

Minutes of the Town of Riverhead Board meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Wednesday, September 16, 2015 at 7:00 p.m.

**PRESENT**

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

**ALSO PRESENT:**

Diane Wilhelm	Town Clerk
Robert Kozakiewicz	Town Attorney

The meeting was officially opened at 7:00 p.m. by Supervisor Walter with the Pledge of Allegiance followed by an Invocation by Reverend Rick Saladon from Living Water Church.

Councilman Dunleavy made a motion, which was seconded by Councilman Gabrielsen that the minutes of the September 1, 2015 Town Board meeting be approved. Minutes were accepted.

**REPORTS**

- Town Clerk Monthly Report August 2015 - \$13,864.26
- Tax Receiver Utility Collection Report August 2015 - \$685,118.84
- Police Department Monthly Report June 2015
- Peconic Bay Community Preservation Fund Financial Statement 2014

**APPLICATIONS**

**Special Permit**

- Gendot Associates, Inc. – Construction of sixteen Retirement Condominium Units, 450 Middle Road, Riverhead, NY

**Parades/Assembly**

- Riverhead High School Homecoming Parade – through downtown Riverhead – October 24, 2015
- Jamesport fireman’s Association – Boot Drive, Rt. 25, Jamesport – October 17, 2015

**CORRESPONDENCE**

- Judith Miller, Oak Hills Association – follow up letter regarding the Incorporation of some private roads in their community to the Town

**CONSERVATION ADVISORY COUNCIL CORRESPONDENCE**

- CAC Res. #2015-10 - PSEGLI, SCTM #600-107-2-45 & 46
- CAC Res. #2015-13 - Joseph Broyles, SCTM #600-92-3-18
- CAC Res. #2015-16 – Lessard, SCTM #600-92-1-18

**PUBLIC HEARINGS**

Supervisor Walter: “Let’s go into the public hearings. There are three public hearings scheduled. The first one was scheduled for 7:00 p.m. and it is now 7:03 and this is the Consideration of a Proposed Local Law to Amend Chapter 62 of the Riverhead Town Code, Entitled, “Excavations” (62-7-1, Open Excavations and Piles of Material) and Jodi this was something out of Code Revisions. Do you want to talk about it?”

Councilwoman Giglio: “Yes. This has to do with structures that have been excavated, foundations that have been installed, piles of dirt on property that remains for years at a time while construction has not commenced and its basically saying that they have to grade the property and that they have to fence in any foundation or open structure within a certain period of time.”

Supervisor Walter: “Alright does anybody wish to be heard on this matter? Not seeing anybody we’re going to close the public hearing and leave it open for nine days since our Board Meeting is a little bit late today because of the Jewish holiday. It’s a one day difference so we’ll leave it open until September 25<sup>th</sup>, 4:30 p.m. in the Town Clerk’s office.”

**Public Hearing Closed at 7:05 p.m.  
Left Open for Written Comment until September 25, 2015 at 4:30 p.m.**

---

Supervisor Walter: “And the second public hearing is scheduled for 7:05. It is now 7:05 on that clock wo we’ll open the public hearing for the Consideration of a Proposed Local Law to Amend Chapter 96 of the Riverhead Town Code, Entitled “Rubbish, Refuse, Weeds and Other Rank Vegetation (96.4 Definitions; 96.5 Unlawful Acts), and was this also out of Code Revisions?”

Councilwoman Giglio: “Yes, this is the same thing that I just talked about when it comes to excavation or removal of stripping of materials from the ground or the breaking of the surface of soil. It has to do with maintaining any grading of the properties so that it’s suitable for all people that are driving by or surrounding the premises.”

Supervisor Walter: “Ok does anybody wish to be heard on this?” Not seeing anybody we’ll close the public comment portion and leave it open for written comment for nine days until September 25<sup>th</sup>.”

**Public Hearing Closed at 7:05 p.m.  
Left Open for Written Comment until September 25, 2015 at 4:30 p.m.**

---

### COMMENTS ON RESOLUTIONS

Supervisor Walter: “Since the other public hearing is not scheduled until 7:15. Does anybody wish to be heard on Resolutions, Sal?”

Sal Mastropaolo: “Sal Mastropaolo, Calverton, Resolution 659. Can you tell me why they need a Chapter 90 to sell Christmas trees at Costco?”

Supervisor Walter: “Bob I’ll leave that to you.”

Sal Mastropaolo: “Do we require that Carl’s get a Chapter 90 the farm stands get Chapter 90’s? Why are we picking on Costco?”

Robert Kozakiewicz: “Not farm stands but Costco they’re use does not expressly allow for the sale of Christmas trees and as a result they’re required to get a Chapter 90.”

Councilman Wooten: “Home Depot does for the rugs, PC Richards does for the plants.”

Robert Kozakiewicz: “Right.”

Supervisor Walter: “Because they’re outside the premises.”

Sal Mastropaolo: “Carl’s is going to get one for their Christmas tree sales?”

Supervisor Walter: “They’ve always.”

Robert Kozakiewicz: “They’re probably going to be considered pre-existing non-conforming because they’ve done it prior to the adoption so. They’ve been doing it for a long time, I think you’ve got to agree with that.”

Sal Mastropaolo: “Ok, Resolution 660. The last statement before *by order of the Riverhead Town Clerk, Town Board*, should that be in this Resolution? I mean exterior of the office. We’re talking about 162 Founders Path, what office? I think that statement was meant for the next resolution which is the Highway Department office.”

Supervisor Walter: “I’m not quite sure; you’re talking about the second page?”

Sal Mastropaolo: “Yeah, second page last statement. Right before the *by Order of the Riverhead Town Board*. Makes no sense there.”

Robert Kozakiewicz: “Yup that should be out.”

Supervisor Walter: “Ok so it’s a good thing we have you Sal.”

Sal Mastropaolo: “Resolution 663. Either it’s missing a page or the attachment is incomplete. It starts in the middle of a sentence. Was there a first page to the.”

Supervisor Walter: “No there’s something missing there. It was in the original one that was given to us last Thursday. No wait a minute, it’s at the bottom of the first page Sal.”

Diane Wilhelm: “It just got shifted up, we’ll shift it back down.”

Sal Mastropaolo: “Oh, ok, 671. There’s a typo on the first *now therefore be it resolved* and that’s it.”

Robert Kozakiewicz: “Got it.”

Supervisor Walter: “Alright. Does anybody else wish to be heard on Resolutions? Not seeing anybody, Diane?”

Councilman Dunleavy: “I make a motion we lose the Town Board meeting and open the Community Development Agency meeting, so moved.”

Councilman Wooten: “I’ll second.”

Supervisor Walter: Moved and seconded. Vote please.”

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

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

**Town Board Meeting is now closed**

**Town Board Meeting is now reopened**

### **RESOLUTIONS**

#### **Resolution # 651**

Councilman Wooten: “Riverhead Sewer District Budget Adjustment, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

#### **Resolution #652**

Councilman Gabrielsen: “Authorization to Publish Advertisement for Collection and Recycling of Electronic Waste, so moved.

Councilwoman Giglio: “Second.”

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

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

### **Resolution #653**

Councilwoman Giglio: “Authorization to Publish Advertisement for Removal of Household Hazardous Waste, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #654**

Councilman Dunleavy: “Declares Certain Highway Department Vehicles/Equipment Obsolete Surplus Property and Authorizes Town Clerk to Publish Advertisement for Sale of Obsolete Surplus Highway Department Vehicles/Equipment, so moved.”

Councilman Wooten: “I’ll second.”

Supervisor Walter: “You know, before we vote on this they’re trying to get rid of the mobile sweeper. Does anybody know if that runs because it’s very difficult to get him to sweep the parking lots.”

Councilman Dunleavy: “He said its junk.”

Councilman Wooten: “(inaudible) right to the ground.”

Supervisor Walter: “That’s probably one of the ones he got from the city.”

Councilman Dunleavy: “Yeah.”

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

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

**Resolution #655**

Councilman Wooten: “Adopts a Local Law to Amend Chapter 108 Entitled “Zoning” of the Code of the Town of Riverhead (108-51 Nonconforming Buildings and Uses), so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

**Resolution #656**

Councilman Gabrielsen: “Approves Chapter 90 Application of Darkside Productions Inc. (Haunted House Walk from October 2, 2015 – November 1, 2015), so moved.”

Councilwoman Giglio: “Seconded.”

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

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

**Resolution #657**

Councilwoman Giglio: “Approves the Chapter 90 Application of East End Rowing Institute Ltd. (Sunday, November 8, 2015), so moved.”

Councilman Dunleavy: “And second.”

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

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

**Resolution #658**

Councilman Dunleavy: “Approves the Chapter 90 Application of Railroad Museum of Long Island (Wooden Toy Train Play Days – October 10 and 11, 2015), so moved.”

Councilman Wooten: “And seconded.”

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

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

### **Resolution #659**

Councilman Wooten: “Approves the Chapter 90 Application of Costco Wholesale #785 (Retail Sale of Christmas Trees to Warehouse Members), so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

### **Resolution #660**

Councilman Gabrielsen: “Authorizes Town Clerk to Publish and Post the Attached Notice to Bidders for 162 Founders Path, Baiting Hollow, Demolition and Reconstruction Project, as amended, so moved.”

Councilwoman Giglio: “Seconded.”

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

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

### **Resolution #661**

Councilwoman Giglio: “Authorizes Town Clerk to Reject Bids and Re-post and Re-publish the Attached Notice to Bidders for Highway Department Exterior Office Improvements, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #662**

Councilman Dunleavy: “Rescinds Resolution #629 (Accepts Highway Superintendent’s Personnel Report and Request for Town Board Resolution to Effectuate Personnel Request (Timothy Barget), so moved.”

Councilman Walter: “Second.”

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

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

### **Resolution #663**

Councilman Wooten: “Authorizes Publication of Help Wanted Advertisement for a Junior Civil Engineer, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

### **Resolution #664**

Councilman Gabrielsen: “Authorizes the Supervisor to Execute Stipulation with Local 1000, AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #852), so moved.”

Councilwoman Giglio: “Seconded.”

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

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

### **Resolution #665**

Councilwoman Giglio: “Promotes a Wastewater Treatment Plant Operator II (Douglas Attridge), so moved.

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “We need a plant operator so I vote yes.”

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

### **Resolution #666**

Councilman Dunleavy: “Accepts the Resignation of the Assistant Senior Citizens Center Manager (Donna Trojanowski), so moved.”

Councilman Wooten: “Second.”

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

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

### **Resolution #667**

Councilman Wooten: “Accepts the Resignation of a Police Officer (Thomas W. Condzella), so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

### **Resolution #668**

Councilman Gabrielsen: “Awards Bid for 2015 Fertilizer and Lawn Chemicals, so moved.”

Councilwoman Giglio: “Seconded.”

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

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

### **Resolution #669**

Councilwoman Giglio: “Extends Bid Contract for Truck Parts with Long Island Truck Parts, Inc., so moved.”

Councilman Dunleavy: “And Seconded.”

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

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

### **Resolution #670**

Councilman Dunleavy: “Authorizes Bow Hunting for Deer on Town Property at Enterprise Park at Calverton (SCTM No. 600-135-1-7.33. et al); 1751 Sound Avenue, Calverton (SCTM No. 600-60-1-2); 437 Youngs Avenue, Riverhead (SCTM No. 600-80-2-6.1); Middle Road, Riverhead (SCTM No. 600-80-2-10.1), from October 5, 2015 to December 6, 2015 Inclusive, Sunrise to Sunset), so moved.”

Councilman Wooten: “Seconded.”

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

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

### **Resolution #671**

Councilman Wooten: “Incorporation of Additional Roads into the Town of Riverhead Pursuant to Amend Chapter 92 Entitled “Highways, Streets, and Sidewalks: of the Riverhead Town code (Town of Riverhead 189 Roads), so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

Supervisor Walter: “Hold on a second, Bob did Laura talk to you about, there was a road on the list that we should have taken in the inventory. Did she talk to you about that road but we didn’t and we don’t know why we didn’t?”

Robert Kozakiewicz: “If it’s the road we got a petition from the residents to say that they declined coming in then yes.”

Supervisor Walter: “Then we have to talk about it a bit further because one of the residents called, ok.”

Robert Kozakiewicz: “We got a petition from I think thirteen or fourteen of the fifteen declined.”

Supervisor Walter: “Ok.”

Robert Kozakiewicz: “If it’s the same one.”

Supervisor Walter: “I don’t remember the road. I’ll talk to you tomorrow. That’s the one. So the one resident called. Ok, sounds good.”

### **Resolution #672**

Councilman Gabrielsen: “Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 101 Entitled “Vehicles and Traffic” of the Riverhead Town Code, so moved.”

Councilwoman Giglio: “Second.”

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

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

### **Resolution #673**

Councilwoman Giglio: “Authorizes the Supervisor to Execute a Retainer Agreement, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #674**

Councilman Dunleavy: “Approves Employee Request for Accumulation of Sick Leave (Mark Conklin), so moved.”

Councilman Wooten: “I’ll second.”

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

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

Councilman Dunleavy: “This is negotiated in his contract I vote yes.”

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

### **Resolution #675**

Councilman Wooten: “Authorization to Discard Fixed Assets (Computer Towers, Monitors, Laptops, Peripherals), so moved.”

Councilman Gabrielsen: “And seconded.”

Councilman Dunleavy: “I have a question. Did we add (inaudible)?”

(Inaudible)

Councilwoman Giglio: “There were additions since work session.”

Diane Wilhelm: “Yes. In the basement there were things that Larry (inaudible).”

Councilwoman Giglio: “Ok.”

Supervisor Walter: “They found some exciting records.”

Diane Wilhelm: “We did.”

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

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

### **Resolution #676**

Councilman Gabrielsen: “Grants Excavation/Exportation Permit as Provided by Chapter 62 “Excavations” of the Riverhead Town Code to TRW Properties LLC, so moved.”

Councilwoman Giglio: “Second.”

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

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

### **Resolution #677**

Councilwoman Giglio: “Grants Excavation/Exportation Permit as provided by Chapter 62 “Excavations” of the Riverhead Town Code to 1044 Parkway St. LLC, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #678**

Councilman Dunleavy: “Rescinds Resolution 458 of 2015 Authorizing Sale of 542 East Main Street (SCTM #600-129-3-35.2) known as East Lawn Building to “I’m a Ruralpolitan Inc., so moved.”

Councilman Wooten: “Seconded.”

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

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

Supervisor Walter: “Can you hold on for one second. Bob there was supposed to be a resolution authorizing us to put this up for multiply listing with our real estate broker Cushman, Wakefield. I guess that didn’t get done. Can you just make a note; Annemarie was going to do that.”

Councilwoman Giglio: “And there was also supposed to be a resolution in the packet for the Manufactured Home Task Force and I don’t see them in here either.”

Supervisor Walter: “Ok.”

Councilwoman Giglio: “But I know they were sent over.”

(Inaudible)

Councilwoman Giglio: “She got the full (inaudible), she sent it over.”

### **Resolution #679**

Councilman Wooten: “Authorizes the Retention of the Law Firm of Siegel & Sitler PLLC to Institute Legal Action by or Against the Owners of the Property Described as SCTM #600-113-2-60, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

Councilman Dunleavy: “Yes I just have one comment though. I wish also besides the tax map you also put the address of these places.”

Councilman Wooten: “It’s in the body.”

Councilman Dunleavy: “It’s in the body but people don’t, those watching on television don’t know where it is.”

Supervisor Walter: “10 Meeting House Creek Road.”

Councilman Dunleavy: “I just want to be, let people what’s happening and where it’s happening, yes.”

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

### **Resolution #680**

Councilman Gabrielsen: “Authorizes the Attendance of the Riverhead Town Attorney and Deputy Town Attorney’s to attend a Touro Law Center Program, so moved.”

Councilwoman Giglio: “Seconded.”

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

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

### **Resolution #681**

Councilwoman Giglio: “Authorizes Town Clerk to Advertise for Bids Project No. RDWD 15-51, Installation of Water Main & Appurtenances Stoneleigh Woods – Phase 4 Riverhead Water District, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

**Resolution #682**

Councilman Dunleavy: “Awards Bid – Installation of Water Mains & Appurtenances – Extensions No. 77 and 86 – Middle Country Road, Riverhead Water District, so moved.”

Councilman Wooten: “I’ll second.”

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

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

**Resolution #683**

Councilman Wooten: “Authorizes the Town Supervisor to Execute a Professional Service Agreement with Robert Hubbs, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

**Resolution #684**

Councilman Gabrielsen: “Pays Bills, so moved.”

Councilwoman Giglio: “Second.”

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

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

Supervisor Walter: “There’s one, 685 if you want to take it off the floor.”

Councilman Dunleavy: “You want to take this off the floor?”

Supervisor Walter: “Yes if the Board so chooses. This was to award a contract so we could get rid of the junk vehicles that are sitting out at the Town garage; some of our actual old junk police cars.”

Councilman Dunleavy: “So I’d like to make a motion that we take Resolution 685 off the floor; Authorizes the Sale of Police Department Impound and Junk Vehicles, so moved.”

Councilman Wooten: “And I’ll second.”

Supervisor Walter: “Moved and seconded as to taking it off the floor.”

The Vote: “Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution 685 is taken off the floor.”

Supervisor Walter: “Can we move it?”

Councilwoman Giglio: “Authorizes the Sale of Police Department Impound and Junk Vehicles, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **PUBLIC HEARING**

Supervisor Walter: “Alright, so we’ve going to move into the last public hearing. Columbia Care, are you guys going to make a presentation? Ok so this is what I would like to handle this to try to keep it from being too bipolar. How many people are here supporting the moratorium, that we implement the moratorium? Ok and so that’s supporting the implementation of the moratorium and how many people are here that do not want us to put a moratorium in? Ok so I would like to try to keep this going in the same direction so what I’m going to do is have rather than have one person opposing sides keep coming back and forth what I would like to do is first I’m going to open it up to Legislator Al Krupski as soon as I open the hearing because he’d like to make some comments, he’s sitting in the back. Then I’m going to go to Columbia Care then I’m going to go to the folks In CAP and the folks that are supporting the moratorium and then we’ll go to the rest of the folks who are not supporting the moratorium and what we’ll do is have you line up and it’s sort of first come first serve. The one thing I will say to you is that you’ll more than likely see a lot of repetitive comments and so if you’re just here and you’re going to say the same thing at the end of the meeting what I’ll do or as we get closer to the end I’ll just raise your hand if everybody is looking to say the same thing and I just want to take a head count and that way not everybody has to come up and say the same thing if they choose not to so we’ll can take a head count that way.

So why don’t we do this. Open up the public hearing which is scheduled for 7:15. It is now 7:26 and we open up the public hearing for the Consideration of the Adoption of a Local Law Entitled, Moratorium on the Establishment, Location, Construction, Use, Operation of Land or Structures as a Medical Marijuana Dispensary and the Issuance of Any Zoning, Site Plan, Building, Licensing, Permit or Other Approval to any Person, Entity or Premises for the Use of Land or Structures as a Medical Marijuana Dispensary and as I said we official open that hearing and Legislator Krupski would you like to speak?”

Legislator Krupski: “Thank you but I would like to hear what the people who represent Columbia Care say first (inaudible).”

Supervisor Walter: “Ok, then we’ll do that. So Columbia Care, you’re up. Mr. Gilmartin, good evening.”

David Gilmartin: “Good evening Town Board. David Gilmartin, lawyer for Columbia Care. We appeared in front of this Board twice now, once at a public hearing that scheduled this particular public hearing and then at a work session. The Board has heard a lot about the background of Columbia Care. I’m going to ask Mr. Vita to come up because I think it’s important that the public hear about this company and the seriousness which they take their business. So I’ll ask Nick to come up.”

Supervisor Walter: “If you can just state your name and affiliation for the record?”

Nicholas Vita: “My name is Nicholas Vita and I’m the Chief Executive Officer of Columbia Care. I’d like to thank the Council and all the state holders that are here this evening for their time and consideration. This is a very serious issue and we are arguably the national leader in this industry. We started the company several years ago and Washington, DC is the first.”

Supervisor Walter: “If you could address the Town Board.”

Councilman Dunleavy: “It’s a hearing is for us.”

Nicholas Vita: “We founded the company with a medical mission. We were the first licensed facility operator in Washington, DC. We’ve been licensed and selected through very rigorous processes by the states of Massachusetts, state of Illinois, Washington, DC, Arizona and now by the state of New York which has gone through a very methodical process to create a legislator framework were patients, not recreational uses but patients who are suffering from critical illnesses often times are at end of life circumstances have access to a product in a very regulated, proscribed fashion that helps them alleviate their medical conditions. We are grateful to have the opportunity to address this body once again and describe our capabilities and address any questions that may be outstanding but what this comes down to is the mission of the company which is the singular mission of the legislation that was passed by the state and that is to provide access to people who deserves access who shouldn’t be ashamed of getting access to a products like this and to live a normal quality of life. And ultimately whether it’s a zoning discussion or anything else the location that we have chosen falls within the requirements of the state and what they have outlined in terms of setbacks and it’s manned by a pharmacy and by all reasonable measures this is arguable a more secure location where pharmaceutical products will be dispensed to patients by a state licensed pharmacist.

The purpose of this moratorium is to give the opportunity to the Board, to the Council to reflect upon all of the various issues that may impact the community. We have provided the Council with recommendations of other locations, of other elected officials in other places. We’ve provided examples of structures that we are willing to abide by in order to insure that the operation

of this facility is a contributing factor both to the wellbeing of the patients in Suffolk County and Riverhead but also to the economic revival of a space that's been dormant for some time.

Ultimately it is up to the Council's discretion but one of the things, the reason I keep on turning my head to the crowd is that this is about the patients. This is about people who shouldn't be ashamed to look for this type of treatment for the types of illnesses they're dealing with and candidly it would be almost impossible to find a more experienced, more professional organization that's dedicated to the mission of providing top quality care and the products to those patients all being done by a law that has passed, accepted, adopted and embraced throughout the state in other communities just like Riverhead. So with that I would like to introduce our Executive Chairman, Michael Abbott."

Michael Abbott: "Thank you ladies and gentlemen. My name is Michael Abbott. I'm a former police officer, co-founder of the company with Nick and I've heard some of the concerns some of the Council people have expressed about having a medical marijuana pharmacy as we call it and define it and the State defines it in your town.

There are many people in this audience today who you're going to hear from and if you are not able to allow us to open they won't avail themselves of this medicine which will make their lives better. If the moratorium passes it's very simple. We'll have to look at all of our options. With a deadline of January 1<sup>st</sup> to open I can say it would be very, very difficult for Riverhead and the surrounding population here to receive the type of medical care that this product has proven to provide. We believe we have a location which has all of the adequate needs for a pharmacy. It meets the setback requirements, it has sufficient parking. We've had people out on the streets looking at the flow of traffic. We've looked at the proximity to other places and we've also looked very, very carefully at the adjacency to the educational establishment and noticed the separation as well as the intense security that we will be putting up; where it will actually be safer for people in this area with us having spent a six figure sum just on security which will be twenty-four/seven. There will be live eyes literally every minute of every day of every year on this facility and within a hugh surrounding area. So there really isn't a reason, an argue for this moratorium to be put into place. Riverhead has a unique opportunity right now to stand alone in Long Island and become the place where you can actually provide this medicine to many of the people in this audience and others and to create jobs in this area.

We've had now over two hundred and fifty resumes from people within a one hundred mile radius of where I'm standing so that's what's available, that's what we want to deliver. Sadly if this moratorium passes we're going to have to look at other options and it's going to be very sad for the community here so we really urge you to consider this and not pass this moratorium and with that I would like to open it up for questions."

Supervisor Walter: "This is not an open it up for questions."

Michael Abbott: "No one wants to ask any questions?"

Supervisor Walter: "If the public has, at the end of the presentation if there are open questions that you'd like answered we'll ask you to come back up."

Michael Abbott: "So you don't have any questions?"

Supervisor Walter: “No.”

Michael Abbott: “Alright, thank you.”

Supervisor Walter: “Anyone else wish to speak from Columbia Care?”

Dennis Kunian: “Good evening, my name is Dennis Kunian and I’m an Executive Vice President of Columbia Care in charge of community and governmental relations. I’m here not only as a member of the Columbia Care team but I’m also here as a patient and I just want to briefly mention that.

Forty-five years ago I got a brain injury while in the service in Southeast Asia. I’m one of two hundred thousand veterans who suffer from a frontal lobe brain injury twenty-two of whom commit suicide every single day. I have gone through all of the opportunities to take various opiates to be able to relieve the suffering that I have gone through. Unfortunately none of those were successful and all of them created a tremendous amount of side effects including terrible addictions. Finally in Maine I was able to avail myself of medical marijuana in the form of (inaudible). Since then I have been completely pain free, complete anxiety free and have been able to conduct a regular life. On top of that also while in Southeast Asia I was exposed to Agent Orange and as a result I contracted cancer both in my gall bladder and also my prostate. While I was going through massive bouts of chemo in the last few years I was able again to avail myself of medical marijuana in the state of Maine and as a result of that I have been able to conduct my business and be able to be a member of the community.

I ask, I pled and I pray that you will allow this dispensary of medical marijuana to open in the Town of Riverhead. The Town of Riverhead as I’m sure you know, is one of the more heavily if not the most heavily populated town in the state with veterans. They need it, it will help them and it will help those with a number of other critical conditions that you will hear about this evening. I thank you very much for your time, I thank you for your consideration and I thank you for your passion.”

Supervisor Walter: “Thank you. Does anyone else from Columbia Care wish to speak? We’re going to switch it a little bit because John Dunleavy reminded me that the CEO from Peconic Bay Medical Center is here so I’m going to bring him up.”

Nicholas Vita: “Mr. Supervisor do we have the opportunity at the end of the public hearing to address the Board after we’ve heard the (inaudible)?”

Supervisor Walter: “Absolutely. Andrew Mitchell.”

Andrew Mitchell: “For those of you who don’t know me my name is Andrew Mitchell and I have the honor of being the President CEO of Peconic Bay Medical Center. A number of people have asked what our position is on this matter. As the largest health care provider on the East End with thirteen hundred plus employees, fifty practitioners we thought that it would be important for us to share with the Board the sentiment of the Medical Center as expressed by the Board of Directors. So with that let me ask and introduce Sherry Patterson chair of the Board of Directors of the Medical Center to come up.”

Sherry Patterson: “Good evening. One of the more hateful diseases to affect mankind is cancer. Its very name instills fear for with it comes mortality, pain, uncertainty, anguish and grief.

It touches everyone, those with the diagnosis and those family members who are overcome with a feeling of powerlessness as they seek to support and comfort those who must battle this disease. I suspect there are many in this room who can speak firsthand about their own experiences with cancer and how destructive it is on every level.

Those of us who work in medicine have a solemn responsibility to employ every weapon modern science can provide in combatting this disease. We are also tasked with providing the patient and their families with the appropriate support that enables them to find the strength to beat this killer.

We enter this hearing not as advocates of a particular treatment now permitted by law or as zoning experts who would offer an opinion on an appropriate location for a clinic. Rather we are here to report from the front lines on the war on cancer.

We see the faces of those ravaged by pain. We see the medical charts of those advancing on the disease and those in retreat. We share the joys of remission and the despair of recurrence. We are humbled by what appears to be a miraculous recovery and we are crushed by the sudden reversal in good health and through it all we seek to alleviate the pain and manage the patient’s quality of life for if that is gone, what else is there.

We can’t speak to how much distance should be placed between a clinic dispensing medical marijuana and a house of worship. Although I suspect that many who would seek such a prescription for cancer pain would want to find a church, mosque or synagogue nearby. Nor can we address the larger questions being raised over whether a defined medicinal role for this drug opens the door to the legalization of marijuana. Others have the credentials to offer opinions on that issue.

Our role here today is far more fundamental and far more personal. It touches you, your family, your friends, your neighbors, your colleagues, those yet born and those who have lived a long and happy life.

Cancer is not some hypothetical land use study. It is not a zoning dispute. It is not a question of law. It is a disease that crosses all lines, ignores all jurisdictions, is indifferent to litigation and tests our personal resolve and our religious faith.

This drug can’t cure cancer; I wish it could. But under the New York State Compassionate Care Act it has the means to address the suffering that is among its most destructive side effects. It has the means to strengthen the quality of life of those who are important to people in this room.

One can appreciate and applaud that our elected officials are compelled to debate the “where” in this review of clinic locations but let us not forget “the why” and that the most relevant people in this discussion today may, in fact, be attending a chemo session. Thank you.”

Supervisor Walter: “Thank you Ms. Patterson. I’m going to move to CAP, do you guys want to speak next? Ok, then we’ll move in that direction and then to the rest of the audience.”

Felicia Scocozza: “Good evening. I’m Felicia Scocozza from Riverhead Community Awareness Program. I think it would be fair for the Town Board to ask every speaker tonight to state where they’re from, if they live or work in Riverhead. I feel like that is an important thing to ask.

This is not an issue about whether medical marijuana is right or wrong; it’s now the law in New York. This is not an issue about compassion. This is about a proposed medical marijuana

dispensary behind the high school and the impact that the only such facility to serve all of Suffolk county will have on our community.

The proposed moratorium will give the Town the time to thoughtfully study the impact that this facility and future facilities will have, whether it be at this location or another proposed location in the Town. This Town Board and future Town Boards will have to deal with the impact on Town resources and the time should be taken to study the impact. The time will also allow for us to further explore with Suffolk County as to whether or not some or all of the tax revenue can be redirected toward Riverhead to help cover costs associated with the influx of people coming here to get their medical marijuana. These costs may include police, emergency services and traffic related expenses.

Currently registered organizations like Columbia Care are required to pay a seven percent excise tax to the Commissioner of Tax and Finance. This will provide for a return of twenty-two point five percent to the counties where the medical marijuana is manufactured, twenty-two point five percent to the counties where medical marijuana is dispensed, five percent to the Division of Criminal Justice Services and five percent to the Office of Alcoholism and Substance Abuse Services, zero for Riverhead.

The moratorium will also allow the Town Board time to decide that if it does want this facility here, what types of requirements and additional concessions or stipulations it will require of the registered organization to ensure the safety of the community and that Riverhead is not burdened with additional costs as a result. Stipulations may include things like additional lighting, security, increased funding for law enforcement above and beyond what New York State requires. These things have been imposed in other municipalities in other medical marijuana states.

The Riverhead Town Board has an obligation to the citizens of Riverhead, not outside interests. The Town is under no legal obligation to meet the needs of an outside company or every individual in Suffolk County who meets the current criteria or future expanded criteria of this law. The Town did not put itself in this situation but is now being pressured to approve this so that a company can meet its deadline.

The Compassionate Care Act clearly states that local laws take precedent regarding dispensaries and should a local law or community opposition preclude a registered organization from opening a dispensary in the location designated on its application that registered organization is to report this change of circumstances to the state and the state will allow them to amend their registration to relocate within the state. Since the closest dispensary to this one will be located in Lake Success, sixty miles away, the Suffolk County site would better serve the majority of the Suffolk County population if it were more centrally located in the heart of Suffolk County, closer to more hospitals and public transportation in an area that utilizes the Suffolk County police department and other County municipal services for which the tax money collected can be fairly allocated to pay for any increased in costs.

Earlier this year the Van de Wetering's wisely and courageously came before the Town Board and community groups to discuss their proposed medical marijuana application prior to submitting their application to the state. They recognized that this could have an impact on the community and were willing to openly address this.

Applications under the Compassionate Care Act were required to identify where the marijuana would be grown and the proposed site of each of four dispensaries. The former Blockbuster site was identified by Columbia Care in their application in June. But the Town was only notified in August. The community was never brought into the discussion. Now this is getting rammed down Riverhead's throat by outside interests. Deadlines that a company from outside of

Riverhead has should not be the cause of the Town making a hasty decision that will not benefit the community but will cost the Town in resources and quality of life.

The impact of the decision on Riverhead's future should be thoughtfully considered. The moratorium will allow the town Board to make an informed decision on the Riverhead's timeline, not a timeline imposed by outside interests. Why wouldn't the Town Board want to invest the time to make a thoughtful lasting decision about this?"

Supervisor Walter: "Thank you Ms. Scocozza. So the folks that are supporting that position if you want to speak we'll take you folks now. If there are more who want to speak supporting that position because I really don't want to get into a back and forth. That's it? Mr. Krupski, Legislator Krupski from Suffolk County."

Legislator Krupski: "Thank you and good evening. I just want to make a comment about the County's role here. The County didn't enable this location nor did they enable the legislation that allows for the sale and dispensing of medical marijuana.

There's been some comments about the County gaining all the tax revenue from this and how they're going to spend it and whatnot so I called Budget Review this evening and I said is there, because the 2016 budget hasn't come out yet for next year and I said, I know Dr. (inaudible) doesn't know, he doesn't know definitively because he doesn't have the document in front of him, proposed budget for 2016 but he works with the County executive side who prepares the budget. He has an idea of what's in it and I said is this something that the County is looking for as a stable revenue source? So I told him what I was told about the math and how the taxes would be calculated so he did some calculations and he said for every million dollars in sales based on those numbers the County would collect fifteen thousand seven hundred and fifty dollars. So based on those numbers he said it's very doubtful the County's made any provision for using or any plans for using this money to fill any big needs because it doesn't seem to be a great deal of money being collected by the County. Under this current proposal don't forget this is written by the State apparently not to the County's advantage.

So this is; I just had a note here about the proposed moratorium and the public hearing tonight. I am familiar with moratoriums and if you contemplate this obviously as a local jurisdiction you know that this is in your purview land use and zoning is a local decision and you're wise to have a public hearing and listen to everyone's comment because you know it's a serious matter. You know you're fortunate that you do have that local control. It does rest in your hands and you do get to consider you know the effects on your community whether it's a cost for public safety or any other impact. So I'm here to listen to everyone, what everyone else has to say."

Supervisor Walter: "Thank you Legislator Krupski. Alright folks on the other side of the aisle if you will step up and just state your name and affiliation and where you live, reside."

Janet Roneo: "My name is Janet Roneo. I'm an advocate for the Epilepsy Foundation of Long Island and represent the approximately fifteen thousand individuals in Suffolk County alone that suffer from seizure disorder.

What some people don't know, what some people think that when you have a seizure disorder you take a medicine and the seizures are gone and unfortunately that's not the case. There are individuals taking a cocktail of medications that have all the side effects that you could possibly imagine that impact their lives. They face daily the injuries associated with unexpected sudden

seizures. They face discrimination. Children in school, adults in the workforce, if they can even get employment, they face the possibility of death. Some people may not know that but a person can die from a seizure and of those fifteen thousand about forty percent of those, six thousand individuals with epilepsy are getting absolutely no relief from the (inaudible) of medicines that they're on. So I am here representing those individuals who have basically no other recourse. There are no other new medicines to try and they are living lives severely impacted by their seizures. I have a letter here from a parent, Meghan Jones of Center Moriches who could not come out tonight because she cannot leave her daughter alone for the fear that she will die during seizure.

Ladies and Gentlemen, thank you for hearing my words. My name is Meghan Jones and I am the proud mother of Murphy Ann. Murphy is an energetic, brilliant, wonderful child; she is simply the light of our lives.

On the very early morning hours of December 30, 2013 our lives were forever changed. Murphy suffered three large seizures. Up to that point we had never witnessed behavior like this before; we were afraid and confused. After weeks of testing and hospital stays it was decided that our daughter now suffered from epilepsy. How could this be? Things like this simply didn't happen in our world.

Two years later we are now in a place where this is our new normal. Murphy has since been diagnosed with two other chronic conditions, all life changing. We're all just plain scared. There is fear in a parent's heart every day when you have a chronically ill child; is today the day when everything changes? Is today the day they tell us what we don't want to hear? There's an ever present sickness in the bottom of your gut every time you see your child play on the playground or attend a friend's party. There's so much that we simply cannot control. At times it's overwhelming to think about it. That is why anytime we can grab a bit of control we must grasp it tightly.

For parents like, I control comes in the form of medical care and information. Right now we are staring into a void. There is so much suffering on a daily basis but there is a glimmer of light, we can regain control for our children. The Town of Riverhead can help us in that quest. By placing a medical marijuana facility in your town in an easily accessible area you're giving hope to parents that are currently hopeless. Marijuana seems like it might be the enemy. It's a scary word to use when discussing children especially but fear that it is a gateway drug might be for you such an overwhelming fear that you find yourself unable to look any further into the scientific data. Trust me when I say epilepsy is a far scarier word for this mother. I am not a researcher nor am I a doctor; I am a parent. It is my job to protect my child at all costs. There have been medications we tried over the years that made my daughter completely unrecognizable. This side effects made her sick, twisted her personality into a way that no longer allowed her to smile or laugh. That was a scary time for us. Luckily in our case we have found the medicine that allows our daughter's sparkling personality to shine through. It is not however without costs. It is expensive and the side effects can make Murphy ill if not properly monitored. I would much prefer a more natural solution. This is a long battle for parents like us. We need long-term solutions that do not cause long-term side effects. We need a change, one that you have the opportunity to give us. Please do not take this decision lightly. Please hear our words and know that we are desperate for this miracle. Only you can help us. Please help our children."

Supervisor Walter: "Alright before we, this Board is not opposed to medical marijuana. This Board sits here, so you all understand this, to determine the location because some of us, myself included, believe that this is going to go a lot further than medical marijuana and so nobody

here, we not only aren't here to say you can't do it in Riverhead, we don't have the legal authority to say that. We can't rule out all zoning uses. So keep that in mind when you come up here and talk because our decision is sorely *where is the appropriate place for this* and we have asked Columbia Care to look at some other locations which they haven't done and so we are going to more than likely I think pass a moratorium so that we as a town can say this belongs here, it doesn't belong here but not to outlaw. This has nothing to do with banning it, stopping it and there are at least two Board members that have suggested a location to Columbia Care that if they were to look at it, it would almost immediately happen and we wouldn't even be having this conversation. So we are really just here to, much like you don't put a gas station next to certain businesses, we want to make sure we have the right location and we found about this in Newsday and so there's sort of this rush to figure this out. So it's not that we're banning it, it's, we've got to find a location."

Janet Roneo: "And my very brief response to that is that the more time it takes, the more lives are lost to epilepsy seizures."

Supervisor Walter: "And that."

Janet Roneo: "I just hope that the moratorium is not going to put this way into the future because there's a whole process that these dispensaries need in order to manufacture and grow and get this product to the public."

Supervisor Walter: "And the State of New York should have considered this and they didn't."

Councilman Gabrielsen: "I also want to point out that Columbia created this crisis on their own. They picked this location back in May 15<sup>th</sup>. Three months later, they came to us in August."

Janet Roneo: (Inaudible)

Councilman Gabrielsen: "(Inaudible) I'm just saying. The time factor has kind of been put on us where it's somewhat irresponsible of them in not coming to the Town."

Janet Roneo: "Just."

Supervisor Walter: "So that's where I think the Board sort of stands. It's location, location, location."

Councilman Gabrielsen: "I want to point one other thing about location. Of course we all heard about the school and we're nine hundred and eight-nine foot from the school grounds and the State recommends a thousand feet. We're also, from building to building, had engineering look at this, we're eight hundred and eighty-five feet. From door to door we're nine hundred three feet. The State recommends a thousand feet but they also say on the same street. There's a major path right (inaudible) on the school grounds where all the kids come right up to 58 for lunch, you know they exit, it's right there it goes right to the back so the State recommends a thousand and I don't know how we'd get around it even."

Janet Roneo: “I think that I read there are studies that have been done from other dispensaries around the country that actually showed that with the increased security that they had at their facilities that crime actually went down.”

Councilman Gabrielsen: “But New York State still says about schools, churches, etc.”

(Inaudible)

Councilman Dunleavy: “But that’s why the moratorium is here.”

Supervisor Walter: “We’re not, we’re not; at the end of the conversation, at the end of the hearing.” “We’re here for the location.”

Councilman Gabrielsen: “But anyway I just want to point that out.”

Councilman Dunleavy: “But that’s why the moratorium is here so we can find out how many are close to schools, how many are close to churches.”

Supervisor Walter: “We’re here for the location.”

Councilman Dunleavy: “In two weeks we just can’t do it in two weeks so we have to give us time to do that just for location. I’m not against medical marijuana, we need it. That is true so if anyone wants to speak about that, you don’t have to convince this Town Board of that. If you have to talk about the location, that’s what we’re here for is the location not that the need for medical marijuana, we know there’s a need. We want to it in the Town of Riverhead but we want it at a location that is right.”

Supervisor Walter: “I don’t really want to get into this back and forth. I really want you to focus when you speak to us on location because that is the key thing we’re here to discuss.”

Janet Roneo: “So when we say we don’t want one of these facilities near our churches, near our schools and so on what stigma does that still attach?”

Supervisor Walter: “We are here for location and the State has set up parameters and so we have certain rules and we’re going to for zoning powers and we’re going to abide by our rules that are granted to us by the State of New York to determine location.”

Janet Roneo: “Thank you.”

Supervisor Walter: “Thank you.”

Vince Taldone: “Good evening Supervisor Walter, members of the Board. My name is Vince Taldone and I do live here in Riverhead and work here in Riverhead. I’m a little; I have to give you two comments. First I’m a little disappointed because I’m not sure why I’m here if you’ve already decided to block patients from getting medical marijuana in the regional shopping center of the Town and of the region. You’ve created this regional shopping center. We have

eight pharmacies there, there's OxyContin available down the block from the school. There's drugs sold everywhere in the Town and Riverside as well and Southampton. The police should be off fighting that. But I'm deeply insulted by people who come here and say a medical marijuana dispensary will generate the need for police. Are sick people causing crimes? I'm not sure, I wasn't aware of that. I thought sick people who went to pharmacies got medicine to get better but anyway I would just like to focus on the land use.

Medical dispensaries have been around in New York State since colonial days. They were around shortly after the founding of this Town. The current word, the modern word is pharmacy. They were set up in places where rural people on farms had a hard time getting to locations where they could access medicines so the State wanted to create dispensaries and they created one of the first ones in a very, very far away place called Greenwich Village miles from any civilized place like downtown Manhattan and there were many others in the State.

You can interrupt the Town's zoning officer has the power immediately to interrupt a medical dispensary as a pharmacy. There needs to be no moratorium. There needs to be no study of what traffic impacts it would have on the regional shopping center's strip that we have intentionally created and it mixes it in with a lot of other stores so it doesn't create a stigma for people who are pulling into one store or another.

I think a moratorium is misguided. I think it may well open up the Town to lawsuits under the American with Disabilities Act. If you are forcing people who are severely disabled to travel to Lake Success to access a legally prescribed medicine what does that say about this Town Board? What does that say? Riverhead is the County Seat. Riverhead is the center of Suffolk County as many people forget. So I do care about what people think from other parts of Suffolk County whether it's Montauk Point or Hauppauge or Bayshore. All roads lead to Riverhead, we know that. The entire bus system, the County bus system, operates the center of it is in Riverhead. Everyone can get to Riverhead. Everyone can shop in Riverhead. We've created a Medical Services Center that is second to none anywhere on the Island because all medical facilities are spread out and people have to drive from town to town to get what they need. Riverhead has it all within a five dollar cab ride and I can say that because I don't drive and I know I get to every medical service I need for five or six bucks or I walk so I think the only reason to pass a moratorium is to make a political statement that you don't like the fact that the State has legalized this medicine. But it is a legal medicine. A dispensary is a pharmacy. Your own Town officer can determine that, no further review. If you want to block him from determining that, he works for you and you can create a moratorium and you can force these good people to go somewhere else and you can force the residents of Riverhead many of whom are aged and have all kinds of debilitating diseases. I won't go into it, they're here, some of them are here.

To travel long distances and for those who can't travel you're causing a real hardship for no reason other than your own political opposition to the product which is beyond me so on behalf of people who are disabled, who have these illnesses, who live here for a reason. We have every shopping need we could ever want right here in our own town I think they should have the right to buy there medicine. Just like we buy at eight different pharmacies on Route 58 whatever other medicine we need including painkillers that are addictive as opposed to marijuana; addictive, they cause trouble. They're sold in the streets and we have every illegal drug sold in the streets so why isn't this Town Board focused on the illegal sale of drugs on the streets to kids than stopping people who are very ill from getting their medicine at a pharmacy. Thank you."

Supervisor Walter: "Next."

Donna Schwire: Good evening members of the Board, ladies and gentlemen. My name is Donna Schwire. I'm a registered nurse, I'm a catholic and I'm also a Musical Minister, a Cantor and many of these children that we hear about with seizure disorders I've taken care of in my career however I find myself now with fibromyalgia and Irritable Bowel Syndrome to name a few things.

A typical day for me is racked with pain ok. I've got pain from my neck to my toes. It's burning nerve pain. I would hate to wish this on anybody. If you had one day to experience what I experience, just one day. The only reason I can stand here and talk to you is because I have to take opiates which I absolutely hate. They wreck my body. They cause horrible side effects. I've been hospitalized for bowel issues which I totally believe are from taking the opiates. There's pain everywhere. I've got lumps, there's trigger point pain her all across my back. I've got spasms on my back, my lower back. I don't want to wait anymore.

We passed this bill almost a year and a half ago, January of 2016 everything is supposed to be up and going. We need help. I'm standing here telling you about my condition and for me standing here for one person there's how many other people home disabled who can't even get up here and speak. To waste any more time in getting this medication to us is totally unfair. There's going to be security around this building. Kids can't be hanging around this building; it's not going to happen. This is a medical facility this is not some place to go hang out; a bar to go hang out in front of or something. It's a medical facility with a registered pharmacist on staff; camera security. This wasting of time, we just can't have it anymore. There are children dying. It's not just me; they're kids dying because they don't have emergency access to the CBD, oil that they need to survive. We can't wait anymore. This hedging and going back and forth, it's this many feet, it's that many feet, we need this. The patients need this. I can't even say anymore. I can't say it again. I'm tired of being in pain every day and I want to have this option and I live in Suffolk and this is going to be my dispensary."

Councilman Wooten: "Thank you."

Supervisor Walter: "Thank you, next."

Barbara Shea: My name is Barbara Shea. I was a resident of Riverhead. I was a neighbor of Mr. Mitchell and Mr. Wilpons. I am a registered nurse and I recently became registered as a cannabis nurse because the science was proven to me. I understand that this is about location which I think is very curious for an area that's surrounded by wineries and liquor stores. Alcohol is a far greater risk to health than cannabis ever should be and I use the term cannabis because marijuana is a racist historical term and cannabis is a science, ok, it's a science and I have studies to prove which I'll be glad to share with you that not only does it cure cancer it kills cancer cells in lab animals and we need to get it to people but I will tell you in my many years as an emergency nurse I would much rather have a patient who had a little car accident to twenty miles an hour on marijuana than a drunk at a hundred and forty miles an hour because that's where the damage is.

I will tell you that cannabis is an exit drug. It's not a gateway drug like alcohol or opiates or OxyContin, it's an exit drug. It has been passed. The National Cancer Institute made a statement last week that it recognizes that it cures cancer. The Federal government passed that it is now allowable to PTSD. We know we need it.

I don't understand what the opposition is here. It's a pharmacy; it's going to be staffed by professionals. You have them providing their own security and you're surrounded by wineries and liquor stores. What could possibly be your opposition? It could only be your lack of education about what it does and what it doesn't do and I urge you to do some reading and get educated because this community and every other community needs this curative treatment.

Just to start and I will tell you that the nurses are the most respected, ethical profession in the country thirteen years in a row. The American Nurses Association has a physician's statement supporting medical marijuana. I have two pages of diseases that are treated by medical marijuana ok. These are studies done on brain cancer, breast cancer, lung cancer, prostate cancer, blood cancers, liver cancer, pancreatic cancer, oral cancer and colon cancer and that's just the cancers. We also have neurogenic studies. It can prevent Alzheimer's. It can control the spasms of MS and Parkinson's. You are not going to have a bunch of addicts running around for this. You need to place this quickly so people can get the treatment they so desperately need. Thank you."

Supervisor Walter: "Thank you. Next."

Christian Schilling: "Hi, my name is Christian Schilling, I'm a local resident and I'm here to start talking about the disturbingly high rates of opiate abuse in Suffolk County. States that have legalized marijuana shows that reduce opiate addiction is statistically often occurs. Medical marijuana has benefits for neuropathic pain that opiates has sometimes been unable to address. Drugs used to combat neuropathic pain often have adverse side effects such as the drug meloxicam which is associated with an increased risk of heart attack and stroke. I feel that anyone prescribed medicine for illnesses wouldn't want to take the least addictive and least powerful route preferably over one with much higher risk of abuse and adverse side effects. My own mother was prescribed meloxicam and was advised by her own doctor to use it only every other week to reduce the potential severity if its side effects. Not only that, medical marijuana helps ease the pain and nausea associated with terminal illnesses. No one should be denied the respectful, palliative care

New York State has passed the Comprehensive and fairly restrictive laws completely unlike those found in other states. Dispensaries will act as pharmacies not head shops, smoke shops or anything of the sort. This is quite similar to Walgreens, CVS, Barths which are all located in Riverhead. If location is the problem then I don't understand why Barths would be in the same parking lot as the church. For that matter liquids and oils for vaporization and oil capsules are some of the only legal forms. These are much more likely to be difficult to acquire and use and illicit cannabis which is already present on the streets. Patients wouldn't want to give their prescriptions up for risk of legal problems and because they simply just would want them for themselves.

Columbia Care already has a presence in three other medical marijuana states as well as the District of Columbia. So they're already accustomed to operating in tightly regulated states. They show no interest in profiting from recreational marijuana."

This is a quote from Marcello Mazatti, he's the President of the Fraternal Order of the Police in DC he once stated that when he first met Columbia Care leadership he was highly impressed by their professionalism and how seriously they take their business; they're making an important contribution to happier and healthier lives. This organization has it in their best interest to keep their products out of the hands of kids and so does his patients.

So to summarize medical marijuana has the potential to reduce opiate addiction, to help people who are in pain and it is very unlikely to end up in the hands of minors. Thank you."

Councilman Dunleavy: “Thank you.”

Supervisor Walter: “Good evening Sir, your name and where you live.”

Dr. Troms Gross: “My name is Dr. Troms Gross. I am a New York State licensed pharmacist and I’m from Suffolk County and I’m not going to talk about how much it helps everyone because that’s what everyone’s already talking about but the one thing I’ve noticed from the experience that I’ve had, I’ve been in multiple places, multiple clinics, the VA, a bunch of places and the one thing all these people with cancer and all that they always keep saying medical marijuana helps. But you know what; you know where they tell me they have to get it from? They tell me they have to go to the streets and the longer you delay this the longer cancer patients are in the streets. And that’s keeping it nice and short and that’s basically what I have to say.”

Supervisor Walter: “Thank you.”

Judy Eisman: My name is Judy Eisman and I appreciate this opportunity.”

Supervisor Walter: “Where are you from Ms. Eisman?”

Judy Eisman: “I just drove, you want to talk about location. I just drove an hour and twenty minutes to get here. I live near Lake Success which will have the dispensary. The reason I am here is because my son Gregory just turned forty years old was born with an encefalic cyst, that’s a cyst in the brain. He has spent numerous hospitalizations the last one was from January through March at Stony Brook Hospital, ten weeks in status epilepsies. He has resided in your county for the last three decades at Suffolk United Cerebral Palsy.

We have always been in the wrong place. When he was four years old I was told he couldn’t cross a county line to go to school. When he was slightly older I was told he couldn’t live in Suffolk County. He’s been there three decades in an intermediate care facility where he receives extraordinary care.

My son has been on the following medications over the last three decades. Phenobarbital, Depicaine, Ativan, Clozapine, Refinamin, (inaudible), the list just goes on and on and on.

During this last hospitalization I asked his neurologist, I begged can we try medical marijuana, there was no access. Well now I have a dual problem and it has to do with location. If Gregory resided at home with me in my county he would be eligible to be on that list. He has (inaudible), it’s a mixed bag of seizures. He’s had hundreds of seizures each day that he was in the hospital and he has seizures every single day but because he lives in a group home and because he’s in Suffolk County not Nassau County, I have found myself in a position where I’m being told he’s not eligible.

The medications that my son receives are kept under lock and key. The people who administer the medication are all professionals. They are screened, they are highly screened, they are professionally trained and they are the lifeline for our children and adults cross New York State who have developmental disabilities and in particular severe seizure disorders.

I don’t want to hear about location anymore, we need this. We need this and I’m not even asking for a prescription for my son. All I want to know is that we won’t be denied access because he address is different from my address. Thank you.”

Supervisor Walter: “Thank you, next speaker.”

Diane Barber: “My name is Diane Barber and I work and live in Riverhead. I was at the last meeting. I’m not going to get into why I am for this because it’s about location but from what I’m hearing I don’t really feel that it’s about location because we know that any child in that school can walk out into the parking lot and get the good stuff, not medical marijuana. They stated the fact that security everything. Now they could just cross the street to CVS and opiates.

It’s not location. He mentioned at the last meeting about traffic. Who created this monstrous traffic on 58? This is the shopping hub. There was a Blockbuster there, nobody worried about traffic. There was a gym there, nobody worried about the traffic. Do you think we’re going to have any more traffic from people coming to pick up their prescriptions, you know, coming in there? We’ll have more people picking up their prescriptions from other towns and doing shopping here because if we build it they’ll come.

I will most definitely be a candidate for this one day and I won’t go into why but I have a history and I want to know that I live here, I work here, I will have access to it in my own community without having to travel back an hour or so where I came from originally to do this. It is not the drugs we have on our street; we know we have a problem here. We have a heroin problem here. We’re building a rehab center in Riverhead but we can’t have a dispensary on 58 because it might be a little too close to the school. These kids aren’t coming here for that. They can get what they want by stepping out into the parking lot and we know that.”

Supervisor Walter: “Thank you.”

Shelly Miller: “Good evening. My name is Shelly Miller. I’m an RN and a patient. I’m a certified cannabis nurse and my goal is to help people who are sick get the medicine that they need. My patients aren’t just in Queens where I live they’re all over, my cousin in Connecticut and I think this is an opportunity for Riverhead. You could have a premiere hospital here that is willing to work with the patients who would come to this clinic. This could be the opportunity. What message are you sending your children if you allow this? You’re telling them that marijuana is a medicine. It’s much less toxic then the drugs that they’re probably taking or the drugs they can find in the medicine cabinet. There are no overdoses from marijuana so you’re telling them it’s safer and that this medicine could be helpful and it is safe.

My latest patient is a ninety year old woman that I met in the hospital. She wanted me to find her some medicine for her stomach pain. So the patients, they’re not the ones you need to fear. She’s not a criminal. You’re not going to find her, you won’t need extra law enforcement for those of us who use medicine. Thank you.”

Supervisor Walter: “Thank you, next speaker.”

Page Coomb: Good evening, my name is Page Coomb and I work with Compassionate Care in New York where a statewide coalition of patients and their families and medical providers who are in support medical cannabis and I’m here really to urge the town to allow the dispensary to open without further delay.

As you’ve already medical marijuana can provide a lot of benefits for seriously ill people. These are your neighbors who need access to this medicine. I understand there are concerns about

how young people will perceive marijuana usage with the opening of this dispensary but those studies show that illicit use of marijuana did not increase in states that do have medical marijuana programs.

So the key to addressing drug abuse in our communities is having honest conversations and support with young people about drugs. Taking our fears out on seriously ill patients is not a sound policy and it's also unkind.

I just wanted to read a short statement from Dr. Richard Carlton who is a psychiatrist with a practice in Port Washington. It says here; I have evaluated thirty-two New Jersey children who are suffering from intractable epilepsy as part of the process for them to become eligible to access medical cannabis. Most of the children I have evaluated do extremely well on medical cannabis; one medical example, Jenna; age fourteen years old. Within two months of starting an oral cannabis extract she went from fifty to one hundred seizures a day at baseline to just one seizure every eight days or so. In addition her mood and social interactions improved greatly. In fact contrast a fourteen month old infant I evaluated named Sabena Rose died in the hospital from status epilepsia a few weeks later while waiting for the cannabis paperwork to be finalized.

So you can see from above gaining access to medical cannabis is a life and death matter for many patients. In fact here in New York State four children with contractual epilepsy who we know of have died of status epilepsia a year or so since the Governor signed New York State's access law.

So I urge you to hear these stories with a compassionate heart and not to hinder the already long wait these patients have had to endure. You have an opportunity to end some pointless suffering and we at Compassionate New York hope you will welcome that opportunity. Thank you."

Supervisor Walter: "Thank you, next speaker."

Scott Buretsky: "Good evening ladies and gentlemen. I am Scott Buretsky the Director of Suffolk Healthcare Cannabis Alliance. We all spoke last month about this and I brought a couple of extra people with me this time. Basically can I pose a question to you; what about this location is the issue. Can we get down to brass tacks? (inaudible)

Supervisor Walter: "We're here to listen to you. I've stated what I think the location should go. At this point it's for you guys to have a conversation with us and you're doing that."

Scott Buretsky: "Well, what is it going to take to change your mind about this moratorium at this point because these people do need this medicine? For some reason it seems like we've got a 1930 stigma that this is marijuana. It's not marijuana, its medicine just the way it's going to be dispensed. Any pharmacy location and again I'm trying not to repeat what everyone else said. Their security is going to be ten times better than it would in any location and you're talking about what's the difference between the recommended distance by New York State and the actual distance from the school.

I don't know, you know, what more can any of us say here. Is it just a point here that they came to you after the fact, you know, our ball, our bat kind of thing or is it that we really want to do something for the community that will help everybody and that's really the bottom line to all of this"

Supervisor Walter: “You know what’s amazing about public hearings? You’re actually changing my mind to some extent so that’s what your job is to do; talk to us about what you think needs to be done and you’re doing it.”

Scott Buretsky: “That’s what we all came here for and I try to listen to what you said and again I’m not belaboring the point or repeating what everyone else said and we just want this location to open up as soon as possible and you know no matter where you’re going to put this whether you think it’s better or not or they think it’s better, you know is that really the point here or is the point let’s get this open. It’s not going to be any place seedy. If this was a place selling cigarettes we wouldn’t be here right now. If this place was selling alcohol we wouldn’t be here right now or any pharmaceutical we wouldn’t be here right now so please for the good of all of Suffolk County can we please not institute this moratorium and let these people get the medicine they so desperately need. Thank you.”

Supervisor Walter: “Thank you.”

Steve Romano: “Steve Romano, Riverhead.”

Supervisor Walter: “We haven’t seen you in a while.”

Steve Romano: “That’s right and I didn’t come here, I didn’t even know this hearing was taking place and as you can see I felt the need but I figured let me get my two sense in. I like to think I’m a practical person and I know the old story, your side, my side and somewhere in the middle might be where we should be. But I haven’t heard anybody articulate in reference to the location something that I can grasp my hands around and say I sort of understand where they’re coming from Usually with the Board when I disagree I say there’s a reason, I may not but the location thing is throwing me because I’m treating this and hopefully it is like a pharmacy just like at CVS and the idea that somehow students are going to come and take drugs there, maybe I’m the naive one but I just don’t see it that way.

Then I would also say to the Board how long a moratorium would you be talking about because I hate these studies? Keystone Pipeline reminds me of one, five years and we still, the pipeline still isn’t. Is it a month moratorium, is it three months? Is this something Columbia could work with if you said just give us another sixty days because we do have some issues. I mean how long is the moratorium going to be?”

Supervisor Walter: “The moratorium is for a year but.”

Steve Romano: “That’s great. They’re not going to tell you that, it’s absolutely crazy because I would also.”

Supervisor Walter: “Let me finish. What I said to Columbia Care was it won’t necessarily take a year to get it done. I think the biggest issue is the distance to the school. There are reasons for that. I didn’t put that in the state law. We have differences and interpretations but that is probably the biggest reason.”

Steve Romano: “Is that a requirement or a recommendation. I wonder why the state even put in there because then in my mind maybe they feel that kids could go and somehow they’re going to be in there doing something. I don’t follow the drift of that. If it were recreation marijuana or dispensaries like in California, I would be concerned because.”

Supervisor Walter: “Well Steve, for me, that’s the issue because in the end we’re not just regulating what Columbia Care is doing, we’re regulating what the future is of marijuana. That’s the issue.”

Steve Romano: “But wait a second, wait a second. If you’ll, you all basically I think said you understand about medical marijuana but the location so.”

Councilman Wooten: “We didn’t all say that.”

Steve Romano: “You didn’t say that, well ok, the majority can I say? Ok, so what location would you deem that if that was the thought in the back of your mind where would you want to put it? We’re just here to try to convince you.”

Supervisor Walter: “Steve, thanks.”

Steve Romano: “Thank you for the time.”

Supervisor Walter: “The hospital would be a good location, yes.”

Sherry Patterson: “I know I spoke before but when I spoke before it was on behalf of the hospital so now I’m speaking on behalf of myself and the thought occurred to me while I was sitting I here. I understand the Town Board needs some time to put some of this together but I think a one year moratorium is absolutely ridiculous. I think if you think about it in terms of thirty day that you could probably work with Columbia and the other thought that I had is that in my mind this makes perfect sense to be in one of the medical buildings, one of the medical parks. I understand there are zoning issues but you could tweak the zoning to allow a pharmacy in the medical park in Northville, behind Panera Bread; that I think would be an ideal location.”

Supervisor Walter: “Gee I wonder who might have told her that a couple of months ago. They’ve been given a couple of other locations, they choose to. Next, is there a next speaker because we want, ok.”

Jennifer Hagen: “My name is Jennifer Hagen and I live in East Hampton. I’m coming tonight to discuss a very important issue to myself. I have a daughter who’s autistic. As you may know in addition to the field of seizure disorder, autism is often comorbid with seizure disorder. Autism can also be benefited even if a child doesn’t have comorbidity there’s indications in a lot of case studies that medical marijuana will help alleviate some of their challenges.

I want to thank the Board for refreshing an unexpected support in the beginning that you’re not against medical marijuana. That makes my need to stand up here a little bit easier. I am however a little confused on the illogical arguments in opposition. It seems more to be posturing than valid reason to not allow this dispensary to come to play.

The argument I believe Mr. Walter proposed is that New York State recommends a thousand feet from a school. Am I correct in that?"

Supervisor Walter: "I'm not going to say recommends; I think that's a requirement."

Jennifer Hagen: "Is it a requirement? Had this site been approved by New York State, is it acceptable to New York State?"

Supervisor Walter: "New York State doesn't check any of Riverhead."

Jennifer Hagen: "So my question is if the Board here is saying that it's a requirement of New York State to be a thousand feet if New York State is willing to entertain this and accept it, I'm sorry if nine hundred and eighty, what is the difference between a thousand feet if you would enlighten me?"

Supervisor Walter: "It, this comes down to New York State, much like they do with liquor stores, churches and schools, New York State sets a minimum distance. This minimum distance in our opinion is not met. There are other locations in the area that probably could be met. There are other locations in the town."

Jennifer Hagen: "Would you be willing to agree that pharmacies like CVS and Walgreen and Rite Aid dispense medications that are controlled that are very addictive and are highly abused by people in society. Would you be willing?"

Supervisor Walter: "Ms., continue with your comments."

Jennifer Hagen: "I'm not asking you that question. I'm saying its blatant fact. There are medications that are legally dispensed by our traditional pharmacies that are both highly addictive in nature and widely abused by the public. We're talking about a specific medication that has non-addictive qualities and is only going to be used to help mitigate the suffering of children and of our people suffering with cancer. It is not going to be abused. This is not an establishment where children from a nearby school are going to be able to walk in and say I'd like a joint. That's just unrealistic, it's not logical it's doesn't seem like a valid argument in opposition to this. This is something that is entirely regulated, highly controlled. It can only be obtained through a prescription and used. It's going to be monitored and regulated appropriately and if the issue is this thousand feet, if that's the requirement, do you truly believe that if it were another hundred or two hundred feet away that that would deter a high school child from wanting to go in there. It's irrelevant where it is. If a child thinks that they can acquire a drug they're going to go if they're going to it already on the street. It's just not a logical argument that if it's a thousand one feet away it's ok but if it's nine hundred eighty feet it's not ok. It's just illogical."

Councilman Dunleavy: "Thank you"

Supervisor Walter: "Ok, thank you. Mr. Krupnick."

Neil Krupnick: “Neil Krupnick, Riverhead. I was in this room when Councilman Dunleavy suggested there be a moratorium and I believe you said you had questions specifically about traffic. Supervisor Walter you brought up concerns about it being near the school. Basically in the month that followed that meeting this moratorium suddenly ballooned into we need a year to figure this out; we have all these questions. Meanwhile Columbia Care has come here three times and I believe they’ve answered every single question that you’ve asked them. If you haven’t asked them the right questions, they’re here, you should be asking them. They seem to be more than willing to work.”

Supervisor Walter: “They’re willing to answer the questions that I’ve asked of them, that’s fine but.”

Neil Krupnick: “They seem more than willing to work with the Town.”

Supervisor Walter: “We’ve asked them for alternative locations and they have not given us one.”

Neil Krupnick: “I think that you’re hiding a bit behind this whole zoning location.”

Councilman Dunleavy: “They’re not willing to work with the Town so don’t say that.”

Councilman Gabrielsen: “Totally secretive and last minute they came to us. Nothing was said for three months they just came and give their point of view. We directed them and they obviously haven’t followed (inaudible).”

Neil Krupnick: “So you’re going to cry like babies about that.”

Councilman Gabrielsen: (Inaudible)

Neil Krupnick: “They made a mistake.”

Supervisor Walter: “No.”

Neil Krupnick: “Obviously there’s been enough people here that have bravely come up and have spoken about why it’s so important and you’re going to quibble about zoning or about it being a thousand feet or seven hundred feet from a school.”

Councilman Wooten: “The only reason they’re here is because we called for a public hearing. We want to hear them. We’re absolutely, I think we’re doing our due diligence to hear what people have to say this. My mind is not made up on it. (inaudible) this is the third time tonight. I’m certainly open-minded. I think most people want to hear (inaudible). I don’t understand. This is a forum we put together to hear everyone and to hear the reason and ask the questions and. This is the forum, this is right now so I.”

Neil Krupnick: “Fantastic but I don’t understand why it’s going to take you a year to get the answers.”

Supervisor Walter: “It may not.”

Councilman Wooten: “We don’t know if there’s going to be a moratorium. This is a hearing to see whether we should.”

Neil Krupnick: “They, right.”

Supervisor Walter: “And it may not take a year.”

Councilman Wooten: “I’m not even sure there is going to be a moratorium. We don’t know that.”

Neil Krupnick: “I’m not going to read this whole thing because obviously people who are here have spoken very eloquently as to why this needs to happen or why it needs to happen soon. I heard that there are some concerns about what kind of message we’re going to send to our children if we allow this to happen, what kind of message are we sending if we allow this so near to a school? The same day that Columbia Care first came to talk to the Board all five of you without hesitation voted in favor of Long Island Beer Company’s halfway to St. Patrick’s day party and the hard cider festival at Calverton Links but what about the children? So what message are we going to send to the children if we sent Columbia Care packing, that Riverhead doesn’t want to help people with cancer; that Riverhead doesn’t want to help our veterans? Basically what we’re saying is go someplace else. What kind of message is that? I’m sorry but the people we’re talking about are not degenerates. They’re our brothers and sisters, my brother suffers from MS. Fortunately he lives in Maine and he is able to get medical marijuana. There our mothers and fathers, our sons and daughters and they are all in pain. Thank you.”

Supervisor Walter: “Thank you.”

Julie: “My name is Julie and I live in East Hampton. I have a dual reason for being here. I’m a cancer survivor as of February 5<sup>th</sup> and my son has turbid syndrome which is a catastrophic form of epilepsy. He’s had hundreds of seizures. He is sixty percent intubed because he’s using (inaudible) CBD which is a non-cycle active form of cannabis. We have had to move to Colorado in order to make this happen. I have a very viable and very successful acupuncture business in East Hampton. I have to go back and forth and I can’t keep living like this.

We can’t use the cannabis here for my son. He’s sixty percent better when he’s on cannabis, sixty percent. Two hundred myoclonic’s a day when he’s not on cannabis, when he’s not on cannabidiol which is non-cycle active, I want to repeat that.

You talk about the future. You talk about if this company comes into Riverhead what will happen in terms of recreational use. This is about healing, this is about medicine. It’s not about recreational use. We have to take the stigma away from this beautiful two thousand year old herb and we need to view it as medicine. I’m alive and well because of chemo, because of radiation, because of (inaudible) section and because of cannibidio. I’m alive because of that. My son is starting to learn again. He’s ten years old. He’s been seizing since he’s been five months.

I understand your position. I understand why you’re resistant. This requires, not as attacking them, I don’t want you to feel attacked. I want to honor your position. If you’ve never

suffered with cancer, if you've never had a child with a chronic disability or illness that makes them medically fragile, if you've never been exposed to the medical use of this herb I understand why you would sit there and not scoff but be resistant. I get it and I want to reach out to you and help you understand.

I'm not a drug user, I don't drink. I never was. I'm an upstanding person and it has saved my life. It has saved the life of my son and I want to be able to get it in a safe environment which I believe Columbia Care will provide.

What's happened here is that people are, there's this nastiness in the room, drop it. Understand their fear and teach them. I respect you, please respect us. Please hear me when I say that medical cannabis is not a gateway to recreational use, it's a gateway to a new world. Thank you."

Supervisor Walter: Thank you."

Aften: "Hi, my name is Aften and I also live in East Hampton and I don't have a lot to say other than I would urge you not to pass a moratorium that would make people who needed something like this medication wait, who needed it yesterday, who needed it years ago.

I have an auto inflammatory rheumatoid arthritis disease called (inaudible) Disease. If I this as an option three years ago when I was diagnosed I would be on three other really bad medications today. So I just urge you not to pass the moratorium and to get educated quickly and allow this to move forward, there are a lot of people who need it."

Supervisor Walter: "Thank you."

Andrew Mitchell: "I'm going to go out on a limb here Sean. If I'm hearing the discussion, the debate tonight correctly the issue is about location, you've said it, I understand it. So here's the out on the limb part. The hospital would be willing, by the way we have no chits on this at all, the hospital would be willing to sit down with Columbia Care, I spoke to them a few minutes ago, and the Town Board to try to help come up with a location that works for everybody because I think, don't applause because it may not work."

Supervisor Walter: "When they met with me originally I gave them three locations. The first thing I said was the hospital, second was a medical office complex that they rejected and the third was EPCAL which turned out to be, they didn't like it over by the business incubator."

Andrew Mitchell: And that's why it may not work. It's clear to me that Columbia care doesn't really know out town but a lot of people in this room tonight and this is the business we're in at the hospital feels like there's been a compassionate medical need for this and I know the Town Board. I know everyone in Riverhead. We're compassionate people. I have thirteen hundred of them working at the hospital, they're amazing. So if it would help the hospital would be happy to sit down with everyone and see if we can work out a solution that works for the Town, Columbia Care and Sean it can't be actually at the hospital because I think they're for profit and we're not profit."

Supervisor Walter: 'A lovely idea. Let's set up the meeting."

Councilman Dunleavy: “Great idea. Thank you.”

Daniel Pierce: “Daniel Pierce, I live in Riverhead, I work in Riverhead. I didn’t prepare a speech today. I didn’t intend to speak but I just want to say there seems to be some thought on the Councils part that there was going to be a back and forth tonight. It seems like everything seems to be pretty one sided at this point and I know I’ve voted actually for many of the people on this Board put this is an important issue to make and it seems like this an important issue to many of these people as well who are all Riverhead residents and I’d just like to remind the Board of that fact. That’s all I have to say.”

Kurt Van de Wetering: “Good evening Kurt Van de Wetering, Riverhead resident. As of three months ago I was competition, Columbia Care was the unknown evil. We were against each other vying for that coveted five RO’s. During that period of time myself and my team extensively researched how this would affect the town. We did have the opportunity to talk to our local leaders as well as the community. It didn’t go as well as I’d hoped but we did have an understanding that I was open and honest about where this fell with our position and similar to Andy, I’m offering myself as a resource for what it is that you might still have as questions. I’m not out, I don’t have any skin in this game except for the opportunity that Riverhead really has in front of them from and that’s where I think I can be most beneficial.

In the travels some of the things that were brought up about security, about movement of people, traffic, we spent a lot of time working on the formulas as well as talking to other stake holders other people with experience and knowledge in the industry.

Similar to others I went out to Colorado, I went out to Washington, I went out to California, I went out to Oregon. I talked to some people in New Jersey, New Jersey is not the place to reference but within the neighborhood that we have and Columbia Care’s you know reputation within this industry I believe they have the right stuff to do this properly and do it professionally within the Town of Riverhead and if there are some concerns similar to that open discussion that meeting you’ll have to provide myself as well as my team to give you some of those answers as you require.”

Supervisor Walter: “Thank you.”

Councilman Dunleavy: “Thank you.”

Andrea Franz: “Good evening my name is Andrea Franz, I live in Coram. I was diagnosed with Breast Cancer in April of 2014 and the thing is that when you’re diagnosed with cancer, at least for me, I didn’t feel sick but since then I had surgery and chemotherapy and then radial surgery and that caused infections and then radiation and you don’t need to hear all of it but if you ever sat in a chemotherapy infusion room with a whole bunch of people who basically like me really didn’t have a lot of faith that the government was going to do anything for us you know and I’d pretty much given up for myself but I’m not going to speak, I think you already know about the benefits so I don’t have to speak about that and enough people have spoken about the location, I just want to bring up one thing about that and how many holdups there’s been on pharmacies, oxycodone and I know many people whose lives are ruined by oxycodone so all the things that they gave us to stop us from being so sick from the treatment of cancer every single one of them had a list of side effects you would not believe.

I right now could hardly stand because the neuropathy from treatment from cancer, I didn't have that before so all I really want to say is get the work moratorium off the table and if you have to change the location do it but don't wait because if you were a cancer patient or had a cancer patient in your family you'd realize that a day is a big deal."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Thank you. Alright, I think this is the last speaker and then we're going to let them come back up. Maybe Greg Fischer is the last speaker and then we're going to let them come back up."

Laura Jens-Smith: "Good evening Laura Jens-Smith. I just want to speak actually about the location. You know I don't have a problem with medical marijuana, I don't think there should be a moratorium needed but I do agree that the location is not the appropriate location to put a dispensary. When it was Blockbuster, even when Blockbuster was failing, there were about five parking spots there and if you put a dispensary there I'm assuming there are going to be more than five cars there at one time. The driveway going in and out there could not really accommodate even two full size trucks, just regular pickup trucks going back and forth making the turn. Unless for the dispensary there they are able to work out parking behind where they can access back and forth I just don't feel it's an ideal location for the number of cars that will go in there. I don't think it has anything to do with what will be going on in the building, I think there are a lot of things that should not go there with the way the parking is set up I think that's a zoning issue not necessarily a moratorium issue. I think Columbia Care and other people have worked to come up with another location. I think that is fantastic. I think there are a few other issues because medical marijuana coming to New York State is a new entity and there are unknowns with it and there will be not a lot of taxation or any money that will be coming to Riverhead where it could incur a cost to our Town and I think that that needs to be looked at. I know there are other, when they put the medical dispensaries in other states there was a grievance with the town and with the police department where if there is one call at the dispensary it's sort of a given but after that if there are following calls whether it be for loitering in the area or for other things because we don't know there are some unknowns with this that the charges would go back to Columbia Care.

There's also been a question about medical marijuana verses recreational marijuana. I certainly think that this town can put some sort of stop in there that it will not convert over to recreational marijuana. If it's a marijuana dispensary it's a medical dispensary and it will remain a medical dispensary. I think you can also limit the number of dispensaries that we would have or we would welcome in Riverhead based on population.

You know this is going to be serving all of Suffolk County and beyond. I don't know what the numbers are and I don't anybody really does the number of patients that it's going to be serving or the number of patients it's going to be serving on any given day so you need to have some place that's easy to access in and out. It has to be accessible by public transportation. There are a lot of patients that cannot drive and will be needing to use this so I don't think a moratorium is necessarily the way to go but I think you need to put a lot of thought into the zoning of where you're going to put it."

Supervisor Walter: "That's what the moratorium is for."

Laura Jens-Smith: “I think (inaudible) you have a Zoning Board. You know some of these things can be addressed at that level.”

Councilman Wooten: “Actually I know there are more than five parking spaces.”

Laura Jens-Smith: “You also have other stores there. You have the nail salon, you have the telephone store.”

Councilman Wooten: “The only thing. Remember we talked about this here at length and because of their organization and the medical side of their organization which is solely what they exist for even they don’t condone recreational marijuana so that’s never going to happen.”

Laura Jens-Smith: “So then you would put that in something.”

Councilman Wooten: “Of course you would.”

Laura Jens-Smith: “That’s what I’m saying.”

Councilman Wooten: “Well they put that there themselves. They said that would be part of.”

Laura Jens-Smith: “That would be very good you know. I think as long as those things are complied with I think.”

(Inaudible)

Councilman Dunleavy: “I think you hit it on the nail. We don’t know how many patients or advocates are going to come out here. At that shopping center you cannot make a left turn out of that shopping center. You have to make a right turn. It’s inappropriate to be at that strip mall. If they put it in someplace else you know we have no problem with it.”

(Inaudible)

Councilman Wooten: “They may have to put an egress like we asked Toys R Us to do at Wendy’s and all along the way so that once you get off the (inaudible).”

Councilman Dunleavy: “That moratorium doesn’t have to last a year. I mean that’ the outside. It could last two months, it could last three months. It could last.”

(Inaudible)

Supervisor Walter: “I think we’re coming to an end. You agree we’re coming to an end? You’re the last speaker and then Greg Fischer always has to have something to say I guess and then that will be the last speaker.”

Sema Mendleman: “I’m Sema Mendleman, I’m from East Hampton. I noticed that several people pointed out that there could be additional costs that Riverhead would be incurring when this dispensary happens, I’m hoping it will, and that Riverhead would have to face all these additional expenses and I just want to point out to you that Riverhead is the biggest shopping center on this end of the Island.”

Supervisor Walter: “I know we take all your money from East Hampton, the County does.”

Sema Mendleman: “I come here to shop all the time and my friends do. You have Tanger, you have Costco, you have many, many stores and we appreciate that. We come here and we spend a lot of money so when people voice concerns about increasing the traffic or additional costs, wear and tear on the road, we come here already. We’re already spending our money here so we feel like we’re kind of a part of your community anyway so do this for the people, for the children and for the adults who are suffering. I mean I’m not personally sick, I don’t need to use CVD but I’ve done a lot of research because I know people who are suffering and who could greatly benefit from it now. Please don’t stretch this out. I see the disconnect between the two bodies of people here, it’s a shame because while all this negativity is happening people are dying, people are suffering. People are having seizures and they could drop dead tomorrow. They could drop dead tonight. I mean I’m sorry I’m being very graphic but you know this is not something, an issue you put a moratorium on and you just wait another year to come up with a solution. Please, we’re talking about people’s wellbeing here. We’re talking about a drug that has minimal side effects if any and we have pharmacies who are dispensing all kinds of drugs with all kinds of side effects. They are so addictive and yet we have the option here to bring a safe medication to children and adults sooner rather than later so please do make it sooner. Please put your differences aside and meet and talk and figure out a way now, not a month from now, not three months from now.”

Supervisor Walter: “A lot Madame depends on Columbia Care.”

Sema Mendleman: “I think.”

Supervisor Walter: “Oh no. They’ve been given many options and they have said that this is the location so. Let’s see where that goes with the new conversation with the hospital CEO.”

Councilman Dunleavy: “And just to let you know we don’t get any money from 58 other than the buildings that they stand on. We get the tax money for the building. Sales tax, you’re supporting Suffolk County. Suffolk County gets all the sales tax. We have to; our residents have to put up with the traffic that everybody causes coming here. This Board did not create Rt. 58, previously Boards created Rt. 58 and we have to put up with it. We’re trying to slow stuff down.”

Sema Mendleman: “Thank you for your time and thank you for having this meeting.”

Supervisor Walter: “Mr. Fischer you’re the last speaker before we get back to Columbia Care.”

Greg Fischer: “Hi, Greg Fischer from Calverton. Medical Marijuana is the law of the land now; it’s coming no matter what. I don’t agree at all with how it was implemented. I don’t think

we should be running down pharmacy aisles deciding which drug we want to have their own separate dispensaries so I think this was a ridiculously executed set of laws.”

Supervisor Walter: “I agree with that.”

Greg Fischer: “It should have been in every single pharmacy, every single hospital and available through the normal channels with trained pharmacists who know the patient’s medical records and not have a separate layer of bureaucracy, separate training, separate certifications, lots of bureaucracy, a lot more tax payer money wasted. It’s bazaar but none the less it is the law of the land.

Now, going back in history this is starting to take the same course as group homes where for whatever reason there were lots of local protests on group homes, various little what we call NIMBY arguments and what is a foot now, actually in the legislature is to take our power away. To make it so that any place you can locate any other pharmacy you will locate the medical marijuana dispensary.

So, rather than have a moratorium and have us be the model for why the state needs to jam rules and regulations down our throat which we don’t like, we want to defend our home rule so I would suggest that we not have a moratorium rather we have discussion and a process to say ok Jim Wooten who is an expert in the town, John Dunleavy who is an expert in the town here’s a list of twenty possible locations, suitable locations,; it could be EPCAL locations, it could be the former Walmart, it could be the former 84 lumber, it could be what is going to be the former Waldbaum’s. I think that Columbia Care is going to be a runaway success for the one point five million residents of Suffolk County that will eventually need this therapy one way or the other or at least try it some chronically so.”

Supervisor Walter: “The 84 Lumber Yard, we didn’t’ even think of that spot.”

Greg Fischer: “It will be a runaway success; you know a runaway success an absolute runaway success. I think they’re going to be brilliantly successful and very profitable. At the same time Mr. Walter’s concern about a recreational future for marijuana, that could be put in the Code to say, Oh, if you’re ever going to do that that has to be at EPCAL but what we need to do is not have a moratorium, not be an example for the state on non-workability so they can take away our home rule. We have plenty of suitable locations, plenty of them and we can do that and we can create a list. Let Columbia Care appear to belligerent when presented with twenty or thirty possible locations. We should not be belligerent and be the model to have local rights taken away. Thank you very much.”

Councilman Dunleavy: “Greg, we did give them locations.”

Greg Fischer: “I want to give them a lot more.”

(Inaudible)

Supervisor Walter: Greg, how would you treat their assessment, I’m kidding.”

Greg Fischer: “No that’s a good question because I’m going to tell you right now because that’s the way of bringing.”

(Inaudible)

Greg Fischer: “At any rate, well one of the models for assessment is sales. You take one point five million people approximately ninety-nine percent of the population qualifying for prescription some chronically so, I think it’s going to be, look how many people will come off of other drugs to use this. How many new patients will there be? The numbers are huge, I mean really huge. Over anybody’s life time getting a prescription for this so the number would be big. I haven’t had time to put it on paper but I thought about it.”

(Inaudible)

Supervisor Walter: “Let’s bring Columbia Care here and wrap it up. I’m going to wrap it up with Columbia Care.”

Donna Schwire: “Very quick. There were only ten conditions right now which are eligible for medical cannabis.”

Councilman Dunleavy: “Right now.”

Supervisor Walter: “OK. Mr. Vita, how are we doing?”

Nicholas Vita: “I’m pretty humble, I don’t know about you guys but I heard some of the most compassionate, personal stories of triumph and courage that I’ve heard in a very long time and I’m touched and I know that all of us are touched. We’re incredibly grateful for what we all learned here tonight because this is the face of medical cannabis, medical marijuana medicine. It’s children, it’s people who’ve lived, who led productive lives their entire careers and this is what we’re trying to (inaudible) to decommissioned airfield. So you’re right, there’s was a location and by the way there’s three things I’d like to leave you with. One, the kind offer from the hospital; we will do everything in our power.”

Supervisor Walter: “Perfect.”

Nicholas Vita: “We are more than delighted to work in any space that you suggest but I would like a reciprocal commitment from the Council and I’d like the Council to agree because.”

Supervisor Walter: “Let’s say we will take.”

Nicholas Vita: “When we first met and we looked at those places I was told that those were not appropriate locations because they weren’t zoned for a pharmacy so if the Council is willing to make a variance.”

Councilman Wooten: “No.”

Nicholas Vita: “For this use I will.”

(Inaudible)

Supervisor Walter: “At least two of the locations probably (inaudible). Let’s have this conversation I’m willing to sit down (inaudible).”

Nicholas Vita: “I’m making a commitment right here, right now, in front of the Council, in front of all the stake holders, so if there is a location that works that doesn’t fit within the pharmacy zoning will the Council support us with that variance?”

Supervisor Walter: “Let’s find a location first, let’s find a location first.”

Nicholas Vita: “The second point I’d like to make which is reaffirmation is that we have made this commitment in other places. We’ve make this commitment in Riverhead, we will never sell recreational marijuana at this location, period, end of story.”

Councilman Dunleavy: “You said that, thank you.”

Nicholas Vita: “And we’re willing to write that into whatever agreement you want.”

Councilman Wooten: “Oh we will.”

Nicholas Vita: “The third is in terms of the tax revenue. It’s not our place to comment on how the rules are written and how the tax revenue gets shared but we have and we will make good on this commitment. I spoke with other members of the, representatives of the town today on our commitment to make a community host agreement so whatever the Council, whatever the leadership of the town determines to be the beneficiary of our success that will be shared with the town. We’re not General Electric we have sort of an approach we take in every single location but that’s something we are absolutely dedicated too, fulfilling and living up to and we’ve given you guys’ recommendations for other leaders in other cities who you can call as references. We’re happy to live up to that.

The last piece of information I just wanted to highlight for everybody. I think the whole discussion on opiates is important in the context of this use because what we found in Washington DC is that over sixty-five percent of our patients can suffer from HIV, Aids related neuropathy. Switched off of opiates, switched on to medical cannabis treatments and it’s not always smoked. It’s in a tincture form; it’s in a pill form. It’s not what you think about when you look at the headlines on CNN or when you think about Colorado. This is a New York program designed by New York for New Yorkers and it is highly regulated and it’s incredibly, incredibly medicinal down to the way it’s manufactured, processed and packaged.

So when we think about all of those attributes together and you know we have to remember that patient access is critical so telling us, when we go through these suggestions I would implore you and beg you to understand that many of the people here, transportation is a major issue, access is a major issue. These are patients that shouldn’t be ashamed and put into a zoning area where you have cement manufacturing and strip clubs. There’s a reason why people go to the pharmacies and pharmacies are located around other commercial activities.”

Supervisor Walter: “Why don’t we do this, let’s set up the meeting? I think Andy Mitchell has left the house.”

Councilman Dunleavy: “No he’s here right in the back.”

Supervisor Walter: “So we’ll set up the meeting and go forward from there. Let’s see if we can’t figure something out. Does anybody else wish to speak? Mr. Gilmartin, you get the last word.”

David Gilmartin: “As the lawyer I get to bring the bad news I guess. There are two notions that I’d like to dispel tonight that have to do with the Compassionate Care Act. The first is our ability to open in the six month requirement and what happens under that. There’s some reference made that we can move on. I think the language is important here and it says *if the applicant fails to submit additional material*, I’m sorry. Let me get to the school issue, I think that’s more important. We talked about location. Location and traffic are the two things that you raised as the issue why this specific site was not good. The Compassionate Care Act says *locate a dispensing facility on the same street or avenue within one thousand feet of a building occupied specifically as a school, church, synagogue or any other place of worship*. So, *locate a dispensing facility on the same street*. This isn’t on the same street. The state has put the Compassionate Care Act in, it is the law of this state and you are preempted from deciding anything differently so with your moratorium if you’re going to look at location, you’re preempted.”

Supervisor Walter: “I know but your client has t agreed to look at locations so we’re looking at locations.”

David Gilmartin: “Well I’m talking about the moratorium. You know the good news is they’ve agreed to do that and we’re actually in the process of doing that. We have people looking for other spaces for us; so the representation that we’re not doing that is incorrect but what I’m talking about is the moratorium and why I believe it is illegal for you to do it.

The second issue that you bring up is traffic. This particular site has site plan approval. You’ve already looked at the traffic. You’ve already approved it. The two reasons that you raised to have a moratorium are negated by the state law. You are preempted from legislating the areas that you have said, and I’ve been here three times in front of you and I’ve listened carefully, two areas you said you want to legislate about in a moratorium, you are preempted from doing that.”

Supervisor Walter: “I know and isn’t it great that they’ve agreed to sit down with us and talk about location?”

David Gilmartin: “What’s great is you seem to be agreeing with me.”

Supervisor Walter: “No I’m agreeing to sit down with them and talk about location.”

Councilman Wooten: “We have to strike that from the record.”

David Gilmartin: “Ok, I’ll leave it with that. I have a couple of other things but I.”

Supervisor Walter: “Are they brilliant points?”

David Gilmartin: “We’re all done I think.”

Supervisor Walter: “Ok.”

David Gilmartin: “We will talk at the hospital and we will talk with the Board.”

Supervisor Walter: “Let’s set up the meeting and I think we’re done, anybody else, I think we’re done. I’m closing that public hearing and I’m going to leave it open for written comment for nine days until the 25<sup>th</sup> of September.”

**Public Hearing Closed at 9:15 p.m.  
Left Open for Written Comment until September 25, 2015 at 4:30 p.m.**

---

Supervisor Walter: “Can I get a motion to adjourn the meeting because I don’t think anybody want to talk about anything else?”

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

Supervisor Walter: “All in favor, aye?”

Collective ayes, meeting adjourned.

**Meeting Adjourned at 9:15 p.m.**