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Minutes of a Town of Riverhead Board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, March 2, 2010 at 2:00 p.m.

PRESENT:

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

ALSO PRESENT:

Diane M. Wilhelm,	Town Clerk
Dawn Thomas,	Town Attorney

ABSENT:

John Dunleavy,	Councilman
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Supervisor Walter: "I didn't even ask if our clerk is ready. Is our clerk ready? Are we good?"

All right. Before we get started, I'd like to invite the labor management committee up and we have a presentation to make.

Joan, it is an honor that you serve the town of Riverhead and I have some notes here. Joan is a senior account clerk typist in the payroll department and she exemplifies the accounting in the payroll department because her dedication to go the extra miles when there is something that needs to be done. Her dedication to the town and her dedication to fellow staff members should be commended.

And I hope that every town employee rises to work the way you do. I hope I rise to the level that you work at every day and I thank you for your commitment to the town.

And we have a proclamation for you and, George, if you would just let us know what day it is today."

George: "Today is Joan Mottern Day."

Maureen Lynn: "Okay, Joan. You get your very own parking spot."

Supervisor Walter: "Bill, that means you can't park in front (inaudible)."

Joan Mottern: "Thank you. It's quite an honor."

Bill Rothaar: "Bill, come on up."

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Supervisor Walter: "Joan's husband works in the highway department. You should come up here. And daughter, come on up. Oh, there you are.

Bill, you have the floor."

Bill Rothaar: "I would just like to say that as the supervisor said, Joan is very bright. She's very dedicated, she's a hard worker. In payroll, every two weeks we have to get payroll out. Regardless of what challenges are brought before her, she does a terrific job doing that.

I'm blessed to have a terrific staff and Joan is the best of the best. This isn't payroll- quarter of the year- I'm sorry, employee of the year. So that means she's the best of the best."

Supervisor Walter: "Joan, would you like to say something? This is your moment to shine for channel 22 and (inaudible) website."

Joan Mottern: "I just would like to thank the supervisor, the town board, labor management, Bill, Carol who couldn't be here today (inaudible). And my family because the last time I forget them when I was (inaudible). So thank you."

(Some inaudible comments)

Supervisor Walter: "All right. On to the more routine town board business.

John Dunleavy is on a little R&R so he's not with us today but with the number of phone calls we've given him from town hall over the past couple days, it's almost like he is with us.

Okay, can I get a motion to approve the town board minutes for the February 17, 2010 town board meeting?"

Councilman Wooten: "So moved."

Councilwoman Giglio: "Seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The minutes are approved."

Supervisor Walter: "Okay. Are there any Town hall reports?"

REPORTS:

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Receiver of Taxes Total tax collection dated Feb.18, 2010 -
\$63,497,559.86

Total tax collection dated Feb.11, 2010 - \$63,419,561.63

Total utilities collection month of February, 2010 - \$173,330.78

Town Clerk monthly report for February, 2010 \$10,462.56

Police Department monthly report for January, 2010

FIRE DISTRICT REPORTS:

Manorville Fire District annual financial report, 2009

APPLICATIONS:

Riverhead Bay Motors used car sale

Legacy Marketing Partners Pepsi family fun - April 18th

Railroad Museum of LI annual railroad festival Aug. 28 & 29

Diane Wilhelm: "And we have no public hearings scheduled for today.

The next town board meeting is Tuesday, February 16th at 7:00 at Riley Avenue School in Calverton."

Supervisor Walter: "That's Riley Avenue School, just, well on Riley Avenue. You can't miss it; it's the only school on Riley Avenue.

All right, are there any committee reports?"

Councilman Wooten: "I just want to mention that this past Saturday night, the Riverhead Youth Committee sponsored the Riverhead Teen Idol Night at- it was a great success at the Vail Leavitt.

Our winners should be mentioned. Marissa Yukon (phonetic) came in first place; Emma Burnhart (phonetic) second place; and Macy Reichel (phonetic) third place.

The theme was 1970. They all dressed up in (inaudible) and ghetto- no get up. Well some ghetto but, no, it was get up and it was a really good time. And if you have a chance to view it, Riverhead local.com actually filmed it and they have the acts on there so it's worth taking a look and see. It was a good time."

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Supervisor Walter: "What was the new word you learned?"

Councilman Wooten: "(inaudible) or something. Thought the guy was cursing me in Japanese or something.

And I would also like to announce— make an announcement, it's a little premature but the end of June, probably 26th, 27th, we are going to have the great Riverhead cardboard race, Peconic River. So that's coming. We'll have more details. We'll give you a website to go to and we'll get the message out when and how and the rules a little bit later on."

Supervisor Walter: "George, is it true that we're going to be challenging one of the local towns for the coveted— "

Councilman Gabrielsen: "Well, actually we're going to challenge— and anybody who knows anybody, we're going to challenge Southold, Southampton and anyone from Brookhaven. So if they think they have a chance against us in this race, bring it on."

Councilman Wooten: "Who's us, the town? (Inaudible)"

Councilman Gabrielsen: "No. Sean Walter has committed to getting in the boat."

Supervisor Walter: "Okay. So if we win, it's the coveted king or queen of the Peconic River. So I think what we should do, assuming we get a DEC permit, it put a plaque in the river for whatever town wins that coveted position. So king or queen of the river. And the challenge I think is out to Southold and Southampton and Brookhaven and let's get going."

Councilman Gabrielsen: "We'll have more details to follow."

Supervisor Walter: "All right. As there's no public hearings, Jodi, anything?"

Councilwoman Giglio: "No, not right now. The board is going to un-table Resolution #54 (inaudible)."

Supervisor Walter: "Okay. Just before we get started, I just want to say I had a good time at the Teen Idol— and you want to talk about get up. You should have worn what Councilman Wooten was dressed and I invite you to go to the website and take a look."

Councilman Wooten: "It was the '70's. Of course I had to go out and buy because my '70's clothes shrunk for some reason, I don't know. Shrunk, couldn't get a foot in it."

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Supervisor Walter: "All right. Are there any comments— we'll take comments on the resolutions. Come on up, Mr. Mastropaolo."

Sal Mastropaolo: "Sal Mastropaolo, Calverton. Resolution 147. Can you just tell the public if those appointed directors in the business improvement district are paid positions?"

Supervisor Walter: "They are not paid positions but I'm not at the resolution— no."

Sal Mastropaolo: "Thank you. 150. Can you share with the public what the details of the stipulation was? Did we increase steps or groups and what was the effect on salaries?"

Supervisor Walter: "No. This was— it's not— actually the— first is the PSD's were going to try to bring back the public safety dispatchers, two of them that were— one went to Southampton and the other one went to Southold. And we're going to bring them back in here so we don't have to do any training. They're our former dispatchers.

And then the second one is actually a little more interesting. The union is working with us. We have a meals on wheels program where we pay people to use— to deliver the meals to the residents in the residents and one of our drivers had an accident, he was actually pretty seriously injured.

And rather than hiring somebody, we're going to be working within the town framework, employees that we have to continue the services without adding somebody to the staff."

Sal Mastropaolo: "Thank you. 152. There's a whole bunch of resolutions on the water, different contracts, but there's no attached letters with any of the resolutions."

Supervisor Walter: "I have the resolutions— "

Sal Mastropaolo: "Yeah, there's about six of them and they all say per attached letter but I just want to make sure that the ones that go to the file have the attached letter."

Supervisor Walter: "Yeah, we'll make sure. I'm surprised that they're not attached."

Sal Mastropaolo: "165."

Supervisor Walter: "Yeah, Tara, can you-- oh, well, that's what I was looking for. Oh, yeah, I do. I have them but they're not-- they're all at the end. Tara, do you want to make-- Sal, do you want copies now?"

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Sal Mastropaolo: "No, it's all right. Make sure that they're filed. 165. The first now, therefore be it resolved, just take off the "he" at the end of the first line."

Supervisor Walter: "Oh, just hold on one second. Because I actually have the backup for every resolution. It takes me a minute to get to 165. Okay, which one?"

Sal Mastropaolo: "165, the now, therefore be it resolved-- "

Supervisor Walter: "Right."

Sal Mastropaolo: "At the end of the first line, there's some extra letters."

Councilman Wooten: "Take the "e" out."

Sal Mastropaolo: "Yeah, "he" or "be", I scratched over it so I can't tell what it is."

Councilman Wooten: "That's the "he". "He's got to come out."

Supervisor Walter: "Okay. New York State. I've been looking at the "gfoa" thinking what's that."

Councilman Wooten: "It's just one extra word, fourth paragraph, attend the and it says he. Delete he."

Supervisor Walter: "Good catch."

Sal Mastropaolo: "173. There's no mention of hourly rate for support personnel. The only mention of a rate is \$175 an hour for the attorney and then all of the additional costs that get billed as needed. You know, like copies and long distance calls, etc."

But usually on a contract, there's a separate rate for support personnel. I don't know if this one should have it but I just bring it up as a concern."

Supervisor Walter: "I don't know that we're having that person utilize their support personnel as we have it and this person is— Harold is going to be coming back to do— finish up the cases that he worked on in the town attorney's office so that we don't expend a lot of time hiring an attorney or having one of our town attorneys learn everything that he's done. So he's picking up where he left off."

Sal Mastropaolo: "Okay. So the intent is not to have him continue after he finishes up."

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Supervisor Walter: "Correct."

Sal Mastropaolo: "174. There's three things. There's a floating boat ramp, widening the public access and construction of a portable boat house.

First question is who's funding it? Second question is what's the projected cost?"

Supervisor Walter: "It's a grant and I want to say- how much was the grant? The cost was- "

Councilwoman Giglio: "The grant was approximately \$90,000. The only work that is going to be conducted at this time is the floating boat ramp. The boat house is not going to be constructed at this time."

Supervisor Walter: "I think it was \$35,000 for the- \$35,000 for the floating boat ramp aspect."

Sal Mastropaolo: "Thank you. 175. The fourth whereas says desires to extend the subject's special use permit for an additional one year period now. I just have a question. How long has the special use been in effect?"

Councilman Wooten: "One year."

Sal Mastropaolo: "All right. So this is for a second one?"

Councilman Wooten: "First extension."

Sal Mastropaolo: "Thank you. That's all I have."

Supervisor Walter: "Thank you. Does anybody else like to comment on the resolutions? Okay, then do you want to start with the tabled resolution first? Okay. Can I get a motion to un-table Resolution 54 of January 20th?"

Councilman Gabrielsen: "Yes. I make a motion to un-table Resolution 54."

Supervisor Walter: "Second?"

Councilwoman Giglio: "Second."

Supervisor Walter: "All in favor? Aye. Go ahead, do the vote."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is un-tabled."

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Councilman Wooten: "Okay. Mine does not have any corrections on it."

Councilman Gabrielsen: "I have the corrections over here."

Supervisor Walter: "We're going to make them right now."

Councilman Gabrielsen: "Okay. So make a motion to amend Resolution 54. So moved."

Councilwoman Giglio: "Second."

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

Councilman Wooten: "Discussion, want to know what the amendments are."

Councilman Gabrielsen: "I'll give you the amendments now. The amendments are on the skate park, the resident fees right now are \$5.00 and they will be changed to free of charge. The annual fee for the residents, \$30.00, will be free of charge.

The non-residents \$10,00 fee will be changed to \$7.00 and the non-resident fee from \$100.00 to \$75.00."

Councilwoman Giglio: "And are we amending the annual fee for the beach permit?"

Councilman Gabrielsen: "That's on here."

Councilwoman Giglio: "No, it's not."

Councilman Gabrielsen: "No, it's not. That's something different. So that's the amendments."

Supervisor Walter: "Okay. You're all right with the amendments, Jim?"

Councilman Wooten: "Well, I, yeah, I don't know exactly what kind of money we're talking about as far as what we're losing in revenue for the skate park but it can't be all that. It was (inaudible) even at \$30.00 a resident."

Councilman Gabrielsen: "We're trying to bring this up to par with the other facilities we have in recreation, the ball fields, there's no charge and we didn't want to target this particular crowd and say you've got to pay \$5.00 every day you want to come up. It's ridiculous. And for a kid today to come up with a \$5.00 bill every time they go to the park, it's silly."

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Councilman Wooten: "I can see the daily pass but \$30.00 a year doesn't seem exorbitant to me personally but- because I know what I pay my 12 year old baby sitter. So they could probably buy two of these in one evening out.

My question was, I know in comparison to other skate parks throughout the county where not only do you pay an annual permit but you actually pay usage every time you go. I think Riverhead is still low at that price."

Councilman Gabrielsen: "That's debatable, too. If you go east to Peconic, there are no charges. There are no charges for non-residents to go out to these facilities."

Councilman Wooten: "Where's the skate park out east?"

Councilman Gabrielsen: "Peconic Avenue, it's in Peconic. Not Peconic Avenue, the one up in Peconic by the old car dealership on the corner. When you go up there, you make a left."

Councilman Wooten: "I think- "

Councilman Gabrielsen: "And Southampton is pretty lenient in some of their parks like Red Creek."

Councilman Wooten: "I think the end game is to try and get some usage up there."

Councilman Gabrielsen: "Yeah. And we want to get the kids off the street, get them out and use it."

Councilman Wooten: (Inaudible) "I don't have any problem with this for now. We just have to see how it pans out over- "

Supervisor Walter: "All right. So that's the amendment. Can we move the resolution?"

Councilman Gabrielsen: "Yeah, move Resolution #54 as amended. So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted as amended."

Supervisor Walter: "Okay. Continue on with the resolutions."

Resolution #140

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Councilman Wooten: "140 authorizes the town clerk to publish and post public notice of a public hearing to consider a proposed local law for an amendment to Chapter 108 entitled zoning entitled Article XXVI, site plan review of the Riverhead town code. So moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #141

Councilman Gabrielsen: "Abolishes a position. So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #142

Councilwoman Giglio: "Accepts 100% security of BJ's Wholesale Club a/k/a East End Commons Associates LLC. So moved."

Councilman Wooten: "I'll second."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #143

Councilman Wooten: "It amends Resolution 71 of 2010, Local Law #5 of 2010 to adopt a local law for the addition of a new Chapter 111 entitled Registered Sex Offenders of the Riverhead town code. So moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

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Resolution #144

Councilman Wooten: "Oh me. Authorizes the dismissal of Vincent Tria as a municipally appointed director in the Riverhead Business Improvement District Management Association, Inc.' further authorizes the appointment of Anthony Coates as a municipally appointed director in the Riverhead Business Improvement District Management Association, Inc. So moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "Yes. And I would just like to thank Mr. Tria for his years of service and dedication to the Business Improvement District."

The Vote (Cont'd.): "Gabrielsen."

Councilman Gabrielsen: "I'd also like to thank Vince. I think he's done a great job, I think, and he's organized a lot of events there I've seen myself and I want to thank him."

Diane Wilhelm: "And that's a yes?"

Councilman Gabrielsen : "Yes."

The Vote (Cont'd.): "Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #145

Councilman Gabrielsen: "Appoints member to the Board of Assessment Review. So moved."

Councilman Wooten: "I'll second."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #146

Councilwoman Giglio: "Authorizes the dismissal of Edward Tuccio as a municipally appointed director in the Riverhead Business Improvement District Management Association, Inc.; further authorizes the appointment of Edward Densieski as a municipally

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appointed director in the Riverhead Business Improvement District Management Association, Inc. So moved."

Councilman Wooten: "And seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "Yes. And I want to thank Ed also for his service to the Business Improvement District. They've done a great job."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten."

Councilman Wooten: "Yes. As liaison to the BID, I had an opportunity to work with Ed over the last year. He is quite the mover and shaker. So, yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #147

Councilwoman Giglio: "Authorizes the dismissal of Tim Griffing as municipally appointed director in the Riverhead Business Improvement District Management Association, Inc.; further authorizes the appointment of Martin Sendlewski as a municipally appointed director in the Riverhead Business Improvement District Management Association, Inc. So moved."

Councilman Wooten: "And seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "Again I'd like to thank Tim Griffing for his service and yes."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten."

Councilman Wooten: "Yes. And my appreciation to Tim Griffing, too, all these many years. Yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #148

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Councilman Gabrielsen: "Appoints member to the zoning board of appeals. So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "And again, yes. I'd like to thank Brenda Prusinowski. She's a-- she's been quite an asset to the zoning board of appeals."

We are looking to get new fresh opinions and fresh minds on these boards. So if anybody is interested on being on any of these boards, please submit your resumes to the clerk and she will distribute them to us. Thank you. Yes."

The Vote (Cont'd.) "Gabrielsen."

Councilman Gabrielsen: "I'd like to thank Brenda for her years of service and I want to welcome Frank Seabrook. He's a good solid citizen, I think, look forward to the town working with him. Yes."

The Vote (Cont'd.): "Wooten."

Councilman Wooten: "Before I vote I want to thank Brenda Prusinowski for her service on the ZBA. Her knowledge and experience was invaluable at times."

The ZBA was created with discretionary powers to meet specific cases of hardship and specific instances of improper classification. It is not destroying zoning as a policy but to save it. The property of citizens cannot and ought not be placed within a straightjacket.

What might be reasonable today might not be reasonable tomorrow. Great care must be taken to ensure that for the purpose and intent of the ordinance that the local law is carried out, lest too many changes without proper foundation destroying the zoning itself.

This fine balance is never cut and dry nor is it black and white.

I wish Frank Seabrook lots of luck and wisdom in his decision-making. I vote yes."

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The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #149

Councilman Wooten: "Authorize professional services agreement for final audit of Calverton recreational facilities. So moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #150

Councilman Gabrielsen: "Authorize the supervisor to execute two stipulations with Local 1000 AFSCME, AFL-CIO, Riverhead unit of the Suffolk Local #852. So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #151

Councilwoman Giglio: "Authorizes the supervisor to execute agreements for entertainment and educational services for the senior center. So moved."

Councilman Wooten: "I'll second."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #152

Councilman Wooten: "It awards the bid for the booster station at Dogwood Drive, Contract 2 - booster installation Riverhead Water District. So moved."

Councilman Gabrielsen: "And seconded."

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

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The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #153

Councilman Gabrielsen: "Awards bid booster pump station at Dogwood Drive, Contract 1 - telemetry Riverhead Water District. So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #154

Councilwoman Giglio: "Awards bid installation of water mains and appurtenances Cedar Cove Subdivision - Riverhead Water District. So moved."

Councilman Wooten: "I'll second."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #155

Councilman Wooten: "It awards the bid for electrical service upgrade at Plant No. 2 Riverhead Water District. So moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #156

Councilman Gabrielsen: "Awards bid for construction of Well 16 - well contract Riverhead Water District. So moved."

Councilwoman Giglio: "And seconded."

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

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The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #157

Supervisor Walter: "Diane, before you do that, just- I do have all the letters that are supposed to be attached. Somebody has to make sure that they all get attached."

Diane Wilhelm: "I wrote a little note so right afterward I'll- "

Supervisor Walter: "Okay, good. There, if you need them."

Diane Wilhelm: "All right. Thank you."

Supervisor Walter: "Okay, sorry."

Resolution #157

Councilwoman Giglio: "Authorization to publish advertisement for food and meat for the town of Riverhead. So moved."

Councilman Wooten: "Second."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #158

Councilman Wooten: "Authorization to publish advertisement for sporting goods for the town of Riverhead. So moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #159

Councilman Gabrielsen: "Authorize advertisement of bid notice - Howell Avenue pump station reconstruction and force main re placement - Riverhead Sewer District. So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #160

Councilman Gabrielsen: "Authorize the town clerk to post and publish a notice to bidders for installation of playground equipment for Bayberry Park, Millbrook Park and South Jamesport Beach Park. So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #161

Councilwoman Giglio: "Resolution of support and concurrence with the Suffolk County/Town of Riverhead Empire Zone (formerly Economic Development Zone) regionally significant project application. So moved."

Councilman Wooten: "I'll second."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #162

Councilman Wooten: "Appoints a call in detention attendant to the Riverhead town police department. So moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #163

Councilman Gabrielsen: "Authorize the supervisor to execute any and all necessary documents on behalf of the town of Riverhead for participation in the Suffolk County Downtown revitalization

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Round 8 program to make public improvements to the town owned East End Arts Council. So moved."

Supervisor Walter: "Any documents? Go ahead, sorry."

Councilman Gabrielsen: "So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #164

Councilwoman Giglio: "Approves attendance to Empire Zone education day. So moved."

Councilman Wooten: "Second."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #165

Councilman Wooten: "Authorizes financial administrator to attend the government Finance Officers Association annual conference. So moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #166

Councilman Gabrielsen: "Authorize the town supervisor to execute change order No. 1 for Grangebel Park north spillway. So moved."

Councilwoman Giglio: "And seconded."

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

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The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #167

Councilwoman Giglio: "Authorizes highway superintendent to attend annual NTEA convention. So moved."

Councilman Wooten: "I'll second."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #168

Councilman Wooten: "This offers support to the New York State Legislature to amend the General Municipal Law in relation to the creation of the Peconic Bay Regional Transportation Council and provide for the repeal of such provisions upon expiration thereof (Senate Bill #S.3181A/Assembly bill #A.6743A). So moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #169

Councilman Gabrielsen: "Offers support to New York State Legislature for the authorization of an advisory non-binding referendum in the towns of East Hampton, Riverhead, Shelter Island, Southampton and Southold on the creation of the Peconic Bay Regional Transportation Authority to replace the Metropolitan Transportation Authority (Senate Bill #S.6774/Assembly Bill #A.9861). So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "This would be a big relief to everybody out here because we would bump out the MTA and all the unjust monies they're taking from us. So, second, I mean go ahead. Yes. Let's get going with it. Can't wait. Whatever it takes."

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The Vote (Cont'd.): "Wooten."

Councilman Wooten: "Is it the MTA or the ATM? No, it's the MTA. Yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #170

Councilwoman Giglio: "Extends bid for dry hydrated lime (calcium Hydrozide) for Riverhead Water District. So moved."

Councilman Wooten: "I'll second."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #171

Councilman Wooten: "Authorizes town clerk to publish and post notice to bidders for corrosion control chemical (PO4). So moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #172

Councilman Wooten: "Terminates employment of the secretary to former town supervisor Phil Cardinale (Trina Miles Casiel). So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio."

Councilwoman Giglio: "I would like to thank Trina for her services to the town. Yes."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten."

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Councilman Wooten: "I'm going to vote yes but I know that we as a town board certainly tried to keep Trina in the fold. We had places for her but we just can't justify it this time, so maybe down the road. Yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #173

Councilwoman Giglio: "Authorizes retainer agreement with the law firm of Harold A. Steuerwald, Esq. LLC. So moved."

Councilman Wooten: "I'll second."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #174

Councilman Wooten: "Declares lead agency and significance of action on downtown waterfront improvements - boat house. So moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #175

Councilman Gabrielsen: "Extends special use permit for Theodora Cohen Single family residence. So moved."

Councilwoman Giglio: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #176

Councilwoman Giglio: "Approves attendance to New York State town clerk's association conference. And I am sure she will bring us back lots of good information. So moved."

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Diane Wilhelm: "I hope so."

Councilman Wooten: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter."

Supervisor Walter: "Can I go with you to Saratoga Springs?"

Diane Wilhelm: "Resolution adopted."

Resolution #177

Councilman Wooten: "Authorization to pay bills. So moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Walter."

Supervisor Walter: "I have two 177's."

Diane Wilhelm: "The dates might be different."

Supervisor Walter: "Okay. Yes."

Diane Wilhelm: "The resolution is adopted."

Supervisor Walter: "Okay, well that was quick. I open the comments to the public portion- to the public. Does anyone want to address the board on any matter that may be in our jurisdiction or may not be in our jurisdiction? Mr. Sendlewski, welcome aboard the BID, that is. We look forward to many years of your fruitful productivity at the BID."

Martin Sendlewski: "Thank you,. I dropped off correspondence to the town clerk- to the town board. I just wanted to briefly go through it. Actually I'll summarize it."

In 2006 a client of mine, Raymond Castrovono (phonetic) who is here received a site plan approval for a building known as the Zenith Building on McDermott Avenue. In 2009, February of 2009, he received a one year extension in accordance with the code.

Unfortunately the code the way it's written for some reason I still don't know why, says that you can get one one year extension.

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It really should be up to the discretion of the board because the one year doesn't seem to make sense. If there's a valid reason why a permit hasn't been obtained during that time, I don't see why the one year limit should be there.

Basically what the letter does, is we're requesting that the town board give another extension which you may have the flexibility to do. Seeing how this is in the East Main Street urban renewal area and in the Empire Zone, there may be some flexibility to extend the site plan just with an additional extension or if not, if we could just do a resolution to re-approve the site plan even if we have to submit another application form and a fee, just to re-approve it as is. Which would mean it really shouldn't require any review, it's the same documents that are already on file and just to prove it- he's just a few weeks or a couple months away from finalizing the financing.

The application was submitted to the building department. We have Sharon's paperwork, comments, a few minor issues that are required to the building permit but now it's like, okay, go back, you know, don't pass go, go back to square one."

Councilman Wooten: "You're saying this is the end of the second extension?"

Martin Sendlewski: "Yeah- the first. You're only allowed- "

Councilman Wooten: "Oh, so it's only two years?"

Martin Sendlewski: "It's a one year extension. According to the code, you're allowed one one year extension."

Supervisor Walter: "So, February '09 is when he asked for an extension."

Martin Sendlewski: "Correct. Correct. He got that and now it's, you know, there's no other extension you could do.

If we could just either- I don't know if there is flexibility in the Empire Zone to do that."

Supervisor Walter: "I know if the zoning board of appeals- I've had cases where this has happened and I- we do it at a public hearing but we open up the record and I ask them to incorporate everything in the record into this new public hearing and ask them to consider adopting it and the zoning board has done that in the past.

We don't do public hearings on site plans but I think if you talk to Dawn Thomas I think there's a way that we could do this. Just make them have- I hate to say it, reapply, because otherwise

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you're talking about us changing the code which I know we're considering some modifications in that vein but it might be not as cost effective for Mr. Castronova but we thank him for that money. But it's certainly quicker for us to incorporate the entire record and then just do another resolution."

Martin Sendlewski: "Right. The only thing I would hope is that-- and I know the town board as the lead agency should have this discretion, other than the application which is just going to say re-approve the previous application and the fee, there's no reason to submit prints, copies, ARB, because it's all the same stuff."

Supervisor Walter: "No. You're going to ask us to incorporate the entire record into this new application?"

Martin Sendlewski: "Yes. Nothing is going to change at all. Nothing is going to change at all. It's just getting the time so he can build. It's the third big project that's going to happen downtown this year. So-- "

Councilman Wooten: "Well, I can certainly sympathize with the way the financing has been going the last year for a lot of people I know. It's a common boat that people are in. I understand."

Martin Sendlewski: "So, anyway I dropped that off and I'll talk to Dawn if we could just expedite something because now we're in a catch-22 because he needs to get that renewed for the bank to issue the commitment letter which he needed in order to get the permit so we're-- we just want to tidy it up."

Supervisor Walter: "I don't think the board probably would have any problem renewing or just having him reapply and then incorporating it in-- "

Councilwoman Giglio: "I would have to recuse myself because Mr. Castronova is a client of mine."

Councilman Gabrielsen: "Yes. I think you've got the full cooperation of the board."

Martin Sendlewski: "All right. We'll submit the application and I'll talk to Rick whether it's just the \$500.00 fee for like an amendment or if it's going to be-- whatever it is, it is, and we just want to get it done. Thank you."

Supervisor Walter: "Okay. Thank you."

Martin Sendlewski: "Thank you very much for your help."

Councilman Gabrielsen: "Thank you."

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Supervisor Walter: "Good afternoon again, Sal."

Sal Mastropaolo: "Sal Mastropaolo, Calverton. You took that resolution off the table for the skate park, okay. I have some questions."

What's the cost of the attendant at the skate park, okay. And the reason I ask that question is because maybe it pays just to drop the fees completely, okay. You probably can make a business case that the out of town residents don't pay enough to cover the cost of the attendance at the park. Okay?

I mean, you want to increase usage. Maybe you do a three month study and see-

Councilman Wooten: "I don't think the fees cover the cost of the park in any event."

Councilman Gabrielsen: "No, but to address your question. We have two attendants now."

Sal Mastropaolo: "Right."

Councilman Gabrielsen: "We're looking to go down to one."

Sal Mastropaolo: "Why not just go down to zero?"

Councilman Gabrielsen: "Well, I think it's kind of like a safety to have somebody there to kind of monitor it so we're working on that."

Sal Mastropaolo: "Well, let me ask a question. Do we monitor the basketball courts around town? Do we monitor the softball fields around town? Do we monitor Bayberry Park around town?"

Councilman Gabrielsen: "Well I think the requirements for the skateboard park is safety issues, elbow pads, knee pads, certain things that we require for liability issues that- helmets, whatever, that the kids probably won't do and I don't blame them. So it's kind of a safety liability issue and like I say, we're cutting back from two to one and that's going to be part time."

Councilman Wooten: "Well, we have lifeguards at the beaches."

Councilman Gabrielsen: "It's the same thing."

Sal Mastropaolo: "Well then maybe we should charge non-residents at the beaches."

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Councilman Wooten: "We do."

Sal Mastropaolo: "Do we? Do we even ask?"

Councilman Gabrielsen: "Oh, yeah, absolutely."

Councilman Wooten: "You've got to buy a daily pass. It's pretty expensive actually."

Sal Mastropaolo: "Okay. A couple other things. Have we considered wind or solar at EPCAL? I mean have we gone out looking for somebody that would be interested in putting up a solar farm?"

Supervisor Walter: "There's a proposal now- "

Councilman Wooten: "For the landfill, I know that."

Supervisor Walter: "-- well, we have something at the landfill. There's a proposal now where we're going to be inviting the developer to come in before the town board. I believe it will be at open session to make the proposal and there's 40 acres of solar. And I have shared this with some of the board members because they gave me the print. But, yes, there is a proposal now for 40 acres."

Sal Mastropaolo: "Okay. One last thing. I started reading in Thursday's paper about EPCAL and the 755 acres and the proposal, the new proposed price of \$100 million dollars."

Supervisor Walter: "It's- yes."

Sal Mastropaolo: "And there's something in there that said he may go up another \$8 million. Isn't there a way of putting in a clause that says we'll sell it to you at a certain price and if the price of real estate increases over the next "x" number of years, we get a kicker on top of the original purchase price?"

Supervisor Walter: "Well there are kickers in the contract for sort of profit sharing so that part of the contract is there.

We're sort of limited because what happens is we may have a contract at \$155 million dollars but- "

Sal Mastropaolo: "Which he can walk away from."

Supervisor Walter: "But when the appraisal- but we have to walk away from it. So the issue is when the appraiser comes in and they can't finance it, yes, Riverhead Resorts is on the hook for a lot of money because they paid us a significant amount of money, but

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the closing happens— the value of the property is looked at the day of the closing or within a month or two of the closing.

So we're not really— it's not the board's fault, it's nobody's fault that the property value is dropped. I don't see that there would be a way to negotiate additional funds.

The thing you should understand, Sal, and the public should know is that the vacant land is taxed at \$1.7 million dollars, \$560,000 will go to the town of Riverhead each and every year from that parcel. So if you think about our— this year, the \$3.5 million dollar gap in the budget soon to be expanding, \$500,000 the minute we close is taken away.

So that's our built in kicker, taxes."

Sal Mastropaolo: "Okay, thank you."

Supervisor Walter: "Anybody else? Nobody? Okay. Well, I thank you. Can I get a motion to adjourn?"

Councilman Gabrielsen: "Make a motion to adjourn."

Supervisor Walter: "All in favor?"

Collective response: "Aye."

Supervisor Walter: "We're adjourned. Thank you."

Councilman Gabrielsen: "Thank you."

Supervisor Walter: "Thank you. Have a nice afternoon everyone."

Now we're adjourned. I want to hit the gavel."

Meeting adjourned: 2:47 p.m.