

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, January 4, 2000, at 7:00 p.m.

Present:

Robert Kozakiewicz,	Supervisor
Philip Cardinale,	Councilman
Christopher Kent,	Councilman
Edward Densieski,	Councilman
James Lull,	Councilman

Also Present:

Barbara Grattan,	Town Clerk
Dawn Thomas,	Town Attorney

Supervisor Kozakiewicz called the meeting to order at 7:05.

Supervisor Kozakiewicz: "We start tonight's meeting. It's 7:05. So I'd like to get started as close and promptly as possible. I want to thank everybody for showing up for the first meeting of the 21st century and the new millennium. I don't believe there's any need to introduce ourselves. Our nameplates probably do that already. What I would like to do at this point in time is have everyone rise and if I could have Dawn Thomas lead us in the Pledge of Allegiance."

(The Pledge of Allegiance was recited)

Supervisor Kozakiewicz: "Barbara, I guess we'll start with Reports, if we could. Oh, I'm sorry. We have to actually first before that we have to approve the minutes of December 21, 1999 and can we have someone who can move those?"

Councilman Lull: "I'll move those."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Okay, moved by Councilman Lull and seconded by Councilperson Chris Kent."

Barbara Grattan: "Do you guys want to vote on these?"

Councilman Kent: "They separated us, just like in class."

The Vote: "Densieski, yes."

Barbara Grattan: "December 21, 1999."

Councilman Cardinale: "I'm not use to my new surroundings here. Yes, we did have minutes on December 21st."

Councilman Lull: "That was a special meeting."

Councilman Cardinale: "Yes."

Councilman Kent: "Yeah, why don't we move the special meeting at the same time? Oh, we don't have minutes yet."

Councilman Lull: "They're not printed yet, okay."

Councilman Kent: "You're slow."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes. The minutes are approved."

Supervisor Kozakiewicz: "Reports, Madam Clerk."

REPORTS:

Receiver of Taxes	Total collection to date is \$1,464,568.38
	Utility collection report for December. Total collected \$232,041.98
	1999 Annual Utility Report for 1999, total collected was \$2,747,763.79
Town Clerk	Monthly report for December Total collected \$6,656.44
Building Department	Monthly report for December, Total collected \$57,900.00
Open Bid Reports	Hallockville Museum, opened on 1/3 at 11:00, three bids were received

Cliff Road West drainage,
Opened on 12/27/99 at 11:00,
three bids were received

Barbara Grattan: "That concludes Reports."

Supervisor Kozakiewicz: "Okay. If we could have you proceed to Applications, please."

APPLICATIONS:

Site Plans

Rugby Recreational Group for
an 11x12 bathrooms only on
Fox Hill Dr., Baiting Hollow,
on the golf course

Sellpan Enterprises, truck
parts-warehouses extension to
construct a 225'x100' single
story block building extension
from an existing 80'x80'
single story block building

Calverton Post Office addition
to one story ordinary con-
struction addition

McDonald's Corporation
erection of 2,458 sq. ft.
building with 70 seats

New York State Federation of
Growers' and Processors' Assoc
Inc. on Doctors Path in
Riverhead to construct 7,000
square foot building to house
day care center with class-
rooms and associated
administrative office

Barbara Grattan: "That concludes Applications."

Supervisor Kozakiewicz: "Okay. Correspondence."

CORRESPONDENCE:

Rifow Associates	Regarding the rejection of an application by Town Nail to erect a 10 sq. ft. sign
Adam M. Nedvin	Regarding concerns of the proposed tower at the Boy Scout camp
Patricia Acampora	Urging the Town Board to take into consideration of the concerns of the residents before making a final decision on the Bell Atlantic Mobile Tower
Rick and Ann Schuessler	Regarding concerns about Bell Atlantic Tower
Mr. And Mrs. Richard Nedvin	Expressing concern about proposed microwave tower
Salvatore Mastropaolo	Regarding dangerous situation on Sound Avenue
Greater Calverton Civic Association	Thanking the Town Board for their quick response to their letter of October 27 regarding Schembri Homes and the Byzantine Catholic Church
Ciarelli & Dempsey	Regarding Riverhead Centre's change of zone and special permit applications
Richard G. Leland	Regarding Riverhead Centre LLC response to public comment

Barbara Grattan: "That concludes Correspondence."

Robert Kozakiewicz: "Thank you, Barbara."

Barbara Grattan: "You're welcome."

Supervisor Kozakiewicz: "I'm assuming that at the beginning of the year we probably don't have any committee reports because we still have to do committee reassignments."

Councilman Cardinale: "Speaking of reassignments, did Chris and I get placed here because we're-- you're suggesting an early exit, to keep us apart, or what is the reason?"

Supervisor Kozakiewicz: "No. Historically, the Town Board configuration has been by least seniority to most seniority. And I'm just following the prior protocol that was done by the prior Town Boards."

Councilman Cardinale: "From least seniority-- "

Supervisor Kozakiewicz: "Right. Lease seniority to my right to most seniority to my left."

Councilman Kent: "Yes, but Phil and I got elected at the same time, so-- "

Supervisor Kozakiewicz: "Well, we'd have a little problem unless we put both of you down at that end if that will-- "

Councilman Cardinale: "Well, I'm just comforted to learn it wasn't because you were planning an early exit for us."

Supervisor Kozakiewicz: "No."

Councilman Cardinale: "And it wasn't that you wanted to keep us apart."

Councilman Kent: "I thought it was a-- just like my teacher did to me several times in school. She used to move me away from the people I spoke to, so-- "

Councilman Cardinale: "On the other hand, Chris, we have them surrounded."

Supervisor Kozakiewicz: "There you go, there's an alternate viewpoint."

Councilman Lull: "It puts the pressure on Eddie. He's got to make the first vote."

Councilman Cardinale: "Right. I was never much for tradition. But I appreciate your following tradition."

Supervisor Kozakiewicz: "Thank you. At this time, if the Board would allow me, I'd like to take the first resolution that's in the packet and at this point in time call that resolution and take a vote on it if I may."

Resolution #1

Councilman Densieski: "Resolution 1 appoints Town Attorney."

Councilman Lull: "I'll second the move. The Resolution 1 appoints the Town Attorney, appoints Dawn C. Thomas, Esq. as Town Attorney. I'll second that."

Councilman Cardinale: "I have a motion for discussion."

Supervisor Kozakiewicz: "Motion allowed."

Councilman Cardinale: "First off, we traditionally allow the public to comment on resolutions before we consider and pass them. Is that going to be a change in procedure that you're making with deliberation or is it just-- why are we doing this without public comment prior to it?"

Supervisor Kozakiewicz: "This is something that, again, has been done in the past this way at the first Organizational Meeting so that the Town Attorney can join us up here, take part in the proceedings, and be actively involved right from the outset. This is not any attempt to avoid public comment. With respect to that particular issue, I did speak to Councilman Kent earlier. All we'd like to try and do-- is an experiment. It's a return to some of the old and specifically the old was that we would have a public hearing. In this case, we only have one public hearing on tonight's agenda. When that public hearing is closed, what I would like to do is open up the floor to an open comment period, that's open comment on resolutions as well as any other matter that's affecting the Town of Riverhead. See if that will result in a more expedited process and that's the thought here."

Calling this resolution out of order is nothing other than a protocol type of measure. That's all."

Councilman Cardinale: "In order to allow her to participate in

the meeting and that makes sense."

Supervisor Kozakiewicz: "Correct."

Councilman Cardinale: "Some sense."

Councilman Lull: "And, Phil, also at times we've done it, we've done it with the police officers and so forth, that they've had the resolution first, they've been sworn in, and then we've gone back to the meeting."

Councilman Cardinale: "Okay. Well if the public can, I guess, comment in the public session, I have a comment and the comment I have I've made to the Supervisor previously. Contrary to the previous administration where the Town Attorney position was advertised publicly and at least eight candidates were interviewed by all five members of the Board, this candidate was apparently selected without any participation from minority members of the Board, both of whom, I think, as attorneys, would have had some significant and intelligent, at least I hope intelligent impact on the decision.

I don't believe it was participatory, open. I know it wasn't advertised and I believe that it would be appropriate to do the selection in the same or similar manner open and participatory as was done previously. Furthermore, the manner in which the previous Town Attorney was discharged which occurred at a Christmas party by a letter from the then unsworn Supervisor seems to be to be totally inappropriate. I have the letter but in effect it indicated on December 23rd, dated December 20th, that you were telling the then Town Attorney he had no business being in the building after December 31st. It is my understanding that the Town Attorney previously serving holds over until the first meeting of the Board and, therefore, he should be here and there should be an exchange at the minimum to the new attorney now. There should have been and normally I would think that a week or two interlude would be appropriate for the interview process that all Board members could participate in.

Finally, aside from the manner in which the Town Attorney was selected and the manner in which the previous Town Attorney was discharged, which I believe to be illegal because you didn't have the authority to discharge him at the date you wrote the letter, I have great difficulty with the salary being accorded the Town Attorney here. This salary is \$58,000. Our attorney who started in the previous administration with five years experience as an attorney started at \$42,000. Our attorney after some years of experience was

making in the Town, a year of experience, was making less than \$50,000. We can't go over budget by more than \$10,000 and expect that we're going to stay on budget for the rest of the year. And I'll have further comments on your executive-- your selection for your own office.

But those are the reasons that I would ask that this matter be tabled for further consideration and further interviews."

Councilman Densieski: "Mr. Supervisor, can I comment?"

Supervisor Kozakiewicz: "Yes."

Councilman Densieski: "I was also on the Zoning Board, had a similar (inaudible) as Mr. Grossman. When the new Board took over, I did not even receive a letter which I would have gladly accepted. My contract ended December 31st. I left happily-- "

Councilman Cardinale: "Unhappily anyway."

Councilman Densieski: "Unhappily I left regardless. I didn't try to get any more money from the Town and I believe Mr. Grossman's contract ends on December 31st. Also, I believe the letter that Phil is talking about was signed by the Supervisor-elect. I don't think he'd try to take advantage of the situation.

Personally I have spoke with Ms. Thomas. I think she's more than capable. I think Phil and Chris will actually like her. I think they probably do now so this is kind of a waste of taxpayer time."

Supervisor Kozakiewicz: "Chris?"

Councilman Kent: "Just briefly. I have no problem with the selection of Dawn Thomas as Town Attorney. I think she's an excellent attorney. However, the manner in which the prior Town Attorney was discharged, I do think was inappropriate. I think he should have-- I think he should be here tonight until such time as we appoint a new Town Attorney. I think the past Town Attorney should be acting in his position as Town Attorney. And contrary to your position as a ZBA member which is an appointed term on a Board which ends as of 12/31, I think you cease acting as a ZBA member and the next Zoning Board of Appeals meeting which is sometime after the 1st of the year. I think there really is no impact upon you as a ZBA member and there's really no-- it's easily distinguished-- your position on the ZBA and the sitting Town Attorney. The Town Attorney should have been here

yesterday; should be here today; should be working right now until a new Town Attorney is appointed.

And I agree with Phil that the letter you wrote asking him to clean out his desk and return all Town materials on December 31st, I think was without merit because you lacked the authority to do that. Only the Town Board can appoint a new Town Attorney and only a Town Board can discharge a prior Town Attorney.

But I'm willing to act on the appointment of Dawn Thomas today because I think she will do a good job for the Town. I think she's a good attorney and I'd like to move on with this and I think we've had enough discussion. But if anybody else wants to be heard."

Supervisor Kozakiewicz: "Briefly."

Councilman Kent: "And, Ed, by the way, I believe that every Town Board member has the opportunity to speak on issues and I don't believe anything a Town Board member says is a waste of the taxpayer's time. I think we each hold our own opinions and I think we were elected to express them and if we're going to be told that expressing our opinions is a waste of the taxpayers time, I think we are taking away the rights of government. Because we're each elected by the people to represent the people and the reason we were elected is because we do have opinions and we are able to express them publicly. That's why we are elected.

And if you're telling us we shouldn't speak, I think you're doing a disservice to the public."

Supervisor Kozakiewicz: "Briefly-- "

Councilman Densieski: "Chris, I may have thought that about your opinion but I certainly didn't say that."

Supervisor Kozakiewicz: "All right. Enough. I think there's been enough discussion. I would just like to put in my two cents if I may.

I know that prior administrations had not exhibited courtesy to prior Town Attorneys to let them know how they felt and whether they were going to reconsider them or not. And I'm not talking about you. I'm talking about other administrations where they came in on January 1 or 2 and found someone else sitting in their office. I approached Mr. Grossman early in December and advised him that I was or we were

looking at other candidates. I thought I did the right thing by telling him that right out the bat and in an open and honest way rather than hide the truth and indicate that we would be keeping him on.

With respect to the question of whether it's legal or not, I will not comment because I suspect there may be some litigation that may follow challenging my actions so I will not comment on that.

With respect to Ms. Thomas, I was part of the process. I know that both Mr. Cardinale and Mr. Kent did, in fact, also speak with her yesterday. I found her to be extremely competent. She has nearly two times the experience in terms of years, and I'm not going to just quantify it in that nature that Mr. Grossman had. She has also acted as a prosecutor in the past, prosecuting village ordinances, something that Mr. Grossman did not bring to the table when he was hired. She has a prior experience in handling numerous appeals and including the fact that as an intern the district attorney's office and in particular Mark Cohen who I highly respect, thought enough of her to take her under his wing and have her handle an appeal that went up to the Court of Appeals, the highest Court in the State of New York.

So based upon that fact, I feel the salary is a fair and just salary and I am happy to have her aboard, hopefully, once we get through this diatribe. So-- "

Councilman Cardinale: "I have a motion to table and before we hear a second or not a second on it, I-- the manner of the discharge of the previous Town Attorney aside from showing a smallness of spirit or a lack of breath of spirit, is not very consequential. The salary is \$10,000 over budget and even if she may be a Mercedes, budget calls for a Ford and when we can afford Fords, that's what we ought to buy.

But most importantly and this is what my motion to table is based upon, is the attorney who sits in that chair is supposed to be the attorney for the Town Board, all five members of the Town Board. It is obviously clear to everyone including the Supervisor who acknowledges it that there was no participation by Chris and I, also attorneys, in the selection process. That is very contrast to the manner in which I believe that properly government should be conducted. It's not Bob's attorney. It's the attorney-- and it's not either of the other, Jim or Ed, it is the Town Board's attorney. And I ask that this motion be tabled to allow participatory democracy to occur.

I am sure that we are going to have the same Town Attorney incidentally because they have three votes. I'm not a fool. But I think it is a measure of small spiritedness and anti-democratic sentiment that we did not participate in the interview process. And that is the objection which I have that is principle and I ask that the matter be tabled."

Supervisor Kozakiewicz: "All right. At this time, I think we've had enough discussion. If we can have a vote on the motion to table."

Councilman Kent: "I'll second the motion to table."

The Vote - to table: "Densieski, no; Cardinale."

Councilman Cardinale: "Yes, for the reasons stated."

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

Councilman Kent: "I'd like to explain my vote. I think it's important that we move forward and I'm not going to act tonight in any way to block the progress and the moving forward of town business. I understand Phil's principal argument. I agree with it to the extent that I think things were done improperly but I don't think we can-- I don't think we should worry about water over the bridge at this point. I think we should move forward so I'm going to vote no to table but with the understanding that I think this should be a participatory process and I think you should include Town Board members in both interview process and in the hiring process from this day forward. So I hope that this at least puts out on the table that we're dissatisfied with the way things were handled. But I'll vote no."

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

Councilman Lull: "Your request to have more participatory (inaudible), Chris, only comes from logically from your working on the Personnel Committee and I note it and I agree with it. I vote no."

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

Supervisor Kozakiewicz: "I also vote no and take Chris' comments to heart. He will note that there is, in fact, in the resolution packet today a resolution which is going for the posting of a help wanted ad with respect to the position of legislative secretary. So, hopefully, we're on the right track. No."

Barbara Grattan: "Okay, the resolution is not tabled."

Supervisor Kozakiewicz: "That's correct. Now, do we have someone who has moved the resolution and seconded."

Councilman Lull: "It's been moved and seconded. Yes."

Supervisor Kozakiewicz: "All right. If we can have a vote on that resolution, Resolution #1, please."

Barbara Grattan: "To appoint a Town Attorney."

Supervisor Kozakiewicz: "Correct."

The Vote: "Densieski."

Councilman Densieski: "I'm going to vote yes because we need a Town Attorney, we need a competent Town Attorney now. Outside counsel was too high. If we have to pay a little bit more for a truly competent attorney, I think it's going to save us. If we look at the costs of outside counsel over the last two years, I'd gladly welcome you with that salary. I, too, also take Phil and Chris' point about being-- having participation. As a matter of fact, I did speak to Chris about Town Board Coordinator. He said he would like to be involved in that process and I agreed with him. So on that, I'll vote yes."

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

Councilman Cardinale: "I have no-- I believe from my initial interview that the Town Attorney being selected is competent. Again, I refer you to my comment about competency of a Ford versus the competency of a Mercedes. We cannot afford this. A budget is an outline of what the Town is prepared to spend and accordingly I cannot vote for a candidate that is at least 25% over the budgeted amount for that candidate. So I vote no."

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

Councilman Kent: "I think in order to pay her the salary we're going to pay her, I think we're going to be forfeiting the services of a Deputy Town Attorney unless we're going to come up with some monies to expend for the services of a Deputy Town Attorney. So I think we are within budget but we're going to lose a professional person in the process, an attorney. So, but I will vote yes."

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

Councilman Lull: "I'm going to vote yes. The \$58,000 is not over budget. The budget for salary in that office is at 72. It does include money for a Deputy and whatever is left over will be able to be used in that capacity. The primary job is to get the best and most competent person on board as soon as possible. I vote yes."

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

Supervisor Kozakiewicz: "As pointed out, the budget has not been exceeded here. There is a question of whether we can hire a Deputy with the balance of funds left. I have had a conversation with Ms. Dowd who was previously appointed in that capacity and she was led to believe that she would be having a full time appointment from the Board which was not budgeted in any event. So I don't think we would have had her as a second attorney in any event given the factors and what has happened with the budget from its preliminary budget to tentative to final budget."

Saying that, once again I want to reiterate my comments that I feel Ms. Thomas will be a great attorney for the Town of Riverhead, that she is extremely competent, brings with her a vast array of experience, and I vote yes."

Barbara Grattan: "The resolution is adopted."

Councilman Cardinale: "Could I get a clarification, Mr. Supervisor? Is Laury Dowd still on staff?"

Supervisor Kozakiewicz: "She is not included in the budget salary structure that we will see later."

Councilman Cardinale: "So if she is not-- she has been discharged?"

Supervisor Kozakiewicz: "No, she has not."

Councilman Cardinale: "Well, if she is making \$22,000 and she's making \$58,000, that adds up to 80 which is more than the budgeted amount for salaries. So which is it?"

Councilman Densieski: "She's on an hourly basis. She's in the budget on an hourly basis."

Councilman Cardinale: "She's in the budget only on an hourly basis?"

Supervisor Kozakiewicz: "That's correct."

Councilman Cardinale: "So that she is no longer going to be making the 22 if she remains."

Councilman Kent: "Well, what will happen is that we will have to reduce her hours so that she'll only have \$14,000."

Councilman Cardinale: "Right. She would have-- "

Councilman Kent: "Or, let's take-- I don't think she'll accept that so I think we will only have \$14,000 available to retain the services of a Deputy."

Councilman Cardinale: "But she is not on for the 22 that she was previously making?"

Supervisor Kozakiewicz: "That's correct."

Councilman Cardinale: "Thank you."

Supervisor Kozakiewicz: "Okay, at this time, I'd like to come around and swear Ms. Thomas in, please. If the Board would join me. Dawn, step us, please. Dawn was kind enough to lead us in the Pledge of Allegiance tonight. Dawn has been working with a local firm, Smith, Finkelstein, Lundberg & Yakaboski where she's been there for approximately nine years and I for one am glad to have her aboard. Dawn, if you would, raise your right hand, please and if you would please repeat after me."

Councilman Kent: "Does anybody have a bible?"

Councilman Lull: "Barbara, where's the town bible?"

Barbara Grattan: "I have no idea. We've never had a bible before."

Supervisor Kozakiewicz: "Well, I don't believe we need a bible."

Councilman Kent: "It would be good, but that's all right. We're going to proceed without it."

Supervisor Kozakiewicz: "I don't believe we need a bible, folks. I attended the inaugural ceremonies of Mr. Gaffney over the weekend, there was no bible (inaudible) at that inaugural ceremony. I know that there were a number of people who were sworn in that day and it was accomplished without a bible being used. So, if I may-- we solved the-- all right. We have a real bible now. We're ready to proceed. All right. Raise your right hand and repeat after me, please."

(At this time, Supervisor Kozakiewicz administered the oath of office to Dawn C. Thomas, Town Attorney)

Supervisor Kozakiewicz: "Dawn, if I could have you sign, please. Now that we've had all that fun, if we could the hour of 7:31 has arrived and Madam Clerk if you could read the announcement for the first public hearing."

Public Hearing opened: 7:31 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, at 7:10 p.m. on January 4, 2000 for the increase and improvement of the facilities of the Riverhead Water District consisting of the conversion of the Water District administrative building on Pulaski Street to a gas heating system, including original equipment, apparatus and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$20,000.00."

Supervisor Kozakiewicz: "Ken Testa, please."

Ken Testa: "Ken Testa, Riverhead Town engineer. This project proposes to replace an existing 15 year old-- I'm sorry, 50 year old inefficient oil fired boiler at the Riverhead Water District Pulaski Street facility with a new high efficiency natural gas fired heating system."

The new system will consist of three gas fired furnace (inaudible). Expected benefits of this project will include improved energy efficiency, reduced maintenance costs, better comfort control, improved system reliability, and reduce emissions.

The cost of this replacement project is not expected to exceed \$20,000. Therefore we are recommending a budget in the amount of \$20,000 (inaudible) using existing Water District parts. Thank you."

Supervisor Kozakiewicz: "Just to clarify. This public hearing is the result of the town conducting a bid. The bid was to convert a number of the town facilities from their current heat to natural gas. We-- I guess the Board when they had gone out to bid and actually have received bids which I believe were for the amount of \$185,000 for all of the structures, failed to appreciate that with respect to the Water District we needed to call a public hearing which was required by Town law. So this public hearing has been called-- it's a separate public hearing because of the fact that this is the Riverhead Water District and, therefore, that's the reason why this is being called separately from that bid. So just, hopefully, that clarifies things a little bit. Gary, do you wish to speak as well?"

Councilman Kent: "Not usually, unless you get him in the office."

Gary Pendzick: "Gary Pendzick, Superintendent of Riverhead Water District. That the need to replace it is paramount goes without saying. It is 50 years old. It's an old steam boiler. We've had lots of problems but it will be welcome to have a replacement very soon, as soon as possible."

Supervisor Kozakiewicz: "Okay. Is there anyone else in the audience who would like to be heard? George Schmelzer, please."

George Schmelzer: "I received correspondence from the Brooklyn Union Gas Company more than once about them offering aid to convert to gas from oil even financial aid, engineering aid to convert oil to gas. Has the town looked into that?"

Supervisor Kozakiewicz: "The town has been working with Brooklyn Union with respect to this issue. Gary has received from what I understand a water heater that has been provided at no cost-- "

George Schmelzer: "You mean for his house?"

Supervisor Kozakiewicz: "No, for the subject of the public hearing, George. I'm not going to talk about his house, we're talking about the public hearing, in the nature of the public hearing. He has received the water heater. In addition-- "

George Schmelzer: "He wishes he received it."

Supervisor Kozakiewicz: "George, George, if I may, I was speaking. You asked a question and I'm trying to answer."

George Schmelzer: "Why die he receive it, not the town? You said he received a water heater, not the town."

Supervisor Kozakiewicz: "Well, let's, you want to get technical and semantical-- George, if I may."

George Schmelzer: "Okay. I'm just kidding you."

Supervisor Kozakiewicz: "All right. And also with respect to the bid, there also was a contribution from Brooklyn Union. The number is \$20,000. Is that correct? So they will provide financial assistance to the town."

George Schmelzer: "Good, thank you. Thank you for the-- I can understand better now. I didn't understand it before. Thank you very much."

Supervisor Kozakiewicz: "You're welcome."

George Schmelzer: "All right. You've very welcome."

Supervisor Kozakiewicz: "So you're in favor of the proposal?"

George Schmelzer: "Yeah, it looks all right. Brooklyn Union Gas is acting much different than the old gas company did."

Supervisor Kozakiewicz: "All right. Thank you."

George Schmelzer: "Yeah, it's better."

Supervisor Kozakiewicz: "Anybody else who wants to be heard with respect to this hearing? Steve Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. I think I'm one of the few residents of the town that had the opportunity to be within that facility, the water facility, and you go in there on a cool day and with all that brick structure around, the secretaries in there are draped over with sweaters and so forth and the dampness so I say that a 50 year old heating system and the building as old as it is with moisture creeping in and dampness, it deserves a new up to date hot air heating system. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to be heard with respect to this public hearing? A question from Councilman Densieski."

Councilman Densieski: "Gary, what is the life expectancy of the new system? Is there one?"

Gary Pendzick: "I believe it's 25 years."

Councilman Densieski: "Thank you."

Supervisor Kozakiewicz: "Any other question-- any other comments, any other-- anybody else who wishes to speak with respect to this public hearing? Okay. Unless there's any objection, I'd like to close the public hearing, the time being 7:38. My eyes are going."

Public Hearing closed: 7:38 p.m.

Councilman Kent: "Didn't we make you go through a full physical before you assumed this, Jim?"

Supervisor Kozakiewicz: "At this point, as I indicated earlier, what I'd like to try is something a little bit new and a little bit old. I'd like to open up the floor for public comment from anybody who wishes to speak. I would point out to you that with respect to your opportunity to speak, we will at least try and experiment, we won't have the cards initially. If this works, so be it. If it doesn't, maybe we'll return to the cards."

Barbara Grattan: "I have a few here, Bob."

Supervisor Kozakiewicz: "You do. Okay. Well, we do have some. Okay. All right. Sal Mastropolo."

Sal Mastropolo: "Sal Mastropolo, Calverton. Resolution #25. Can you explain the transfer from capital project to Supervisor personal service?"

Supervisor Kozakiewicz: "Yes. This is going to go along probably with Mr. Cardinale's comments earlier and what I expect to hear a little bit later. Well, let me take a stab at it. All right. The budget as originally proposed by the Supervisor in September had a certain amount provided for in the Town Supervisor's budget line. The ultimate budget adopted in November removed a number of items from the Town Supervisor's line and instead placed them into this particular budget line. I am going to be asking the Board to consider two resolutions or two positions in my office. The one is for executive

assistant, the other is for a secretary. In order to allow that to occur, I am asking the Board also to consider this resolution which will transfer those funds which were originally in the budget, to transfer it back to this budget line, back to my office line."

Sal Mastropolo: "Resolution #26. On the third page, number five, it says per the attached rate schedule."

Councilman Kent: "Yeah, there's no rate schedule attached."

Sal Mastropolo: "There's no rate schedule."

Councilman Kent: "I have the same note. We need a rate schedule on that. That's the Peconic Land Trust agreement. It doesn't have the rate schedule attached."

Supervisor Kozakiewicz: "All right. If we need to, we'll-- well, maybe we'll have to table that if we do not receive it. I understood that it was supposed to be part of it. We'll see if we have it and we'll attach it and make it known before we vote on it."

Sal Mastropolo: "Okay. Resolution #32. I didn't see anything in the write up relative to a public hearing being held on this particular piece of property."

Councilman Kent: "We held a-- yeah, we held a public hearing on this a few months back."

Sal Mastropolo: "Okay. That's why I asked the question. Because there's nothing in here and I know there's been quite a few discussions on non-medical offices on Roanoke Avenue."

Supervisor Kozakiewicz: "There was, in fact, from what I understand a subject of discussion and was a matter of a special permit application which was heard by this Board or heard by the prior Board and, in fact, was granted-- that special permit application was granted so this is the second part, the site plan approval process."

Sal Mastropolo: "All right. Thank you."

Supervisor Kozakiewicz: "Is there anyone else who would like to address the Board at this time? Why don't you come up first, Rolph Kestling, please, and then I'll have you second Madeline."

Rolph Kestling: "Rolph Kestling, Wading River. First of all,

all you members know the problem I had with the builder about the water drainage on my property. It's been hanging around for a long time. You all got a letter. Mr. Supervisor, I'm sure you-- you know what it's all about. I just want to say at this time on the site, nothing has been done. Having said that, I will say that the builder at 10:00 this morning showed up at my residence and I would say he was close to being contrite as possible. He looked over the situation and he said give him a few days and he's going to take care of it. So we'll keep our fingers crossed.

Having said all that again, I want to thank the building department and Mr. Barnes for all the work that he did on it. I've made many trips there, I know I was a pain in the butt but they finally got it done. So I wish to say thank you to them.

One thing-- are we still on the five minute rule?"

Supervisor Kozakiewicz: "We're going to try to stay with the five minute rule, yes."

Rolph Kestling: "Well, I'm always under anyway."

Councilman Cardinale: "That doesn't mean you have to speak for five minutes, Rolph."

Rolph Kestling: "But it's something very important to me anyway and I think to the town. There was a meeting in November and you know my favorite subject at that time was the temporary greenhouse which I spoke to you in King Kullen at that time, too. Mr. Gargela spoke at that time and he acknowledged that there are many how will I say discrepancies in the town law and the state law. He admitted there were many abuses of the temporary greenhouse law. So he offered to meet with the Town Board and see if they can come together with this. So my question to you, Mr. Kozakiewicz, I know you're only-- "

Councilman Kent: "You better correct it now; it's going to happen forever."

Supervisor Kozakiewicz: "Kozakiewicz."

Rolph Kestling: "I am sorry. I apologize."

Supervisor Kozakiewicz: "Kozak."

Rolph Kestling: "All right, I'll try to say it and see what

happens. Even though you weren't Supervisor, you were in the back room and you heard everything. So my question is have you made anything in your plans on your agenda meeting with Mr. Gargela and taking care of this which I feel is an important subject."

Supervisor Kozakiewicz: "It's interesting you asked the question. I did meet with Mr. Gargela, Mr. Lyle Wells, Mr. Henry Talmage, and I'm sorry I can't remember the last person right now-- oh, Phil Schmidt (phonetic). We had a discussion there, a number of the Long Island Farm Bureau members with respect to, not this particular issue, I won't mislead you, but with respect to issues that have been matters of concern amongst the community and with the agricultural production people and farmers. They're-- under the prior administration I understand there was an Agricultural Advisory Committee that had worked and met with Councilman Otto Wittmeier and Councilman Victor Prusinowski which would be separate and distinct from the Farmland Select Committee. They would like to get that committee reestablished and moving forward to address items of legislation that are of concern. So it's something that has been brought to my attention and it's something I would like to start on as soon as I get my both feet hitting the ground. It's been-- "

Rolph Kestling: "But specifically pertaining to the "temporary greenhouse."

Supervisor Kozakiewicz: "This was one of the topics of discussion, temporary greenhouses, yes."

Rolph Kestling: "I think the town is being taken over by all the abuse on when they're using these so called greenhouses for retail operations. I thank you."

Supervisor Kozakiewicz: "You're welcome. Thank you very much. If, okay, Madeline Sendlewski, please."

Madeline Sendlewski: "Thank you. Madeline Sendlewski. I'm a member of the Polish Town Revitalization Committee. I am addressing the Town Board regarding Resolution #30, that is the approval of site plan of Jenny Joe Realty Corporation, more specifically it is the taxi cab company that is located on Pulaski Street in Riverhead right across the street from the elementary school.

I attended the ZBA meeting in February of 1999 to voice some concerns about this business moving into the property. There were other concerned citizens at this meeting that spoke as well. The ZBA

set forth certain guidelines for the premises, the gentleman has hence been waiting for approval from the ARB and your subsequent approval to go ahead with improvements to the site location, etc. However, one of my concerns is and the reason I am requesting that you do not approve this site plan tonight is that the gentleman has been in violation of the guidelines set forth by the Zoning Board on more than one occasion. He's to be limited to a number of 22 cars. I have on video 24 automobiles. The back of the property is full of debris, tires, garbage. I rode in there today. There are chairs; there are broken ladders, there is garbage, there is trash everywhere. I'm a little bit concerned about it. The gentleman also wishes to put up a stockade fence. It's going to look like an army barracks. It's going to be very unsightly to the community and the Revitalization Committee is very upset about it.

We would like an opportunity to be heard. I do not, I was raised by a gentleman that had his own business for many years. I don't want to take bread off this man's table but I know many people that own their own businesses that are interested in running a beautiful operation. If our town is benefitting him, he should benefit our community.

I would ask that you not vote on this tonight. We would request that we are granted attendance at a work session. I was scheduled to meet with the ARB and this gentleman, however, unfortunately, the flu caught a hold of me and I could not attend the meeting. I called the Planning Department and was told that they could not cancel it but that I could come and request that it be reheard at a work session before you gentleman sign off on the site plan. And I'm very much interested in this.

We have some ideas that we'd like to offer. We're not necessarily in favor of the shrubbery that's been recommended he put in. As I said, we're dead against the stockade fencing. We'd like a more decorative fencing being used. That is a minimal expenditure to the owner and, again, he has been in violation. I don't know if approving the site plan is going to-- is that a guarantee to us that he's going to go ahead and adhere to what has been recommended. We all know that our Code Enforcement Officer is totally overwhelmed. Unfortunately our committee has been a little bit of a thorn in his side. He's been very responsive and he does a great job. But why should we overwhelm him further?

Additionally, I would like to say that we requested that Mr. Kozakiewicz and Mr. Densieski visit our last Polish Town

Revitalization Committee meeting and they were nice enough to come and I asked if you gentlemen follow up with me on this issue and Mr. Densieski took it upon himself to call me and notify me because I have been ill with the flu, that this was scheduled to come on tonight. I might otherwise have not known. I want to thank you for your responsiveness. It means an awful lot to us. We have some wonderful, wonderful things happening in Polish Town. Great things. And we want to have the acquaintance and the charm offered by every business on that strip, including the taxi cab company. I thank for your time. That's all I have to say."

Councilman Kent: "Madeline?"

Marilyn Sendlewski: "Yes."

Councilman Kent: "I agree with you completely. I think what we should-- I'm going to move to table this resolution. I had actually spoken to the Supervisor and to the Director of the Planning Department before the meeting. I believe they're in violation now. And I don't think we should be approving site plans, permanent site plans for people who are in violation of their temporary setup. So, I will-- I'm going to move to table this this evening. Okay."

Madeline Sendlewski: "Well, Mr. Kent, I would thank you very much and thank you gentlemen for your cooperation."

Councilman Densieski: "Madeline, I'd like to point out also that that we did contact the MTA and they have started a pretty serious clean up effort over there. It does look a lot better. I think there is a little bit more that can be done. But I strongly agree with you that Polish Town needs to be revitalized."

Madeline Sendlewski: "And you know, Ed, I didn't get a chance to mention it to you but I spoke to their public relations director of the railroad-- what we're speaking about here, we're making them clean up their mess, and they are going to be finishing up within a two week duration. So, that's been great. Thanks."

Supervisor Kozakiewicz: "Carol Carey."

Carol Carey: "My name is Carol Carey. I reside on Hamilton Avenue in Polish Town. I'm also a member of the Revitalization Committee."

Barbara Grattan: "Carol, (inaudible)."

Carol Carey: "I'm sorry. And I'd like to ask the Board to re-review the site plan on this and I also would like you not to take a vote on it tonight. Thank you."

Supervisor Kozakiewicz: "I don't-- Carol, I know when you were coming past the gentleman to the side of you, I don't know if they thought that I bypassed them. Just to make sure, Carol had been standing up prior to you and I just thought that I would call her next. So, I'm sorry if you felt you were bypassed. Okay, okay, all right. Yes, please."

David Prokop: "Good evening. My name is Dave Brokow. I represent Jenny Joe Realty who is the applicant for the Jenny Joe Realty petition for site plan approval that is before the Board this evening. With me is Peter (inaudible) one of the principals for the company. This site as you well know for many years was an eyesore, intersection of Pulaski and Osborn was very much uncared for as far as being left (inaudible) a number of abandoned vehicles there, a lot of refuse, it was overgrown, there was a lot of activity going on there that was not desirable to the surrounding community.

My client closed on this property a year and a half ago, subject to obtaining permit approval for his business which he obtained from the building department. He even started a cleanup there, again, 23 unregistered vehicles out of the site, cleared all the rubbish out, took out all the overgrown weeds, started work on the building. He then received notice that he had to get site plan approval because the cleaning of the rear lot constituted under the Riverhead town code, clearing if you will again and, therefore, we were in the site plan process. Which is fine. We went through the site plan process; it's been a year and a half. In the interim, we had to get Zoning Board approval process. They asked us, even though it's always been a gravel parking area, in the rear area, they asked us to get approval to (inaudible) to the main gravel parking area which we willingly obtained. We also had to get approval for the storage of vehicles in the rear.

My client has six other businesses-- profitable businesses in other parts of Suffolk and Nassau County. He's running a first rate taxi cab operators, if you will, on Long Island. All of his operations are clean, they are desirable. I believe it's very misleading (inaudible) that the property right now at Osborn and Pulaski is unsightly or anyway, anything close to the way it was when we were closing this property. It is very clean right now. The vehicles right now in there are in compliance with ZBA approval. So

far we have no more than 22. It's possible at one time, Madeline saw there were more than (inaudible) vehicles. My client has a seasonal operation in Westhampton and it might have been for a day moving some cabs from one location to another location. (Inaudible) he knows he has a 22 vehicle limitation and complies to that limitation.

This evening, we very much expect that the Board will act on our resolution. We've been in the process for a year and a half for site plan approval, ZBA, we have a permit issued. We had a permit rescinded. We were told it was issued incorrectly. Nonetheless, we stayed in the system, we try to work within the system, we're here this evening. We're really not looking to have another year and a half that Mr. (inaudible) have to start his business here in Riverhead (inaudible) to the community.

One final thought on this. Mr. (inaudible) has always been very cooperative with the Polish Town community there. He's made space available during the Polish Festival as far as using the facilities there and the space there for parking what have you, been very receptive to Madeline's comments, has been a primary mover if you will as far as getting us comments on this application. She's really been the only mover. We haven't had any other individuals come forward to comment on this at any other public hearing.

At one point her brother appeared. He, in fact, was in support of our application. Nonetheless, we think-- prepared a site plan. It's very much a significant improvement for this location. It has a lot of vegetation. It's a very attractive community, the color scheme, the fencing as proposed by us we think is consistent with the business and very much should be a welcomed addition to the Riverhead business community."

Councilman Cardinale: "Mr. Brokow, for the last year and a half you've been trying to get a site plan approval?"

David Prokop: "That's-- "

Councilman Cardinale: "That's it? Just site plan approval?"

David Brokow: "--- to get the permit approval, to get the Zoning Board approval and (inaudible)."

Councilman Kent: "I believe they also needed ZBA approval."

Councilman Cardinale: "I thought it was going to be a new

record for Riverhead, a year and a half for site plan only. But your going to get ZBA approval and I heard some reference to the fact that you're in violation or your client is. Is there any charges outstanding that you're in violation of any ZBA-- "

David Prokop: "No. I received a letter-- "

Councilman Cardinale: "--- condition?"

David Prokop: "-- to make us aware by Sharon Klos, Building Department, aware that we do have a 22 vehicle limitation so that we would not be cited which I made sure that (inaudible)."

Councilman Cardinale: "So currently you have no outstanding violations nor do you have any outstanding notices to correct any situations at this site?"

David Prokop: "The only situation that has to be corrected is to get site plan approval because the original (inaudible)."

Councilman Densieski: "Madeline, what was the time frame of that video that you showed at the Civic Association?"

Madeline Sendlewski: "That was when we had our meeting, December 3rd."

Councillman Lull: "She has to be at the microphone."

Councilman Densieski: "Please come up, Madeline."

Madeline Sendlewski: "Yes."

Councilman Densieski: "Once again, for the record, we need the date approximately of the video that you showed at the Polish Town Civic-- "

Madeline Sendlewski: "That would have been December 3rd, our meeting at the Veterans Hall."

Councilman Densieski: "Thank you."

Councilman Cardinale: "Madeline, there's a couple things that I don't want to do here which may be mutually conflicting. One is if there's legitimate concern of the Polish Town Civic Association I do not want-- "

Madeline Sendlewski: "No. You're incorrect, Phil. This has nothing to do with the Civic Association."

Councilman Cardinale: "Yeah, okay. What group-- who are you representing?"

Madeline Sendlewski: "This is Polish Town Revitalization Committee."

Councilman Cardinale: "Okay. If there's a valid concern, I certainly don't want to pass a site plan. On the other hand, I don't really want to jerk this guy around any longer than he's been jerked around which seems to be a record already. You say there are violations from the Zoning Board of Appeals conditions. Could you tell me what?"

Madeline Sendlewski: "Well, to be accurate, what I said was there have been more than-- well, for example, it is suggested in the ZBA the night that they wrote it in the minutes, that only 22 cars be on the property. I have counted up to 44 vehicles on that property. I live 150 feet away from the business which is very unfortunate for you because I pass it everyday. Nobody can tell me they're not there. I made a video tape and I presented the video to all of the members of the Revitalization Committee, the code enforcement officer, Mr. Densieski and Mr. Kozakiewicz."

Councilman Cardinale: "Which establishes a violation on December 3rd. What I'm asking about is-- "

Madeline Sendlewski: "No. On numerous occasions. This was just me making a video to say here it is. This is what's happening."

Councilman Cardinale: "Is there a current violation that you can-- "

Madeline Sendlewski: "Well, me not being code enforcement, I didn't inspect the property. I see debris in the back of the building, there were a very large pile of tires which I noticed most of it was out today, and, again, it's the number of vehicles that are on the premises. Somebody did tell me, but I'm not an eyewitness to it, so I'm reluctant to bring it up, that there's been a lot of car washing going on there. Whether that's a code enforcement issue or not, I don't know. No. I really don't care if they want to wash cars, somebody may take an issue if it is an issue."

My point is this. I'm not here to give this guy a hard time. We have spoken, we get along, we shake hands, you know, he knows who I am. It's just that with the enormous opportunities, Phil, that we have going on in Polish Town, we are more interested-- we are just interested-- more interested in aesthetics of the building and the location. It's an opportunity before you put up a stockade fence to work with us and put up decorative fencing, board on board, something that's going to look attractive and have appeal to the community. I'm sorry. A stockade fence around that structure is not going to do it. I think it's just going to make way for maybe more debris to accumulate in the rear. He's not there everyday, he can't control it."

Councilman Cardinale: "Have you spoken to the Planning Board? Because I think you know this-- "

Madeline Sendlewski: "I appeared at a meeting on February 11th of 1999 and voiced all of my concerns that I have and I have it in writing with me here."

Councilman Cardinale: "Because generally speaking, did they-- were they responsive to those concerns? Because practically speaking, the Town Board, although it does a lot of things if ought not to, generally takes the Planning Board's recommendation as to site planning. Because we're not the planners."

Madeline Sendlewski: "I understand that. But that's why I'm here asking you not to do that."

Councilman Cardinale: "Yes, I know, that's my point. You're asking us to do something extraordinary, not to-- "

Madeline Sendlewski: "I don't think it's extraordinary at all."

Councilman Cardinale: "It is extraordinary because what you're telling me is that the Planning Board did not agree to what you were recommending and you're looking for us to-- "

Madeline Sendlewski: "Well, they made several of the suggestions that we asked for. For example, limiting the number of vehicles on the property to 22."

Councilman Cardinale: "And that was put in the site plan which appeared before us on Monday."

Madeline Sendlewski: "I have not physically seen the site plan so I only have the minutes of the ZBA meeting."

Councilman Cardinale: "Oh, okay. On Monday, yesterday, there was a site plan placed before the-- "

Madeline Sendlewski: "Sir, I did not know that."

Councilman Cardinale: "Okay."

Madeline Sendlewski: "And if I had, we would have had members of our Committee there because we might have avoided all of this."

Councilman Cardinale: "Okay."

Madeline Sendlewski: "That's what we're asking for, is a voice and if he will sit down, I am very apologetic to the gentleman that he's had to jump through hoops for a year and a half. I think it's absurd and so do you. Okay."

Supervisor Kozakiewicz: "If I can maybe interject. I think where Phil may be going with this is perhaps it might be advantageous to take a look at the site plan that's been marked up and initialed that came before us yesterday in a work session. Maybe that might address some of the issues that you're thinking about rather than continuing with the discussion we're having and we're talking about two different things since you're not aware or cognizant of that plan."

Madeline Sendlewski: "Well, Bob, I have been made aware that a stockade fence is intended to be used and there were a couple of other things that we didn't care for like the suggested shrubbery planting, etc., etc. I mean, you know, every thing we're asking for is not a lot-- "

Supervisor Kozakiewicz: "I'm not suggesting that. I'm saying maybe it would behoove everyone and I don't mean to cut you short, if you looked at the site plan that came before us and has been marked up with Rick and then see if your concerns are still the same."

Madeline Sendlewski: "When might we be able to do that?"

Supervisor Kozakiewicz: "I don't know-- Rick, is that something that you could do and take a moment of time right now? Okay."

Councilman Cardinale: "They could do it right now. He just said he's not doing anything."

Madeline Sendlewski: "Your office? Okay."

Councilman Kent: "Did we initial-- I don't believe we initialed the site plan."

Supervisor Kozakiewicz: "No, we didn't-- I don't know if we initialed this one. That's correct. Does it have to be marked up, red lined? Is that correct? Okay. So why don't we do that? Okay, thank you. All right. You had-- is it-- well, I think rather than go on at this point with respect to this issue with the site plan, I think it might as I said meet with Rick and let's move forward and then if the issues are still the same we can certainly hear you later but I'd like to keep the meeting moving if I could. Okay."

Madeline Sendlewski: "Sure. (Inaudible)."

Supervisor Kozakiewicz: "Yes, please. All right."

David Brokow: "With all due respect, my client (inaudible)."

Supervisor Kozakiewicz: "Can we-- I'd like to move on. It's not that I'm trying to be disrespectful or not but we've been on this for about 15 minutes. I know that there's probably-- we have a five minute rule and I'd like to try to adhere to it slightly."

Councilman Kent: "Why don't you see if you can work something out? If you can come back and report to us again whether you can or cannot, maybe we can let you speak later."

David Brokow: "Sure."

Supervisor Kozakiewicz: "Okay? Thank you for understanding. Is there anyone else who would like to be heard this evening? Yes, please."

Harold Brush: "Harold Brush, Aquebogue. Gentlemen. I'm not very good at this."

Councilman Kent: "You're doing great so far."

Harold Brush: "(inaudible) Duck Pond Estates is again faced with a problem of large commercial vehicles parking in our residential

area. I believe the problem was brought to the Board's attention in 1997 by Mr. John Brock, a Duck Pond resident. The situation that Mr. Brock presented to the then Supervisor Stark and the Board was apparently received without any action by the Board. However, the problem has again surfaced.

At the corner of Forest Drive and Maple Wood Lane, a closed body refrigerator truck is now parked in the driveway of that residence and at times out on Forest Drive. Since December 5th, the truck has only moved from the parked position twice, once on December 14th and also on December 22nd at 5:20 a.m. which awoke nearby neighbors.

Recently a similar truck has been making deliveries in the late evening staying 15 to 20 minutes, then leaving. It appears now in addition to the parking concern, a business is also being conducted at this location.

At the December 21, 1999 Board meeting, a petition signed by 21 residents of Duck Pond was presented outlining our complaint and a request for corrective action. No word from that Board has been forthcoming. I understand it was the last meeting. I understand that.

Our three adjoining towns of Southold, Southampton and Brookhaven all have codes restricting the size and type of commercial vehicles that cannot be legally parked in a residential area. Gentlemen, the residents of Duck Pond are working people, many children, widows and retirees. We like the area for its seemingly remoteness but nevertheless for being in close proximity to all necessities. We feel that an ordinance would to this problem is necessary to perpetuate our good feeling toward our own area and throughout the Town of Riverhead. As Abe Lincoln once said, I like to see a man proud of the place in which he lives. Thank you.

I would like to give you my-- "

Councilman Kent: "Mr. Brush, I believe we also adopted a code amendment limiting the size of commercial vehicles parked in residential areas."

Harold Brush: "According to your Code Enforcement Officer, no. In fact, he was the one that told this man it was legal to park in his driveway."

Councilman Kent: "There were size-- it had to be above a

certain size, I believe."

Harold Brush: "Well, this is a refrigerator truck with a (inaudible) unit on the front and over 20 feet long."

Councilman Cardinale: "That was the size."

Councilman Kent: "No, 26 is what I think. Because somebody convinced us that there were large pickups that were just under 26 feet that we did not want to restrict."

Harold Brush: "I don't object to pickups."

Councilman Kent: "No, no. I'm not saying that you do."

Harold Brush: "People ride to work in their pickups."

Supervisor Kozakiewicz: "Sir, sir, we can't pick you up on this discussion, so-- "

Harold Brush: "Okay, I'm sorry."

Supervisor Kozakiewicz: "If you could leave your presentation-- "

Councilman Kent: "Please, we'll investigate it."

Supervisor Kozakiewicz: "-- and what we'll do is we'll pass it along and investigate."

Harold Brush: "Thank you gentlemen."

Supervisor Kozakiewicz: "Thank you. Mr. Van de Wetering."

Joseph Van de Wetering: "I'm Joe Van de Wetering. I'm here to speak on behalf of Mrs. Patricia Hurley (phonetic).

Mrs. Hurley is a neighbor of ours and she wasn't sure if she was going to be able to be here. It has to do with the application of the Bell Atlantic Mobile for a special permit to construct a monopole antenna and related equipment at the Camp Baiting Hollow.

Dear Mr. Supervisor and other Town Board Members: (and Barbara, I have copies for you)

I oppose the application for several reasons and there are a total of four reasons that she's given. First of all, the location of the proposed site. In enacting Article 41, this is the town code and I have copies of everything that I'm referencing so you can look at it later-- "

Supervisor Kozakiewicz: "I'm sorry to stop you short. Is this a letter that she sent to all the Town Board members which we received yesterday? Is this the same letter that you are reading?"

Joseph Van de Wetering: "I don't know if it was sent of whether you received it."

Councilman Kent: "We received it yesterday."

Supervisor Kozakiewicz: "We received a letter from a Mrs. Hurley which outlines three or four points, I think it was three pages in length."

Joseph Van de Wetering: "Yes."

Supervisor Kozakiewicz: "Okay, yes. So this is the same letter, yes. I didn't mean to cut you short."

Joseph Van de Wetering: "That's fine."

Supervisor Kozakiewicz: "It's just something that she already had placed on notice and certainly I know it's not a matter for consideration today but the points that she had raised in the letter are points that we'd like to investigate and address. So, again, I'm sorry to interrupt you."

Joseph Van de Wetering: "That's fine. May I speak on my own behalf?"

Supervisor Kozakiewicz: "Sure. Certainly."

Joseph Van de Wetering: "I have not mailed this letter yet. I'm Joseph Van de Wetering. I reside in Baiting Hollow right next to the Boy Scout Camp. My family loves the Boy Scouts and we support them. But I'm sorry to have to be here again. Bell Atlantic is like a bad penny, we just don't seem to get them to understand that they are not wanted. We don't want a 62 feet or 100 foot tower placed in this bucolic environmentally sensitive area."

We have collected in a short time and submitted to you, 218 signatures demanding that the Board reject the plan to install this antenna on the Boy Scout land.

We have offered alternatives to Bell Atlantic - the present Town tower in Baiting Hollow, use of the existing tower on Fresh Pond Road, the uninhabited Pine Barrens, etc.

We have suggested - and our previous Supervisor supported - the buying of the developmental rights of the land owned by the Boy Scouts. And I am offering, right here, now, myself, to spearhead that activity.

The Boy Scouts claim the money is needed to make improvements to the camp. In 1981 the Boy Scouts needed financial help too. They were able to sell to the State the wetlands, an unusable area for the Boy Scouts, for \$175,000. We, the taxpayers, paid for this. What happened to that money? It certainly wasn't used for improvements.

The Boy Scouts are a not for profit organization and as a taxpayer I subsidize them. Their land is off the tax roll and as a taxpayer I subsidize them. What right do they have to commercialize their land? Are we supposed to stand by and allow this antenna farm to go forward?

And what about all the health issues we have raised at the previous Board meetings, the issues associated with cell phones and their associated antennas? Are we to ignore these issues 'til the FCC's new studies are finished, which is the year 2002? I have yet to hear from the Boy Scouts that the parents of the Boy Scouts have been made aware of this imminent danger.

The impact on the neighborhood character should be considered by the Board, not only the visual impact, but also the property value impact - which could be significant.

One final concern - the leasing of a portion of the 89 acres with the right of first refusal has made the option of selling the development rights mute. This contractual issue must be removed from the lease agreement.

The Township of Riverhead consists of 70 square miles with 25,000 inhabitants, we have approximately 54,000 acres of land or a density of one person in over two acres. Why then would we allow towers in a populated area?

I urge you to support your year round residents and taxpayers and not the outsiders whose motives are profit, not welfare. Thank you."

Supervisor Kozakiewicz: "Thank you."

Councilman Kent: "Joe, Joe, I-- your opinions are excellent and I'm happy to hear them expressed. Some of them that have been expressed are beyond the control of this Board. One is the contractual rights of the Boy Scouts to enter into an agreement with Bell Atlantic is beyond on our control. We cannot tell them that they cannot choose to enter into a contractual agreement with Bell Atlantic."

Joseph Van de Wetering: "Right."

Councilman Kent: "I wish you could take that up with their Board of Directors, not with this Board. We do have power over zoning, we have power over approvals of site plans and special permits, but we can't tell them that they cannot contract with a private agency, a private company."

Joseph Van de Wetering: "Of course not."

Councilman Kent: "And part of that request is as if we had some control over that. We do not."

Joseph Van de Wetering: "Well, you do. You can turn the application-- "

Councilman Kent: "We can. We can. But I cannot tell you that we-- I can't tell you that we could take any efforts towards breaking that contract with Bell Atlantic."

Joseph Van de Wetering: "I understand."

Councilman Kent: "Okay. Secondly, the development rights program is a voluntary program. So if we could get the Bell Atlantic-- I mean the Boy Scouts' Board of Directors to have any interest in selling the development rights, we then may be able to make some offer toward the purchase of those development rights. But we cannot force them into that program."

Joseph Van de Wetering: "I understand."

Councilman Kent: "Okay. It's a voluntary program. And I agree

with you. I think you said something about the contract may prohibit us at this point from even seeking those development rights. Because they would have to terminate that contract in order for us-- for them to even be interested in selling the development rights to us and for us to be able to make an offer. So while I agree with a lot of what you said, we're in a very tough position with circumstances that are able to do very much as far as some of the things-- some of the comments you made this evening. Okay."

Joseph Van de Wetering: "We are counting on you."

Councilman Kent: "Okay."

Councilman Cardinale: "But on the positive side, we could decline to allow them to put the tower up, that we could do."

Joseph Van de Wetering: "Absolutely. Absolutely."

Councilman Cardinale: "Got to keep your eye on the ball, that's about all we can do up here. Not a great deal of power here."

Joseph Van de Wetering: "We are in the process of talking to the Boy Scouts. I've talked to a former Board member and through him to the Treasurer of the Boy Scouts. There are people more on the national level being talked to and we will continue to pursue that. We really believe that the developmental rights is the right answer. The previous Board seemed to indicate that way. I think it would be wonderful for the Boy Scouts themselves and it would be terrific obviously for the neighborhood. Thank you for your time."

Supervisor Kozakiewicz: "Okay, thank you. Anyone else who wishes to speak at-- Ann Miloski, please. And, Steve, we'll have you next, please."

Ann Miloski: "My name is Ann Miloski, Calverton. I was going to speak on another subject, but before I do I wanted to say something about the Boy Scouts. The Boy Scouts is a non profit organization and Bell Atlantic Mobile is a commercial project which are asking to put on a non profit organization property that doesn't pay taxes to our town. So I think that's one reason it can be denied. And the other one is Sound Avenue is a national historic corridor and commercial development is not allowed on a historic corridor. So you have enough reason to deny it without any other reason."

Councilman Kent: "It's not true. Ann, on your first point,

again. I hate to-- I'm not trying to be the harbinger of bad news or to say that I'm against or in favor of this application at this point. But if the Boy Scouts as a tax exempt organization makes a decision to enter into an agreement with a for profit business, they can do that. We cannot prevent that. They may have tax impacts as a result. It may result in them being-- becoming a taxable entity. But that's a business decision that they have to make and we cannot control that."

Ann Miloski: "But in your zoning, they're not allowed to put commercial development in a historical corridor."

Councilman Kent: "That property is zoned agricultural-- I believe that property is zoned agricultural."

Ann Miloski: "It doesn't matter but if it's on Sound Avenue and that's a national historic corridor."

Councilman Kent: "Okay."

Councilman Cardinale: "We went through this on the-- remember that development just to the, let's see, the east on the south side of Roanoke, they put in that little development."

Ann Miloski: "You mean right across from Park Road?"

Councilman Cardinale: "Yeah."

Ann Miloski: "Yes, but that was already zoned country rural before the historical corridor came into place-- "

Councilman Cardinale: "But the historic corridor-- I'd be curious as to what significance legally it has. I know that they designated Sound Avenue an historic corridor. My observation-- my initial research that we did on that at that time suggests that that's kind of like saying the road is real pretty but it has no particular significance in regard to development of the road. Zoning controls that."

Ann Miloski: "But that isn't what it says if you read your national corridor-- "

Councilman Cardinale: "Good. Maybe we could discuss that because it (inaudible)."

Supervisor Kozakiewicz: "All right, we can look at that."

Ann Miloski: "But anyway that wasn't the reason I came here."

Supervisor Kozakiewicz: "Well, you had another reason? Right."

Ann Miloski: "I had another reason."

Councilman Kent: "Okay."

Ann Miloski: "I'd like to talk about site plans. I think that something should be done on site plans because once a site plan is approved, our Code Enforcement Officer, whoever is the person to be doing the job, is supposed to be going to the site and seeing that it's done proper. Correct? Well, in the case of the Byzantine Church in Calverton which happened at the previous Town Board or maybe even before that, their site approval, it was approved. They started to build, they dug this big excavation, they were approved to have two burials there without a certificate of occupancy, I've got to admit, and we as citizens have to go to the previous Board and to the two who are on it, three who are on it now, and have them-- they have done something about it, they fined the Byzantine Church but that doesn't help because there's a hole that's still there and nothing was even done properly. And I think you ought to have some kind of thing in your computer that when a site plan approval goes through, that you check things out and that when it expires that you have them go for another site plan. Now this plan expired. They never went for another site plan. And now they're being fined. But still we have a big hole and we have a mess there. And I think that something should be done. I don't know what, but you better do something."

Supervisor Kozakiewicz: "All right. Your comments are well taken. I think what you're asking us to do is establish some sort of tickler system or some way where we can keep track of these things and at a certain point in time take a second look or third look at them. Oftentimes with the site plan, as you know, if they're built out that's done during the process of building out and with the final CO that's issued. So this is one where I take it there was no work done on it initially and the site plan expired. It was allowed to expire by time."

Ann Miloski: "No. They did do work on it."

Supervisor Kozakiewicz: "Oh, okay."

Ann Miloski: "And they had two burials there."

Supervisor Kozakiewicz: "Okay."

Ann Miloski: "So they-- the burials were approved."

Councilman Kent: "Wait a minute. I think we have another issue here. I think New York State has control over whether they can accept bodies for burial and I don't think New York State would be too thrilled to know that they do not have their CO and their final site plan and that they are accepting burials. So I think we might want to contact the New York State Department of Health I believe is the agency that-- "

Ann Miloski: "Well, I wonder if that was done because I had gone to the Building Department. They said they contacted New York State. But anyhow-- "

Supervisor Kozakiewicz: "It was done? Yes. Leroy is shaking his head in the back. It was done. Okay."

Ann Miloski: "The other thing I wanted to speak about is Calverton Industries. The front part of that party is country rural and it's a mess there. And country rural in our own zoning code, there's things that they can't do. Right now they have this big rusty oil drum, I don't know what they're going to put inside of it. But it's right on the road for everybody to see and we do have a zoning code that that could be taken care of."

Supervisor Kozakiewicz: "Okay. Thank you. Steve Haizlip, please. I know you're up next Steve."

Steve Haizlip: "Steve Haizlip of Calverton. To start out with, Bob, you and I have known each other for quite a few years and I believe you know my format. So I'm not going to try to get the better of you and I don't you to try to get the better of me. I'm just going to say-- "

Supervisor Kozakiewicz: "Not at all."

Steve Haizlip: "The (inaudible), the way they are."

Supervisor Kozakiewicz: "That's fine."

Steve Haizlip: "Resolution 957 of '99. On the 4th of December, I brought that up. I wasn't able to attend the 21st meeting fully. I had to leave early and so I didn't get a chance to ask Mr. Kent what

he learned. You were going to learn something for me."

Councilman Kent: "I'm sorry, about which matter. I'm sorry."

Supervisor Kozakiewicz: "Well, can you clarify for us what 957 of '99 is?"

Steve Haizlip: "Yes, yes. That has to do with the Donohue (phonetic) pit, drainage. And it was RD Geronimo (phonetic) in conjunction with Young & Young. The question is, if this is a lawsuit and it's going forward for more money and Mr. Donohue feels it wasn't assessed properly and he got shortchanged, then why is Young & Young into that resolution title when it's a lawsuit and they don't know anything about assessment of land."

Councilman Kent: "No, Young & Young was the surveyor and RD Geronimo was the appraiser."

Steve Haizlip: "All right."

Councilman Kent: "So Young & Young did the mapping of the property and Geronimo did the appraising of how much the property was worth. So that's why they were both involved. There are two experts who will be testifying if it ever comes to a hearing for the eminent domain-- the condemnation proceeding. If we need expert testimony, it's going to be Young & Young who will testify as to the surveying, the topography, whether, you know, that impacts value. Okay. And-- "

Steve Haizlip: "Okay, Mr. Kent, I understand that. Because when I was talking with the Town Engineer which I was directed to, he didn't answer it that way, he only said he didn't hire him. And the Town Attorney at the time directed me to him and you were going to get the answer, so now I got it."

Councilman Kent: "Okay."

Steve Haizlip: "Okay. Bob, at the swearing in ceremonies, I noted something that I don't know if it's unusual or is that the way it is."

Supervisor Kozakiewicz: "Why don't we just make sure we're talking about the same swearing in ceremonies. You are talking about today or at the high school."

Steve Haizlip: "The high school."

Supervisor Kozakiewicz: "The high school. Okay."

Steve Haizlip: "Now, there was a Deputy Town Highway Super, Mr. McCaffrey-- "

Supervisor Kozakiewicz: "Caffrey (phonetic)."

Steve Haizlip: "He was sworn in."

Supervisor Kozakiewicz: "That's correct."

Steve Haizlip: "All right. Now there was a Town Clerk, Melissa White. She was sworn in."

Supervisor Kozakiewicz: "Deputy Town Clerk."

Councilman Kent: "Deputy."

Steve Haizlip: "Deputy Town Clerk. Now from all the news in the paper, you have a Deputy with the name of McCollum (phonetic). Is that somewhat close to being right?"

Supervisor Kozakiewicz: "He's not a Deputy. No."

Councilman Kent: "Joey McClennan (phonetic)."

Supervisor Kozakiewicz: "Executive Assistant. He's not-- it's not a Deputy."

Steve Haizlip: "That answers that. Thank you."

Supervisor Kozakiewicz: "Okay."

Steve Hazilip: "Now, for the last oh, about three years, I've been very active involved with this Long Island Golden Donors Blood Drive. Henry and I, we're on the Steering Committee. We have had the support and the cooperation of the Town Board. May I ask you for continued support of that?"

Supervisor Kozakiewicz: "I think that would be not something that would be unreasonable. Certainly we can give you your support-- our support, I mean. Is there a date coming up?"

Steve Haizlip: "We've already had the-- yesterday, it was yesterday."

Supervisor Kozakiewicz: "Yesterday, okay, all right."

Steve Haizlip: "So we've got a date coming up which will be May."

Supervisor Kozakiewicz: "As long as you give us adequate notice, we'll certainly make sure we work with you, Steve."

Steve Haizlip: "Right, okay, Bob. All right. Now, are you going to take into consideration keeping the CAC Committee, that is the Citizen Advisory Committee intact and let it operate or do you want to dissolve it? And the members of that was George, myself, Bill Roberts and Bill Kasperovich."

Councilman Cardinale: "I think this group gives invaluable service to the town and should be kept intact personally."

Councilman Kent: "And I think they should meet with the Supervisor personally on a regular basis."

Supervisor Kozakiewicz: "Thank you gentlemen."

Councilman Cardinale: "You met weekly with the Supervisor of the previous administration, always open to the people, always open to listening to ideas. I think, Bob, you should devote at least an hour or two a week to these four gentlemen."

Supervisor Kozakiewicz: "We're still wrangling over committees and other such things so it's-- your question is taken under consideration. I don't see a reason why it would be disturbed but we're still working with the committee assignments, Steve. So, I don't see a reason why we can't continue working together."

Councilman Cardinale: "What time did you meet? Was it Monday afternoon at 4:00? Yeah, that sounds like a good time I think for Bob as well."

Supervisor Kozakiewicz: "I will look at my own schedule. I appreciate your help trying to set that up. I will be in touch with you."

Councilman Cardinale: "It sometimes goes two and three hours though. You should know that."

Steve Haizlip: "Just so it's in the record. I want to inform

the old Board members and the new Board members that I did receive a booklet from the FCC on this health matter. As a matter of fact, I didn't read the book through. I don't know if-- but the question was the Town Board couldn't take in health reasons as their consideration in either granting or denying the permit and I think that book is available somewhere in case any of you want to read it. I hope that it was turned over to the Town Clerk's office."

Councilman Kent: "Did you-- did you turn that into the town? What did you do-- "

Steve Haizlip: "I turned it into the Supervisor at the time."

Councilman Kent: "Okay."

Steve Haizlip: "All right."

Councilman Kent: "Because I remember you had made a comment that they were slow in responding and usually that was bad news that they were slow in responding."

Steve Haizlip: "They finally did respond."

Councilman Kent: "Okay."

Steve Haizlip: "And I turned it over. Now, on this greenhouse issue, this temporary greenhouse issue, Mr. Barnes one time said that the reason you can't touch greenhouses is because they're considered as personal property. Hey, as far as I'm concerned, it's a structure that stays in the ground until you're ready to take it up. And if it has useful means, like your living quarters and your garage, it should carry a ratio of taxes. Thank you very much."

Supervisor Kozakiewicz: "Thank you, Steve."

Councilman Kent: "I don't think we should be quoting Mr. Barnes. He's in the Building Department. I think that you should be speaking to the Assessor's Office about that, whether it's taxable or not."

Councilman Lull: "It was Mr. Gargela who said it was personal property but that's what the State calls it."

Supervisor Kozakiewicz: "It's an issue with respect to the way it's assessed-- the State, and that's something again we've talked

about with the Long Island Farm Bureau and something I'm sure we will be bringing up later. Rick, do you wish to address the Board?"

Rick Hanley: "Yes. I think we have a resolution to the Jenny Joe affair."

Councilman Kent: "Jenny Joe."

Councilman Cardinale: "Great. Are you happy?"

Rick Hanley: "Yes, everyone is happy. It's poker night and I think Madeline is happy with the resolution. Essentially what it involves is a change in the type of fence-- "

Supervisor Kozakiewicz: "And the applicant is agreeable?"

Councilman Kent: "Wait a second. You said it was poker night. Did they call their bluff or did they not? I wasn't-- "

Rick Hanley: "(inaudible) want to know if he would put in the proper fence."

Madeline Sendlewski: "And we also offered to help him. He's now-- he's agreed to put decorative shadow boxing fencing where the fence is to be on Pulaski and Osborn. Because we don't really care what goes on in the rear. However, he needs a variance for six foot rather than four foot which will not benefit him at all. So Rick and I have agreed to try to help him expedite that since he has been through the red tape for a long time and we did it on a handshake and everything is fine. And in the spirit of cooperation, I have agreed to leave him alone."

Supervisor Kozakiewicz: "So as far as the resolution that's before the Board tonight-- "

Rick Hanley: "I've marked up the drawing, the fence is subject to variance. I will further mark it up to show it that the specification on the fence and I think you should approve the resolution as-- "

Supervisor Kozakiewicz: "With that amendment."

Rick Hanley: "With that amendment."

Supervisor Kozakiewicz: "Thank you."

Madeline Sendlewski: "Thank you gentlemen."

Supervisor Kozakiewicz: "Okay."

Councilman Kent: "Thank you Madeline. Good work, Rick."

Supervisor Kozakiewicz: "Anyone else who wishes to address the Board? Yes, George, we'll do, we'll leave you for last."

Councilman Kent: "You like to be last, George."

Supervisor Kozakiewicz: "Right, George?"

Councilman Cardinale: "George Kasperovich is last. He always is last."

Councilman Kent: "No, you mean Bill."

Councilman Cardinale: "I'm sorry, Bill Kasperovich."

Supervisor Kozakiewicz: "I'm sorry, I didn't catch your name during the banter."

Joan Griffing: "Joan Griffing and I'm in Baiting Hollow."

Supervisor Kozakiewicz: "Okay."

Joan Griffing: "And also with the Calverton Civic Association. First of all, I'd like to help correct some problems that are going on about Bell Atlantic cell site thing. Please address all correspondence to Bell Atlantic Mobile. They're two different companies. If you send it to Bell Atlantic, they're going to look at it, it's going to get caught up in red tape, get delayed and sit on somebody's desk until they decide to move it to Bell Atlantic Mobile. Two different companies you're dealing with.

The issue about the cemetery that Ann Miloski brought up. I don't know if you realize it's located between two residential neighborhoods and behind Riley Avenue School also. Tons of kids in the neighborhood and from the school. It's an elementary school. Kids are curious. Winter brings snow. We don't know how much snow this year. But it's a big hole with cement-- I don't know what you call it-- "

Councilman Kent: "They're vaults."

Supervisor Kozakiewicz: "Concrete vaults. Is that what it is? Okay."

Councilman Kent: "Yes."

Joan Griffing: "Kids will get hurt when the snow covers them. That's my main issue there. Resolution #29 approves site plan for Nextel Communications."

Supervisor Kozakiewicz: "Correct."

Joan Griffing: "What is that?"

Supervisor Kozakiewicz: "This is the existing tower that's on the east side of Edwards Avenue on the D'Lalio-- I think it's the D'Lalio farm. It's an existing monopole."

Joan Griffing: "Okay."

Supervisor Kozakiewicz: "So it's not going to result in an additional cell tower. It's going to use an existing tower. It's not going to be any higher. They're using what's already out there to set up some more antennas."

Joan Griffing: "Okay."

Councilman Kent: "We encourage that, by the way, in our code to prevent the proliferation of towers."

Supervisor Kozakiewicz: "It's existing."

Joan Griffing: "Okay. And also I'd like to thank the Board members from last year that are still on the committee here or on the Board and the new Board taking over and we look forward as the Association to work with you."

Supervisor Kozakiewicz: "Thank you. If you'd like to address the Board? Thank you."

Jim Garfield: "My name is Jim Garfield, I'm in Baiting Hollow, and I'd like to speak about two brief issues. In regard to the monopole antenna, I think that you should think about precedents that you will be setting if you allow this antenna to be built in an historic corridor, in an environmentally sensitive area on what is now tax free property, you will find it very difficult in the future to

ever deny an application for a monopole to be built anyplace else in Riverhead town. If this, if the pole cannot be stopped from this site, you are not going to stop one anywhere else. And I think you should consider that when you think about voting on this.

And also I'd like to talk about the Calverton Water Park project. To me this is the building of a big lake for them to play with their motorboats. This sounds to me like something that is not in the long term going to be financially viable. And I think if the Town is going to allow this to go through, they should require a performance bond to be posted so that if it does fail, the Town doesn't get stuck filling in these big lakes and having to deal with a mosquito problem and rehabilitating the property so it's saleable to somebody else. I think money should be secured for a sufficient period of time, three or five years, to make sure that these people make this profitable and not stick the Town taxpayers with rehabilitating this land if it's not profitable. Thank you."

Supervisor Kozakiewicz: "Thank you for your comments. Pastor Woodson."

Pastor Woodson: "Yes. How are you this evening? Good. I wanted to say-- I wanted to just mention a couple of things about the racial issue which I feel is the most important issue in front of Riverhead and maybe in front of the nation. I feel that with our new Supervisor whom I attended school with, who we played sports together with, and we are both third generations in Riverhead, so I feel that this is the perfect time for whites and blacks to become more tolerable of each other in this community, especially Polish and blacks. I feel that this is a perfect time for that.

And some of the things that I'm working towards this year, we only have three minutes, one is just to politically empower minorities, make them more voter aware, help them to understand what some of our candidates, what some of your issues are, what some of your opinions are on certain issues.

Secondly, want to get more involved and start an organization concerning a racial program, an economic empowerment program. We'd like to establish a credit union and a bank that gears to minority people. Also, we'd like to deal with educational and technical computer training to help minority people, blacks, Hispanics, Indians, of this nature become more involved in the political, educational and social process of Riverhead.

And, finally, I'd like to work on a racial unity march which shows that we do want to be more tolerable of one another, we want to respect one another regardless of our color and, of course, I'm working to get the churches together because I am a Christian. Someone mentioned the bible, so I am a Christian, I do have Christian values and I appreciate that you acknowledge that I am so I guess everybody knows what I stand for.

But we want to work for the churches coming together, to try to get a Christian representative on the Town Board. So I'm working for a couple of things, a Christian representative on the Town Board, not that there's not already Christians on the Board. I know Mr. Lull and probably others, so I don't want to sound judgmental or anything like that, just churches want to work together to have a representative along with Mr. Lull and others that espouse Christian ethics and Christian morality. So these are some of the things that I'm working for.

I'm also aspiring for political position on the Board. We can see by the representation that's here tonight that the minority community is not represented. There are two Afro-Americans here, no Hispanics that I know of, I could be wrong, and no Indians and, again, I am not-- I am for all people, born and raised here in Riverhead, I espouse freedom and justice for white and black alike.

But these are some of the agendas that I'm working towards this year and I don't want to work against the Town Board but I want to work with the Town Board as much as possible. And Mr. Kozakiewicz and I have talked about this."

Supervisor Kozakiewicz: "Yes, we have. And what I would like to do is certainly sit down with you very soon since I'm now here and maybe once I get fully settled in or a little bit more settled in we can talk further. I'd like to do that."

Pastor Woodson: "Good. Thank you."

Supervisor Kozakiewicz: "And if I could ask you to meet with Mr. McClellan-- Joey, if you could get-- "

Councilman Cardinale: "Your Executive Assistant."

Supervisor Kozakiewicz: "Yes. I had a little stumbling there. And get some information from the Pastor so we can get that set up."

Pastor Woodson: "Good."

Councilman Cardinale: "Incidentally, if regard to your Town Board aspirations, Chris and I seem uniquely situation as of this evening for a quick exit so I would check the papers in 2001 because there should be some openings."

Pastor Woodson: "Okay. I am very interested but I do want to say that I am looking forward to working with the Town Board, not against it, and looking forward to a peace prosperity and quality come more on our community, not that it's already not on it. But my objective is to help Riverhead become a better place. Thank you."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "I just want to point out too that this does go over free cable TV so there are I'm sure people of every ethnicity watching."

Pastor Woodson: "Well, I'd like to be on television. Okay, let's have a (inaudible)."

Dan Gianfalle: "Good evening. My name is Dan Gianfalle and I'm a Baiting Hollow resident and I just have a few brief comments regarding the cell tower and I was happy to hear Mr. Kent's comments of a few moments ago regarding the proliferation of cell towers and you're against that. So if it wasn't for your support (inaudible).

And it really is an issue about a cellular tower, not a contract. We don't want this tower. The communities that surround this community, the Scout camp, do not want the cellular tower.

The last two elections, gentlemen, you have asked for our support and we have gladly given it. We've elected you to watch our backs for things like this that come up in our community and put our beautiful bucolic setting in jeopardy. The communities that surround this camp are outraged that this is still being considered. These good people have come to these meetings month after month and this is still being considered, put off into the new year. We would expect that you would close out this issue fairly quickly this year.

As you know, this camp is adjacent to New York State protected wildlife estuary and as Mr. Van de Wetering, my neighbor, commented, the camp sold this to the state many years ago for a nice piece of change. As a resident of Baiting Hollow for 15 years, an Eagle Scout,

and a former camp counselor at this camp, I have never once had a Boy Scout knock on my door or have I received a mailing from the Boy Scouts of America asking for a donation. Not once.

So what I would ask you is not allow their inadequate fund raising efforts sway your decision for this vote. There are many other ways that they can go out and get money for their community and we would gladly help as Mr. Van de Wetering said, gladly help the Scouts. All they have to do is go about it the right way and ask the local community who they should be serving, not standing up and fighting against for money. What is that teaching the Scouts for the future? And we hope that you'll stand up and tell them-- put them in their place and Bell Atlantic Mobile that this is not going to be allowed in this area.

Do I dare say historic corridor? We look at it that way due to the Baiting Hollow Congregational Church being less than a mile away. This is a beautiful setting, I don't have to tell you that. This cellular tower would destroy the character of this area, it would destroy the hollow in Baiting Hollow. A hundred foot tower next to a 60 foot tree is going to be seen, no matter what Bell Atlantic tells you and right up against Sound Avenue, it's not going to be a very nice entranceway to the north shore and the town.

I would ask for your support. At the last Board meeting, I asked you if any one of you would want to be associated with ruining this area, this Baiting Hollow area. I don't think you want to. We ask you to support your constituents and please close this issue out as soon as possible. Thank you."

Supervisor Kozakiewicz: "Thank you."

Georgianna Doerschuck: "Hello, I'm Georgianna Doerschuck, and I just moved here a month ago and I would like to offer a piece of-- a small piece of advice and that is I have seen a beautiful town, the beautiful town of Palm Beach destroyed through special permits and special exemptions and I hope you'll bear that in mind whatever your decision is. Don't be fast to resolve a situation by allowing a fence that's too high so that people have accidents on the corner because they can't see around if a car is coming. Don't be too fast to permit special exemptions and special permits if I may offer that small piece of advice and I think it's wonderful and democratic the way you allow these citizens to express themselves. I agree with them at the same time. Thank you very much."

Supervisor Kozakiewicz: "Thank you."

Councilman Kent: "Could you do us a small favor and just spell your last name for us?"

Georgianna Doerschuck: "My husband said he was 12 years before he could spell it. D-O-E-R-S-C-H-U-C-K. I would like to say one thing, too. I hope that you vote against that tower. Such thing is (inaudible) magnetic radiation. It does stem from these towers. We have a (inaudible) and right here on Long Island in men as well as women and I think if you have any more (inaudible) Bell Atlantic-- "

Supervisor Kozakiewicz: "Gary, could you close the door in the back?"

Georgianna Doerschuck: "-- you might be having higher taxes with all the extra hospitalization required to treat cancer. So we don't want to-- you have to take that into consideration, too, besides being an eyesore."

Supervisor Kozakiewicz: "Thank you."

Georgianna Doerschuck: "Okay. I had a friend die-- in Palm Beach, a young, beautiful woman using a cell phone all the time, cancer of the brain."

Supervisor Kozakiewicz: "Thank you. Supervisor Villella."

Vinny Villella: "Ex-Supervisor Villella."

Councilman Kent: "Always be Supervisor."

Supervisor Kozakiewicz: "No, always Supervisor."

Vinny Villella: "I want to say hello to the new Board members, great, good holiday, but there's one-- Vinny Villella, Baiting Hollow. Okay. Resolution 34, because I remember two days before I left office this came on my desk and I wasn't too happy with it. Approves the site plan of Bay Gas Service. This is a huge propane tank that they want to put in there and I strongly recommend that you do not go with this, you deny this, because right across the street is the elementary school, Wading River Elementary School, and God forbid something happens over there-- "

Supervisor Kozakiewicz: "I-- we were discussing tabling this."

There's some issues that have been apparently raised at the last second by the fire marshal that have been brought to Rick Hanley's attention and our-- we will probably be looking-- I mean, I think the mindset here is to table this resolution."

Vinny Villella: "Besides tabling it, do away with it because it's within 500 feet of the school and it's a very dangerous situation.

The second one, I just wanted to talk about. They were talking about it before, is the site plan for the cemetery, 15 Church. I know Leroy spoke to them just the other day on this. You have to amend the site plan before you approve it and have them put a fence all the way around because the kids from Riley Avenue and also from that housing area, the kids running around and that, I think in the site plan you should put a fence around the whole cemetery so it won't be a problem with kids.

And the last thing I'd like to speak about is that, you know, before I left and I was dead set against Bell Atlantic cell tower and I strongly recommend that you be against it also. Thank you."

Supervisor Kozakiewicz: "Thank you."

Councilman Kent: "Thank you, Vinny."

Councilman Cardinale: "Thank you."

Sid Bail: "Sid Bail, Wading River Civic Association. I just found out about this Bay Gas Service thing. To say that I'm a little bit concerned about it, I hope that it's a much to do about nothing but I am sure when the news get widely disbursed in the community, there's going to be a great deal with the tanks about it. So I would hope that you would that you would set this aside so it could be reviewed (inaudible)."

Supervisor Kozakiewicz: "We intend to do that, Sid. Thank you."

Sid Bail: "Thank you."

Supervisor Kozakiewicz: "Is there anybody else? George? Oh, no. I heard a lot of oh no's. No, go ahead up and-- "

Councilman Kent: "I personally look forward to you coming up to

the microphone, George."

George Schmelzer: "I look forward to coming to see you, too. Somebody raised an issue before of a greenhouse not being taxed."

Councilman Cardinale: "Oh, no."

George Schmelzer: "Also, (inaudible), concrete plant can be taken down and moved and not taxed either, I believe. And then they're worth big money. So what's the fuss about? Everybody's (inaudible) somebody else's business. Now, someone here-- the Reverend said about African Americans. Now, we have a new, something new, Dave MacKnee (phonetic) went to Africa to start his business so he's the first American African we've got."

Supervisor Kozakiewicz: "All right, George. George, if I could ask you to address issues that are affecting us, this Town."

George Schmelzer: "(inaudible) asked me before, see."

Supervisor Kozakiewicz: "Well, I did indicate that. I was hoping to receive open comment or discussion about-- "

George Schmelzer: "Well, this is open comment, isn't it?"

Supervisor Kozakiewicz: "Well, not about just about anything that's on your mind. If you could-- "

George Schmelzer: "Are you talking-- you're talking weasily like a lawyer now."

Supervisor Kozakiewicz: "No, I'm not. No, I'm not. I'm trying to keep us on point. If it's certainly the issue with respect to the greenhouses is a fair topic, not that I want to say anything negative about Dave MacKnee but Dave's visit to Africa is not something that is relevant to matters that are-- issues that we can address. So if you could keep it-- "

George Schmelzer: "Well, he might have brought back cholera."

Supervisor Kozakiewicz: "George, George. I'm going to ask you if you could please keep it to comments and issues that we-- "

George Schmelzer: "Well, you've got to get more specific. You're rambling around."

Supervisor Kozakiewicz: "-- Town-- "

George Schmelzer: "I'm more confused than ever."

Supervisor Kozakiewicz: "Well, then maybe you should sit down and we can discuss this at another time. Excuse me?"

George Schmelzer: "You're sitting down all the time. I can't."

Supervisor Kozakiewicz: "All right. Is there something of concern that is something we can address?"

George Schmelzer: "Yes. Much concern if you'd let me tell it."

Supervisor Kozakiewicz: "Go ahead."

George Schmelzer: "Now there's a lot of talk about people are afraid of that tower, 100 feet high. Would they be afraid of tree goes to 100 feet, might fall down in a storm too? A tree could fall down and kill somebody if we have a windstorm with the Boy Scouts around it. Anyway, if you don't want that radio tower there, I've got (inaudible) south of the river, industrial land they can use. I'd rather get the money than them."

Supervisor Kozakiewicz: "We'll ask Bell Atlantic Nynex Mobile if they're interested."

George Schmelzer: "Yeah, so the Boy Scout Camp represents Boy Scouts from all the whole county. Of course there's no taxes there, Riverhead is bound by that. Now, I've said many times previously that the state should help us on (inaudible) state owned land. Nothing done about it. I wonder if you are going to do anything about it."

Supervisor Kozakiewicz: "Well, we're here for two days, the new Board. It's a topic that I've heard you bring up many times, George. I know that you've indicated that you feel that there's too many lands that are off the tax rolls and, therefore, we should get additional state aid. I know that was something the prior Board had worked on. I believe they have, in fact, obtained additional assistance from the state. We will work in that respect and work towards that end as well. So, the answer is yes, we'll try to help you in this regard."

George Schmelzer: "Help me, help everybody."

Councilman Cardinale: "George, are you on the CAC Committee?"

George Schmelzer: "What?"

Councilman Cardinale: "Are you on the committee that meets with the Supervisor each Monday at 4:00 p.m.?"

Supervisor Kozakiewicz: "We haven't agreed upon a schedule meeting yet. So don't lock me into that."

George Schmelzer: "Too many dried up and blew away over a year and a half ago."

Councilman Cardinale: "All right. Well, one of this commitments is to meet with the people and I'm sure he wants to meet with you."

Supervisor Kozakiewicz: "Phil, I could-- I'll speak for myself. All right. George-- "

Councilman Densieski: "I think Phil should be appointed to that committee."

George Schmelzer: "Well, you recommend the whole Town Board, not just yourself, don't you?"

Councilman Cardinale: "Right."

Supervisor Kozakiewicz: "George."

George Schmelzer: "You said it yourself."

Supervisor Kozakiewicz: "I said that I could speak for my own self and for my own schedule. But we'll talk about that."

George Schmelzer: "I can, too. Everybody can. It's supposed to be a free country."

Supervisor Kozakiewicz: "All right. Correct. Let's keep it to the issues at hand, please."

George Schmelzer: "Okay, what issues do you want me to talk about."

Supervisor Kozakiewicz: "If you have nothing else, I'd like you to sit down."

George Schmelzer: "I asked you what issues you want me to talk about."

Supervisor Kozakiewicz: "George, I don't want you to meander around forever and ever."

George Schmelzer: "I'm not meandering. You caused this meandering. I didn't. If you left me alone, I would have been done already. So, what about the expressway extension? What are you going to do about that?"

Supervisor Kozakiewicz: "I will look at it and consider it."

George Schmelzer: "Look at it? We've been looking for two years."

Councilman Densieski: "What does that have to do with town-- "

Supervisor Kozakiewicz: "George, George, I will consider it, please. Enough. This has been going on now for how many years where you come up here and address the Board in this fashion."

George Schmelzer: "That's right. It's about time you did something instead of looking. You'll get sore eyes after a while."

Supervisor Kozakiewicz: "George, do you want-- George-- "

George Schmelzer: "What?"

Supervisor Kozakiewicz: "All I can tell you is that I will consider it and look at the options. I will try to do my best job but if you're asking me to make a commitment to you today, two days into being in office, that's ludicrous. And you know that."

George Schmelzer: "Why is it ludicrous?"

Supervisor Kozakiewicz: "George, please."

George Schmelzer: "You're weaseling."

Supervisor Kozakiewicz: "George."

George Schmelzer: "Yeah, don't tell me it's ludicrous. You're ludicrous."

Supervisor Kozakiewicz: "If you keep this up-- "

George Schmelzer: "Yes. I'm-- "

Supervisor Kozakiewicz: "I don't want to engage you in an argument. I don't want-- "

George Schmelzer: "Well, you started it. You-- "

Supervisor Kozakiewicz: "I did not start this."

George Schmelzer: "I'd be done, let me say what's-- "

Supervisor Kozakiewicz: "Go ahead."

George Schmelzer: "Now the taxpayers of Riverhead are spending 5 million dollars a year in subsidizing that part of the school district which lies in Brookhaven and Southampton. Are you going to do something about that? The other Board didn't. How about you? This Board. Not you personally. You'll look into it. That's the answer I get, I suppose, huh?"

Supervisor Kozakiewicz: "Every time I respond you seem to want to get into a further argument. I'd rather-- "

George Schmelzer: "No. It's been going on for years, we've been stuck with that for years. Now you say it's just an argument, I'm looking for an argument. That's 5 million dollars a year we're paying for nothing."

Supervisor Kozakiewicz: "We'll look at it, George. I can only promise you that I'll do that and consider it. I can't-- I don't know what you are expecting this Board to do two days into office and address these type of things. I think this is an instance where you come up here and personally-- well, I'm not even going to go down there at this point. I don't want to even go down that road at this point."

George Schmelzer: "What road? Give you something to work on right now. If you don't know what to work on, it will give you something to work on."

Supervisor Kozakiewicz: "We know what your concerns are. You've addressed them, I think. Let's see there's how many meetings in a year? How many times do you come up at a meeting and make these

same comments? We know what your concerns are. No one here has lost focus of what your concerns are. You address them at every meeting, to I think the distraction of the people here in the audience. If you would, please, continue."

George Schmelzer: "Yeah. Are you done? Okay."

Councilman Cardinale: "George, did you say weasel before?"

George Schmelzer: "It's been going on for a couple years. Nobody does a damn thing. What?"

Councilman Cardinale: "Did you say weasel before? I thought that was a term you limited to another elected official."

George Schmelzer: "That's who I meant. Not anybody here, not yet."

Councilman Cardinale: "Oh good, good."

George Schmelzer: "So he just throws us a bone at election year so he makes believe he's done something. He's doing nothing that's permanent, that's permanent and good to solve this problem, like you do in the Adirondacks and other counties upstate. Really. This 5 million dollars a year should mean something to everybody."

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "I spoke at a work session one time on it and Mr. Lull said it's very simple, too simple maybe for them to consider. He knows what it is. That's his words, something like that, he said too simple for them to consider. He meant the state, I hope he didn't mean the Board. Maybe he did, too, I don't know. With a new Board, maybe they'd do something better. That's all I got to say."

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "Really?"

Supervisor Kozakiewicz: "Okay. Sal Mastropolo, please."

Sal Mastropolo: "Sal Mastropolo, Calverton. Can I offer a suggestion? On these resolutions, like Resolution #34, you almost have to read the entire six pages to cull out of this the fact that they want to put a tank in there for the remarketing of propane gas."

And the only way you find that out is because on one section you see where they talk about the storage of empty 20 pound containers. When I first read the resolution, I thought it was a 1,000 gallon storage tank for the use by Village Beverage. It doesn't state in here that it's for the resale of propane. I mean, as a suggestion in that resolution process, can't we make a statement up at the beginning that says the reason for this resolution is the purpose of the applicant, okay, you know, is to remarket, for example, propane. It would make this resolution-- "

Supervisor Kozakiewicz: "So in the first whereas clause add additional language stating what their ultimate intention is."

Sal Mastropolo: "Yeah, what the intent is, right. I mean, then it would be very clear to the people reviewing the resolution that this was-- the objective of this was to remarket propane at that site. Just a suggestion for the future."

Supervisor Kozakiewicz: "Right. Thank you for the suggestion."

Councilman Kent: "Thank you, Sal."

Councilman Cardinale: "Thank you, Sal."

Supervisor Kozakiewicz: "All right. At this time, unless there's further comments from anyone in the audience, I would like to take up the resolutions."

Resolution #2

Councilman Lull: "Resolution #2 ratifies the appointment of Ron Caffrey as Deputy Highway Superintendent for the Town of Riverhead. So moved."

Councilman Densieski: "Second."

Councilman Kent: "Discussion."

Supervisor Kozakiewicz: "Yes."

Councilman Kent: "I was discussing this with Councilman Densieski before the meeting this evening and I believe you were going to move to amend the contract."

Councilman Densieski: "Yes. The spousal leave days will be

removed. I spoke to Mr. Caffrey earlier and he's in agreement with that."

Councilman Kent: "So you're talking Article 3 Paragraph 7 would be omitted and I think we should renumber Paragraph 8 to Paragraph 7 which is parentage leave."

Supervisor Kozakiewicz: "No. The 7 which is the spousal leave sentence will be omitted and parentage leave will become Paragraph 7."

Councilman Kent: "I have another matter for discussion if we could. We didn't really have the opportunity to review this contract prior to the meeting tonight other than that it was inserted into our packet today. So I do have some questions."

Under Article 8, pension and longevity, first of all, who actually negotiated this? Did you, Bob? Did you negotiate this?"

Supervisor Kozakiewicz: "I spoke to Jack and Jack had been in communication with Mr. Caffrey and the contract. It's something that I know we-- Councilman Densieski and I have talked about. I would like to in the future change that policy and be more actively engaged in the negotiation of the contract and not have this come upon us suddenly. I think that all the parties here have looked at this. I don't know if you've had adequate time to look at it-- "

Councilman Kent: "Well, I just have a couple questions. I just want to basically, just to clarify. Article 8, pension and longevity. Since I haven't had the opportunity to look at Article 14 and Article 15 of the coordinated retirement plan which is referenced therein, Jack, do you want to walk, come up to the microphone and explain that to me or and, secondly, is he waiving any longevity payments by this contract? Is that what he's doing?"

Jack Hansen: "Question?"

Councilman Kent: "Reference that he is either a participant in Article 14 or 15, a coordinated retirement plan."

Jack Hansen: "Depending on when you retire, you (inaudible) in either Article 14 or Article 15 depending on the number of years of service."

Councilman Kent: "And that means to us, to the layman here on the Board-- "

Jack Hansen: "(inaudible) no way he can change that depending on when he started."

Councilman Kent: "Okay. Is he waiving his longevity by this contract?"

Jack Hansen: "Yes."

Councilman Kent: "Okay. That's a plus. And it is my understanding that any overtime or compensatory time would have to be approved by the Supervisor, there is no provision that he's allowed certain amount of time-- "

Jack Hansen: "There is no compensatory time in there at all."

Councilman Kent: "Okay."

Jack Hansen: "That's all there is."

Councilman Kent: "No time and a half?"

Jack Hansen: "No time and a half."

Councilman Kent: "Nothing. So these are all benefits, I think, to the town. And he's waiving his spousal leave so that's another benefit. People don't usually take it anyway, right?"

Jack Hansen: "It's very rarely used."

Councilman Kent: "Okay."

Jack Hansen: (Inaudible)

Supervisor Kozakiewicz: "Any further discussion?"

Councilman Cardinale: "I have some more generic concerns. First off, you probably can guess that I won't vote for this because there's a contract attached and for reasons I made clear at the last meeting, you can watch it from Channel 27, it was a long comment and I won't repeat it. I think this is not the way to go with our management personnel. A series of contracts which all have differing clauses depending upon the favor with which the particular individual is being held.

For all our other employees we have one contract. And that one

contract serves all. And I think we should do the same for our management employees. We should have a resolution which passes those things that are differing such as salary and we should include the generic form, generic benefits terms and conditions of employment as we do with the CSEA contract.

The other question I have besides my objection to the contract, is how do we chose our Deputy Highway Superintendent? I have no idea. And I sit on the Board."

Councilman Lull: "The same way as any Deputy is chosen. The Deputy is chosen by the person in charge."

Councilman Cardinale: "The Deputy is chosen by the Highway Superintendent."

Supervisor Kozakiewicz: "The Highway Superintendent."

Councilman Kent: "The same way that the Deputy Tax Receiver and-- "

Councilman Cardinale: "So why do they need our vote if they're chosen by the-- if they're chosen by the Highway-- "

Councilman Densieski: "We're voting on the contract. He's already been sworn in."

Councilman Cardinale: "Oh, you mean like they get to appoint the guy but we get to give him the money."

Supervisor Kozakiewicz: "Correct."

Councilman Cardinale: "And the terms-- "

Supervisor Kozakiewicz: "We set the salary and we're also agreeing to-- "

Councilman Cardinale: "So he could appoint anybody he wishes and he really doesn't care for what-- need or desire our opinion as to who to appoint."

Supervisor Kozakiewicz: "That's correct. Nor does he need our approval."

Councilman Cardinale: "But he does need our approval to fund it

and for the terms and conditions of employment?"

Supervisor Kozakiewicz: "Correct."

Councilman Cardinale: "Okay. Thank you."

Councilman Densieski: "I would also like to say that-- this isn't going to sound good but I agree with Phil on a lot of these contract things."

Councilman Cardinale: "I knew you'd come along."

Councilman Densieski: "Phil stated a few weeks ago when the other department head contracts came out, that the media should look at these contracts, go to the Town Clerk's Office, get copies of the contracts. I am going to be looking at them very closely. The one reason I'm going to vote yes on this contract tonight is because I believe Mark Kwasna's choice in Mr. Caffrey is a very good choice and I don't want to prolong him getting his department head contract. I do agree with what Bob said. We're going to have to look at how these contracts are done. I will not be voting yes on any more contracts that come to me the day of the meeting. I also think the contract should be done in the Supervisor's office and I'd also like to point out that this contract is far short of what the contracts that were voted on just a couple weeks ago. And this is a more realistic and a fair contract for the taxpayers as Phil pointed out and also for Mr. Caffrey."

Supervisor Kozakiewicz: "We can have a vote at this time, please."

The Vote: "Densieski, yes; Cardinale, no, for the reasons stated; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Councilman Densieski: "Amended as amended."

Barbara Grattan: "As amended."

Councilman Cardinale: "Before we go to the next resolution, I-- not only did my seat get changed without anybody telling me, but my voting order got changed. How did-- how did we go to Densieski. I thought we did this alphabetically when we did-- "

Supervisor Kozakiewicz: "It's in the same order, Phil."

Councilman Kent: "It depends on where you're sitting. All it depends on is where you're sitting."

Supervisor Kozakiezicz: "It was the same way in the past."

Councilman Cardinale: "No. We changed-- the last time it was alphabetical."

Councilman Kent: "Under what alphabet does "D" come before "C"?"

Councilman Densieski: "You're more than welcome to have it."

Councilman Kent: "No, but it didn't use to be-- it was-- was it alphabetical? But what they've done here is-- it's in the same seating-- "

Supervisor Kozakiewicz: "This is insignificant."

Councilman Cardinale: "Since it was not discussed with the full Board, I would ask that it be taken up at a work session."

Supervisor Kozakiewicz: "We can discuss this before the next Town Board meeting and if we could proceed, please."

Councilman Kent: "Alphabetical."

Resolution #3

Councilman Cardinale: "This approves Highway Superintendent expenditures to the tune of \$10,000 for equipment, tools and other implements anytime he wants to without prior approval of the Town Board."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "No. I prefer to approve spending to that limit, \$10,000. It seems like a high limit to me to preapprove. So I vote no."

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

Councilman Kent: "Since we've given the past Highway Superintendents the right I believe to expend up to \$10,000 I'm going to say yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "As pointed out by Councilman Kent, this is something that's been done in the past, it's no different. I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #4

Councilman Kent: "This establishes the time of regular meetings of the Town Board throughout the year. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #5

Councilman Densieski: "Designates banks as official depositories for town funds."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #6

Councilman Lull: "Authorizes Markowitz, Fenelon & Bank, LP to conduct an annual audit of the records of the Town of Riverhead. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "This resolution changes the auditing accounting firm for the town. I see no reason to do that. I think the accounting firm that is presently working for the town is doing a good job and has presented good work to the town. So I vote no."

The Vote (Cont'd.): "Kent, no; Lull."

Councilman Lull: "The basic reason for this is bringing it back into Riverhead Town using an auditing firm that is part of our local area. Yes."

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

Supervisor Kozakiewicz: "As pointed out, this firm had conducted the town's annual audits in the past. They have done so for many years without ever being untimely. Furthermore, they would always be timely in the submission of those audits as well as a management letter. I understand the current auditing firm was untimely in submitting this year's annual report and if I'm not mistaken has not yet submitted a management letter which is an integral part of that audit. Based upon the foregoing, my vote is yes."

Barbara Grattan: "The resolution is adopted."

Resolution #7

Councilman Cardinale: "Resolution #7 sets a mileage allowance pursuant to IRS guidelines. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #8

Councilman Kent: "This maintains the policy of nondiscrimination and names Robert Kozakiewicz as the coordinator for those efforts. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "This is a close and difficult vote. Yes."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #9

Councilman Densieski: "Accepts towing and storage fees."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent."

Councilman Kent: "You're not doing any of the towing, are you, Ed?"

Councilman Densieski: "No, not in that business."

Councilman Kent: "I'll vote yes."

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

Resolution #10

Councilman Lull: "Authorizes publication of a public hearing notice for use of municipal facilities. A project that we do every year in which we do a public hearing mentioning a lot of the different organizations who use town facilities during the course of the year so that then when each of these individual organizations wish to use the facilities we don't have to have a special hearing for them at that time. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #11

Councilman Cardinale: "This reappoints Town Historian Justine Wells and sets her annual salary at \$4,000. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski"

Councilman Densieski: "I don't think she has a department head contract so I think Phil will probably go along with it. So I will vote yes."

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

Councilman Cardinale: "Yeah, he's right. I'm going to go along with this. There's not attached contract and \$4,000 sounds like a reasonable sum."

Barbara Grattan: "Is that a yes?"

Councilman Cardinale: "That's a yes and I was hoping to pay some other department heads \$4,000 as well."

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

Councilman Kent: "This is an increase though from \$3,000 to \$4,000 but I think she deserves it because she's worked for several years for the town and does a good job and I vote yes."

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

Resolution #12

Councilman Kent: "This authorizes the Supervisor to execute an agreement with Gail Roschen for Justice Court stenography work. So moved. With an agreement attached but not a department head contract."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #13

Councilman Densieski: "Reappoints member to the Planning Board."

Councilman Lull: "Oh, the reappointment here is the reappointment of Vince Aratle and I second it."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Kent: "Oh, just a question on this. Do we need to swear them in or do they get sworn in separately?"

Barbara Grattan: "They can come to my office."

Councilman Kent: "Okay."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "This is a reappointment of a member to the Planning Board as we can see from reading it. However, to my recollection there was no consideration of any other candidates or any other possible candidates. On the other hand, Vince Artel is a nice guy. He served five years. We're going to lose anyway the vote, so I'll vote yes."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes.
The resolution is adopted."

Resolution #14

Councilman Lull: "Reappoints Joseph Baier to the Planning Board. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded. I'm sorry, I was snoozing there."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "The same remarks regarding consideration of other candidates and discussion before the full Board. Same vote because he's also a good employee. Yes."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes.
The resolution is adopted."

Resolution #15

Councilman Densieski: "Appoints Chair to the Planning Board."

Councilman Lull: "I'll second this appointment of Barbara Blass as Chairman of the Planning Board."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Same vote. Same reason, yes."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes.
The resolution is adopted."

Resolution #16

Councilman Lull: "Appoints Joe Baier as Vice-Chair to the Planning Board. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #17

Councilman Densieski: "Reappoints member to the Zoning Board of Appeals."

Councilman Lull: "Second the reappointment of Bruce Stuke to the Zoning Board of Appeals."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Kent: "Discussion."

Supervisor Kozakiewicz: "Yes."

Councilman Kent: "I feel it's improper to reappoint Bruce Stuke to the Zoning Board of Appeals. Nothing against him personally but this is a quasi-judicial Board whose decisions should be above reproach and without even the appearance of impropriety. The determinations of the Zoning Board of Appeals often set precedents upon which other decisions must follow and it's improper to appoint Mr. Stuke to such a position for several reasons.

He has both direct and indirect conflicts that could arise. We should not be appointing the Chairman of a major political party to such a quasi-judicial body whose determinations are considered final and whose decisions could possibly be tainted with the appearance of impropriety.

We should not be appointing someone who develops property to the Zoning Board of Appeals. Again because of direct and also indirect conflicts because this Board can grant use variances which could impact other applications that could be pending before the Zoning Board of Appeals.

We also should not have individuals who make a living or who are active in real estate development or real estate investment. Again for the same reasons. He'd be drafting applications that impact property, could impact his own property, could impact property of others who are similarly situated and in those cases I think there are just too many potential direct and indirect conflicts which would basically lessen his vote, would mean he couldn't act on several matters before the Board and the fact that he is the Chairman of the Riverhead Republican Committee has appearance of impropriety to the effect that applicants would feel there would be some possible advantage to making donations to even joining the Party because of it.

But I just think the appearance-- if not, in fact, the very appearance of impropersness is too much to allow this person to serve in this capacity. And I would stress that there should be a better candidate that has less conflicts that could be appointed to this

Board. So for those reasons I would like the Board to consider, at least tabling it to seek out another member who might be more appropriate."

Councilman Densieski: "I'd like to-- I'm sorry."

Supervisor Kozakiewicz: "Are you going to-- I was going to make-- go ahead. Sorry about that. Mr. Stuke has served for a number of years on the Zoning Board. Previously he served as a Vice-Chair. There have been no issues that I am aware of where there has been a problem with the operation of the ZBA nor any of the type of insinuations or people coming before the Zoning Board of Appeals who feel pressured because of the fact that he is the Chair of the Riverhead Republican Party.

Furthermore, I believe not only the prior Town Attorney but I think there's also been investigations before as to the question of whether there is an actual conflict of interest and an inquiry has been made to the appropriate State agencies to answer that question and I understand with respect to the past Town Attorney when this was looked into it was, in fact, determined that there is no actual conflict of interest.

As far as the need to recuse himself if he should have a conflict of interest, I'm unaware of that being a problem. That has been encountered by the Zoning Board of Appeals and, again, because I don't see that there's an actual conflict of interest, it's my opinion we should move forward and take this vote today.

Councilman Densieski: "I'd like to add also, please. I am a different registered party from Mr. Stuke and I do not feel threatened. I served with him on the Zoning Board of Appeals for two years and I frankly found it quite comforting to have somebody with building experience when we're talking about a Zoning Board that dealt with building. I thought it was handy to have somebody that knew something about building because that's what you were handling. Several times if there were conflicts, Mr. Stuke would abstain himself as expected but it wasn't that often.

Also, I would expect him to conduct himself exactly like he did the two years I served because he was diligent and he did a good job and I thought he was fair. So, end of discussion."

Councilman Cardinale: "Not quite. I just would like to-- (inaudible). I didn't say that there could necessarily be actual

conflicts although I do believe there would be. There would have to be. If-- a man who is involved in real estate and developing, anytime anybody made an application for a use permit that in any way could impact indirectly some application he may have or property that he may own in the future or inside information for property, neighboring property, I think it's just a conflict to have somebody on a quasi-judicial Board whose decisions could be reviewed by court of law as a final decision throw into question the fact that they sit on this Board with this types of potential conflicts and the very appearance of impropriety. Not so much that he is acting improperly, but the appearance the someone who sits in the position of Chairman of the Republican Committee that there's just an appearance that that's improper and I think with recent decisions of the court, I think it's even more so that we should not be having a political Chairman serving in these types of capacities.

And, again, like I said, it's nothing personal against Bruce. I've known Bruce, I've actually been before the Zoning Board of Appeals a number of times but I just think it's improper to have Chairmen serve in this type of capacity."

Councilman Densieski: "I also want to point out that maybe not exactly the same, but the appointment of Mr. Buschetti (phonetic) to the Planning Department. He was either the Chairman or just stepped down, it was a very close amount of time and I don't think he stepped down-- "

Councilman Cardinale: "He got pushed."

Councilman Kent: "He was actually removed from the Chairmanship prior to us appointing him to the Planning Board. I checked into that today."

Councilman Cardinale: "Although I'm not sure we knew it at the time."

Supervisor Kozakiewicz: "All right. If we could end the discussion. Now is there a motion to table it at this time?"

Councilman Kent: "I move to table it."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Cardinale: "Yeah, let's-- you know, you didn't support my tabled motion before but I'm going to support yours despite

the fact we're about to lose. Sure, why not. It's tabled."

Councilman Kent: "Well this the Town Attorney. We needed to have one. We didn't have one."

Councilman Cardinale: "All right, all right, all right."

Supervisor Kozakiewicz: "All right. On the motion to table."

Councilman Cardinale: "I think it should be considered a little longer."

Supervisor Kozakiewicz: "There's a motion and a second."

Councilman Cardinale: "Yes, I'll second the motion and the reason I'm seconding the motion incidentally is because I would feel honestly more comfortable if and since we don't have a Town Attorney for the last two days thanks Bob, and we just got one tonight, I think the Town Attorney-- I would feel more comfortable voting for this if, in fact, we had a statement from the Town Attorney as to the propriety of having a Chairman of a major political party or any political party sitting on the Board. I believe as you said, Bob, that it will probably come back that there-- that it is proper."

Supervisor Kozakiewicz: "Well, I believe there may have been some comment made by Mr. Grossman that, in fact, there was nothing improper with it. I think it came up during one of your Town Board meetings."

Councilman Cardinale: "Well, I didn't entirely believe everything that Adam told me either."

Supervisor Kozakiewicz: "Well, anyway."

Councilman Cardinale: "I would like to see something with some case law supportive."

Supervisor Kozakiewicz: "Well, if we can-- I would like to move forward on the motion and the second to table, please."

Barbara Grattan: "Densieski to table."

Councilman Densieski: "For reasons stated, no."

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

Councilman Cardinale: "Yes, in order to get that definitive legal (inaudible)."

The Vote (Cont'd.): "Kent, yes; Lull."

Councilman Lull: "I believe that Bob is-- and I was here sitting and heard it that that legal opinion has already been delivered to this Board. And I vote no."

The Vote (Cont'd.): "Kozakiewicz, no."

Supervisor Kozakiewicz: "Now on the resolution."

Barbara Grattan: "To table. This is the resolution to table."

Supervisor Kozakiewicz: "It has been defeated. It did not pass. Okay, now, if we can take up the vote on Resolution 17 which has been moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "For reasons stated, yes."

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

Councilman Cardinale: "Well, I heard Chris about the actual-- that there is no actual conflict that we can put our finger on. I think, however, there is, of course, the possibility of an appearance of impropriety. I also think that there is a greater likelihood of recusal being required but the thing that bothers me is that both Bruce and Joe Fox live on the same block I do. Now Joe Fox is going to be the Vice-Chairman of this Board and I'm really concerned about what these two guys could do, you know, together on-- before the meetings, they both meet in their backyards. They abut.

So I would like Bruce to step aside so there would only be one person on (inaudible) Drive on the Board. But I think Bruce is going to win anyway so I don't think he'll miss my no vote."

The Vote (Cont'd.): "Kent, no; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #18

Councilman Lull: "Appoints Chairman of the Zoning Board of

Appeals, Marty Keller."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "I had the pleasure of working with Marty for two years and he's doing a great job on Zoning Board. I say yes."

The Vote (Cont'd.): "Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #19

Councilman Cardinale: "This appoints a Vice-Chairman of the Zoning Board of Appeals, none other than Joe Fox, Bruce's neighbor and mine. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "I'd just like to state that I didn't receive any correspondence from Mr. Fox requesting to be the Vice-Chair, remain the Vice-Chair. I did from Mr. Artel and Mr. Baier in their respective jobs but I understand he's doing a good job so I'm assuming that he wants to be reinstated and I'll vote yes."

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

Councilman Cardinale: "Yeah, this is-- Joe Fox, as many of you know, is one of the better appointments of the last administration. He's a ex-Supreme Court judge. I don't know why he would want this-- in fact, I don't understand why Bruce Stuke wants this job to tell you the honest truth. But since he does, I would vote yes and I'm encouraged by the fact that his wisdom will be brought to this Board."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #20

Councilman Kent: "This appoints Diane Wilhelm as Sub-Registrar in the Town Clerk's Office at an annual salary of \$500 effective tomorrow. So moved. Are we going to pro rate that then if it's effective tomorrow? So moved."

Councilman Lull: "\$.80."

Supervisor Kozakiewicz: "Moved. Is there a second?"

Councilman Kent: "A dollar a day."

Councilman Cardinale: "Seconded. Why not."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "There's two Sub-Registrars, is that correct?"

Councilman Kent: "There's three Sub-Registrars."

Barbara Grattan: "Yes. No. Two Sub-Registrars and one Deputy."

Councilman Kent: "Oh, there's a Registrar, a Deputy Registrar and two Sub-Registrars."

Councilman Cardinale: "Aren't we going to have to appoint them, too, though?"

Barbara Grattan: "No. They already did that."

Councilman Cardinale: "They're already there. Okay. Yes, I'll be happy to have her as Sub-Registrar. Yes."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #21

Councilman Densieski: "Jayna Heilbrun. It appoints Jayna Heilbrun as a seasonal clerk of the Tax Assessors Office."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Did this go through Personnel?"

Councilman Kent: "No. Not that I recall."

Councilman Cardinale: "Then how did we-- not that I know her."

Councilman Kent: "Seasonal clerks such as this part time employee do not usually-- are not usually interviewed by the Personnel Committee. It's not up to us."

Councilman Cardinale: "How do they get hired?"

Councilman Kent: "They're usually, at the request of the department head."

Councilman Cardinale: "Do we do this like every year?"

Councilman Kent: "Yes."

Councilman Lull: "Yes."

Councilman Kent: "Actually no. In the Assessors Office, I don't know if we had seasonal clerks before. I think this is the first year. We are-- in this budget we put in-- "

Councilman Lull: "We have had-- "

Councilman Kent: "Not in the Assessors. I think in the Tax Receivers."

Councilman Cardinale: "My concern is-- "

Councilman Kent: "This is to address all the STAR applications. This frees up the time of the people who are educated in STAR to service the STAR applicants."

Councilman Cardinale: "My concern is the necessity for the job. Is it budgeted?"

Councilman Kent: "Yes."

Councilman Lull: "Yes."

Councilman Kent: "The discussion was brought up at the budget meeting."

Councilman Cardinale: "Okay. So it's budgeted and the responsibility for the appointment is with the department head which, fine, yes."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes.
The resolution is adopted."

Resolution #22

Councilman Lull: "Authorizes the publication of a help wanted ad for legislative secretary. For those of you who hear legislative secretary, you don't know what that means, it's Town Board Coordinator. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes."

Councilman Cardinale: "I'm going to vote yes and I think as Bob alluded to earlier, this would have been a wonderful way to appoint the Town Attorney. So I vote yes."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes.
The resolution is adopted."

Resolution #23

Councilman Cardinale: "23 appoints recreation aide to the Riverhead Recreation Department, in fact, it appoints a few. Rebecca Derry, Greg Sanders, Heather Schandel, Kim Walters, Jeremiah Monihan, Jodi Knoght and Erica Manglavetti. So moved."

Councilman Kent: "Seconded. And we don't interview these people either. They're appointed without interviews."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull,

yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #24

Councilman Densieski: "Abolish positions in the Supervisor's Office."

Councilman Cardinale: "I'd offer a-- "

Councilman Lull: "Second."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Cardinale: "Discussion, please."

Supervisor Kozakiewicz: "Okay."

Councilman Cardinale: "The whereas clause I don't think is precisely right and I think there was some confusion in your explanation earlier to Sal. It says that the year 2000 adopted budget approved in November did not include funding for the positions of the part time public relations specialist and the part time clerk in the Supervisor's Office. For those of you who knew and loved them that was the recently departed Patty and Tom."

Councilman Kent: "Patty McQueeney and Tom Gates (phonetic)."

Councilman Cardinale: "Okay. Actually my understanding is that the budget did include funding for those positions and that Vinny funded those positions within the Supervisor's Office for \$128,500 and that, therefore, it's incorrect, the whereas clause, so I would suggest that we correct that. It did include funding for these positions. You've chosen to fund differently as Supervisor but they were funded."

Supervisor Kozakiewicz: "That's not my understanding of how many positions were, in fact, funded."

Councilman Cardinale: "The salary lines in your office included to get to the question you're raising, it included two part time positions, it included \$5,000 of Kim's salary, the Coordinator's

salary, and it included Edna as a full time position and Vinny at \$66,000 as opposed to \$69. And those salaries added up to the budget line that he had and that we gave you. So it's incorrect to say that they were not funded. They were funded. You chose-- you are about to chose to pay \$58,000 to your executive assistant, \$20,000 more than he paid than anybody in his office. So I think-- "

Supervisor Kozakiewicz: "Is it your desire to amend it?"

Councilman Cardinale: "Yes. I would like to remove the whereas clause, the first two whereas clauses."

Supervisor Kozakiewicz: "I'm-- "

Councilman Cardinale: "Because I don't think they're accurate."

Supervisor Kozakiewicz: "Well, you can-- I'm going to end the discussion at this point-- well, I'm going to end the discussion at this point and-- "

Councilman Kent: "What I think he's referring to, it's not the funding that was not included. It was the positions."

Supervisor Kozakiewicz: "The positions were not."

Councilman Cardinale: "No positions-- "

Councilman Kent: "The funding did not change. The funding is exactly the same as it was last year for which Mr. Villella had five positions funded with the same money that's there now. The positions no longer exist. It provides for three positions with the same amount of salary of \$128,500 which was enough to cover the five positions that were funded last year. So the funding is the same, it's the positions that are not."

Supervisor Kozakiewicz: "There were three positions which were funded in the budget."

Councilman Kent: "Well, three and a half. It's two full time and three part time."

Councilman Lull: "Two full time, two part time and one one-fifth time."

Councilman Kent: "Well, that's part time. Two full time and

two part time."

Councilman Cardinale: "Ane one one-fifth."

Councilman Kent: "Yeah, I'm looking at it. Two full time, three part time."

Supervisor Kozakiewicz: "At this point rather than amend it, I would ask that the Board move forward with the vote. Phil, if you wish to vote no based upon what you feel is an incorrect wording, you can elect to do so."

Councilman Cardinale: "Well, let me ask you this. If the positions aren't in the budget, which you're saying, then how come you're calling this a resolution to abolish positions?"

Supervisor Kozakiewicz: "They were not funded. We-- there had been a prior resolution put forth before this Board. We had this topic of discussion at a work session. At that point in time, you didn't raise any objection to it. I'm a little bit startled that you are raising all the objections to it at this point in time, Phil."

Councilman Kent: "No. This was not brought up at the work session."

Supervisor Kozakiewicz: "Yes, it was."

Councilman Kent: "No. This was faxed to us after the work session."

Supervisor Kozakiewicz: "This was part of the packet that went before you at work session."

Councilman Kent: "This was faxed to my law office-- no, this was faxed to my law office sometime thereafter with a cover letter from you-- "

Supervisor Kozakiewicz: "Well, we can argue this point until the cows come home."

Councilman Kent: "-- that asked me to contact Joey McClellan if I had a problem with it."

Supervisor Kozakiewicz: "We can argue this until the cows come home."

Councilman Cardinale: "The whereas clause is inaccurate. That's my-- "

Supervisor Kozakiewicz: "What are you proposing to say? So we just have-- so I can understand what we're going to vote on."

Councilman Cardinale: "If there are only three positions funded, you don't have to abolish positions at all. If your position is that there is only three positions funded in your budget and the proposed budget has been adopted, then why do we need this resolution?"

Supervisor Kozakiewicz: "That's for budgetary purposes. These positions were previously created. They for all intents and purposes were created by the prior Board by resolution as I understand it and in order to-- we need to move forward and clarify and clean this up and, therefore, that's the reason why we're proposing this resolution as it is."

Councilman Cardinale: "All right. Fine. I mean it doesn't make much difference because you're going to vote to do it anyway but it is inaccurate and I pointed that out."

Supervisor Kozakiewicz: "Okay."

The Vote: "Cardinale."

Councilman Cardinale: "Okay, I vote no because of the inaccuracy of the whereas clauses and I believe also incidentally on a substantive note here that a public relations specialist would be a nice idea for the Town. They could use a little better public relations than they're getting. So I vote no."

The Vote (Cont'd.): "Kent, no; Lull."

Councilman Lull: "Well, I'm going to vote yes to abolish the positions and I've been through the discussion of a public relations specialist with three different administrations now. Once in the Stark administration when we decided it was an unwise use of Town money to tell people in the Town what we want them to know. Once in the first year of the Villella administration when we decided that it was an unwise use of money to fund that position and then finally in the discretion last year when we decided to fund it as a part time position but it came in in some other form-- the funding came in or was to come in in some other form."

Whatever the case, I don't believe that we have the responsibility nor do I believe that we're fulfilling our responsibility to the people to spoon feed them what we want them to know about what goes on in Town government. Rather we prefer to see people here and find out what's really going on. And I vote yes."

The Vote (Cont'd.): "Kozakiewicz, yes."

Councilman Kent: "If I could just make comment on that because I think that's an error. I think the government has an obligation to the public to let them know what's going on and I think we should be putting out press releases. We should be letting you know when the leaves are going to be picked up on your street and we should be letting you know when you can sign up for programs and that you can come to senior citizen programs and I think we have an obligation to the public to the taxpayers that pay our salaries to let you know what programs, what opportunities there are in the town. I do public relations-- "

Supervisor Kozakiewicz: "I-- "

Councilman Kent: "Excuse me, please, let me just finish and then you can speak after me. I believe public relations is an important part of town government."

Councilman Lull: "And we are sitting here doing public relations right now."

Supervisor Kozakiewicz: "I don't think anyone is disagreeing."

Councilman Lull: "And there's people out here and we do public relations getting to people in other ways. The press releases that have been coming out of this Town Hall has not been accurate."

Supervisor Kozakiewicz: "I'd like to move forward at this point. If we can go to the next resolution, please."

Barbara Grattan: "That resolution is adopted."

Resolution #25

Councilman Lull: "General fund budget adjustment transfer from capital project to Supervisor, personal service. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes."

Councilman Cardinale: "This was earlier addressed by Sal asking the question and which was answered by the Supervisor which I do not believe was answered with complete clarity. The budgeted positions in the Supervisor's office which were the same as with Supervisor Vilella, is approximately \$130,000. This Supervisor-- and that included two part time, two full time and one split time employee. This Supervisor has seen fit to spend \$160,000 instead of the \$128. He, therefore, needs to find \$32,000 and that's what this is. So that as I said earlier when you go over budget, when you want a Mercedes and have budgeted for a Ford, you've got to get the money from somewhere else and that's where this money is coming from. It's coming from somewhere else where it was budgeted to fatten the Supervisor's budget. I do not believe this is good government. I vote no."

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

Councilman Kent: "For that \$128,500 in the 1999 budget, we had five employees working in the Supervisor's office. We now have three employees working in the Supervisor's office for \$160,000 and we're transferring \$32,000 to fund it. No."

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

Councilman Lull: "You pay for what you get. Yes."

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

Resolution #26

Councilman Kent: "This authorizes the Supervisor to execute an agreement with Peconic Land Trust. We have-- the agreement is attached and the rate schedule is now attached. So moved."

Supervisor Kozakiewicz: "Wait a minute. That's right, Sal, you had a question on this. You wanted to know the rate schedule. Is that right?"

Councilman Kent: "We did receive it, Sal."

Councilman Cardinale: "Yeah, you're going to love it, Sal. Do you want it? Oh. I'll read it."

Supervisor Kozakiewicz: "Well, we have a-- it's moved?"

Councilman Cardinale: "Yes. And it is seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Kent: "Wait, discussion on this. I think maybe I can clear up before Phil goes too lengthy on this."

Councilman Cardinale: "Right."

Councilman Kent: "The attached rate schedule-- really we do not use the services of most of these people. I can tell you that right now. I don't think we've ever been billed for any of John Halsey's time nor have we been billed any of Andrew Johnson's time. I think most of our work comes with the lower level technical and program assistant people. Hoot Sherman is a program manager at \$50 an hour. That's the way I believe we deal with. Oh, no, excuse me. Hoot Sherman is up to \$75 an hour rate. He's a program director. We deal mostly with Julie Wesnofske who I believe is a program manager at \$50 an hour and one administrative assistant comes to the meetings and she's at \$30 an hour. Hoot only comes in usually when we don't pay our bills and he needs to try to collect from us."

Councilman Cardinale: "I might-- "

Supervisor Kozakiewicz: "At this time, I'd like-- well, Phil, you want to mention it during the vote so I can move forward?"

Councilman Cardinale: "Well, my concern-- sure."

Supervisor Kozakiewicz: "Thank you."

Barbara Grattan: "All right. So we've got Densieski with a yes."

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

Councilman Cardinale: "The-- Chris is no doubt correct that number one these people are perhaps the only game in town for the

purposes we need them which is to coordinate our farmland acquisition program, and that we usually use the lower echelon of staff which is budgeted at anywhere from 85 through \$30. However, on this rate schedule which we are implicitly adopting, we have individuals at \$125 and \$175 who are non-professional and one of my favorites, we have legal counsel listed at \$335 an hour and \$250 an hour and I had understood that it was a policy of the Town of Riverhead which if it is being changed by this administration, I'd like to know it, that we do not pay counsel more than \$150 an hour. And that disturbs me that we're authorizing-- "

Councilman Kent: "Well, do you want to move to table it so we could discuss this-- I mean this could be discussed at a work session, Bob. Because I don't think there's any urgent need to enter into this agreement at this time. So why don't we move to table? Because that has been the past policy."

Supervisor Kozakiewicz: "All right. Someone has got to move it."

Councilman Cardinale: "I'd like to ask that it be tabled for further discussion regarding Johnson's salary and Hutton's and Ginsberg."

Councilman Desnieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded. I'm sorry."

Barbara Grattan: "Moved to table."

Councilman Desnieski: "Yes, to table."

The Vote: "Cardinale, yes, to table; Kent, yes; Lull, yes; Kozakiewicz, yes."

Councilman Kent: "Could we just ask that this be put on a work session in the near future because I have worked very closely, in fact, I'm the committee member on the-- well, I was the committee member on the Farmland Preservation-- "

Supervisor Kozakiewicz: "Farmland Select, I'm aware of that. Okay."

Barbara Grattan: "Everybody have a copy of the rate schedule so we can attach it."

Supervisor Kozakiewicz: "Yes."

Councilman Kent: "I'd like to get this moving right away because I do have to face this committee tomorrow night and I think the first question they're going to ask me is if the-- "

Supervisor Kozakiewicz: "Have you approved it?"

Councilman Kent: "Right."

Resolution #27

Councilman Cardinale: "This authorizes the town to remove rubbish, debris and the cutting of grass and weeds from property pursuant to Chapter 96 of the code. So moved."

Councilman Kent: "Second. Could I just ask Mr. Barnes a question, if I might? Please come up to the microphone. I'm sorry to-- I know you're busy back there. Okay. I just want to know-- did this come out of your department and is it, you know, is it necessary for us to do-- "

Supervisor Kozakiewicz: "Chris, we need to recess. We're going-- "

Barbara Grattan: "No. It's okay. Let Leroy talk. Don't go any further."

Supervisor Kozakiewicz: "Okay. Okay."

Leroy Barnes: "Are we talking about Resolution 27?"

Councilman Kent: "27, yes."

Leroy Barnes: "Yes, those are people that live on 151 Northern Parkway had moved out and the property owner came put all of the belongings to the house on the street."

Councilman Kent: "Oh, an eviction then."

Leroy Barnes: "It was not an eviction."

Councilman Kent: "Not an eviction."

Leroy Barnes: "Not an eviction."

Councilman Densieski: "Can we pick it up and charge him."

Leroy Barnes: "Yes, through this process we can charge him."

Councilman Kent: "All right."

Supervisor Kozakiewicz: "I understand you also spoke to the homeowner or-- "

Leroy Barnes: "I spoke to the attorney."

Supervisor Kozakiewicz: "Oh, okay."

Leroy Barnes: "They had agreed to do that but there has been no action as of today. So, (inaudible)."

Supervisor Kozakiewicz: "Okay."

Councilman Kent: "Okay. I just wanted to make sure this came out of your department. It doesn't say anywhere in the resolution that it was at your request and I really have no reason to know why this is necessary at this time."

Leroy Barnes: "Okay."

Councilman Kent: "Thank you. You might want to stay, we have one right after this."

Leroy Barnes: "And the same applies to Resolution 28 by the way which was the mess they put on Roanoke Avenue."

Councilman Kent: "Right, I saw that."

Councilman Lull: "That's mostly cleaned up."

Leroy Barnes: "Well, partially it's been cleaned up but there's another house which I change and amended the resolution to include the parcel to the north."

Supervisor Kozakiewicz: "Right. Initially the resolution was for one parcel and that got cleaned up and then-- "

Leroy Barnes: "Which is not completely cleaned up. I still want to be in the legal position to clean it up. It's been 10 days."

Supervisor Kozakiewicz: "Right. Correct."

Councilman Cardinale: "Speaking of legal positions, ironically just before I left my office I actually read the code provision that you're going under here. It's very interesting. It allows the town to observe, you know, trash, rubbish-- it allows the town to observe rubbish, debris or the cutting of grass and weeds on a property-- "

Leroy Barnes: "Correct."

Councilman Cardinale: "Then send a notice and then if it's not responded to, go ahead and clean it up and put it on the tax bill without the inter-- without the benefit of any third party such as a judge looking at it. So although I believe it's very effective, I also believe it's probably not constitutional-- it's probably not legal."

Leroy Barnes: "It's the action of the Town Board and the idea of the resolution is they are notified by certified mail. In fact, tomorrow morning (inaudible) a certified copy if they don't comply."

Councilman Cardinale: "Right. But you and us by making this resolution make the point-- take the position that it's too dirty, the weeds, the debris and too much, get it cleaned up."

Leroy Barnes: "Right."

Councilman Cardinale: "And if they don't obey that directive, they're not subject simply to a fine as it would be if you charged some other town code, they-- you just have a right under this to go do it and charge them which I believe without the intermediary of a third party judge is probably challengeable. And it makes me uncomfortable."

Councilman Kent: "It would be a lot less to just clean it up than to hire a lawyer to test the-- "

Councilman Cardinale: "Well practically you're right."

Leroy Barnes: "The property owner has a right to file an Article 78."

Councilman Cardinale: "Right. And that's what they'd have to do."

Leroy Barnes: "He has relief. That person has a relief."

Councilman Cardinale: "All right, such as it is."

Supervisor Kozakiewicz: "Ready for the vote on-- move and seconded resolution 27."

Councilman Densieski: "Anything we can do to get the garbage cleared off the streets, I'm going to vote for, yes."

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

Councilman Cardinale: "Why not? Yes."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes.
The resolution is adopted."

Resolution #28

Councilman Densieski: "Are you going to change the tape? Do you have enough tape?"

Barbara Grattan: (Inaudible)

Councilman Densieski: "Authorize the Town of Riverhead to remove rubbish, debris and the cutting of grass and weeds from property pursuant to Chapter 96 entitled Trash, Rubbish and Refuse Disposal of the Riverhead Town Code."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #29

Councilman Lull: "Approves the site plan of Nextel Communications. That was asked about previous during the open comment session. That's the tower that's on Edwards Avenue that we argued site plan with them for a matter of probably six months to get them to move it back, move it back, move it back to the road into the woods and over the river to grandma's house until he finally got it out of the way as we considered out of the way as much as possible. This is

simply a request for an additional antenna on that tower. So I move that."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Kent: "Just a question on this. Do we have a receipt number on this? It's blank. Did they pay their-- did they deposit their fees?"

Jack Hansen: "You did ask me that, didn't you?"

Councilman Kent: "Yeah, I asked you that earlier today."

Jack Hansen: (Inaudible)

Councilman Kent: "But you're sure-- with your representation, you're confident they paid-- you could put in the language, the number after the fact as long as you represent to us that they paid it. Okay."

Supervisor Kozakiewicz: "All right."

The Vote: "Densieski."

Councilman Densieski: "I'm going to vote yes but I want to make it crystal clear that this is not a new monopole. This is an existing monopole with a new antenna. Yes."

The Vote (Cont'd.): "Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #30

Councilman Cardinale: "This approves the site plan of Nasrullah Khan. So moved."

Councilman Kent: "No. Jenny Joe."

Councilman Cardinale: "Well, I have 31. Which one are we on-- 30?"

Barbara Grattan: "We're on 30."

Councilman Cardinale: "Oh, Jenny Joe. Here it is. Yeah. This one approves the site plan of Jenny Joe Realty Corp. which was earlier discussed. So moved."

Councilman Kent: "I'll second it and a discussion on this. Do we have a site plan that we can initial before-- you have it marked up and it's in your hand?"

Rick Hanley: "I have a site plan marked up which shows variance required for the fence and the new specification on the fence."

Councilman Kent: "So why don't we initial that so we can be consistent with the resolution which says we marked it up and initialed it."

Supervisor Kozakiewicz: "And we also-- do we need to amend your resolution to say subject to-- "

Rick Hanley: "Well, I don't think we have be because the resolution has a boilerplate language that says as additionally marked by the Town Board."

Councilman Kent: "That's correct. But it is not initialed so let's do that."

Rick Hanley: "Do you want to do that first or later?"

Councilman Kent: "Yes. I'll second it. Well, I think we should do it right now."

Rick Hanley: "Okay. Just let me get a number on the spec on the fence and I'll be right back."

Councilman Kent: "I'm sorry but I don't want to be-- this is not new by the way. I've always asked (inaudible)."

Supervisor Kozakiewicz: "But I don't know why we can't proceed forward with the vote."

Councilman Kent: "Okay."

Supervisor Kozakiewicz: "All right. If we could, please, while he's getting-- "

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull,

yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #31

Barbara Grattan: "Do you want to go to Resolution #31?"

Supervisor Kozakiewicz: "Yes. And when Rick comes in we'll sign that."

Councilman Kent: "This has got similar problems here. We don't have a receipt number and this is (inaudible). I think we did (inaudible) but we don't have a receipt number. So I want to ask Rick a question on the record if we actually did receive the fees."

Supervisor Kozakiewicz: "He indicated that-- "

Councilman Kent: "Not on this one."

Supervisor Kozakiewicz: "Okay. All right. I think he said-- "

Councilman Kent: "Again, Bob, I'm sorry. I'm not trying to be difficult. This is not new. I've always asked that we initial the plan before we pass the resolution."

Supervisor Kozakiewicz: "I think he said he wouldn't send any to us unless the site plan fees were paid and there was a receipt is what he indicated."

Councilman Cardinale: "Yeah, but we know Rick."

Councilman Kent: "I just move that we pass this one and take it up when he comes back in the room. Let's move to 32."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Are we moving to table? Yes, to pass or table for a moment. Yes."

Councilman Kent: "Yes. To take it up later."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes.
The resolution is adopted."

Resolution #32

Councilman Cardinale: "Same problem. Same problem, Chris?"

Supervisor Kozakiewicz: "We have a receipt on this one."

Councilman Kent: "No, this one we initialed it and we did it all yesterday."

Supervisor Kozakiewicz: "Right."

Councilman Cardinale: "Okay."

Councilman Densieski: "Approves site plan of Republic Abstract."

Councilman Lull: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #33

Councilman Lull: "Amends the site plan of Riverhead Medical Arts Building addition. So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent."

Councilman Kent: "I didn't see this one so I'm going to abstain."

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

Resolution #34

Councilman Cardinale: "Yes. Motion to table 34 for reasons discussed."

Councilman Kent: "Yeah, second."

Supervisor Kozakiewicz: "Moved and seconded to table."

The Vote: "Densieski, yes, to table; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is tabled."

Resolution #35

Councilman Cardinale: "I'd like to move resolution 31 if I could, out of order, I'm sorry. We're back to 31."

Councilman Lull: "You want to bring it off the table, Chris?"

Councilman Kent: "Yes, move it off the table. Unless you want to do it at the end."

Supervisor Kozakiewicz: "No, let's go ahead."

Councilman Lull: "Let's go ahead. I'll second it and get it off the table."

Councilman Kent: "This is to bring Nasrullah Khan's site plan application-- "

Barbara Grattan: "Who seconded that?"

Councilman Lull: "I did."

Supervisor Kozakiewicz: "Moved and seconded. Thank you, Barbara."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is off the table."

Councilman Kent: "I'll move the resolution."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Kent: "Yeah, discussion. Rick, this resolution does not have a receipt number and would you represent to us that the fees for this site plan review have been received?"

Rick Hanley: "We received a fee of \$250 for this."

Councilman Kent: "Okay, very good."

Rick Hanley: "It's a alteration of a building in kind. There were not site improvements to there is no disturbed ground."

Supervisor Kozakiewicz: "Now we can go to a vote."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull."

Councilman Lull: "The building has been sitting empty and vacant for too long. Yes."

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

Resolution #35

Barbara Grattan: "Okay, now we're on Resolution #35.
Councilman Densieski."

Councilman Densieski: "Rescinds #99-1211 and appointment of account clerk typist."

Councilman Lull: "I'll second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "What does it do? Oh, this one. This is 35, huh? I remember this. Yeah, I-- am I supposed to vote?"

Councilman Kent: "Yes."

Councilman Cardinale: "I'd like to discuss this prior to a vote. I have these problems-- I know what you're trying to do but I have a problem again with these whereas clauses which apparently are not accurate. I read from the first.

Whereas, by excluding an account clerk typist position from the CSEA bargaining unit and not posting or advertisement-- advertising the account clerk typist position listed on the duty statement, the former Town Supervisor violated such and such section of the contract.

Do we have a supporting opinion of counsel on that?

Second Whereas clause-- or third Whereas clause. Whereas, by permitting the employee assigned to this account clerk typist position to perform the duties of legislative secretary, instead of the duties stated in Suffolk County Civil Service duty statement, the former Town Supervisor violated Civil Service Law. Hard words. Do we have an opinion of counsel on that? In fact, I have heard that our counsel, Mr. Zuckerman, indicates to the contrary that there is no violation.

I don't think that we should be stating Whereas and demeaning and insulting previous Supervisors unless we are very sure that we are right and I am not very sure. Could you illustrate why you believe this is accurate? Do you have any opinions?"

Supervisor Kozakiewicz: "I am not going to engage in a dialogue on this one, Phil. It's put to a vote. If you wish to-- "

Councilman Cardinale: "All right. If you're not going to-- you're not going to answer the question. I'm asking you do you have an opinion of counsel in regard to your statements in this resolution? Or are you making them up out of (inaudible) cloth?"

Supervisor Kozakiewicz: "No, it's not made up of (inaudible) cloth."

Councilman Cardinale: "Well, how did they get there? This was faxed incidentally ladies and gentlemen to our offices this afternoon subsequent to the work session. We had not discussed it at the work session yesterday and I don't believe that that was a mistake. I believe that was by design. And I'm not going to pass something that demeans and insults in the spirit of small mindedness and small spiritedness the previous Supervisor unless I am darn sure by counsel and by opinion of the Civil Service Department of the County that you're right. If you're right, you're right. If you're wrong, you're wrong. And I'd like to get that information before a vote and I think that's a minimum of what we owe to the previous Supervisor."

Councilman Kent: "And if it's a violation today, it's going to be a violation in two weeks. I do not see any reason to push this to a vote when the language contained herein could be subject to litigation."

Councilman Densieski: "Are you making a motion to-- "

Councilman Kent: "I'm seconding his motion to table. Did you make a motion to table?"

Supervisor Kozakiewicz: "No. There was no motion to table."

Councilman Kent: "Move to table-- at least to discuss this. First, we didn't discuss it at a work session. Secondly, you're making statements in here that may be libelous at the very least, if they're not true. So I'd be damned sure that they're true before. Maybe just by presenting the resolution-- "

Councilman Cardinale: "Let me put something else on the record here. I was advised by the budget officer, Mr. Hansen, prior to this meeting, that Mr. Zuckerman, our labor counsel, is not in agreement with paragraph three, not in agreement."

Supervisor Kozakiewicz: "I-- with respect to Mr. Zuckerman, I faxed the resolution over to Mr. Zuckerman to get his opinion and he did speak to me and made some of the changes that are set forth in the resolution. So, I'm a little bit at a loss as to why you are being told Zuckerman is not-- Mr. Zuckerman is no longer in agreement with this."

Councilman Cardinale: "I'm at a loss, too, except Mr. Hansen advised me that. And he also advised me as did you in our discussion this afternoon when I called you to say nice (inaudible) for you sending me this thing by mail or by courier just before the meeting."

Supervisor Kozakiewicz: "That's not what you stated but go ahead."

Councilman Cardinale: "I indicated that I had just received it and you indicated that you were not, you were not certain of the Civil Service-- of the statements in number three which accused the Supervisor of violating Civil Service Law. That you could not get an opinion from Suffolk County Civil Service. And until you get that opinion-- "

Supervisor Kozakiewicz: "I will state this. Let's phrase it in two different ways, whether I was comfortable with the opinion and whether I had an opinion from Suffolk County Civil Service."

Councilman Kent: "You had one?"

Supervisor Kozakiewicz: "I-- there is no opinion from Suffolk

County Civil Service. The issue is the following and the question is whether there was a proper practice carried out by the prior Board and whether we should feel committed to move forward with it.

I believe that the record that was set forth back in August of last year, there was a very large discussion about the creation of this position. I believe the minutes will reflect that the Town Board was not even aware the position was created. There was a CS150 filed with the County Civil Service. It was done without the Town Board's input. As a matter of fact, if I can put words in your mouth, you indicated that you had problems with the way the procedure had been carried out."

Councilman Cardinale: "That's correct."

Supervisor Kozakiewicz: "And the fact that it was done without total Town Board input and you questioned why it was done in the fashion it was done."

Councilman Cardinale: "I indicated that it might be inadvisable but you're saying that it is illegal. There's a big difference."

Councilman Kent: "Let's not compound a past mistake by making another mistake. Why don't we step back and make sure of the language here before we move forward with this? Because I think your statements are very strong."

Councilman Densieski: "Well, make a motion to table."

Councilman Kent: "I have made a motion to table."

Councilman Cardinale: "I would second the motion to table."

Councilman Densieski: "Who has?"

Councilman Kent: "I have."

Councilman Densieski: "Okay."

Supervisor Kozakiewicz: "Moved and seconded."

Barbara Grattan: "So it was Kent and Cardinale to table."

The Vote: "Densieski/"

Councilman Densieski: "I would just like to say, too, that this was not brought off the floor. These resolutions-- this resolution was hand delivered as soon as possible and I'm voting no to table."

The Vote (Cont'd.): "Cardinale, to table."

Councilman Cardinale: "All right. I would also indicate that this was not discussed at the work session and that is-- I think you are agreeing with that-- that it accuses the previous Town Supervisor of an illegal act without-- without an opinion of Civil Service Department, without an opinion of counsel. Indeed, thanks to Mr. Kozakiewicz we haven't had a counsel for two days because he fired the previous one before he hired the next one. So this is concocted by the three members of the Board immediately in the middle here. I have no idea what function it serves other than to insult a previous Supervisor. And it is inaccurate. And it will lead to litigation. So I vote no."

Councilman Kent: "No, vote yes to table."

Councilman Cardinale: "I vote yes to table, no to the motion. Sooner or later we'll get there."

The Vote (Cont'd.): "Kent, yes."

Councilman Kent: "To table. And I just, never mind, I don't need it. I don't need to make a statement."

The Vote (Cont'd.): "Lull, no; Kozakiewicz, no."

Barbara Grattan: "Okay, it's not tabled."

Supervisor Kozakiewicz: "Now, was there-- there was a motion and a second on the resolution."

Barbara Grattan: "Yes, there was."

Councilman Kent: "Can we have some further discussion on this? Because I'd like to just bring up on-- I think it's appropriate on the vote on the resolution itself rather than on the motion to table."

This resolution, 99-1211, created or put an account clerk typist in two part time positions in the Town and that resolution was actually drawn up at the recommendation of the two members on this Board who sit on the Personnel Committee and I believe it was done not

only at-- it was done at our behest, it was also done upon our agreement and that was myself and Mr. Lull. So I'm surprised that maybe he's going to vote against the resolution, I don't know. This was done when we both served on Personnel Committee and basically at Mr. Lull's suggestion. So I will be surprised to see if he will vote-- how he will vote on this resolution. I see that he didn't go along with the motion to table which would have been an opportunity to discuss this privately which I thought was more appropriate rather than bringing it out in public but since we're now discussing it publicly, I would say that Mr. Lull was instrumental in creating the position and I would now be interested to see how he would vote in rescinding that same action."

Councilman Cardinale: "I would also like to point out that the action which I do believe in establishing the position, which I do believe to be inadvisable, but not illegal, is an action that has been taken repeatedly and if anybody wants to verify that you can ask the budget officer, Jack Hansen, by previous administrations. So by passing this-- previous administrations to Mr. Villella. So by passing this you are also declaring the actions of Mr. Stark, Mr.-- what's his name, the guy before Stark?"

Councilman Kent: "Janoski."

Councilman Cardinale: "Joe Janoski, all of those guys were doing illegal things. And the wisdom of this Board on the first day of the new term of Supervisor Kozakiewicz, without an opinion of counsel, without an opinion of the Civil Service Department, you know that it's illegal, that's the word you use, illegal, whereas, I guess Stark, Janoski, Hansen and Villella are just idiots. I'm really glad to come aboard and you can inform us of all these illegalities the previous administrations have conducted without the benefit of counsel, without the benefit of the opinion of the Department of Civil Service. So I vote no."

Councilman Kent: "We didn't call the vote yet. Oh, did you call the vote already?"

Barbara Grattan: "I called Densieski, yes."

Councilman Kent: "I vote no."

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

Councilman Lull: "The resolution-- the creating of the position

that is at issue here, the creating of the position last spring, was something that was done as was made clear without the knowledge of the Town Board. When it became-- when I became aware of it last summer, I wrote a letter to the Supervisor asking him to overturn that decision, that I thought it was not in keeping with the spirit of Civil Service law, that I thought we had stepped in the wrong direction in creating a position for which the person for which it was created could not possibly serve. And that's the way it went.

In our discussions last week in trying to find a way out of a situation-- of an employment situation, I made a request of one of our department heads to give me an answer as to what jobs were available because the resolution we had in front of us at the time and was to create a job that was not in the budget and that had been specifically refused by the Town Board to be in the budget for the year 2000, we were asked to create that position. And, you know, which in a way of trying to figure out to get around the employment situation without taking that step which was a step that I did not want to go down of creating a job that we had already refused, I asked what was open, what was available, what jobs were yet to be filled. There were two part time jobs, one in Highway, one in Justice Court.

My suggestion at that time and Councilman Kent is right, we sat in the office together and talked about this. My suggestion at that time was, okay, let's create a position that has those two. Let's make it a single position. I was not told at the time nor did I have any way of being aware of the fact that although the job for the Highway Department had been posted and published and was out in the public, the other job hadn't been posted yet and we couldn't legally fill it. So 1211 was illegal. We couldn't do it. So rescinding it now is simply rescinding something that we couldn't have done in the first place. I vote yes."

Councilman Densieski: "I'd like to say something else if I could. Phil has suggested that we've called people stupid and dumb and things like that. We've done no such thing. We said that the Supervisor violated an article. That's what we said. That's what this piece of paper says. We did not resort to name calling as Phil suggests."

Councilman Cardinale: "Yeah, but what I was saying-- to clarify what I was saying is this. Whereas by permitting the employee assigned to perform certain duties instead of the duties stated, the former Town Supervisor violated the Civil Service Law. So what you're saying is that I am saying to you that if he violated it, then Stark

violated it when he appointed his-- what was his name-- his deputy, because it was appointed in the same manner. Janoski violated it and here you guys are two days in telling three previous administrations they don't know what the hell they're doing. And they are taking illegal actions. And you're doing it without benefit of counsel's opinion or without benefit of an opinion of the Civil Service Department which you could have had for the asking. And you're doing it on a motion that was not presented to us at a work session but was sent-- couriered to us at 5:00 this afternoon. Something smells."

Supervisor Kozakiewicz: "I would just point out the following. This is a position which we all agree was done without the prior Board's knowledge. The records reflect that it was a phantom position. Whether other Boards did this improperly or not I'm not going to address."

Councilman Cardinale: "You do know because you could ask Jack Hansen and he'd tell you so."

Supervisor Kozakiewicz: "No. The question of whether counsel was contacted is erroneous. I did speak with labor counsel, Mr. Zuckerman. Mr. Zuckerman, in fact, helped with the language concerning this resolution."

Councilman Cardinale: "Did you discuss it with the Board?"

Supervisor Kozakiewicz: "At this point in time I vote yes rather than continuing this and belaboring the point."

Councilman Kent: "Well, could I just make a brief statement? Again, I'm not going to go-- but this resolution-- I'm not going to go into individual votes or individual points of view. This resolution is defective if some of the things that you've said here tonight are true because it says that the part time positions were posted for the Justice Court and the Highway Department. It says right in there-- "

Supervisor Kozakiewicz: "Were not."

Councilman Kent: "No. It says Whereas the part time positions posted for the Justice Court and Highway Department were not vacant until January 1st. It does say they were posted. And it's been said here tonight on several occasions that they were not posted."

Councilman Lull: "They were posted but they were posted the
27th."

Supervisor Kozakiewicz: "No. You have to read the prior Whereas clause. But rather than continue this, let's move forward to Resolution 36, please."

Barbara Grattan: "This resolution is adopted."

Resolution #36

Councilman Lull: "I think we ought to not even bother with this one. This resolution sets the salaries for all Town employees, general Town employees for the year 2000. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #37

Councilman Kent: "Before we move this resolution there is an amendment here that I'd like-- I brought it up yesterday and I just want to mention it again. On the CAC, I spoke personally with both George Bartunek and Nancy Gassert. Nancy Gassert does not want to be the Chairman of the Committee. Her health is failing, if anybody knows her. She's got advanced Lyme's disease, she's on-- she's not in a very good way right now. So if you do know her, you might want to contact her. But she has told me personally that she does not want to serve as Chairman. George Bartunek has been acting Chair and he expressed to me today that he would like to continue in that capacity."

Supervisor Kozakiewicz: "Yeah. In fact, we had-- I had asked Ms. Stromski from the Planning Department about these appointments and we had learned that George Bartunek was the Chair and that Nancy Gassert shouldn't have been surprised that it came back out this way."

Barbara Grattan: "What about (inaudible)."

Supervisor Kozakiewicz: "He's still a member."

Councilman Kent: "He's still a member. George would like to take another shot at getting him to come to some meetings."

Barbara Grattan: "Where are we for this?"

Councilman Lull: "Phil as to make a motion."

Councilman Cardinale: "This motion 37 sets the salaries of the various Boards, the Architectural Review Board, the Conservation Advisory Council, Planning Board and Zoning Board of Appeals for the new year. So moved."

Councilman Lull: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "I would just like to make a quick comment about a lot of these Boards. These Boards-- these people are doing it more for the love of their Town that for the money. They do not get paid a lot of money. They work very, very hard for the Town of Riverhead and I definitely vote yes."

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

Councilman Cardinale: "I think Ed had earlier agreed with me on something and I couldn't agree more on that, so I vote yes."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes.
The resolution is adopted."

Resolution #38

Councilman Kent: "This sets the salaries for the Street Lighting District for the year 2000. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Kozakiewicz, yes; Lull, yes. The resolution is adopted."

Resolution #39

Councilman Densieski: "Sets salaries of Sewer Scavenger Waste District for the year 2000."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #40

Councilman Lull: "Sets the salaries of Refuse and Garbage Collection District for the year 2000. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "This is setting salaries for the Refuse and Garbage Collection District for the year 2000, correct?"

Councilman Lull: "Yes."

Councilman Cardinale: "It is my understanding that we contract out all garbage collection yet we're spending \$83,000 for garbage people. Can somebody explain that to me?"

Councilman Lull: "(inaudible) not necessary, Phil, they're awfully busy."

Councilman Cardinale: "Well, I can't imagine how we can spend \$83,000 when we already have contracts for every district in this town to pick up garbage. If you need one of those people, \$26,000 makes sense because they take complaints on the garbage that isn't picked up. But why do we need a sanitation supervisor? What to they supervise?"

Councilman Densieski: "I believe there's six different districts."

Supervisor Kozakiewicz: "There are six different districts-- "

Councilman Densieski: "And thousands of homes in here. It is a full time job, in my opinion."

Councilman Cardinale: "And what does the Supervisor supervise if we have contractual obligations outside third-party contracts between the town and the six garbage companies that pick up our garbage?"

Councilman Densieski: "The clerk typist isn't going to drive out and check each individual complaint. I don't know how many complaints there are a day, but it's a lot."

Councilman Cardinale: "Well, my understanding is you get a call and then you call the contracting-- the carter with whom you are contracting and say do your job pursuant to contract. What else is there to do? And if he doesn't, you bring it to the Town Attorney."

Supervisor Kozakiewicz: "Phil, rather than engage in this again, I wish we could bring these points up when we had this resolution before us yesterday."

Councilman Cardinale: "You think that you would have removed it?"

Supervisor Kozakiewicz: "Well, we could have at least talked about it. Now at this time, I mean, is it your feeling that we should eliminate Mr. Reeve's position because it is totally unnecessary?"

Councilman Cardinale: "I think that sums it up."

Supervisor Kozakiewicz: "Yeah. And I think you're wrong. And why don't we move forward and let's go for the vote and we can discuss it at that point in time."

Councilman Lull: "Phil, don't forget John is a code enforcement officer and it is his job to enforce the sanitation codes in this town."

The Vote: "Cardinale."

Councilman Kent: "And we-- just on that point, very briefly, Bob, please. We had discussed decreasing his salary to reflect his code enforcement duties which is more in the line of \$40,000 and that had been discussed at budget time. We might want to entertain that again to change his position from sanitation supervisor to enforcement. The enforcement officers in our town make between 37 and \$42,000 and his salary at \$57 is a little bit exorbitant for this type of code enforcement responsibilities."

Councilman Lull: "And then we gave him another job to administrate."

Councilman Kent: "Which I hear now that we might be privatizing so then what are we going to do?"

Supervisor Kozakiewicz: "Once we get to that point-- "

Councilman Kent: "Okay."

Supervisor Kozakiewicz: "Let's move forward with the vote."

The Vote: "Cardinale."

Councilman Cardinale: "What?"

Barbara Grattan: "Your vote."

Councilman Cardinale: "Oh, my vote, okay. I'm going to vote no because I can't understand how we need a department head if we don't have a department of sanitation. So for that reason and for the remarks Chris has made about the appropriateness of code enforcement status rather than supervisor status, I vote no."

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

Councilman Kent: I'm also going to vote no because I think the salary for his position should be reduced. He also has a second duty of which I believe you were referring to the dog shelter-- he should be paid partly as a code enforcement, partly as a shelter supervisor. Not under sanitation supervision because I would never consider dogs or animals as sanitation. So if he's doing more than sanitation supervisor, I think he should be paid in two separate lines to more appropriately reflect his duties. So I vote no."

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

Resolution #41

Councilman Cardinale: "This sets salaries for the Water District employees for the year 2000. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #42

Councilman Kent: "This sets the salaries of employees in the public Parking District for the year 2000, two parking meter officers. So moved."

Councilman Cardinale: "Seconded and I have a question. Didn't we do away with the parking meters? So why do we need parking meter officers for?"

Councilman Lull: "They are not parking meter officers."

Councilman Cardinale: "That's what their title is."

Councilman Lull: "I know. That's what their title is because that's the appropriate title within the Civil Service-- "

Supervisor Kozakiewicz: "They do parking enforcement."

Councilman Kent: "We have two hour and one hour parking limits. If your tire has ever been marked in front of the courthouse for instance where there's two hour parking. I got several tickets there."

Councilman Cardinale: "How much-- we're paying \$64,000-- \$62,000 here plus benefits which is another 25%, we're paying close to \$80 or \$90,000. Does this make any sense? We might as well forget it. We're not getting that kind of revenue from parking. So why don't we try being realistic and not have parking meter officers if we don't have parking meters and simply allow people to park if they can find a spot."

Supervisor Kozakiewicz: "Phil, your point is well noted. Why don't we take it up with the vote because we're getting bogged down here. If we can move forward, please."

Councilman Kent: "Yeah, just one last point, Phil. It doesn't come out of the general fund. It comes out of I believe the Parking District. So if anybody wants to complain it should be the people downtown who pay the Parking District fees."

Councilman Cardinale: "Which are already complaining that they can't afford the parking for the aquarium and they want us to pay for it from the general fund and that's part of the reason because of this."

Councilman Kent: "We should take this up at a work session or something."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "No, for the reasons stated."

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

Councilman Kent: "I'm going to vote yes because if we're going to have them, they should at least have a salary of this small amount. If we're not going to have them, we could abolish the positions and not have them. But if we're going to have them, we should at least pay them \$30,000 which I think-- "

Councilman Cardinale: "Good. Well, I don't have any problem with the salaries, it's the position. You're right."

Councilman Kent: "Okay. So if we're going to have the positions, we should pay them the salaries. I vote yes."

Councilman Densieski: "It is another person of authority downtown to help tourists and stuff. I think it's reasonable."

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

Resolution #43

Councilman Densieski: "Sets salaries of elected-- excuse me, elected officials for the year 2000."

Councilman Kent: "You're choking on that elected official already and you've only served a couple days."

Councilman Lull: "I'll second it."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes."

Councilman Cardinale: "Discussion."

Supervisor Kozakiewicz: "Discuss it as part of your vote, Phil. Let's keep going."

Councilman Cardinale: "Yeah, my question-- "

Supervisor Kozakiewicz: "What are you going to discuss every resolution?"

Councilman Cardinale: "I'm going to discuss this one because- "

Supervisor Kozakiewicz: "Okay."

Councilman Cardinale: "\$69,230 is listed as the Supervisor's salary. I recall that there was much criticism-- "

Supervisor Kozakiewicz: "Make it 66, Phil. Make it 66. Make it 66 if that's your proposal. I'm not going to bicker over \$3,000."

Councilman Cardinale: "Well, that was the claim that you made. It was too high. Incidentally-- "

Supervisor Kozakiewicz: "I did not make that claim. But I'm willing to do that in order to get past this. Make it 66."

Councilman Cardinale: "Then let me ask the next question because Ruth asked me to ask. Are you taking a car which was much criticized."

Supervisor Kozakiewicz: "Sure."

Councilman Densieski: "Can I answer that question, please?"

Councilman Cardinale: "Yes."

Councilman Densieski: "I was sitting in the chief of police-- "

Supervisor Kozakiewicz: "Yes, I did. Listen-- "

Councilman Densieski: "-- office, when the chief of police asked the commissioner of police, actually requested that he take a car because he is the commissioner of police, he is on duty 24 hours a

day, he did take an older car, too. He turned in the new car."

Councilman Cardinale: "I don't have any problem with the car. I just wanted to ask because Ruth was screaming that it was inappropriate for the Supervisor to have a car."

Supervisor Kozakiewicz: "Phil, I-- and I had initially agreed with her and, in fact, was very reluctant to take one."

Councilman Cardinale: "But you did?"

Supervisor Kozakiewicz: "I did. But I will-- if you wish to amend the resolution and reflect a salary of 66, please do it. Let's go and get forward. This is getting ridiculous."

Councilman Cardinale: "I am not going to amend it but I am going to remind you of your words and if you believed them when you said them, you would have amended it. So that's all I have to say."

Councilman Densieski: "Use it in the campaign in two years. Let's move on."

Councilman Kent: "Well, wait a minute. Brief discussion. There were radio advertisements saying that the Supervisor makes too much money and I am a little shocked that the pay is increased."

Supervisor Kozakiewicz: "No, I don't think that's what the radio advertisements say."

Councilman Cardinale: "They said that he was the highest paid supervisor and that it was wrong."

Supervisor Kozakiewicz: "That's not what it said."

Councilman Cardinale: "So you are now going to be the highest paid supervisor."

Councilman Densieski: "He's running a 40 million dollar business-- \$69,000 is not a lot."

Councilman Cardinale: "That's no-- I agree with you."

Supervisor Kozakiewicz: "I am going to be-- let's-- if you guys-- if your desire is to move to amend it to 66, the offer stands, Phil, go ahead, move to amend it. I'll move to amend it to 66. Go

ahead. No, I mean, let's move forward with the vote."

Councilman Kent: "Hey, hey, please. Please, please. Please, please. Have order please."

Supervisor Kozakiewicz: "Let's move forward with the vote. Where are we with the vote?"

Barbara Grattan: "We've got Densieski with yes."

Supervisor Kozakiewicz: "Okay."

The Vote (Cont'd.): "Cardinale, yes; Kent."

Councilman Kent: "I just have a question. Is Laverne Tennenberg chairperson, now was that increased by \$1,000 or is that-- because I thought it was \$5,000."

Supervisor Kozakiewicz: "It was \$5,750 so-- "

Councilman Kent: "Oh, okay, all right. That was just a question. I recalled \$5,000. All right. Yes."

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

Resolution #44

Councilman Lull: "44 sets the salaries of the Highway Department for the year 2000. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #45

Councilman Cardinale: "This resolution sets the salaries of police officers for the year 2000."

Councilman Kent: "How appropriate for you to move this resolution. I second it."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes."

Barbara Grattan: "I'm afraid to do this one. Cardinale."

Councilman Cardinale: "I'm amazed and I congratulate Chief Grattan for overcoming the \$100,000 mark. I agree completely that the Supervisor is underpaid. That's why I was so surprised to hear the previous pronouncements to the contrary. I don't think we have a choice. These are all contractual. If they are contractual, why not. They shouldn't have made the contract. But this is the contract that was made by the Board. So I vote yes to confirm the figures. You make a contract, you've got to pay the salary."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes.
The resolution is adopted."

Resolution #46

Councilman Densieski: "Promotes Detective Grade II to the position of Detective Grade III."

Councilman Lull: "Yes. And congratulations for a job well done."

Councilman Kent: "Actually he goes from a Grade II to a Grade I."

Supervisor Kozakiewicz: "Grade II to Grade I."

Councilman Densieski: "I'm sorry. Demotion."

Councilman Lull: "Going up, yes. Congratulations for a good job to Bob Boden. I second it."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "In agreement with them, Bob has done a great job and I definitely vote yes. It's very little money still."

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

Councilman Cardinale: "Yeah, before I-- I have a question on procedure. How do we find promotions? Are they promotions recommended to us by the police department-- police chief?"

Councilman Densieski: "They are now mandatory after five years."

Councilman Cardinale: "And this is one of them?"

Councilman Densieski: "Det. Boden was in eight years and never got promoted."

Councilman Cardinale: "So this is a promotion that is by-- "

Councilman Densieski: "It is two years overdue."

Councilman Kent: "It's \$740."

Councilman Cardinale: "Yes. I'm just asking as the procedure. Yes."

Councilman Densieski: "Now it's mandatory. Before it was (inaudible)."

Supervisor Kozakiewicz: "Chris."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Barbara Grattan: "Resolution to pay bills."

Councilman Kent: "We don't have bills. Jack, no bills tonight. No bills."

Barbara Grattan: "No bills. Okay, good."

Councilman Kent: "That's good. I didn't pay my bills today either."

Supervisor Kozakiewicz: "Move to adjourn. Thank you."

Meeting adjourned: 10:25 p.m.

Barbara Grattan
Town Clerk