

Minutes of a Special Board Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York on Thursday, December 31, 1992.

Present: Joseph F. Janoski, Supervisor
James Stark, Councilman
Frank Creighton, Councilman

Absent: Victor Prusinowski, Councilman
Harriet Gilliam, Councilwoman

Also Present: Barbara Grattan, Town Clerk
Patricia Moore, Town Attorney

WAIVER OF NOTICE AND CONSENT OF SPECIAL MEETING

We, the undersigned, being all members of the Town Board of the Town of Riverhead, Suffolk County 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 Riverhead Town Hall, on the 31st day of December, 1992 and do consent to the holding of such meeting for the purpose of considering the following Work Session Agenda: (1) Resolutions for the Town Board Meeting of January 5, 1993; (2) Discuss memo of Town Attorney dated December 28, 1992 regarding Peconic River Cruises, Inc. and (3) Discuss memo of Town Attorney dated December 22, 1992 regarding Rimland Building.

Dated: December 31, 1992

TOWN BOARD MEMBERS
TOWN OF RIVERHEAD

JOSEPH F. JANOSKI
Supervisor

JAMES STARK
Councilman

FRANK CREIGHTON
Councilman

VICTOR PRUSINOWSKI
Councilman- ABSENT

HARRIET GILLIAM
Councilwoman
[ABSENT]

THIS MEETING WAS TAPE RECORDED AT THE REQUEST OF COUNCILMAN FRANK CREIGHTON.

Special Board Meeting began at 10:25 a.m.

Supervisor Janoski: "We have a resolution #732 which is a Budget Adjustment Special Trust/General Town."

Councilman James Stark: "Unless there are some serious questions on #732 to #752 I would make a motion to pass all these transfers in a block."

Councilman Frank Creighton: "I think there will probably be questions."

Councilman Stark: "Do you have any particular ones?"

Councilman Creighton: "If you want to wait a minute, I could probably narrow it down."

Supervisor Janoski: "Pardon me."

Town Attorney, Patricia Moore: (inaudible)

Supervisor Janoski: "It's not (inaudible) because it's not on the agenda."

Town Attorney, Patricia Moore: (inaudible)

Supervisor Janoski: "I don't know why."

Councilman Stark: "Do you have a resolution on" (inaudible)

Supervisor Janoski: "I believe that it's in here."

Supervisor Janoski: "Number 758 the effective date of that should be January the 11th. Barbara if you would make that change."

Councilman Stark: "Awhile you do that I'm going to get a resolution (indistinguishable) if I can find it. Do you have that resolution?"

Supervisor Janoski: "I'm looking for it."

Councilman Stark: "I don't see anything either."

Councilman Creighton: "I didn't see anything on that."

Town Attorney, Patricia Moore: (indistinguishable - something about a grading permit)

Supervisor Janoski: "I was under the impression that it was done."

Councilman Stark: "Would you ask Monique about that?"

Supervisor Janoski: "Just call her. Number 765 need not be done. The Suffolk County Legislature has passed the necessary legislation to release the mortgage tax."

Councilman Stark: "Does 766 become 765?"

Supervisor Janoski: "Yes."

Town Attorney, Patricia Moore: (inaudible)

Councilman Creighton: "General Fund Transfers."

Councilman Stark: "I make a motion that a grading permit be given to-----"

Supervisor Janoski: "It wasn't prepared?"

Councilman Stark: "I guess not."

Supervisor Janoski: "No."

Town Attorney, Patricia Moore: (inaudible)

Supervisor Janoski: "Do you have a question? Jack."

Councilman, Frank Creighton: "What's the, this is on 742. General Fund Transfer of \$136,000.00? Sixty five thousand is going to administration. General fund?"

Financial Administrator, Jack Hansen: "Risk retention is the self-insured fund liability."

Councilman Creighton: "Risk retention?"

Financial Administrator, Jack Hansen: "Risk retention is. And" (interrupted - cannot hear speaker - two people speaking at once)

Councilman Stark: "Number 42?"

Councilman Creighton: "Yes. What does Administration General Fund mean?"

Financial Administrator, Jack Hansen: "All claims that are against self risk retention are better identified as general fund type litigation. For instance something that materializes in the highway versus something that materializes with sewer or water etc."

Councilman Stark: "Do you want to make this 766?"

Supervisor Janoski: "Yes."

Councilman Stark: "I make motion to approve 766 Approves Grading Plan for Wendy's Restaurant. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: "Creighton, yes; Stark, yes; Janoski, yes."
3 YES 2 ABSENT

Councilman Stark: "Do you want a copy Peter?"

Peter Danowski, Esq.: "Yes please."

Councilman Creighton: "Resolution 745. Transfers funds \$67,000.00 into miscellaneous to the Landfill Refuse and Garbage District. What is that?"

Financial Administrator, Jack Hansen: "They are the various special districts and the general fund goes back to part of the cost of the operation that we lend support to. For example the Accounting Office, the Town Attorney's Office, Purchasing Department and the Tax Receiver's Office. (indistinguishable people speaking and banging things on table) in 1991 those particular departments and there is a charge to the very special districts for that service."

Councilman Creighton: "So this is not a transfer within a district?"

Financial Administrator, Jack Hansen: "Excuse me."

Councilman Creighton: "This is a transfer out of the district?"

Financial Administrator, Jack Hansen: "No that is a transfer to cover a bill that is written against that."

Councilman Creighton: "Sixty seven thousand dollars?"

Financial Administrator, Jack Hansen: "Sixty seven and some change."

Councilman Frank Creighton: "So this is a transfer from the garbage district to the general fund."

Financial Administrator, Jack Hansen: "In kind service."

Councilman Stark: "Charge backs."

Financial Administrator, Jack Hansen: "Landfill, sewer, water, (interrupted)"

Councilman Stark: "Highway."

Financial Administrator, Jack Hansen: "No, highway is not included."

Councilman Creighton: "What do we write off on miscellaneous budget line?"

Financial Administrator, Jack Hansen: "Legal expenses go against that and various office expenses are (inaudible) as

well."

Councilman Creighton: "What district is this in?"

Financial Administrator, Jack Hansen: "That's the (inaudible - other people speaking) weekend for the developers when they put in the developments for water."

Councilman Creighton: "So it's the water district?"

Financial Administrator, Jack Hansen: "It's the Water District."

Councilman Creighton: "Okay. Alright. In the Scavenger Waste District I see we are removing \$80,000.00 from the General Fund into Scavenger Waste. Am I right in assuming that half of that should be charged back to Southampton?"

Financial Administrator, Jack Hansen: "I didn't follow the question."

Councilman Creighton: "In this (Res.) 751 we're moving, I presume this is the fund balance, from General Fund-----"

Financial Administrator, Jack Hansen: "No, Scavenger Waste is an appropriated balance."

Councilman Creighton: "Okay. And this is being charged against Scavenger Waste costs?"

Financial Administrator, Jack Hansen: "To raise their appropriations."

Councilman Creighton: "So this doesn't reflect the General Fund balance transfer into the district?"

Financial Administrator, Jack Hansen: "No."

Councilman Frank Creighton: "Okay. Is there a shortfall in that district?"

Financial Administrator, Jack Hansen: "Yes."

Councilman Frank Creighton: "And how is that covered?"

Financial Administrator, Jack Hansen: "It's covered by the advances from the various General Fund."

Councilman Frank Creighton: "Which have already taken place in budget transfers?"

Financial Administrator, Jack Hansen: "Just to keep cash. No, it's a intrafund, it's an advance, it's a payback."

Councilman Creighton: "Do you know what the net loss was in that district for this year?"

Financial Administrator, Jack Hansen: "No, not yet."

Councilman Creighton: "Am I right that that loss should be shared? Have we gotten any feedback from the auditors from Southampton this year?"

Financial Administrator, Jack Hansen: "They said their audit was complete and they were happy with what they saw and---"

Councilman James Stark: "I talked to Freddy Theile yesterday by chance and they are going to expedite. I said Freddy we don't want to get them p_____d in the paper, but G_____t if you find something wrong fine. If you don't find something wrong, let's pay. He said I--- Don't put this in there. (inaudible do to microphone noise) Oh boy, wipe out what I just said."

Councilman Frank Creighton: "Sixteen thousand being removed from fund balance into Building and Grounds, I presume. It says Personnel Services, I presume that's what peril?"

Financial Administrator, Jack Hansen: "Yes. That's to cover some of the expenses incurred when Mr. Gevinski was transferred over to Building and Grounds and (inaudible) let go and severance (inaudible) adjustments."

Councilman Frank Creighton: "Jimmy did you get a bump in personnel costs in Recreation Administration?"

Financial Administrator, Jack Hansen: "It covers Stanley's severance."

Councilman James Stark: "Yes. We had a huge payout on Stanley. It was miscalculated and we're making it up over a two year period. Am I not correct?"

Financial Administrator, Jack Hansen: "And he asked for it over it. Spread."

Councilman Frank Creighton: "The \$58,000.00 being transferred into capital projects bicentennial. What is that?"

Financial Administrator, Jack Hansen: "For the Bicentennial weekend and that's the costs that were incurred. Over and above the \$45,000.00----(cannot distinguish) and over and above (cannot distinguish)"

Councilman Creighton: "Is the forty-five included in this?"

Financial Administrator, Jack Hansen: "We spent----"

Councilman Creighton: "We budgeted forty-five."

Financial Administrator, Jack Hansen: "We spent \$65,000.00. If I remember right, it brought in something like close to \$7,000.00. The difference is why the general fund is supporting it the fifty eight."

Councilman Stark: "That doesn't take into consideration all the other income either. It will ultimately be transferred into it."

Financial Administrator, Jack Hansen: "I don't know about the Bicentennial as far as the committee fund of December. There was \$10,000.00 in there in cash at the beginning of the week. Diane and the committee are still running a New Year's thing so I don't know if that's money that's there is earmarked to pay the bills that were incurred or not. So I don't know how much of a profit she has or the committee has yet."

Councilman Frank Creighton: "This doesn't reflect any of the Bicentennial Committee's stuff?"

Financial Administrator, Jack Hansen: "Not at all."

Councilman Frank Creighton: "So the overall cost was \$65,000.00 not counting overtime and stuff like that?"

Financial Administrator, Jack Hansen: "Sixty five thousand dollars and some change."

Councilman Creighton: "And we only got \$7,000.00 in revenues?"

Financial Administrator, Jack Hansen: "Somewhere in the neighborhood."

Councilman Creighton: "Does that sound right? We only got \$7,000.00 in revenues for the Bicentennial weekend?"

Deputy Supervisor, Monique Gablenz: "For the concert? We have \$5,000.00 in (out in audience - cannot hear rest)"

Councilman Creighton: "Didn't they lose money too?"

Deputy Supervisor, Monique Gablenz: "From the concert? Yes."

Councilman Creighton: "They are going to be hard pressed to do that aren't they?"

Deputy Supervisor, Monique Gablenz: "Well they gotten some from fund raisers-----" (rest inaudible - other person talking near microphone)

Councilman Frank Creighton: "So if that materializes, that \$58,000.00" (inaudible- other board members speaking near microphone)

Councilman Creighton: "I don't know how we got ourselves into that? How did we do that?"

Deputy Supervisor, Monique Gablenz: "The Bicentennial was a fund-raising project. But we were not the only ones who experienced shortfalls (inaudible) There were some very good concerts put on, but the tickets just did not sell for a number of reasons that I think were beyond our control and couldn't be estimated."

Councilman Creighton: "Is that the last one?"

Councilman Stark: "Yes."

Councilman Creighton: "Is there a motion out there?"

Councilman Stark: "I'll move from Resolution #732 to Resolution #754 inclusive."

Councilman Creighton: "I'll second it."

Supervisor Janoski: "Moved and seconded."

The Vote: "Creighton, (statement)"

Councilman Creighton: "You know that I regret that we have to take money out of the General Fund to pay for a loss like that on a project that we had hoped would generate it's own funds to pay for itself. But these are legal obligations and bills that the town has to pay. So I vote yes to pay these and to make these budget transfers."

The Vote: "Creighton, yes; Stark, yes; Janoski, yes.
3 YES Motion is carried."

RESOLUTION #755 - SETS SALARIES OF CONSERVATION ADVISORY COUNCIL FOR YEAR 1992

Town Clerk, Barbara Grattan: "Resolution #755, Councilman Stark."

Councilman Stark: "I will not move this resolution."

Supervisor Janoski: "I'll move it."

Councilman Creighton: "I'll second it."

Supervisor Janoski: "Moved and seconded."

The Vote: "Creighton, (statement)"

Councilman Creighton: "Just a comment. Is there any sense on the Board to double this salary for the Conservation Advisory Council? I don't hear anything. I vote yes."

The Vote: "Creighton, yes; Stark, (statement)"

Councilman Stark: "There was a very strong sense of one Councilmember to eliminate the whole damn thing. Yes."

The Vote: "Creighton, yes; Stark, yes; Janoski, yes.
3 YES Motion was carried"

Councilman Creighton: "Here's one more resolution."

Supervisor Janoski: "Frank that's inappropriate to do that tonight. This is the stuff for the organizational meeting. As a

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matter of fact I had asked Miles to do up a little memo which he just dropped off to me.

Councilman Creighton: "What we are talking about is a resolution to reappoint Barbara Blass to the Planning Board. She is completing, I believe, two terms. Two five year terms on that Board. I see that the chairman has recommended this in writing as he did verbally and that her work for me on the Jamesport Hamlet Study and I learned from Vic on the Aquebogue Hamlet Study has been superb and all the recommendations with respect to reappointing her have been positive. Since her term expires today and I don't believe there are any other members of either the Zoning Board or the Planning Board that are up for reappointment this year so I thought that rather than drag it over into next year we go ahead and pass a resolution reappointing her for another five year term."

Supervisor Janoski: "I understand that Frank, but her term has not yet expired. It is until midnight tonight and she carries over until January the 5th. It is inappropriate to do this and it is and I can demonstrate that by saying that in some Decembers, there is an outgoing Town Board and an incoming Town Board. The sitting Town Board on December 31st. cannot make the appointments for the following year.

I have a problem in reappointing Barbara Blass. I have said that to Miles Fairly and am sure that on January 5th she will be reappointed. I wouldn't be dramatically surprised. But it is inappropriate to do that today."

Councilman Creighton: "I thought that since this year the Town Board won't change, you know between the two years, you know this is not an annual appointment, but it is a five year appointment."

Supervisor Janoski: "Frank let me put it this way."

Councilman Stark: "There will be no second to it."

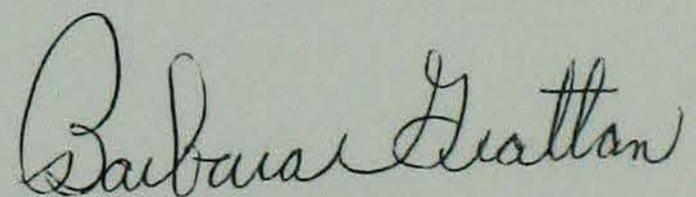
Supervisor Janoski: "I'm not going to second it."

Councilman Stark: "Let's wait please. Alright."

Councilman Creighton: "Okay."

Supervisor Janoski: "Meeting is adjourned without objection at 11 a.m."

BG:CH


Barbara Grattan
Town Clerk