

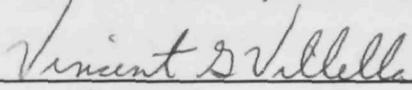
**WAIVER OF NOTICE AND CONSENT
OF SPECIAL MEETING**

We, the Undersigned, being all members of the Riverhead Town Board of the Town of Riverhead, County of Suffolk, and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York at 3:30 P.M. on the 23rd day March of 1998, and do consent to the holding of such meeting for the purpose of:

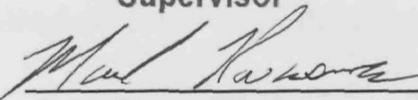
- Res. #219 Appoints Valerie Ann Marvin, Esq. as Hearing Officer in the Matter of a Disciplinary Proceeding Against A Town Employee.
- Res. #220 Authorizes Supervisor to Execute An Assignment with Universal Recycling Corp. and Waste Management of Long Island.

Dated: March 23, 1998

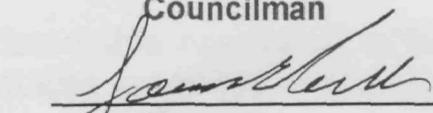
Town Board Members
Town of Riverhead, New York



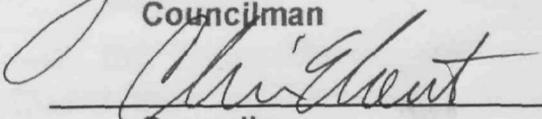
Supervisor



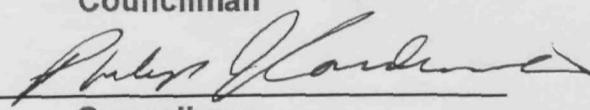
Councilman



Councilman



Councilman



Councilman

SPECIAL BOARD MEETING: March 23 , 1998

The Special Board Meeting was called to order by Supervisor Villella at 3:51 P.M. on Monday, March 23, 1998.

Present: Supervisor Vincent Villella
 Councilman Mark Kwasna
 Councilman James Lull
 Councilman Chris Kent
 Councilman Philip Cardinale

Also Present: Town Clerk, Barbara Grattan
 Town Attorney, Adam Grossman

Supervisor Villella: “We have someone in the audience here, Steve, okay.”

RESOLUTION No. 219

APPOINTS VALERIE ANN MARVIN, ESQ. AS HEARING OFFICER IN THE MATTER OF A DISCIPLINARY PROCEEDING AGAINST A TOWN EMPLOYEE

Councilman Kwasna inquired of the Town Board as to what this resolution was about.

Councilman Kwasna offered this resolution to be discussed in Executive Session, which was seconded by **Councilman Lull**.

The Town Board along with the Town Attorney discussed this resolution. The Town Board then opened the Special Board Meeting and,

Councilman Kwasna offered the resolution, which was seconded by Councilman Kent.

The VOTE: Kent, Yes, Cardinale, Yes, Kwasna, Yes, Lull, Yes, and Villella, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 220

AUTHORIZES SUPERVISOR TO EXECUTE AN ASSIGNMENT WITH UNIVERSAL RECYCLING CORP. AND WASTE MANAGEMENT OF LONG ISLAND

Councilman Cardinale offered the resolution, with discussion on it, Councilman Lull seconded the motion.

Councilman Cardinale: "Are we actually here acknowledging an assignment, is that what's happening?"

Supervisor Villella: "This is the deal that was worked out with the town, the other Town Board, with the landfill thing and they did what they were suppose to do on Zdunko Lane, so this is the formal formality of it to go on with it."

Councilman Cardinale: "An assignment between the town and Universal and Waste by which we do what?"

Adam Grossman: "We're just transferring the rights that Universal has underneath this thing, contract to Waste Management whose taking over those obligations."

Councilman Cardinale: "Are we, I assume that what's really happening, I just want to make sure that I understand that it is that Universal is signing their contractual rights to waste Management and we are, and we , our consent is required?"

Councilman Lull: "Yes, that's correct."

Councilman Cardinale: "And we are accepting it."

Councilman Lull: "Yes, correct, they haven't finished up their job up at Zdunko Lane before---"

Councilman Cardinale: "So that, ultimately then, Universal is still liable to the town and Waste Management to whom they assigned, is also liable to the town for whatever it is they are suppose to do."

Supervisor Vilella: "Right."

Councilman Kent: "But do we want to do this? I mean."

Supervisor Vilella: "Do what?"

Councilman Kent: "Well, I heard looking at the reports about waste management and what their practices are."

Supervisor Vilella: "No, this is fine. They came in here, Waste Management, they have nothing to do with Omni property, that was all a bunch of bull and everything, so, and these people are the--their going to be --they going to be doing alot of things for us, whatever we need around here, mulch for around here their going to do, he promises to be a good neighbor."

Councilman Kent: "Where's the list of people that we were talking about in other areas of town that they were bringing stuff in (Inaudible)?"

Supervisor Vilella: "Which isn't true. That's what we checked into."

Councilman Kent: "Oh, you checked into it."

Supervisor Vilella: "Omni is not and that TS Haulers has nothing to do with this group."

Councilman Kent; “Wasn’t their refuse seen?”

Supervisor Vilella: “No, that at those two places.”

Councilman Lull: “The only thing that they brought out that I was aware of, Leroy’s been aware of, was Zdunko Lane, that situation there and that will actually clarify before what’s going to happen in the future, but there is a, we have, we’re going against the transporting ..”

Supervisor Vilella: “Right.”

Councilman Lull: “Such waste, over town roads, which comes from other towns and we’ll have to come to an agreement with that before next year, right now, they can’t do anything because they have done what they can in that particular agricultural zone, they can’t put any more in for a year.”

Councilman Cardinale: “I have one technical amendment I’d like to offer before a vote. I have a question, we’ll take the question first. When we had a work session awhile back, about six weeks ago, I recollect that this staging area for this contract is in conflict and inconvenient with some other work we’re doing there.”

Councilman Kent: “I remember that, the mediation or...”

Councilman Cardinale: “And we have to consent that the language on the bottom paragraph should be not that the Town of Riverhead expressly agrees to assign all rights and duties; but actually expressly consents to the assignment of all rights and duties of Universal, as stated in the contract to Waste Management. So they need this from us, in order, and we don’t have to give it, so it seems to me that before we gave it, I would want to work out that problem, that we anticipate with the staging, that they are on property that we don’t want them to be on and we prefer them to be somewhere else. What department was telling us this, do you recall that Chris?”

Councilman Kent: "Yes, I do, that was Tom Wulfrett from Young and Young was asking us if there was some way. Also another one with Tom was Frank Isler, I believe was here."

Councilman Cardinale: "Yes, Frank Isler was here too."

Councilman Kent: "We were discussing possibly making some type of an agreement where they would have to relocate their operation from one point, part of the landfill to another part."

Councilman Cardinale: "That's correct, it's all coming back. What Frank said, was that apparently one hand did not know what the other was doing, they entered into this contract granting a staging area that we needed for another purpose."

Councilman Kent: "I agree with Phil here, we don't want to assign all rights, as if we were signing our rights, we consenting to the assignment of Universal's rights and obligations to Waste Management."

Adam Grossman: "What it says, is we're assigning all rights to and obligations of Universal."

Councilman Cardinale: "Yeah, but we can't assign their rights, we consent to their assigning them to Waste Management, but that's less significant, that change we'll make eventually, but should we table this in order to get the concession we want from them, as to the staging area and say, yeah, we'll consent but we would like you to..."

Councilman Kent: "Well actually this is coming to us at a time, I mean, its fortuitous that they need us to consent to this consignment because we were unhappy with the agreement to begin with."

Councilman Cardinale: "That's exactly the point. There was a mistake made in the agreement according to Frank Isler."

Councilman Kent: "And Bob, I think Bob also."

Supervisor Vilella: "And was that taken care of."

Councilman Cardinale: "Not yet."

Councilman Kent: "It was not, but now that the fact they need an assignment and consent to the assignment from us, I think we should take care of at this time."

Adam Grossman: "Of course, this is the first time I'm hearing of this."

Supervisor Vilella: "Right, this is why I'm trying to see if it was taken care before with Frank Isler. I mean our lawyers didn't get in touch with them to tell."

Councilman Cardinale: "No, in fact it was some suggestion, the reason this came to mind, was that not that I'm so brilliant ; but because I remembered that we thought about doing this when they came to us with the consent..."

Councilman Lull: "Yes, I remember this..."

Councilman Cardinale: "(Inaudible) talk at that time, then we'll ask them to move their staging area to another area."

Councilman Kent: "When needed though, not right away."

Councilman Cardinale: "Yeah, whenever..."

Councilman Kent: "We need to locate equipment for ..because remember they were saying they were going to do a reclamation or a capping."

Councilman Lull: "We'll check with one, we're going to have a staging area for that."

Councilman Kent: "We're going to have to go back and forth do one side than the other and (Inaudible)."

Supervisor Vilella: "Maybe we should find out exactly what they.... why don't we just table this for the time being, then we can check into it. We have the contract for that?"

Councilman Kent: "Why don't we put this on for the next work session and get Frank."

Councilman Lull: "Yeah, get in contact with Frank and have him come in."

Supervisor Vilella: "Yeah, we have to get this done as soon as possible, that's why we had a Special Meeting for this."

Councilman Kent: "We could pass this resolution at the same time next week, we can do this on the day of the work session."

Councilman Cardinale: "Yes, if we speak with them."

Councilman Lull: "It could very well be that Frank could get something worked out between now and Friday."

Councilman Cardinale: "That's even better."

Councilman Lull: "Absolutely."

Supervisor Vilella: "Why don't you get in touch, we're going to table this out..."

Councilman Lull offered this resolution to be tabled, which was seconded by Councilman Kent.

The Vote, Cardinale, Yes, Kent, Yes, Kwasna, Yes, Lull, Yes, and Vilella, Yes.

The resolution was thereupon declared to be duly TABLED

Supervisor Vilella: "Again, get in touch with Frank Isler, because we did have some problems with the landfill, where we would be staging, capping."

Councilman Lull: "It may have been something that we discussed after we had the discussion, it could very well be .."

Supervisor Vilella: "But we have to make sure."

Councilman Lull: "You're right."

Supervisor Vilella: "Phil, you could help out Adam with this."

Councilman Cardinale: "Yes, I'll brief you, I have to recollect."

There being no further business on motion and vote, Supervisor Vilella adjourned the Special Board Meeting at 4:07 P.M.

Barbara Scotton
Town Clerk