10 how can we move something out here when we don't
11 know when EPCAL is going to be subdivided? It
12 could take six months, it could take another two or
13 three years.

14 MR. MASTROPAOLO: Well, when --

15 COUNCILMAN DUNLEAVY: So, you know, these
16 guys want to move and we don't want to take them
17 off of Long Island. It's Long Island jobs and we
18 want to keep it on Long Island.

19 COUNCILWOMAN GIGLIO: I have seen the ads in
20 the Newsday every week for the last four weeks, and
21 that they are aggressively seeking proposals for
22 property owners that own between 35 and 50 acres.

23 I have spoken to Schumer's Office. I have
24 made phone calls to Bishop's Office. Kyle from
25 Schumer's Office said that the FAA is advertising

1 because they are looking for a place, which means
2 that they don't want to be in Islip.

3 So we are working aggressively towards trying
4 to replace the jobs that we took -- that we lost
5 when Grumman left, and I think that we should be
6 aggressively moving forward and submitting a
7 proposal to the FAA to get those 800 jobs here in
8 Riverhead.

9 And it's not a matter of the jobs going to
10 Poughkeepsie or Westchester, from what I'm hearing
11 from Schumer's Office. They -- originally, that
12 was the thought, they wanted to keep them just in
13 Suffolk County. And that effort to keep them in
14 Suffolk County will continue, whether it's at Islip
15 or whether it's at EPCAL. But they are advertising
16 on a weekly basis. They are seeking proposals for
17 any property owner that owns between 35 and 50
18 acres. There is a criteria.

19 I did speak to Andrea Lohneiss from Suffolk
20 County Economic Development and she said that she
21 has all the information that we could submit to the
22 FAA in a package, it just needs to be updated. And
23 I think that we should be aggressively pursuing the
24 FAA Air Traffic Control facility to be at EPCAL.

25 SUPERVISOR WALTER: So you're -- what you're

1 saying is you want to take that from Islip and put
2 it at EPCAL?

3 COUNCILWOMAN GIGLIO: They don't want to be
4 in Islip, they're advertising in the paper.

5 SUPERVISOR WALTER: That is not accurate.
6 That is not accurate. They -- the facility -- I
7 stood with Senator Schumer's staff at that press
8 conference; Congressman Bishop was there. The
9 Senator, the Congressman, the Supervisors, the
10 County Executive, everybody wants to have a
11 regional, one-voice approach to keep it at Islip
12 MacArthur. If you were to try to do that, you're
13 going to be the odd man -- we would be the odd man
14 out as a Town. We're a region, Sal. This is not
15 just whatever benefits Riverhead and --

16 MR. MASTROPAOLO: No, I understand that. But
17 the point is, if they've made a statement that they
18 are definitely moving from Islip --

19 SUPERVISOR WALTER: It's not -- they are not
20 definitely moving from Islip.

21 COUNCILMAN WOOTEN: It's a power play.

22 SUPERVISOR WALTER: They are looking for the
23 best possible deal they could get. That's what
24 they're looking for, the best possible deal.

25 COUNCILMAN WOOTEN: My only concern is why

1 they are looking elsewhere. I don't know the
2 inter -- I really don't understand why they were
3 looking, unless they're fishing. I don't know what
4 the rub is between FAA and Islip.

5 MR. MASTROPAOLO: Is it possible they don't
6 have the space at Islip to expand the way they want
7 to expand?

8 COUNCILWOMAN GIGLIO: Or there's too much air
9 traffic going on where they can't get the proper
10 numbers or -- in speaking to Kyle from Schumer's
11 Office, he said that the plan is not far -- that
12 far in the works and Riverhead should most
13 definitely submit a proposal; that's what he told
14 me.

15 SUPERVISOR WALTER: Well, that's contrary to
16 what they said at the press conference.

17 COUNCILMAN GABRIELSEN: But even if we
18 consider Riverhead as an alternate, if it goes
19 Upstate, shame on us.

20 MR. MASTROPAOLO: Well, that's my point. I
21 mean, if they're definitely going to move --

22 COUNCILMAN GABRIELSEN: And as an alternate,
23 maybe they would look to us instead of looking up
24 to Stewart Air Base, or whatever.

25 MR. MASTROPAOLO: I'd hate to see them move

1 and it go someplace off the Island.

2 COUNCILMAN GABRIELSEN: So I think if it's
3 clear that we're an alternate, that may work, too,
4 as a compromise.

5 MR. MASTROPAOLO: Okay. Thank you.

6 COUNCILMAN DUNLEAVY: You got to remember,
7 Schumer's looking out for the whole State.

8 COUNCILMAN GABRIELSEN: Yeah, it will go
9 Upstate.

10 COUNCILMAN DUNLEAVY: He wants to keep it in
11 the State.

12 SUPERVISOR WALTER: His staff members were
13 there. His staff members were there at that rally.

14 All right. Anybody else wish to be heard
15 tonight?

16 COUNCILMAN DUNLEAVY: I make a motion.

17 COUNCILMAN WOOTEN: I do.

18 COUNCILMAN DUNLEAVY: You do?

19 COUNCILMAN WOOTEN: I make a motion we
20 adjourn.

21 COUNCILMAN DUNLEAVY: Oh, so moved.

22 SUPERVISOR WALTER: Motion to adjourn. All
23 in favor?

24 COUNCILWOMAN GIGLIO: Aye.

25 COUNCILMAN GABRIELSEN: Aye.

1 COUNCILMAN WOOTEN: Aye.

2 COUNCILMAN DUNLEAVY: Aye.

3 SUPERVISOR WALTER: Aye.

4 (THE MEETING WAS ADJOURNED AT 8:27 P.M.)

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T I O N

I, Lucia Braaten, a Court Reporter and Notary Public for the State of New York, certify that the foregoing transcript of the videotaped Riverhead Town Board Meeting of January 15, 2013 was prepared using required electronic transcription equipment, and is a true and accurate record to the best of my ability.

Signature: _____

Lucia Braaten

Date: January 25, 2013