

Minutes of the Town of Riverhead Board meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, August 19, 2014 at 7:00 p.m.

**PRESENT:**

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

**ABSENT:**

James Wooten	Councilman
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**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 Rev. Mary Cooper.

Supervisor Walter: “How many folks are from Lakewood? Ok so I want to say something, I’m going to do this. I’ll do this if you want. I can’t have, I’m going to take everybody out of order but I can’t have everybody come up to talk about Lakewood although I would have you wait till the end of the meeting. I don’t want you to wait till the end of the meeting because the meeting could go on till 8:30, 9:00 so I will. I want to say something first because there’s a lot of unfair criticism on some ridiculously, stupid blogs and there’s a gentlemen sitting in the audience who I believe is writing them and so I want you to know what’s going on and some things we’re going to be able to do and some things we can’t and so I don’t want you to wait. If there’s one or two people that want to come up and talk to us I’ll take you in the beginning but if it becomes a tremendous number of people I’m going to have to cut you off and bring it to an end because we have five Public Hearings so a show of hands, would you like me to take the community first with two or three or four people may be talking, that’s it; a show of hands, yes to that? No, you want to wait till the end? No you want to wait till the end. Ok.

So this is how I came to know Lakewood. I knocked on your doors to garner your votes and there was a gentleman that I knocked on the door and he told me all the problems in Lakewood and I said “gee, we didn’t know” and so we did several things. We sort of descended in there with the police force. Now the police force is in there in ways that you know about and in ways you don’t know about and ways I’m not going to tell you about because I don’t know about.

We descended on there with Code Enforcement. We boarded up a house. We almost forced them to remove the house. We met with some of the property owners past and present and what we did was have them come in and talk to us about things that we could do and things that we couldn’t do. We have no control over rent. We have no control really over the rules and regulations of Lakewood. In other words if Lakewood has something in their lease, that’s not enforceable by the Town that’s enforceable by you and Lakewood but be as it may we had our Town Attorney go meet with the Kingsley Management and talk to them.

We had a civic organization meeting which several people from Lakewood came. I don't see, did anybody come to that civic meeting last week? No but there were two or three, four people from Lakewood who came to the civic meeting. It was an open house to talk to the Town Supervisor.

We had told them that rental permits are needed if these are rentals. We have to them we would enforce against anybody that we can. Now you have to understand in your community as in any other single family residential community I can't get a search warrant without having probable cause, Bob? Probable cause so sometimes what you think is obvious isn't probable cause but we've gone in and we've written tickets, we put everybody on notice, and we're in there. There's a lot of unnecessary criticism on the blogs and I don't respond to them because I think anybody that would want to say something should say something to my face or the Town Board's face which is why you're here but know that we're in your community in full force. Now, so because we're going to take you out of order and it's not really fair to the Public Hearing, can I get like three or four hands that want to speak and then, this gentleman here? Does anybody else want to speak? Ok, well that works, go ahead Sir. Stand up to the podium, yes and state your name and hamlet and where you live Sir."

Doug Rosenbrock: "Good evening Supervisor and Town Council members. My name is Doug Rosenbrock. I was a Lakewood resident for four years, four years and a month. I just recently spent twenty-five thousand dollars to move my home out of this community. First two years I paid my rent and never had even a conversation with the management when it was McCloud; when Myron McCloud owned it I never even had a conversation with him, no complaints. Within weeks of Kingsley Management taking over this property I was on the phone continually and the police activity, your own Chief of Police has confirmed that police activity started taking place in this community within a matter of weeks. That was like by February of 2012, three or four weeks after they took this property."

Supervisor Walter: "That's not exactly why it happened Sir."

Doug Rosenbrock: "Let me finish speaking please?"

Supervisor Walter: "I'm sorry but I run the meeting and Sir, Sir, in November of eleven I met with the gentlemen and you know who it is."

Doug Rosenbrock: "Norman."

Supervisor Walter: "I'm not saying and he explained all the problems. It had nothing to do with Kingsley Management so in around December we had meetings; right after the election we had meetings and the police presence and everything you have seen is a direct result of knocking on that's gentleman's door and having him telling me about everything. It wasn't Kingsley Management but."

Doug Rosenbrock: "Well, I have to really correct you on that Supervisor because the fact of the matter is in the first two years I had no recollection and we when we met with you on June 11<sup>th</sup> that was Chief Hegermiller nodded who said I don't recall any police presence in our park

until January, February 2012. It was a couple of weeks after they took over the property he nodded in affirmation of that.”

Supervisor Walter: “Sir, as I just said to you it’s because in November of eleven I knocked on somebody’s door. He explained all the problems. We went through the election. In November, December, we formed; actually the police were there long before you saw them. We formulated a plan of what we were going to do in that community. That’s why the police were there. Honestly if I hadn’t knocked on the door and spoke to this gentleman, I don’t even know that you would have seen anything but that’s why the police were there.”

Doug Rosenbrock: “I certainly would because it wasn’t until February of that year; a couple of months after Kingsley acquired the property that I had to start calling the police because of the people that live in the home directly across from me.

I notified Kingsley that there were people living in that property with young children that was in numerous violations of their lease agreement. I spoke to John Pecks specifically ok; that gentleman that was Joe. That was January; February 2012 right after Kingsley acquired the property in December 2011.”

Supervisor Walter: “It had nothing to do with that but you.”

Doug Rosenbrock: “Call them.”

Supervisor Walter: “You can. I had no idea at the time that we were ramping up; you don’t want to believe me and that’s fine but I had zero idea, no knowledge that Kingsley was taking that property at the time, zero knowledge so the fact that we came into there had nothing to do with Kingsley but that doesn’t take anything away from Kingsley and Sir, you were in my office. Go ahead.”

Doug Rosenbrock: “Thank you. My first call to the police department in two years of never having any communication whether with Kingsley or with McCloud’s office, the first two years first call and complaints were to Kingsley office in January or February of 2012. That was Joe who moved in with his young son. Within a couple of days of Joe moving in in that January, February time frame 2012, one of the residents in the park called because there were blood curdling screams going on from Joe. Joe was an underage, in violation of the lease agreement with a young child living with him. Somebody called the police. That was the first time I ever witnessed police responding to a criminal complaint in the Lakewood community.

Joe was there, um, um kind of an undesirable character for many, many months. He skipped Town, he beat the sublet; he was a double sublet. Fast forward to a few months later after Joe left we had Jay move in; another forty, forty-five year old gentleman who passed away in the home on Christmas. He also moved in, before he did after Joe left ok I went to John Peck at Kingsley and said look I have a two bedroom, two bath home and I want to rent this out. I want to rent each one of the rooms out to individuals, non-related. I said can I do that? He said absolutely not, you can’t do that so Alberto, the subleter of the unit that you had all these problems with, ok, had Craig’s list there that he was going to rent rooms to it. I told John Peck about this. Kingsley was aware that there were people in violation of their lease agreement from day one; from Joe through Jay right on through to the drug dealers that we’re dealing with today, Ok? They

had no response so, and Supervisor I really have to tell you that maybe I confused some of the dates that you're throwing around but my recollection is that, I mean I've written all this stuff down because I've been so assaulted by this but I'm going to tell you this, this is the important message you as the Town Board need to take away from this ok? This company, this is their business model, alright? They are creating a ghetto for you at the gateway to Riverhead and to the Twin Forks. I can show you forty years of documented history, ok? Forty years that this is the way they do business and what they aim to do with these people is economically evict them. They want; they need to be able to collect fourteen hundred and fifteen hundred dollars rent out of this community. Fixed income seniors are not clients they're looking for. I'll leave it at that. We can kind of spar on dates and time frames and stuff but this."

Supervisor Walter: "But you understand from that meeting and the residents need to understand, this Town Board and this Police Department are going to do everything humanly possible to make sure that the people in that community are law abiding, that they're complying with the Town Code, but one of the things you have to understand too we have no control over your rents, zero. We have no control over your lease."

Doug Rosenbrock: "We understand. Nothing we've communicated to the Board."

Councilman Dunleavy: "Can I ask you one question?"

Doug Rosenbrock: "Sure."

Councilman Dunleavy: "What are we talking about? I know nothing about what you're talking about. I'm trying to understand but this is the first time I'm hearing about anything."

Councilwoman Giglio: "We got an e-mail a couple of weeks ago and that's the first time we heard about it and I've been trying to ask questions. Trying to find out what it is you're talking about."

Doug Rosenbrock: "This is the situation from our perspective and again Supervisor Walter is really seeing a different situation than we're claiming to be living with. We believe, and we have a lot of documentation, of Kingsley's activities throughout the county. We believe what we're being faced with is a process that they're calling, that other residents have faced throughout the country for the last forty years called economic eviction.

Kingsley Management, the Board of Directors in a phone call with Mr. Bat said we have looked at two bedroom apartment rentals on Long Island. Your rents in Lakewood should be about thirteen, fourteen, fifteen hundred dollars a month. So what we're seeing, what we've documented and I can show you time and time again; what they do is basically come in and trash the place by opening the flood gates with illegal subletting.

The illegal subletting is, and this is why our petition to you is, enforce every rental unit. They are supposed to file a census with you and New York State on an annual basis, alright and it's not just, it has to be a bonafide census. Has anybody here?

Supervisor Walter: "Sir, address the Board."

Doug Rosenbrock: “I will. They have to prove to you who’s living in these homes. So how many rentals had you met, that Mr. Duffy met with Kingsley Management Corp. How many rental homes have they identified in that community?”

Supervisor Walter: “What do you want from us?”

Doug Rosenbrock: “I want you to identify every violation that this company is in, everything they’re in violation of and enforce every code.”

Supervisor Walter: “And we will do that with the Riverhead Town Code because that’s what we enforce, Sir and we also enforce the New York State Building Code but a lot of the things that you’re asking us to do are well beyond our prevue and you have my word that we will enforce that Building Code, we will enforce the Town Code, we will enforce the Rental Code. You have our word as a Board and we will enforce the law with the Police Department.”

Councilwoman Giglio: “I have to say I’m disturbed that this came to the attention of the Town in 2010 that in 2012, February 2012 we’ve know that there’s a problem with rental permits and now it’s two and a half years later and nothing has been done.”

Supervisor Walter: “That’s not accurate.

Councilwoman Giglio: “Well we’re not getting briefed on it. As a Board member and I think my fellow Board members can concur that didn’t know about this until you sent the e-mail a few weeks ago.”

Supervisor Walter: “Ok, so first off Councilwoman Giglio, excuse me, excuse me. First of all nobody said anything about 2010.”

Councilwoman Giglio: “You said you knocked on the door in 2010 and identified a problem and had a meeting with them in 2011.”

Supervisor Walter: “I said.”

Councilwoman Giglio: “Shortly after the election.”

Supervisor Walter: “Let me explain what I said. In 2011 I knocked on a gentleman’s door in November just before the election and in 2012 the Police Department, the Code Enforcement spent a tremendous amount of time in there. Now, that has been done, that is part of the Town Building Department, Police Department do a tremendous amount of work during the day that the Board doesn’t necessarily get briefed on. I had no knowledge of anything in 2010 so please don’t say that nothing was done.”

Councilwoman Giglio: “We did not find out about this until we got an e-mail from your community two weeks ago.”

Supervisor Walter: “And that, and that honestly Councilwoman Giglio if you spent more time in Town Hall you would know more.”

Councilwoman Giglio: “You know what Sean, I’m here every Tuesday and Thursday from nine o’clock until four thirty in the afternoon and we’ve had several Executive sessions and several orders that we discuss in Executive session about possible litigation and raids and you’ve never brought this to our attention ever.”

Supervisor Walter: “I do believe, I do believe this did come up in an Executive session.”

Councilwoman Giglio: “John, do you recall this?”

Councilman Dunleavy: “This is the first time I’m hearing about this.”

Doug Rosenbrock: “Mr. Supervisor if we could go back on track I would like to know, I want to be very clear

Supervisor Walter: “Making a total charade (Inaudible).”

Councilwoman Giglio: “It should be a charade. These people’s lives are suffering from drug dealers and people that are abusing our code with the rental application permits process and you know what, we’re doing nothing about beefing up Code Enforcement and going over the illegal, crowded houses.”

Supervisor Walter: “Just because you say it over and over doesn’t make it true and.”

Doug Rosenbrock: “(inaudible)”

Supervisor Walter: “You’ll hold on a moment Sir.”

Doug Rosenbrock: “Ok.”

Supervisor Walter: “There’s a gentlemen in this audience that I’m going to let speak because he knows that we have spent a tremendous amount of time and effort in this community and you have my word that we will do everything we can but it is not, we are not going to be able to, bad people do bad things and as they do bad things sometimes we catch them right away and sometimes we don’t and you have my word, we’re in that community and I shouldn’t even say that, there’s undercover people in that community. There are things happening in that community that would not be appropriate to talk about and you Sir knew about this and know about this because we spoke about it in my office several months ago. What else would you like to add to this?”

Doug Rosenbrock: “I want to say this and I’ll finish up and if you want George to speak I’d be glad to let him speak but I want to be clear on, I want some clarification from you but first I want to speak clearly for the record, everything I communicated to you and to anybody about this issue is I understand what your legal authority is and it is rentals and it’s overcrowded. That’s

all we're asking you to do so what I would like you to do is you keep telling me that we're asking you to do something above and beyond that and what I want, I want you to be very specific in what you are claiming I'm asking you to do above and beyond Code Enforcement that pertains to rentals and overcrowding."

Supervisor Walter: "We will take care of every issue. If you give us a rental complaint that somebody is illegally renting, we will enforce against it. You give us a Code Enforcement complaint, if we witness a Code Enforcement complaint we will enforce against it. What we cannot do is what you're talking about with this economic eviction, that's your words, Sir. That's your words not my words. I."

Doug Rosenbrock: "Economic eviction is being accomplished via the illegal rentals."

Supervisor Walter: "Ok. I can't, that's not what you said Sir. What you said was they're going to raise your rents to where we can't afford them."

Doug Rosenbrock: "That's correct."

Supervisor Walter: "That's something the Town Board cannot do. What we can do and what we will do is enforce the Rental Code and we've done that. We've, the Town Attorney's office has met with the Building Department, they've met with Kingsley, they've met with you and they're going to continue to do that until we flush out all the problems that are there and I'm positive that we will and if it wasn't for the gentleman, whether he chooses to speak or not, I mean you guys should be applauding the gentleman in the room here because he brought it to my attention and we really spent, you know, a fair amount of time in there. I'm not saying that it's done but I'm not saying we're done either."

Doug Rosenbrock: "Let me leave you this and I'll let George step up and address you if he would like to."

I personally feel that the Town has failed egregiously in their responsibility to enforce the Town Code alright? It's not up to me or anybody in this room to call you and Code Enforcement and report an illegal rental in that community. It's up to Kingsley Management Corporation to file a census with you that they proved to your Code Enforcement people that they actually looked at my license. They need to confirm to you how they verify who they're putting on the tax roll. That's a part of the Code Enforcement is to demand that (inaudible) we demand and we ask you to demand Kingsley to adhere to your Code Enforcement. It's not up to us to identify the violations. Now, I'll finish up and I'll let George speak or whatever you want to do with it at this point.

Economic eviction is being accomplished and I can show you where they've done it in thirty or forty communities around the country via the absolute opening the flood gates to illegal sublets. What was the situation in 15 in the drug house across the street from there? Kingsley and you didn't even know that it was a double, double sublet. Nobody knew. Nobody in this community knows who's in that community. We have no idea and unless Code Enforcement actually does the census that's required by your Town Code, which you actually beefed up in 2003. You guys had problems with this in 2003. You rewrote the code laws to address the situation and now you're telling us it's our responsibility (inaudible)."

Supervisor Walter: “Sir, Sir, what I’m saying to you, you can finish up your final thought. What I’m saying to you, first of all I would like you to show, not right now, what the census is you’re talking about because I don’t believe that’s in the code. I don’t believe the Town Attorney even understands what you’re talking about with the census but what I’m saying to you Sir is that the Code Enforcement is never going to be everywhere, it’s just not. It’s why we have Community Watches. It’s why we do the things we do. The Neighborhood Watches, the Police, Councilman Wooten is sick today; we didn’t get to say that earlier, in fact he’s in the hospital.

The Neighborhood Watches are so critical to this Town, this State and this Country and we will take the burden and enforce the code but we cannot do it without your help. We can’t so what I’m asking you to do is you see, there’s a whole big thing in the city, if you see something, say something. It’s the same in this situation. If you see something, say something.

We went after several units that had drugs in them. We went after several units that were abandoned and we will continue to do it but if there’s something in the law that you think there’s a census that we’re supposed to do, I’m an attorney by trade, I’m not familiar with it. Hold on John; the Town Attorney here but I.”

Councilman Dunleavy: “I think I can answer his question. Every year, to go along with HUD the senior community everybody should be filling out a form saying who lives in the house because they can only have a certain population under fifty-five so they have to send in a certification to get that so I know what you’re talking about.

Supervisor Walter: “John, we’re not even positive that that.”

Councilman Dunleavy: “I know what he’s talking about.”

Doug Rosenbrock: “New York State requires that as well and it has to be a bonafide census. (Inaudible) They can’t just say oh your Bobby Smith, they have to document how they verify who’s living in there.”

Councilman Dunleavy: “(inaudible) Are you on the Senior Committee because I know the other one’s like Hubbard Avenue are not a Senior Community.”

Councilwoman Giglio: “It is fifty-five and over?” (inaudible)

Supervisor Walter: “That community predates our Zoning Code. It predates anything that would dictate a fifty-five and over community. I’m not and I understand that it’s sold as a fifty-five and over community but I’m not positive and we can research this, I’m not positive that the Town of Riverhead looks at it as a fifty-five and over community because it predates our zoning and Hubbard Avenue is a similar, also owned by Kingsley, a similar situation where you live right now Sir. You don’t even live in this community. Glenwood Village also not a mandatory fifty-five and over community so people use those terms and they may not mean the same thing to everybody and to the lawyers but if there’s something that’s not being done we will do it. Anything that I know that we can do, we will do. You have my word.”



Doug Rosenbrock: “Alright, so then as a citizen taxpayer of the Town of Riverhead, I’m telling you that you have on your hands a company that intends to do great harm to this community.”

Supervisor Walter: “And we’re going to address that with every power that we have.”

Doug Rosenbrock: “But you can’t depend on us to report and identify these violations. How do you actually approach that? I’m telling you that.”

Supervisor Walter: “And I’m telling you that in every community across the United States of America that probably the strongest form for protecting your communities is probably your Neighborhood Watch.

We had a National Night Out two weeks ago, a National Night Out where we ask the communities to come out and we have the Police Department come out, they have block parties, the neighbors get to know each other that Sir. (inaudible) Sir, do you honestly think that the Code Enforcement; we have two Code Enforcement officers that work with a Sergeant in the Police Department on all violations and we have at full capacity eighty-five police officers who also can enforce the Town Code throughout the entire town. We need your help; you have to be part of this solution. I will do my part. This Board will do its part, I guarantee you we will but we need your help and with Kingsley we sat down, we met with them. I would have no problem if people that live in the community, you don’t live in the community Sir but people that live in the community would like to meet again in a private meeting with myself and the Town Attorney and the Deputy Supervisor and one of the Council members, we’ll do that. That’s what we did several months ago. We will do that and it’s. We will take care of whatever it is we can, you have my word so what I want to say; I know you want to speak.”

George Bachi: “I just want five minutes.”

Supervisor Walter: “You can speak five minutes and if you want to coordinate that meeting. Go ahead, speak Sir. I just don’t want to keep the residents out all night.”

George Bachi: “In your defense, you knocked on my door twice; once in eleven and then in thirteen, for unit eighteen.”

Supervisor Walter: “Because I came back to see what we were doing.”

Councilman Dunleavy: “Can you talk into the microphone Sir?”

George Bachi: “Ok, Unit 18, I placed eighteen complaints about a dead raccoon, needles, hypodermic needles, people diving into windows that were unboarded for four months. The people that lived there had no utilities for several months were throwing feces and urine out there window onto my property. I had to throw one of the kids that lived in the house down my stairs because he tried to come into my house. That’s the first time I got to meet (inaudible) and those guys.”

Councilwoman Giglio: “When was that?”

Someone: “Oh man.”

Councilwoman: “When did you meet (inaudible) and the detective?”

Supervisor Walter: “The Town Clerk needs to get his information. I’m sorry; can you give your name and hamlet Sir?”

George Bachi: “My name is George Bachi and I live at Lakewood.”

Supervisor Walter: “That’s good enough.”

Councilwoman Giglio: “You met the detectives for the first time when?”

George Bachi: “I met the detective for the first time it was June 2013 because they were being evicted.”

Supervisor Walter: “The detectives. We were in there long before June of 2013.”

George Bachi: “No, No. This is when I threw the guy down the stairs.”

Supervisor Walter: “Well what did we do with Unit 18?”

George Bachi: “Ok. Unit 18, it required Downs to go over to Kingsley Management and be told were not boarding it up. Downs came over to the house and he started to write it up. I was leaning in the window when John Peck leaned in the other window and grabbed the papers out of Down’s hands and said alright I’ll board the damn thing up. Now it only took him a year and a half to get the damn thing boarded up.

Councilman Dunleavy: “When was the first time you complained to the Police Department you said 2011?”

George Bachi: “No, I sent in; no, no, the first time 2011 there was a knock on my door some gentleman was looking for some votes and we discussed some things that was going on and some concerns.”

Supervisor Walter: “And you kept me there a long time Sir. We talked a long time.”

George Bachi: “And then he did it again in 2013, he didn’t learn his lesson so we discussed again and I’m not going to go into anything else about that.”

Supervisor Walter: “We did come in and work the place up. It took.”

George Bachi: “It took the people diving in and out of the windows. If you go by my house it still looks like crap. I just had somebody by there. I’m living in substandard. I never had any problem.”

Supervisor Walter: “Didn’t somebody buy that unit, next to you and they were fixing it up; they didn’t fix it up?”

George Bachi: “He’s in the middle of fixing it up.”

Supervisor Walter: “Ok, good.”

George Bachi: “He’s fixed the water which had eleven leaks in it. He did the electricity; he’s working on the inside. That was supposed to be pulled out except Kingsley did a gazy thing when it came to the eviction. He pulled the eviction order after the people had left.”

Supervisor Walter: “Right, if we’d have.”

Councilman Dunleavy: “So he went to evict them but they weren’t there.”

George Bachi: “Yeah but when they did that they didn’t take legal possession the house so they couldn’t board it up so it sat there unboarded for four months people diving in and out of the windows and by the way, I don’t know if everybody knows I’m the gentleman that got stuck in the back of the hand with a hypodermic needle that was in the garbage. It was a used heroin needle.”

Councilman Dunleavy: “I’m trying to figure out why, we did not know about this. That’s what I’m trying to figure out.”

Supervisor Walter: “We did, we did. Code Enforcement was working on this.”

George Bachi: “Well, Code Enforcement knows and getting back to; I’ve been talking to Albany. Albany has called this place up and spoke to a gentleman who’s not sitting in the chair right now the Town Attorney, ok and he said I’ll call you back in a short period of time and he never called back Albany. They sent, Albany sent you guys, Duffy, an e-mail today; a very kind and nice e-mail stating that me and him had a good relationship and he wanted to know why he never called him back.

There is a census that has to be taken; Albany does not know who lives in our houses. There are fifteen, up to fifteen people at any time in Unit 15. It could be a rapist, it could be a terrorist, it could be somebody that, ok and you guys already know I complained (inaudible) and his work that went on and I’m not going to go into everything but the Police Department is doing a great job.”

Supervisor Walter: “Maybe the Police Department is working on something; did you ever think of that?”

George Bachi: “Yeah but I want to know where the hell Code was for a year and a half.”

Supervisor Walter: “There’s stuff going on there that’s not appropriate to have conversations about from a police standpoint.”

Councilman Dunleavy: No, no, no, he's talking about Code. Code should have boarded the house up after you complained the first time."

George Bachi: "I have eighteen complaints about Unit 18 which had nothing to do with drugs. It had to do with a house that had a family living in it that were squatters that had no facilities that were throwing urine and feces."

Councilman Dunleavy: "Yeah I agree, what the Police Department's doing I have nothing to do with. What I want to know is why are you people here and the Supervisor keeps saying the Board but this is the first time other than the e-mail that I'm hearing about this because this would have been fixed last year because I think I would have been over the Police Department every single day or the Code every single day to get that thing boarded up."

Supervisor Walter: "Ok, so John if you want to work on this I have no problem. The Code Enforcement is in there. We got the place boarded up. It's a little more difficult with a mobile home unit as you know with evictions because you have to drag the units out. It was not the easiest thing; you can talk to Officers Downs but we have been in there with Officer Downs, with Cole Bruckner, with the police department, with Bill Duffy and we, if you want to oversee that instead of Joe and myself, I have no problem doing that. Councilman Dunleavy will be the".

Councilman Dunleavy: "The problem is when someone comes to Town Hall to speak to you, we all should know about it, that's all I'm saying. They're our constituents, we're working for them, we should be able to help them, that's all I'm saying.

Supervisor Walter: "John, and what I'm saying to you, you can take over the issue because you think you can do it and I believe in you and you can take over the issue and I will direct, I will defer to my colleague who is on the Police Department and he will be the point of contact for you from hereon in and I will answer the question because there are, (inaudible) Sir the reality is that every Board member here takes meetings and deals with constituent complaints and issues throughout the Town."

Councilwoman Giglio: "When we hear about them."

Supervisor Walter: "I don't expect Councilwoman Giglio to tell me everything she's working on. A constituent complaint comes in I trust she works the issue out, resolves it to the betterment of the Town. Sir, Sir, excuse me, if you want to speak at the end of the meeting we're going to let you speak. I'm, we are doing everything we can; so we're way over time now. I'm going to; we have to go into our public hearings. George if you could just?"

George Bachi: "Yeah, I'm done."

Councilman Dunleavy: "Thank you very much."

George Bachi: "And as for my blog, I stand by my blog."

Councilman Dunleavy: "Thank you, and the first speaker, thank you."

Councilwoman Giglio: “What is your blog, I’d like to read it.”

George Bachi: “Lakewood residents, all one word dot blogspot dot com and Albany is still waiting for an answer.”

Supervisor Walter: “Ok, so.”

Councilman Dunleavy: “Sixteen, your house number, sixteen?”

George Bachi: “I’m in nineteen.”

Supervisor Walter: “I’ll show you exactly where he is.”

Councilman Dunleavy: “Ok. I know because when they had sprinkler systems put in I was down there working on it.”

Supervisor Walter: “Can we get a motion to approve the minutes of the Town Board?”

Councilman Dunleavy made a motion, which was seconded by Councilman Gabrielsen to approved the minutes of the August 5, 2014 Town Board Meeting and a Special Town Board meeting of August 7, 2014. Motion carried, minutes were accepted.

### **CORRESPONDENCE**

- Richard T. Luzzi – written comments concerning the proposed amendment to Chapter 108 “Zoning” Commercial Solar Energy Production System (public hearing of August 5, 2014).

### **REPORTS**

- Tax Receiver – Utility Collection Report July, 2014 - \$478,818.08
- Sewer District Discharge Monitoring Report July 2014
- 2013 Town of Riverhead Peconic Bay Community Preservation Fund Financial Statement

### **Fire Districts**

- Wading River Fire District 2013 Financial Statements

### **APPLICATION**

(Pending Town Board Approval)

### **Parade/Assembly Permits**

- Riverhead High School – Homecoming Parade, October 18, 2014
- Alzheimer’s Disease Resource Center – Benefit Walk, August 23, 2014

### **Special Events Chapter 90**

- First Baptist Church – Health, Wellness & Fitness Fair, September 13, 2014

- Home Depot – Rug Sale Event, August 14 through October 6, 2014
- Riverhead Chamber of Commerce – Tandem Skydive Event, September 18, 2014

Just a reminder that the September 3, 2014 (Wednesday) Town Board Meeting has been changed from 2:00 p.m. to 7 p.m.

### **PUBLIC HEARINGS**

Supervisor Walter: “We have five public hearings. It is now 7:42, the first public hearing was supposed to open at 7:10 is the Consideration of a Proposed Local Law to Amend Chapter 101 of the Riverhead Town Code, Entitled “Vehicles and Traffic”, Article III. Traffic Regulations (101-3. Stop and Yield Intersections; Railroad Crossings; Parking Fields) and yes, go ahead.”

Councilman Dunleavy: This here is at the intersection of Griffing Avenue and Lincoln Street. There are stop signs on Lincoln Street but there’s only a caution light on Griffing Avenue. We’ve had a lot of accidents. We have a lot of attorney’s offices that are close to the intersection that people coming in to see them. We have buses coming down Griffing so to make it safer we’re going to make Griffing Avenue also a stop so it will be a four way stop there.”

Supervisor Walter: “Good, does anybody wish to be heard on that?”

Frank Isler: “Good morning, good evening, whatever it is. Frank Isler 456 Griffing Avenue, I’m one of the law firms on that intersection. Anything that can be done to make that a safer intersection we would urge you to do; a four way stop is an excellent idea. I would urge the Board when doing the four way stop, adding those stop sign on Griffin to also maintain the blinking lights at the intersection turning the yellow to red on Griffing. That I think would do a terrific job and we urge you to adopt the amendment.

Supervisor Walter: “Thank you. Does anybody else wish to be heard?”

Charles Cuddy: Charles Cuddy, I have an office at 445 Griffing Avenue; it’s just one unit down from the intersection. Each year we witnessed a number of accidents at the site and I’d like to particularly thank Councilman Dunleavy for bringing this to everyone’s attention.

It’s interesting to me there’s a sign on that street that says twenty miles per hour because St. John’s school also empties onto that street. When the traffic is there I don’t think anybody’s done twenty miles an hour since the Model T Ford on that street. They come down at great volume. There’s accidents because I think the misunderstanding of the public that they think it is a four way stop because of the blinking light and they come through from Lincoln Street and there’s an accident I think probably once every three or four months there and it’s a serious accident and we really could use your help in having a stop sign there.

I think I also speak for some other people; Jeff Butler who with Charles Thomas has the office on the northwest corner. I spoke to him today. He very much reiterates just what I have said to you so everybody who’s there is conversant with this and I point out to you there’s also an IGHL on the northeast corner of that site. People sometimes from that place stand on the corner just watching the traffic. It would be horrendous if there ever was an accident involving some of those people so I would really hope that the Board would seriously and very forcefully, quickly

put stop signs there (inaudible) four way stop and as Mr. Isler just indicated that you would also change the light to red instead of yellow. Thank you.”

Supervisor Walter: “Thank you. Anybody else wish to be heard on the matter? Ok, not seeing anybody we’ll close the public portion of the hearing and leave it open until the 29<sup>th</sup> of August in the Town Clerk’s office at 4:30 p.m.”

**Public Hearing Closed at 7:45 p.m.  
Left Open for Written Comment Until August 29, 2014 at 4:30 p.m.**

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Supervisor Walter: “Ok. The second Public Hearing was scheduled at 7:15 it is now 7:46 so I’ll open up the Public Hearing this is a Consideration of a Proposed Local Law to Amend Chapter 12 of the Riverhead Town Code entitled “Coastal Erosion Hazard Areas.” Bob did you want to say anything?”

Robert Kozakiewicz: “There’s a, this is actually the second time this was made it into the Town Board packet. As those who watch the meetings know a while back the Board asked our Code book folks to look at our Code and suggest some changes.

This is one of the things they looked at and brought to the attention that this particular Chapter, Chapter 12, the next Public Hearing, Chapter 47 and Chapter 107 in each instances had different sort of rules as to how the CAC was supposed to act when they receive an application.

The idea is to try and bring some uniformity when they’re dealing with the Coastal Erosion Management Permit or when they’re dealing with an application on Chapter 47 or 107.

One of the reasons this hearing was delayed is under our Chapter any amendment that’s other than from the State DEC, or from the Planning Board as the administrators recently referred to them. In this case we did in fact refer the proposed change in Code to them. The comments back were that there were accessible change and as we said we’re trying to bring some formity to Chapter 12, Chapter 47 and Chapter 107.

It allows for or provides that the CAC shall start their review within thirty days from any application under the CEM, Coastal Erosion Management, and of course provides for a period of time for the appeal which in this case is sixty days I believe so that sums it up for the changes.”

Supervisor Walter: “Does anybody wish to be heard on this matter?”

Councilwoman Giglio: “I would just like to say Bob that after what you just said where it’s, the CAC acts upon any referral to them, this specifies within thirty days of referral from the Planning Department. I think that it should say or Building Department or any other Agency within the Town whether it be the Engineering Department.”

Robert Kozakiewicz: “Well the Planning Department is the one who takes these applications in because the Chapter 12 application is one that’s reviewed by Planning.”

Councilwoman Giglio: “Ok but I know of a recent application that was sent over for a house raising that was sent directly from the Building Department to the CAC and it never went to the Planning Department so I think it should read, Building Department or Planning Department

Supervisor Walter: “Which one was that?”

Robert Kozakiewicz: “Was that a Chapter 12?”

Councilwoman Giglio: Schultz, 26 Beech Road.”

Supervisor Walter: “That went through the Planning Department.”

Councilwoman Giglio: “No it didn’t. It was a direct recommendation from the Senior Building Inspector to the CAC.

Robert Kozakiewicz: That would have been under Chapter 107, not a Chapter 12.”

Councilman Dunleavy: “Yeah but that’s saying what you just want added in here. You want this to go to the Planning Department because they’re the ones who have to approve everything and so it should go to them before it goes to Building. The Building Department only acts upon building requests and not (inaudible).

What happened with, is one, and I beg to differ with you, is that this was supposed to be a very small improvement that the gentleman was making under fifty percent of the house. When he started working on it, it was ninety percent of the house.

Councilwoman Giglio: “Fifty percent of what the assessed value or the market value?”

Robert Kozakiewicz: “I think (inaudible)

Councilman Dunleavy: “Of the structure, of the structure.”

Robert Kozakiewicz: (inaudible)

Councilman Dunleavy: “Councilwoman brought it up so I just wanted to say that it was. It should go to the Planning. This was a mistake; yes it was because it was supposed to be a small renovation and ended up a major renovation.”

Councilwoman Giglio: “Yeah but the referral came from the Building Department. When an application was made to raise the house it went, told the applicant you have to go to the CAC.”

Supervisor Walter: “That was by design Councilwoman Giglio because the Planning Department was intimately involved with entire process. Jeff Murphree is the Building and Planning Director. It was done to try and expedite the process and it was actually done at the request of the homeowner so that it could go as quickly as possible.”

Councilwoman Giglio: “Ok but I think it should just say by referral from the Planning Department or the Building Department. Can we?”

Robert Kozakiewicz: The Building Department is not the agency that takes in a Chapter 12. If you look at 107 which is the later hearing it does do that; it refers to Building Department



or Planning Board depending on where the application is appropriate to go to and that case if it is a closed activity or a use that is related to construction on a residential lot they actually refer to the Building Department and then it comes from the Building Department to the CAC.”

Councilwoman Giglio: “Ok, do we need to amend Chapter 107 also?”

Supervisor Walter: “We’re not on a Chapter 107 hearing.”

Robert Kozakiewicz: I’m not sure I understand. Chapter 107 does say both departments as per your suggestion.”

Councilwoman Giglio: “Ok so it has this exact language in Chapter 107 that says that within thirty days they shall respond and this whole section is also included in Chapter 107? Why would just make it Chapter 28? Why wouldn’t we have a hearing on Chapter 107?”

Councilman Dunleavy: “We have to change Chapter 107 to go along with this one for the Planning Department.”

Robert Kozakiewicz: “I’m a little lost on this one.”

Supervisor Walter: “This was actually publicly a Resolution before us probably no less than three times. Actually didn’t we go to public hearing and adjourn it?”

Robert Kozakiewicz: “We had it in the packet and we withdrew it.”

Councilwoman Giglio: “Yes, but since that time a referral’s been made from the Building Department to the Planning Department on a CAC application.”

Supervisor Walter: “On a separate, maybe you’re not, on a separate Code issue under a separate chapter of the Code; under 107 not Chapter 12. We’re here for a Chapter 12 hearing.”

Councilwoman Giglio: “So that revision to the Code with the same conditions, that they’ll receive a denial within thirty days or an approval or? Is this forthcoming? Is that what you’re telling me?”

Councilman Dunleavy: “This Code is saying that they have to get back to the applicant within thirty days.”

Councilwoman Giglio: “Right, only until September 28<sup>th</sup>.”

Councilman Dunleavy: “The old Code is saying they had to get the approval within sixty-two days. Sometimes you can back the applicant and it takes the applicant twenty days to get back to you so that stops the sixty days at that point until the application gets back to you corrected to your, what needs to be done to it.”

Councilwoman Giglio: Ok, so Chapter 107, Bob will get a Code revision shortly that will mimic this Code, Chapter 107 for referrals from Building and Planning?"

Robert Kozakiewicz: "I, just to be clear; there are three Public Hearings on today, Chapter 12, Chapter 47 and Chapter 107. In each instance they have been amended to include the verbiage that provides that they shall commence review within thirty days after referral or receipt of the application from the applicable department that's charged with initially taking in the application.

The verbiage that you see in the CAC Resolution is the same that you see in the Resolution which is or the Code change that is being proposed in Chapter 47, Section 47-24C and it's the same language that's being suggested in Section 107-7 Subsection B. The concept being that we're trying to make all three uniform."

Supervisor Walter: "OK, are there any more comments on Chapter 12? No, ok. I'm going to close the public portion of this and Councilwoman Giglio if you'd like to change this you can do it in your Code Revision Committee or you can make a written comment to The Town Clerk by August 29<sup>th</sup> at 4:30 p.m."

**Public Hearing Closed at 7:55 p.m.  
Left open for Written Comment until August 29, 2014 at 4:30 p.m.**

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Supervisor Walter: "Alright, next Public Hearing is scheduled for 7:20 and it is now 7:55 and this is a Consideration of a Proposed Law to Amend Chapter 47 of the Riverhead Town Code entitled "Bays and Creeds", Article III General Provisions. Bob would you like to talk about this?"

Robert Kozakiewicz: "As I noted in the prior comments on the hearing with regards to Chapter 12, again this was something brought to the Town's attention that we had in the Code with regard to CAC jurisdiction some inconsistencies.

The proposals are in short to try and bring all three articles, all three Chapters into uniformity. As with the prior change the, I guess the operative language is that within thirty days a referral from the Planning Department, the CAC shall commence their charged with undertaking that.

There are some other cleanups in subsection B of 47-24 and again I know the concept here was to try and take this out of the sequence with respect to General Codes changing over our Code Book the idea was to try and move this forward a little bit and not do this as part of the Town wide Code sweep that General Code is working on and there was a directive to get this on and have it heard."

Supervisor Walter: "Who made the directive?"

Robert Kozakiewicz: "I shouldn't say directive, it was suggested at a work session."

Councilman Dunleavy: "This Code is making the Planning Department the agency to receive the application?"

Supervisor Walter: "We already talked about this a couple times."

Robert Kozakiewicz: “This was discussed in work session, directive was the wrong word.”

Councilwoman Giglio: “Right but since we discussed it in work session applications have come forth that have gone directly from the Building Department to the CAC where the Planning Department was not involved.”

Supervisor Walter: “That’s not accurate. Just because you keep saying it doesn’t make it true.”

Councilwoman Giglio: “I can prove it.”

Robert Kozakiewicz: “Just to be clear there are instances where someone comes in and files a building permit and the building permit involved property that’s within a fresh water or a tidal water. In that instance the Building Department is the department that would be vested with the authority to take the application in.”

Councilwoman Giglio: “And they send it right over to the CAC.”

Robert Kozakiewicz: “Which is again, that’s the process. I’m not sure how that’s changed because that’s a 107 application. Are you suggesting that 47 should also have a referral directly from the Building Department?”

Supervisor Walter: “The Building and Planning Department.”

Councilwoman Giglio: “If they make an application from the Building Department, yes.”

Councilman Dunleavy: “This here shall says see the Conservation Advisory Council shall commence review within thirty days of referral from the Planning Department. So the Building Department should contact the Planning Department and the Planning Department should give it to the CAC.”

Councilwoman Giglio: “It doesn’t always go that way and that’s what Bob just said. If they make an appointment for a building permit, if they make an application for a building permit and it doesn’t require Planning Department approval it goes as a recommendation from the Building Department to make application to the CAC and get a permit from the CAC. It doesn’t necessarily constitute an application to the Planning Department so that’s all I’m saying is just add from either the Building Department or the Planning Department to the CAC instead of just saying from the Planning Department to the CAC. It’s very simple. I don’t know why it’s such a problem.”

Supervisor Walter: “I don’t know because we’ve discussed this at least three times at work session.”

Councilwoman Giglio: “Yeah it just became a problem two weeks ago when an application was made, yeah.”

Councilman Dunleavy: “This says.”

Councilwoman Giglio: “I can prove it.”

Councilman Dunleavy: “This says that they have to receive an application from the Planning Department.”

Supervisor Walter: “Didn’t we sort of merge Building and Planning Department under Jeff Murphree anyway? (inaudible)”

Councilman Dunleavy: “This just says they have to give it, the Building Department has to give it to the Planning Department, the Planning Department will have to submit it to the CAC.”

Councilwoman Giglio: “Ok, so you’re adding another step, where they don’t need Planning Department?”

Supervisor Walter: “Ok. So why don’t we not even open the next Public Hearing and we’ll send it back to your Code Revision.”

Councilwoman Giglio: “No, I’m just adding a comment to the public hearing and I want the Board to consider it and if you don’t want to consider it, it doesn’t have to go back to, we can adopt it the way it is but just add a referral from the Planning Department or the Building Department, it’s so simple.”

Supervisor Walter: “You can’t.”

Councilman Dunleavy: “This is what messed us up the last time.”

Supervisor Walter: “Ms. Giglio you just can’t, we have to refer this to the DEC.”

Robert Kozakiewicz: “Chapter 12, Chapter 12.”

Councilwoman Giglio: “Do you think that it’s that substantial of a change whether it’s a referral from the Planning Department or the Planning Department and the Building Department, do you think that it’s that substantial of a change that it constitutes another public hearing? I don’t. I’d like a legal opinion Bob.”

Supervisor Walter: “Ok. The Town Attorney is not going to render verbal legal opinions.”

Councilwoman Giglio: “We have ten days or we can adopt it the way it is. It’s very simple.”

Councilman Dunleavy: “The problem is that the mistake that we have.”

Robert Kozakiewicz: “This is doing nothing to change the current referral process. There’s no changes in the code saying what would otherwise have been a referral from the Building Department to the CAC is being changed or that otherwise being a referral from the Planning Department to the CAC is being changed. That is unaffected by these code changes. The code changes that are before you are dealing with the question of how quickly or what timetable the CAC is at so the issues that are being brought up are, I guess, I’m trying to understand, you know.”

Councilman Dunleavy: “I beg to differ with you because it says here; *the Planning Department acting on behalf of the Board or Department vested with the authority to rendering the decision to approve with conditions or deny the application shall refer all applications.* Alright, so it’s the Planning Department that’s referred all the applications to the CAC. If the Building Department is the one who gives the approval they have to give it to the Planning Department, the Planning Department to the CAC and then it will go back with conditions of approval or denial, to the Building Department.”

Robert Kozakiewicz: “You’re referring to what Section?”

Councilman Dunleavy: “107-5.”

Supervisor Walter: “It says the same thing in 27-24.”

Councilwoman Giglio: “In 47, in the other, in the subsequent hearing which we’ll get to next I guess; I’ve made my comments on this hearing, you can move on.”

Supervisor Walter: “Ok. Is there anybody else who wishes to be heard on this matter? Not hearing anybody I’ll close the public comment portion and leave it open for written comment until August 29th at 4:30 in the Riverhead Town Clerk’s office.”

**Public Hearing Closed at 8:02 p.m.  
Left open until the next Town Board Meeting, August 29, 2014**

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Supervisor Walter: “7:25; the next Public Hearing was scheduled for 7:25. It is now 8:02. I’ll open the public hearing entitled the Consideration of a Proposed Local Law to Amend Chapter 107 of the Riverhead Town code, Entitled “Tidal and Freshwater Wetlands. Bob, would you like?”

Robert Kozakiewicz: “I’m afraid to. This is just a hearing scheduled for 7:25 and it’s to amend Chapter 107 and applications for a permit. I mean I don’t know if you want me to go through each section, read them verbatim what the changes are, again it’s.”

Councilman Dunleavy: “Can we just try and change it to meet everything else that we’re doing, to make it uniform, is that correct?”

Robert Kozakiewicz: Well, I mean it’s the review period is again the commencement within thirty days and the referrals. Planning Department is the referral agent. I guess the operative paragraph you would say is 107 Subsection B which has been amended to provide for

that. It also says the CAC shall receive and report a recommendation within sixty days from the initial referral. I'm not sure what else we can do."

Supervisor Walter: "That, that, you've said enough and I read it. Does anyone wish to be heard on this Public Hearing?"

Councilwoman Giglio: "I would just say it should say by the Planning Department and the Building Department and then I'll be happy; any referral by the Planning Department and Building Department."

Supervisor Walter: "That have been merged under the Director."

Councilwoman Giglio: "They have not been merged. They have one person that's overseeing both departments. The departments have not been merged. The Building Department has its' own set of rules that they follow and the Planning Department has their own set of rules that they follow. There's one person that oversees both departments that doesn't oversee all the referrals that go out."

Councilman Dunleavy: "Well things have to change."

Councilwoman Giglio: If you're going to codify it then we should codify it because if that one person is no longer here then the Building Department should be able to refer to the CAC without having to go through another stop of going through the Planning Department so the Planning Department can refer it to the CAC."

Councilman Dunleavy: "But we have one organization to go to find out if it was referred and that's the Planning Department. You want to have two so I have. (Inaudible) If someone asks me a question I go to Planning then I have to go over to the Building Department."

Councilwoman Giglio: "Because it's in that office."

Councilman Dunleavy: "What?"

Councilwoman Giglio: "Because we don't have enough space, it's all in one office."

Councilman Dunleavy: Well, I just think we should one department."

Supervisor Walter: "I just wish six months ago, six months ago when we brought this forward that the Board would have agreed with what we were doing."

Councilwoman Giglio: "Again I repeat this is a problem that just arose two weeks ago when the Building Department made a referral to the CAC and the CAC is reviewing it by a request of the Building Department, not the Planning Department so I just say. What?"

Supervisor Walter: "That was a request that the applicant."

Councilwoman Giglio: “Well, the Building Department did not send it to the Planning Department and the Planning Department sent it to the CAC.”

Councilman Dunleavy: “Well because if that’s the way the old Code is written now we’re changing it so it goes to the Planning Department and they are responsible for it.”

Councilwoman Giglio: “It’s so simple.”

Supervisor Walter: “I know.”

Councilwoman Giglio: “Just say by the Planning Department or the Building Department to the CAC; it’s very simple.”

Supervisor Walter: “And I’m going to refer everything right back to Code Revision and I’m going to let Code Revision.”

Councilwoman Giglio: “I’m ready to adopt it with the change made that says or the Building Department.”

Supervisor Walter: “But you have to go back to a public hearing.”

Councilwoman Giglio: “I disagree with you.

Supervisor Walter: “Since ask the Town Attorney.”

Councilwoman Giglio: “That’s why I asked for a legal opinion. It doesn’t have to be right now, I can get it by e-mail within the next two weeks before we have to adopt it.”

Councilman Gabrielsen: “So you want to change it in all three amendments?”

Councilwoman Giglio: “Yup.”

Councilman Gabrielsen: “You just don’t want to do 107?”

Councilwoman Giglio: Nope, I want it in all three; by referral from the Planning Department or the Building Department. Cut out the stuff with the Planning Department. The Building Department shouldn’t have to refer it to the Planning Department so the Planning Department can refer it to the CAC.”

Councilman Gabrielsen: “So you want to go back to Code Revision?”

Councilwoman Giglio: “No, I don’t think it’s necessary but I’m waiting for our Town Attorney.” (Inaudible).

Councilman Dunleavy: “I don’t think both departments should be involved with it; I think one department. Everyone knows they have to go to the Planning. The Building Department

knows that they have to send it over to the Planning so that Planning can give it to CAC. It takes one day.”

Councilwoman Giglio: “John, with all due respect it could be longer than a day and with all the respect when it comes to public safety and it comes to police and it comes to emergency services I deferred to you. When it comes to land dues and policies and procedures as far as what you have to file on the land dues person I respectfully request that you defer it to me.”

Councilman Dunleavy: “Ok but I do have my opinion.” (Inaudible)

Supervisor Walter: “Under that I want to defer to the experts so what we’re going to do is put this back in Code Revision and we’re going to have the Planning Director and the Director of Building and Planning come to Code Revision and have them talk to Code Revision and figure out if what Councilwoman Giglio is saying needs to be done or are there other unintended consequences. That is my request.”

Councilwoman Giglio: “I think it’s a waste of time and money but if that’s what you request.”

Supervisor Walter: “That’s what I request because I want to defer to the experts the Building and Planning Departments.”

Councilman Dunleavy: “You’re Code Revision.”

Councilwoman Giglio: “Yes.”

Councilman Dunleavy: “Why does the Town Board receiving these now.”

Councilwoman Giglio: “This didn’t come through Code Revision, no it didn’t; it came through Work Session, it never came through Code Revision. It came from Annemarie to Work Session and.”

Councilman Dunleavy: “I would say give it back to Code Revision and let them talk to the Planning Department and everybody else.”

Councilwoman Giglio: “I don’t think that’s necessary.”

Councilman Gabrielsen: So that’s your biggest concern, it’s just another delay I get it, (inaudible), it’s just another layer of delay.”

Councilwoman Giglio: “It is, it’s very rare that would happen.”

Supervisor Walter: “I understand that but it would be smart, wouldn’t you agree to talk to the Building and Planning folks to see if the change is warranted because this Code.” (inaudible)

Councilman Gabrielsen: “Let’s get their opinion on it.”



Supervisor Walter: “Exactly.”

Councilwoman Giglio: “Hopefully we’ll be able to do that within the next two weeks. And we’ll have a legal opinion from Bob as to whether or not we can add Building Department to this and we’ll be able to adopt it with the change.”

Councilman Dunleavy: “You want to keep this?”

Councilwoman Giglio: “Yeah, absolutely.”

(Inaudible)

Councilwoman Giglio: “You might as well adopt it the way it is now because we’re going to have to publish and post it anyway if you’re not going to add Building Department and then we’ll go to public hearing to add Building Department later and.”

Supervisor Walter: “It has to go back to the DEC; these Codes have to go.”

Robert Kozakiewicz: “Chapter 12.”

(Inaudible)

Councilwoman Giglio: “We’re stricter than the DEC. The Dec says one hundred feet, we say a hundred and fifty feet. We’re more strict than the DEC.”

Supervisor Walter: “I apologize Chapter 12 has to go back to the DEC.”

(Inaudible)

Supervisor Walter: “Why do don’t we do this. Does anybody else?”

(Inaudible)

Councilman Dunleavy: “Adopt this (inaudible) that has to be changed we will then change it. This is what happens, we talk about it for years and then we don’t do it.”

Supervisor Walter: “Don’t even understand why we’re here. I’m going to close the public comment portion. I’m going to leave it open for written comment until the 29<sup>th</sup> of August. I would like Councilwoman Giglio if you could put this on your agenda for Code Revision maybe between now and the 29<sup>th</sup> and speak to the experts at, that being Rick Hanley and Jeff Murphree and anybody else that needs to be spoken to to see if this change is something that needs to be made in all three sections and.”

Councilman Dunleavy: “I’d also like a member of the CAC, the Chairman should come in and see what they want their referrals to come from.”

Supervisor Walter: "If we can get somebody. They only work."

Councilman Dunleavy: "Ok?"

Supervisor Walter: "Ok."

**Public Hearing Closed at 8:10 p.m.  
Left Open for Written Comment until August 29, 2014 at 4:30 p.m.**

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Supervisor Walter: "The final Public Hearing is scheduled for 7:30; it is now 8:11. This is a Consideration of an Appeal by Day and Night Taxi and Limo, Inc. to the Revocation of the Taxicab and Business License. Bob?"

Robert Kozakiewicz: "This is a, under our code the Town Clerk is allowed to take action and revoke an operators permit where there's grounds to believe that a revocation is appropriate.

In this particular case due to allegations of individuals not being a Hack Operator and other issues, the Town Clerk did issue a letter which revoked the operating license of Day and Night Taxi and Limo Services, Inc. They did file an appeal. They asked that the Town Board consider lifting the appeal. I believe they have Counsel representing them today. I do want to know, and I make this part of the record, that at about 4:25, 4:30 this afternoon I was presented with certain documents which I believe Counsel will not have any objection to coming into evidence. One is a bill of sale agreement dated June 29, 2014 which show that at that time Day and Night Taxi Limo Service was sold by individuals to the current owners of Day and Night Taxi Limo Services. I would ask that that be made part of the record."

Supervisor Walter: "Why don't we bring up Counsel?"

Robert Kozakiewicz: "Ok. Counsel?"

Supervisor Walter: "Counsellor if you would state your name and representation for the record that would be wonderful."

Anthony Palumbo: "Certainly, thank you; Anthony Palumbo from the law firm Palumbo and Associates, 13235 Main Road, Mattituck for Mr. Mohammad Gondal. Good evening folks, how are you? I have a few more items as well, Mr. Kozakiewicz."

Robert Kozakiewicz: "I have a couple too, I have the."

Supervisor Walter: "Can we start with the first one? What was the date of the first one?"

Robert Kozakiewicz: "The first one, that was June 29<sup>th</sup> and I think it'll be relevant and I'm sure Counsel will explain why it's pertinent to the discussion tonight."

Supervisor Walter: "I mean this is not a formal evidential proceeding. Is there any objection Mr. Palumbo? Ok, let's go through Bob's and then we'll go through yours."

Robert Kozakiewicz: “And then I have the second which is the copy of the Taxicab’s Business License that was issued on July 9, 2014 to the purchaser, Day and Night Taxi Limo Inc. with the new address 12700 Main Road, Mattituck and that was issued on July 9<sup>th</sup>. I also have a copy of the Certificate of Incorporation.”

Councilwoman Giglio: “What was the date of that, I’m, sorry?”

Robert Kozakiewicz: “July 9<sup>th</sup>. So the sale was on June 29<sup>th</sup> and he registered the new business on July 9<sup>th</sup>.”

Councilwoman Giglio: “With the Town of Riverhead?”

Robert Kozakiewicz: “With the Town of Riverhead. I also have as an exhibit the Certificate of Incorporation which is the document issued to Day and Night Taxi Limo Services and that was just the one page of same.”

Councilwoman Giglio: “And what was the date on that?”

Robert Kozakiewicz: “I don’t have a date. I can tell you that it was filed on; what happened with that I think Counsel will explain, that the Corporation was purchased by the new buyer through purchase of shares. Corporation continued to exist but I would like to take notice for the record that the date of Corporation, when it was filed was August 15, 2013 and the filer is consistent with the individual who sold the business to the current operator, Mohammad Gondal.”

Supervisor Walter: “Who’s the filer?”

Robert Kozakiewicz: “The prior owner listed with the New York State Division of Corporation of State Records and that’s the filer of receipt this year.”

Supervisor Walter: “Spell that too?”

Robert Kozakiewicz: “A-T-I-F-B-A-S-H-I-R”

Councilman Dunleavy: “Can I ask you one question? What date did they take control?”

Robert Kozakiewicz: “June 29<sup>th</sup> is when the sale took place. I believe that’s going to be the testimony that you’ll hear today.”

Anthony Palumbo: “If I may just interject?”

Supervisor Walter: “Please do, we do that freely here.”

Anthony Palumbo: “July 9<sup>th</sup> was the actual closing date and I believe that was indicated on the permit to operate. I believe it was also issued the same date as the card.”

Robert Kozakiewicz: “That’s right I believe I got the bill of sale agreement on the face page is June 29th.

Anthony Palumbo: “I’ve got the bill of sale and the contract was entered into but the actual license wasn’t issued until July 9<sup>th</sup>. June 29<sup>th</sup> was the date of the bill of sale, the contract was entered into but the actual hack license wasn’t until July 9<sup>th</sup>.”

Robert Kozakiewicz: “Thank you.”

Supervisor Walter: “Did you represent them on the closing of this?”

Anthony Palumbo: “I did not and that might have led to some confusion by Mr. Gondal. I found out from the Town Attorney that these items were provided at 4:30 so we apologize for the short notice. This appeal was filed pro-set and I did appear on behalf of Mr. Gondal regarding the violation that was issued in the Justice Court.

Supervisor Walter: “How do you spell Mr. Gondal’s name?”

Anthony Palumbo: “Mohammad, M-O-H-A-M-M-E-D Gondal, G-O-N-D-A-L.”

Councilman Dunleavy: “And what was the date of suspension?>”

Anthony Palumbo: “I believe it was retroactive to July 13<sup>th</sup>, four days after the owner took possession.”

Supervisor Walter: “Is that when we suspended his license, July?”

Robert Kozakiewicz: “I believe that’s when the letter was issued, that’s correct.”

Anthony Palumbo: “I’m sorry, the 15<sup>th</sup>.” (inaudible)

Councilman Dunleavy: “It was six days after he took control?”

Anthony Palumbo: “Correct. If I may provide, if I may approach the dais. I have three items which are essentially a letter that was filed that Mr. Gondal provided to the Clerk, a driver’s license for Mr. Iqbal, I-Q-B-A-L S-A-F-D-A-R, which is his last name, as well as the Taxicab Operator’s Permit from the Town of Riverhead for Mr. Safdar.

As you can see from the documentary, Mr. Gondal purchased this taxicab company and went into operation July 9<sup>th</sup>. Four days later there was an incident, there was an accident with a driver that unfortunately took him at his word that he possessed a Class E license which is a valid license to operate a taxicab. There was a Permit for four cabs. Now Mr. Gondal (inaudible) with a hack license as does Iqbal, information I just passed out so after having very pointed conversations with Mr. Gondal about due diligence that’s required by way of litigation I would like to present to the Board by way of his appeal since he’s a new owner, he’s never operated a cab company before instead of just an immediate revocation that we mitigate the situation to an extent that he has two licensed drivers that if the Board would consider pulling the revocation and

modifying the permit to allow two taxicabs to operate so to speak of three with the understanding this would be, of course, an opportunity, a benefit of the doubt.”

Supervisor Walter: “How many cabs does he have?”

Anthony Palumbo: “How many actual vehicles? Four.”

Councilman Dunleavy: “But he only has two drivers?”

Anthony Palumbo: “Correct.”

Councilman Dunleavy: “At the present time. What happens if he gets two more drivers?”

Anthony Palumbo: “He has to come back and make another application for a new permit.”

Councilwoman Giglio: “So this is a partnership prior to July 9, 2014 correct? You said they bought out one of the partners, the bad partner that?”

Councilman Dunleavy: “No, no, no. Why doesn’t he stand up next to you? He can tell you if you don’t know the answer he can tell you what the answer is, ok? Thank you.”

Supervisor Walter: “Do you want to swear him in? Bob, why don’t you swear Mr. Gondal in?”

Robert Kozakiewicz: “Mr. Gondal do you swear the testimony you’re about to give is going to be the truth, the whole truth and nothing but the truth so help you God?”

Mohammad Gondal: “Yes.”

Supervisor Walter: “Mr. Gondal please do not answer any questions that you don’t ask your attorney first. Ask him before you answer the question, ok?”

Robert Kozakiewicz: “Want me to ask?”

Supervisor Walter: “Yeah.”

Robert Kozakiewicz: “Ok. First and foremost the entity that’s in question you presented, just to clarify that, the entity that’s the operative entity is known as Day and Night Taxi Limo Services Inc. Is that correct?”

Mohammad Gondal: “Yes.”

Robert Kozakiewicz: “And that is a New York State Corporation, correct?”

Mohammad Gondal: “Yes.”

Robert Kozakiewicz: “Now prior to acquiring the assets or the shares of Day and Night Taxi Limo Services Inc., the New York State Corporation did you have an ownership interest in that Corporation before you purchased it on June 29th or July 9<sup>th</sup>?”

Mohammad Gondal: “Did I have ownership with that?”

Robert Kozakiewicz: “Did you have ownership prior to that time?”

Mohammad Gondal: “No.”

Robert Kozakiewicz: “Ok. Were you a partner of Bashir or any other individuals who owned the Corporation?”

Mohammad Gondal: “No.”

Robert Kozakiewicz: “Ok and the Corporation is still a valid Corporation in the State of New York?”

Mohammad Gondal: “Yes Sir.”

Robert Kozakiewicz: “Ok and with regard to the operator could you state in your own words what you did or what you didn’t do to verify his operator’s license status.”

Mohammad Gondal: “Yes. I purchased the business July 29<sup>th</sup>, June 29<sup>th</sup> and we didn’t close until I took over July 9<sup>th</sup>. Ok, I maybe get lazy, I didn’t have enough time to check his license but I ask him if he had a license because he has been driving with the same company and I have Iqbal and him and myself.”

Robert Kozakiewicz: “Ok, I’m going to stop you there. Other than Iqbal, the other party and yourself does anybody else or did anybody else operate the taxi after you purchased it or around the time July 9. 2014? There was just three operators?”

Mohamad Gondal: “There were three operators and my other friend, he was helping us but he didn’t drive because Nicole, she told us we’ll give you enough time to apply for the fourth license.”

Robert Kozakiewicz: “Ok. That person was operating with a license or did not have a license?”

Robert Kozakiewicz: “Ok and what’s that’s person’s name? What’s that’s person’s name, the other party that you said, the fourth party?”

Mohammad Gondal: “Riasat.”

Robert Kozakiewicz: “Spell that please.”

Mohammad Gondal: “R-I-S-A-T, last name A-L-I.”

Robert Kozakiewicz: “And he no longer works for you?”

Mohammad Gondal: “No he’s also a partner with me. Because (Inaudible) I mentioned there and he’s ready to get license and he came to (inaudible) meantime we get suspension. They then didn’t took his application because we don’t have no more business.”

Councilman Dunleavy: “But he’s a partner of yours?”

Mohammad Gondal: “He’s a new partner; we change from the old partner.”

Anthony Palumbo: “I think what he’s trying to indicate is that he applied for the operator’s permit but it was denied in light of the revocation so I suspect he will be coming back.”

Robert Kozakiewicz: “That’s what I’m trying to figure out with respect to the issue with the two operators and the two vehicles.”

Anthony Palumbo: “And I do think, Mr. Kozakiewicz, I believe that the two cars would suffice. Mr. Gondal has been in this community for twenty-five years now. He owned a convenience store about two hundred yards from here and that’s really his primary business so three operators and two cars I think he’d be willing to make do with that.”

Mohammad Gondal: “Yes. And I’m not going to bring this other car until he gets his Hack license and I have real documents with (inaudible) and everything. This was my first chance to operate this kind of business and I have no experience and I took his word, whatever he said and because reason he’s been driving because we gave him business and everything. And I hoping you guys give me chance to be a (Inaudible) for this community and hold my records, I’ve been here twenty-four years living two hundred yards from here.”

Supervisor Walter: “What’s your other business Sir?”

Mohammad Gondal: “Convenience store.”

Supervisors Walter: “Where, what’s the name of it?”

Mohammad Gondal: “Village Grocery.”

Supervisors Walter: “Ok. How many shareholders are in this Corporation?”

Mohammad Gondal: “Which one?”

Robert Kozakiewicz: “The one that’s the subject of tonight’s hearing, Day and Night Taxi and Limo Services.”

Mohammad Gondal: “Two.”

Supervisor Walter: “And who are those shareholders?”

Mohammad Gondal: “Bashir and Ali.”

Supervisor Walter: “That’s Mr. Ali?”

Robert Kozakiewicz: “So the two individuals who are reflected in the Bill of Sale are the two shareholders?”

Mohammad Gondal: “Yes Sir.”

Robert Kozakiewicz: “There’s nobody else who has a shareholders interest?”

Mohammad Gondal: “No Sir.”

Robert Kozakiewicz: “No other officers, no other directors?”

Mohammad Gondal: “No Sir.”

Robert Kozakiewicz: “Ok.”

Supervisor Walter: “And the other person you bought it from is not a shareholder anymore?”

Mohammad Gondal: “No there was two.”

Supervisor Walter: “And you were not a shareholder under, when that gentleman ran that company. I think that’s what you testified to, you had no interest?”

Mohammad Gondal: “No.”

Councilwoman Giglio: “And Mr. Ali did not have an interest prior to June 29<sup>th</sup>?”

Mohammad Gondal: “No.”

Councilwoman Giglio: “So you weren’t one of the partners Of Day & Night Taxi, neither one of you ever were? You just bought it knew June 29<sup>th</sup>?”

Robert Kozakiewicz: “Just to be clear did you go to contract on June 29<sup>th</sup> and close on July 9<sup>th</sup>? I’m a little unclear on that sequence see because the bill of sale again, the document you provided to me says June 29, 2014 is the bill of sale agreement and it’s your testimony that you actually closed and transferred monies on July 9<sup>th</sup>?”

Mohammad Gondal: “We did close and we did transfer money but we didn’t took over until July 9<sup>th</sup>.”



Robert Kozakiewicz: “And can you explain why, can you clarify that, what happened?”

Mohammad Gondal: “Because insurance problem and they had to pay it because they were collecting money and I wasn’t collecting money. I did collect money but the Town give me license and I start collecting money.”

Anthony Palumbo: “Did you have to transfer insurance?”

Mohammad Gondal: “No because (inaudible).”

Robert Kozakiewicz: “And the vehicle since you purchased it July 9<sup>th</sup>, all vehicles have been insured?”

Mohammad Gondal: “Yes Sir.”

Robert Kozakiewicz: “Are they currently insured?”

Mohammad Gondal: “Yes Sir.”

Councilman Dunleavy: “Mr. Ali, you’re the one who’s going to go for your license? Is he the gentleman?”

Riasat Ali: “I went for fingerprinting and also went for drug test.”

Supervisor Walter: “Raise your hand please.”

Robert Kozakiewicz: “Do you swear the testimony you’re about to give will be the truth, the whole truth and nothing but the truth so help you God?”

Riasat Ali: “Yes.”

Robert Kozakiewicz: “Thank you.”

Councilman Dunleavy: “You’re the gentle who’s going to get the hack license?”

Riasat Ali: “It is in process.”

Councilman Dunleavy: “That’s all I wanted to know. He doesn’t have one now?”

Supervisor Walter: “You’re familiar with our code and you understand the drug testing requirements, the other requirements of our Code? I understand the predicament you’re in but I think your testimony is that this gentleman that committed this violation was employed by you at that time.”

Riasat Ali: “He was from the previous owner. He was operating that vehicle. We didn’t have a chance to verify and I think this was a mistake.”

Supervisor Walter: “It was a very big mistake. I don’t have any other questions. Does anybody else have any other questions? Bob, are you satisfied?”

Councilwoman Giglio: “All of your drivers right now, the two that you have, they’re all licensed and drug tested and current?”

Riasat Ali: “Yes.”

Councilwoman Giglio: “And you’re in the process of getting licensed and drug tested?”

Riasat Ali: “Yes.”

Robert Kozakiewicz: “I just want to be clear because I understand Mr. Gondal surrendered his hack license? So he surrendered that in addition to surrendering the business license at the time he was notified by the Town. That correct Mr. Gondal?”

Mohammad Gondal: “Yes.”

Robert Kozakiewicz: “He didn’t need to but I think he did that because he wanted to show his good faith compliance with the letter, correct?”

Mohammad Gondal: “Yes, of course.”

Robert Kozakiewicz: “Ok.”

Councilman Dunleavy: “And he wouldn’t be driving?”

Robert Kozakiewicz: “Correct.”

Supervisor Walter: “Ok, unless there’s, are you satisfied?”

Robert Kozakiewicz: “I’m satisfied.”

Supervisor Walter: “I think what we’re going to do is hold the case in abeyance so we can speak about it in Executive Session and then we will contact Mr. Palumbo and let you know what we’ve determined. Do you want to add anything else Mr. Palumbo?”

Anthony Palumbo: “Just to reiterate that the vehicle that was involved in the accident with this other individual was of course insured. The liability insurance in the event there were any injuries or property damage will be covered by insurance and if there are any civil ramifications they will be dealt with.”

Supervisor Walter: “Ok. Alright, so we’ll hold the case in abeyance.”

Robert Kozakiewicz: “I have a question. Are there two particular vehicles that you would look to put on the road if the Board would entertain your appeal and issue or lift the revocation with conditions? Are there two particular vehicles that you would prefer to put on the road and would you also be willing to adhere to condition that it would only be yourself and Iqbal originally operating?”

Mohammad Gondal: “Yes. I like to do with the two.”

Robert Kozakiewicz: “Which two?”

Mohammad Gondal: “The Dodge, 2006 and the other one is also Dodge but I’m confused either five or either six. I can bring all paperwork they have it already and then I can mark these two I want on road.”

Robert Kozakiewicz: “Ok.”

Supervisor Walter: “Ok, then we’ll hold it in abeyance. We’ll speak in Executive Session on the matter Thursday and Mr. Gondal we’ll let you know what the decision of the Board is. Thank you.”

### **COMMENTS ON RESOLUTIONS**

Supervisor Walter: Comments on Public Hearings. Anybody wish to be heard on Resolutions?

Sal Mastropaolo: “Sal Mastropaolo, Calverton. Resolution 15; is there any reason why you chose two years; why not make it five and put the clause in there that there’s no penalty if you pay it early?”

Supervisor Walter: “There’s no prepayment penalty in it.”

Sal Mastropaolo: “But there’s an expense if you don’t do it within two years and you have to do it again then you’re going to incur cost again.”

Supervisor Walter: “No, there’s a twenty-five thousand dollar mortgage commitment fee and that’s it and it’s not really a line of credit that you can’t just draw down on it like a line of credit on your house. For all intense and purposes that’s what it will look like. The commitment fee that the credit line would be open should we need to draw down on it for the operational expenses, cover CDA expenses we would be able to. If we didn’t the only expense would be the original commitment fee.”

Sal Mastropaolo: “But my question is, let’s say you don’t draw down on it in the first two years because the subdivision doesn’t go or the sales don’t happen and you don’t use the money, ok? Basically it’s a two year commitment you have to pay it off and then if you want the money you have to go back again. Why not just make it five years or ten years. You have a new penalty

clause in there ok, so if you do use it in two years and you pay it back there's no penalty but if you don't use it in two years at least you have a longer period of time to use it without having to incur expenses."

Supervisor Walter: "The bank was comfortable with two years and what we're going to be looking for is a three year repayment. I don't know if the bank was comfortable with longer. We didn't ask for longer."

Councilman Gabrielsen: "We had some discussion about maybe extending it to three."

Supervisor Walter: "We didn't ask for longer from the bank."

Sal Mastropaolo: "I would think it would be in the Town's benefit to ask for it for longer rather than a two year period since there's no penalty for early payment."

Supervisor Walter: "There may be willing to do it we just. Sal, it's a strange place to be in to be doing this so."

Sal Mastropaolo: "Yeah I know. If you didn't have budget concerns I would think you'd be looking to save money over the long haul and by extending the period from two to five or two to ten you would save money."

Supervisor Walter: "I don't think they would do that truthfully."

Sal Mastropaolo: "Just a comment."

Supervisor Walter: "What else you got?"

Sal Mastropaolo: "I've got a couple more."

Councilman Dunleavy: "The banks here to make money not to."

Sal Mastropaolo: "Of course, that's why they want two years. Resolution 593. Is that date June 19, 2013 incorrect or should it be 2014? It's over a year that he's been retired but he never?"

Supervisor Walter: "Yes, yes."

Sal Mastropaolo: "So I'm assuming that he's working and retired and he's drawing, he's double dipping?"

Supervisor Walter: "Well what the State did, they sent notification, I love e-mail, to an e-mail account of an employee that is no longer in this department so we never got notification."

Sal Mastropaolo: "Sounds like stuff that goes on in the School Board all the time. They retire and then they collect eight hundred a day. Resolution 596. 596 these comments are relative to 596 and 597. Those two Resolutions account for ten thousand eight hundred dollars and that's just the fall brochure."

Supervisor Walter: "I'm sorry what was the other one?"

Sal Mastropaolo: "596 and 597, they're two budget adjustments for ten thousand eight hundred dollars for the fall brochure. I don't know how many we print and mail. That's only the printing cost and then you have to add the mailing costs. It comes in my mail, I glance at it and then it goes in the garbage so it goes in the waste stream. Why are we printing all of these and mailing then to every resident?"

Supervisor Walter: "We did a trial for one or two semesters if you will by e-mail and the participation of our Rec programs dropped like a brick."

Sal Mastropaolo: "Did we do e-mail or did we put it on the web?"

Supervisor Walter: "We did e-mail and put it on the web. We did both."

Councilman Dunleavy: "The problem Sal is that everybody does not have an e-mail. A lot of people don't have computers so they don't go on the web and I've been told by people that they're glad to get this because it shows the trips they have especially for the older people and for the younger people the dates that things are happening so you know they like this."

Sal Mastropaolo: "Did we put the printing out for bid?"

Councilman Dunleavy: "Every property owner are notified that the Recreation Department does these programs and everybody is welcome to come."

Supervisor Walter: "Yes we follow the procurement policy. Actually didn't we do something with the new printing?"

Tara McLaughlin: "We did, it went out for a printing bid."

Supervisor Walter: "So we, yes but the point is, the other thought is Sal that 06 account is self-funding so the programs pay for that brochure so when his attendance went down the money for the brochure, he said it was pretty catastrophic so."

Sal Mastropaolo: "Ok, Resolution 602. 602 is a Chapter 90 application for Endless Summer Championship Car Shows. There was an earlier Resolution for Chapter 90 application which had a mention of a hundred and ninety-two dollar administration fee for police and the use of police cars."

Supervisor Walter: "Right. What happened is we're trying to keep track of when police cars are being used. They had no record of when police cars, TCO are being used for traffic control. There is obviously a traffic light at Splish Splash. It works pretty well depending on your interpretation of traffic to move the cars in and out of Splish Splash but they did not have a record for last year of using a TCO so it's kind of difficult for us to charge them for something so what we're trying to do is keep detailed records and when people come back we know the cost will be

incurred and eventually the Town Board; wait till people get the cost of the show mobile. Eventually the Town Board is going to have to pass a policy that these costs are directly passed on and we're approaching that.

What I didn't want to do honestly was nickel and dime the whole, everybody to death in hidden fees and taxes everywhere but we're there folks. So if this comes back next year and we use TCO, they will pay for it.

Councilman Dunleavy: "Don't forget Sal, there's a traffic light. It's not like Splish Splash that they get an onslaught of customers at one time like Splish Splash does. You can go Splish Splash at ten o'clock in the morning that traffic's backed up."

Sal Mastropaolo: "All the way to Edwards Avenue."

Councilman Dunleavy: "They don't get that, they just get the ones who want to see the old cars, it's sporadic so but that's why the traffic light does control the entrance there."

Sal Mastropaolo: "Ok. While we're on the subject of administration fee of one hundred and ninety-two dollars are we also keeping track of the non-profit and the use of the Police Department?"

Supervisor Walter: "That's going to have to be a decision that the Board has to make."

Sal Mastropaolo: "I mean given our budget woes I would think that we'd start spreading the cost around to everybody."

Supervisor Walter: "That's a decision that the Board has to make."

Sal Mastropaolo: "That's it."

Councilman Dunleavy: "Thank you Sal."

Supervisor Walter: "Mr. Romano is going to speak next and then you're welcome to speak. How are you doing Steve?"

Steve Romano: "Steve Romano, Riverhead. I'm conflicted by the six million dollar loan you guys are proposing."

Supervisor Walter: "So am I."

Steve Romano: "And I realize the alternatives are pretty ugly and pretty drastic but this kind of reminds me of previous decisions made by previous elected officials in particular the CPF ones where they said lets borrow a lot of money we're going to buy property and don't worry CPF funds that come in each year, we'll be flush, you'll never have a problem. What happened, everybody knows. The CPF funds aren't flush and the tax payers are picking up part of that expense. What happens if the property doesn't sell?"

Supervisor Walter: “Steve I can’t, this will be on somebody’s palm card next year so get ready, write it down, challenging me. If we take the loan and we’re successful, we will be heroes if you will and your taxes not only won’t go up the two hundred, three hundred dollars; we’ll probably be able to bring them down. All indications are things are going very well for EPCAL. You should be happy to know that the Town of Riverhead, GNP if you will, Gross National Product, if you will, increased three point six, six percent. In other words, this town grew three point six, six percent in 2013. It’s a direct result of what this Board did, no other town in Suffolk County has done that; everybody’s around one percent or less, most are less.

So we have a pretty good track record of moving projects and getting things on the tax rolls. If we’re successful, it’s great. If we fail, it’s going to be a whole lot worse and so the questions becomes, what is the right thing to do? I believe and I think some other Council members believe that we should take the risk because we’re going to make some very large land sales.

Now Councilman Wooten, I sort of mentioned before is ill, he’s not here today. Council members have asked to table both of these Resolutions so Councilman Wooten will be here to weigh in on them so I don’t expect any of them to pass today but Steve it is, I don’t say this is the hardest vote for this Town Board because probably the layoffs were harder, but there’s no easy way out. It’s either the twelve percent, we can massage the numbers down; increase which I’ve said this before too, the smart money is on the increase. That’s the easiest thing to do, raise the taxes but the John Vendetto in Oyster Bay, Newsday has sort of eviscerated him in the Newsday editorial section today because they didn’t do the things they should have done for the past five years; cut expenses, cut employees. We’ve done all that so I leave it to the conscious of the Board. I leave it to you the voter because three of us are going to be up next year in theory to run and face the voters and I can tell you that I’m leaning towards the loan but it is going to be an interesting vote when we put it up. It will be.”

Steve Romano: “I have a novel suggestion although when you come to each meeting and each meeting there’s a group of person wants the Town to do something for them and that costs money and I don’t think the Department’s ready for a brutal honesty to say based on the decisions that may have been made over the last ten or fifteen years, what should happen is we should pay the twelve percent tax increase to pay our bills on things that we want done but with a promise that if the property is sold we would then get the following or the third year a twenty percent decrease. This way we don’t borrow the money, we’re honest with the public and we pay our bills for what everybody seems to want. There’s not a meeting here and I was a little frustrated by Lakewood where people don’t want to call up the Town when there’s a problem. That’s crazy. What do you want retire another two, three Code Enforcement people and sit in the park? You have to help the Town otherwise every little thing we want is going to cost money but I don’t know that’s a novel idea that would work with all honesty. Probably it would be the right thing but none of you would get reelected.

Councilman Dunleavy: “I agree with you. I’m not a gambling man and I’m not going to gamble that we are going to sell property here within two years and we’re going to get the money because of all the (inaudible) process everybody has to go through. I’d rather go with the tax increase and if we do sell property the next year that we have the money give it back to the tax payers in a tax decrease so I’m incline to vote for the increase.”

Councilman Gabrielsen: “I’d like to comment on that. Steve unfortunately we all know this, once you give the government that twelve point five percent you’re never getting it back. You’ll never get it back because it’s a different Board, things change ok so I personally would like to hold it to that tax cap, that two percent and we may have approved six million, we may only take a million and a half out of there and then hit the jackpot. I think, we don’t know, but I’d rather hold off that twelve point five because once that raise goes up you’re never going to get it back and once you’re at that plateau who knows but I think we’ve got some exciting things coming with the subdivision and we also have the energy park which could solve everything, the numbers are so high and believe it or not were still having conversation with LIPA on this they’re coming back and forth looking for entries into it so we’re still a player in the game and it’s looking better now than it did three months ago so I think to take somewhat of a risk, you know a million and a half pull out of it this year maybe another year but I think that would offset that but that big tax increase would never go away.”

Councilman Dunleavy: “Two years, they’ll have the same Board. We’ll know if we’re getting the money. This Board will make a commitment that yes if we get it we’ll give them a tax decrease.”

Supervisor Walter: John I don’t want to get into a debate. You might not have the same Board in two years.”

Steve Romano: “That was just my idea. Thank you.”

Supervisor Walter: “Thank you Steve. Young lady would you like to be heard today. Step up to the microphone. If you could state your name and hamlet for the record.”

Jennie Goodman: “I’m Jennie Goodman. I live in Lake Grove but actually I’m one of the owners of the Endless Summer Car Shows at Splish Splash and I just wanted to, I was listening to the gentleman when he was talking about the police cars and stuff, so I just want to reassure you this is our third year of doing the show here and thank you for the support always.

One thing we’re really good at is moving the cars in and out of Splish Splash. It’s not like when Splish Splash is open, it’s a lot less traffic. We actually visited a show that wasn’t ours last year and.”

Supervisor Walter: “At Splish Splash?”

Jennie Goodman: “At Splish Splash, it wasn’t our show and when I left there were two policemen at the stop light so I can assure you we would not let traffic. For one thing we split the road to let the show cars in, we have the gates open for the spectators so they can to in I mean I don’t know if it makes a difference but I just wanted to defend and my partner is a police officer so he certainly will go out there and try and direct traffic so something like that would not happen.”

Supervisor Walter: “We don’t want him to be out there in harm’s way but that’s probably why we couldn’t find any receipts or invoices for you because I don’t recall sending anybody there.”



Jennie Goodman: “We never had to have.”

Supervisor Walter: “Well hopefully you don’t because next year we’ll charge you. Alright, anybody else wish to be heard?”

Cassandra Casanovo: “Hello. I’m Cassandra Casanovo from 220 Roanoke. It’s regarding Resolution 601. We’re changing the zoning from DC-4 to DC-1 for 24 East Main Street. We’re for the Resolution; we’re just hoping we could have the zoning change be for the parcel in the immediate area to promote economic.”

Supervisor Walter: “We talked about that. We wanted to move this forward but that’s on definitely on the horizon for the Town Board I think.”

Cassandra Casanovo: “Ok, good.”

Supervisor Walter: “Do you own property in there?”

Cassandra Casanovo: “Yeah, 220 on the corner of Second Street.”

Supervisor Walter: “Oh, it’s the Fire House building. Ok. Did you just buy it?”

Cassandra Casanovo: “Yes we did.”

Supervisor Walter: “Congratulations. Were you the group that came to meet me the last time, very early on about parking issues and things?”

Cassandra Casanovo: “I don’t think so.”

Councilman Dunleavy: “So you’re not in the parking district now?”

Cassandra Casanovo: “No.”

Supervisor Walter: “Ok, does anybody else wish to be heard? Not seeing anybody could we take up Resolutions?”

Councilman Dunleavy: “I’d like to make a motion that we close the Town Board meeting and open up the Community Development Agency meeting, so moved.”

Councilman Gabrielsen: “And seconded.”

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

The Vote: “Giglio, yes; Gabrielsen, yes; Dunleavy, yes; Walter, yes. The CDA meeting is now open.”

## Town Board Meeting Is Closed

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### Town Board Meeting is Re-opened

#### **Resolution 588:**

Supervisor Walter: "Motion to table this as well."

Councilman Gabrielsen: "Motion to table 588, so moved."

Councilwoman Giglio: "Seconded."

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

The Vote: "Giglio, to table yes; Gabrielsen, yes; Dunleavy, yes; Walter, yes. Resolution 588 is tabled."

#### **Resolution 589:**

Councilman Dunleavy: "I make a motion that we table this resolution 589, so moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: Giglio, yes to table; Gabrielsen, yes; Dunleavy, yes; Walter, yes. Resolution 589 is tabled."

#### **Resolution #590**

Councilman Dunleavy: "Rescinds Resolution #579 of 2014 (Authorizes Town Clerk to Publish and Post a Public Notice to Consider a Local Law to Amend Chapter 108 Entitled "Zoning" of the Riverhead Town Code (Transfer of Development Rights, 108-330, Redemption of Preservation Credits), so moved."

Councilman Gabrielsen: "Seconded."

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

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

#### **Resolution #591**

Councilman Dunleavy: “Authorizes the Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (Transfer of Development Rights) 108-330. (Redemption of Preservation Credits), so moved.”

Councilman Gabrielsen: “And Seconded.”

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

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

### **Resolution #592**

Councilman Gabrielsen: “Suffolk County District Attorney’s Forfeited Assets Sharing Program Budget Adoption, so moved.”

Councilwoman Giglio: “And seconded.”

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

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

### **Resolution #593**

Councilwoman Giglio: “Town Board Direction to Personnel Director & Financial Administrator to Process Town Justice Allen Smith’s Request for Retirement Benefits, so moved.”

Councilman Dunleavy: “And seconded.”

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

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

### **Resolution #594**

Councilman Dunleavy: “Terminates the Employment of a Laborer in the Sanitation Department (Brett Kurz), so moved.”

Supervisor Walter: “Seconded.”

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

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

### **Resolution #595**

Councilman Dunleavy: “Authorizes the Acceptance of Donation from Nile Rodgers Productions Inc., so moved.”

Councilman Gabrielsen: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “It was very important when we were contemplating this event that Councilman Gabrielsen pushed for what was the benefit of the tax payer to have this event in our town and they assured that they would make a donation to the Recreation Department and they did so Councilman Gabrielsen pursued that and for that I want to thank him and I will vote yes.”

Vote Continued: “Gabrielsen.”

Councilman Gabrielsen: “Yes and with the PAL we needed it for the football referee expense and soccer referee expense so I thank them, yes.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “Yes, I’ve got to thank Councilman Gabrielsen and Nile Rodgers Production cause even though we didn’t have the concert, they cancelled, they still donated the money that they said they were going to donate so I vote yes.”

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

### **Resolution #596**

Councilman Gabrielsen: “Recreation Fund Budget Adjustment, so moved.”

Councilwoman Giglio: “Seconded.”

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

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

### **Resolution #597**

Councilwoman Giglio: “General Fund Budget Adjustment, so moved.”

Councilman Dunleavy: “And seconded”

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

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

### **Resolution #598**

Councilman Dunleavy: “Accepts Donation of Park Improvements for the Duke Dog Park from Riverhead MTAS, Inc. (Move the Animal Shelter), so moved.”

Councilman Gabrielsen: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I want to thank the MTAS and Denise Lucas for all that they’ve done for all of our parks and for the well-being of our dogs throughout the town, so yes.”

Vote Continued: “Gabrielsen.”

Councilman Gabrielsen: “I’d also like to thank Councilman Wooten, yes.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “Yes. I have thank MTAS because they did all the work and Councilman Wooten for being there as liaison. I vote yes.”

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

### **Resolution #599**

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

Councilman Gabrielsen: “And seconded.”

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

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

### **Resolution #600**

Councilman Gabrielsen: “Ratifies the Appointment of a Bus Driver to the Recreation Department (Dawn Detmer), so moved.”

Councilwoman Giglio: “Seconded.”

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

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

Councilman Dunleavy: “Yes this is a part-time call-in bus driver we’re not adding a full time position right now, I vote yes.”

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

### **Resolution #601**

Councilwoman Giglio: “Town Board Declares Lead Agency and Authorizes Town Clerk to Publish and Post Public Notice to Consider a Change of Zone from DC-4 to DC-1 for the Property Located at 24 East Second Street, Riverhead, NY, SCTM #0600-128-5-25.1, so moved.”

Councilman Dunleavy: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I think that this should be a comprehensive zone change and we should be looking at all the surrounding communities not just doing it for one parcel and for that reason I vote no.”

Vote Continued: “Gabrielsen.”

Councilman Dunleavy: “I will vote yes and hopefully we’ll expand the zone soon. It’s got to be expanded.”

Vote Continued: Dunleavy.”

Councilman Dunleavy: “Yes, I think the zone should go to the railroad tracks but this is going to bring in money to the Town of Riverhead which we need right now, so I vote yes.”

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

### **Resolution #602**

Councilman Dunleavy: “Approves Chapter 90 Application of the Original Endless Summer Championship Car Shows, LLC (September 21, 2014 at Splish Splash Water Park), so moved.”

Councilman Gabrielsen: “And seconded.”

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

The Vote: “Giglio.”

Councilwoman Giglio: “I did inquire about this today and there were no records discovered that this cost us any money last year and there is nothing in the resolution asking them for money so I’ll vote yes.”

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

### **Resolution #603**

Councilman Dunleavy: “Approves the Chapter 90 Application of Garden of Eve, LLC (L.I. Garlic Festival), so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

### **Resolution #604**

Councilman Gabrielsen: “Approves the Chapter 90 Application of Hallockville Inc. (Fall Festival & Craft Fair – September 13<sup>th</sup> and 14<sup>th</sup> 2014), so moved.”

Councilwoman Giglio: “I’ll second it.”

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

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

Councilman Dunleavy: “They’re paying one hundred ninety-two dollars for our Traffic Control Office to be out there.”

### **Resolution 605**

Councilwoman Giglio: “Ratifies the Approval of the Chapter 90 Application of Home Depot Development of Maryland, Inc. (Tent Sale – August 14, 2014 through October 6, 2014), so moved.”

Councilman Dunleavy: “And Seconded.”

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

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

**Resolution #606**

Councilman Dunleavy: “Appoints Interpreter for Police Department and Justice Court (Rossana Froehlich), so moved.

Councilman Wooten: “And seconded.”

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

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

Councilman Dunleavy: “Yes I just hope we get a Spanish speaking police officer so we don’t have to keep hiring an interrupter so I vote yes.:

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

**Resolution #607**

Councilman Dunleavy: “Authorizes the Supervisor to Execute Application for Subdivision of Property Described and Identified in the Comprehensive Development Plan for EPCAL (EPCAL Reuse and Revitalization Plan) and Draft Supplemental Generic Environmental Impact Statement and Authorizes Referral of the Application for Subdivision to the Planning Board for the Town of Riverhead, so moved.”

Councilman Gabrielsen: “And seconded.”

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

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

**Resolution #608**

Councilman Gabrielsen “Pays Bills, so moved.”

Councilwoman Giglio: “Seconded.”

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

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

**Resolution #609**

Supervisor Walter: “I have one Resolution, I’m not going to push it off the floor, but two Council members have approached me to ask me to not sign the BAS contract. I have not



signed the BAS contract. Bob is going to give me a written opinion that I can sign he has told me I can sign it. There's no money in the budget. There's not even enough money to cover the BAS contract now but one of the Council members that wanted me not to sign it even though I guess I was going to get sued by the Town Board recently is not here so I don't know is there three votes to pull this resolution off the floor to rescind the BAS contract."

Councilman Dunleavy: "I'd like to make the motion that we pull Resolution 609 off the floor."

Councilman Gabrielsen: "Second to take it off the floor."

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

The Vote: "Giglio."

Councilwoman Giglio: "Take it off the floor? No."

Vote Continued: "Gabrielsen, yes; Dunleavy, yes; Walter, yes. Resolution 609 is taken off the floor."

Councilman Dunleavy: "Rescinds Resolution #334 of 2014, so moved."

Councilman Gabrielsen: "Seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "I just want to say that this software package was a very inexpensive was of keeping track of quality of life issues, coordinating the Code Enforcement Division, to the Building Department so that violations could be issued and followed up upon with the Building Department that we have a Senior Building Inspector that is sitting in the department sending out basically hand written letters to people telling then their permits have expired. To date we've collected fifty thousand dollars and there's a hundred thousand dollars outstanding from just letters that he's generated by hand January until now.

The computer software program costs forty-four thousand dollars and the Board decided, I believe it was May 6<sup>th</sup>, four to one with four Board members saying yes. We need to create efficiency in the departments and have the departments speak to one another and the Supervisor voted no. The Resolution was approved on May 6<sup>th</sup>, it is now August 19<sup>th</sup>, the contract to authorize the purchase of that software program has not been signed by the Supervisor and now he's asking that it be rescinded and I think in order to create efficiency in the departments and so that the departments can speak to one another by computer rather than running back and forth from this building to the Building Department that it's important that we buy the software and get it implemented right away especially with layoffs in sight and creating efficiency is more important when you have possible less people in the departments. So, I will vote no to rescind this Resolution

because I think the software package is very important and vital to our quality of life and efficiency and communication between the departments.”

Vote Continued: “Gabrielsen.”

Councilman Gabrielsen: “A lot has changed I think since May 6th. In light of the, you know, the Supervisor showed us the budget woes we face and we also had a conversation just a little bit over at the Accounting Department that he wanted a hundred sixty thousand dollars to implement his computer system. At the time I said well let’s put it off until we see how the numbers come in in September, let’s see what’s left in the budget. We don’t have the money for this right now so we have two choices. I’d still rather wait until September when the numbers come in, we may move forward but at this time we don’t have the liberty to do that so I think right now the Supervisor is kind of in a spot because either we move it and I would like to wait to see where the numbers come up in about a month or so and so I think we have to rescind it but I actually want to readdress it again when we do our budget. So that’s a yes.”

Vote Continued: “Dunleavy.”

Councilman Dunleavy: “I’m not one of the two members that asked for this to be rescinded but I don’t want to take a loan out either and this is going to put us in deeper until we find out if we have the money. It wasn’t budgeted last year and if we want to go on like this we can budget it at the end of this year, put it in our budget for next year or if we have money left over and they say yes we can, I’m going by what our accountant, we have an accounting department who the persons and people who run and tell us what funds we have and where we can spend it, so I’m counting on them to let me know if we can before the end of the year or put it in our budget for next year. So I have to vote yes.”

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

### **PUBLIC COMMENTS**

Supervisor Walter: “Ok, does anyone wish to address the Board on any matter?”

Steve Romano commented on rental permits. He said with the law that is on the books the Town cannot really enforce anything and the only time the law gets enforced is when law abiding residents want to do the right thing. The Supervisor refuted that by saying the Town does quite a few things regarding rentals. He said among other things that the Town scans both Craig’s List, and local rentals among other things but they definitely do need the public’s help.

Mr. Romano continued by asking if there was any enforcement in place for those who do not renew their rental permits? He said it sounded like the Town was way to flexible and asked if the Town was losing money by not following through on rental permits.

The Town Attorney responded by saying that Mr. Romano’s community is very vigilant on who rents and in keeping track of when those rental permits expire. He continued by saying that due to their vigilance it makes the Town’s job in that community easier but he said the Town does not have the ability to enact liens or assessments and that it is a Justice Court driven process. He stated that prior to the expiration of a rental permit a letter is sent informing the rentee of the

expiration of his permit. He said communities that are vigilant in this matter definitely help the Town and possibly an increase in the fines might move people to renew their permits in a timely manner.

Councilman Dunleavy said that he and Councilwoman Giglio wanted to hire another Code Enforcer to help issue tickets to those who are renting and either did not file for a rental permit or did not renew the permit when it expired.

Councilman Giglio added that because the Code Enforcement Bureau hand writes letters informing people that their rental permits have expired and because of this process she feels that the Town is losing money because of the time it takes to write letters and get a response.

The Supervisor said that the Town relies on the residents of the Town as they are the eyes and ears of the Town.

Mr. Romano asked if the change in the Town's fire code law which were enacted a few years ago lessened the amount of false alarm calls called in.

Supervisor Walter stated that the new laws have been enforced and that the number of false alarm calls has decreased due to the fines that have been issued. Mr. Kozakiewicz said that the fines are being issued however Councilman Dunleavy said the fines are being sent out but three quarters of those fines are not being paid. He continued by saying that there is a Code Enforcement Officer, a Lieutenant and a Deputy Town Attorney that the Town is spending money for but he feels the fines should be put on the tax bill of the offender because it has been a difficult process collecting these fines.

Mr. Romano thanked the Board for their time.

Supervisor Walter: "Anybody else wish to speak this evening? Seeing none can I have a motion to adjourn?"

Councilman Dunleavy: "I make a motion that we end the Town Board meeting."

Supervisor Walter: "All in favor of adjourning?"

Collective ayes.

**Meeting Adjourned 9:17 p.m.**