

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

We, the Undersigned, being all members of the Riverhead Town Board of the Town of Riverhead, County of Suffolk, and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York at 9:30 A.M. on the 21st day of October, 2002 and do consent to the holding of such meeting for the purpose of:

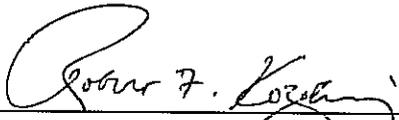
- Res. 1092** Authorizes Town Clerk to Publish and Post Notice of Public Hearing to Consider the Adoption of the 2003 Annual Budget For the Town of Riverhead.
- Res. 1093** Authorizes the Release of Security Bond for Front and Center Properties.

And any and all other matters that may come before the Board.

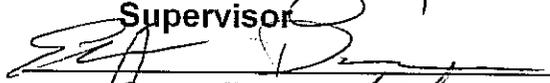
Dated: October 21, 2002

Town Board Members
of Riverhead, New York

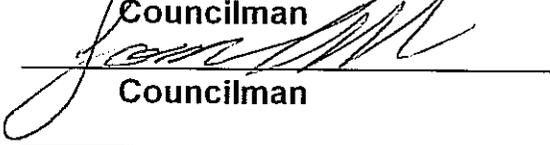
Media Notified by Supervisor's Office
Suffolk Life
News Review
Traveler Watchman
WRIV



Supervisor



Councilman



Councilman

Councilwoman

Councilwoman

SPECIAL TOWN BOARD MEETING

October 21, 2002

Present: Supervisor Kozakiewicz
 Councilwoman Blass
 Councilwoman Sanders
 Councilman Densieski
 Councilman Lull (Arrived at 10:09 a.m.)

Also Present: Town Clerk, Barbara Grattan

Supervisor Kozakiewicz: "Let the record reflect that it's October 21, 2002, the time of 10:00 a.m. We're here with regards to a Special Town Board Meeting, just for the record, this was or had been requested by Councilman Densieski and Lull by a memo, the memo, I understand was dated, Wednesday, October 16th, and they would have notified or indicated that for this morning for a Special Board Meeting at 9:30 a.m., to take up resolutions to reconsider the notice concerning the 2003 annual budget, in order to provide for salary increases for all elected officials, and at the same time, we've added on a resolution which is 1093 which Authorizes the Release of Security Bond for Front and Center Properties. Why don't we take up the second one first, it's out of order?"

RESOLUTION #1093**AUTHORIZES THE RELEASE OF SECURITY BOND FOR FRONT AND CENTER PROPERTIES.**

COUNCILWOMAN BLASS: "I just want to note for the record, that I was not notified in writing of this meeting. I am here today, however but I was not notified and I believe Town Law dictates that we should otherwise sign a waiver which you have presented to us."

SUPERVISOR KOZAKIEWICZ: "You have a right to object."

COUNCILWOMAN BLASS: "I do."

SUPERVISOR KOZAKIEWICZ: "Alright, we'll note your objection."

COUNCILWOMAN BLASS: "Thank you."

SUPERVISOR KOZAKIEWICZ: "Is there a motion?"

RESOLUTION #1093**AUTHORIZES THE RELEASE OF SECURITY BOND FOR FRONT AND CENTER PROPERTIES.**

SUPERVISOR KOZAKIEWICZ offered the resolution, which was seconded by **COUNCILMAN DENSIESKI**:

The **Vote**: Sanders, question on the CO on this property. I seem to recall some time ago, we had questions on the site plan and I don't believe that was ever resolved."

SUPERVISOR KOZAKIEWICZ: "What happened was, (Inaudible) some controversy, believe, is that it being indicated before it started under prior administration in 1999, and there had been a request that there be a site plan or by a majority of the vote, we had accepted amended elevations. The project had proceeded forward, and has received at this point of time, a CO for its operation, and there has been a request from the building department, who has determined that all work has been completed to the building department's satisfaction, and the issuance of a CO to allow for the release of the security bond which was posted for this work."

COUNCILWOMAN SANDERS: "Okay, and just then I should have started out by saying I also am unsure of and looking through because nothing aware of what the proper procedure is. I know we were suppose to get written notification and as to whatever reason we did not. I don't think that the practice that we should support. We had plenty of time between from what I understand Wednesday and certainly Friday to receive that notice and we did not. I also object to that, but in reference to the resolution, **No**."

COUNCILWOMAN BLASS: "No."

COUNCILMAN DENSIESKI: "Yes."

COUNCILMAN LULL: Absent

SUPERVISOR KOZAKIEWICZ: "Yes."

The resolution was thereupon declared **NOT TO BE ADOPTED**.

RESOLUTION #1092**AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE 2003 ANNUAL BUDGET FOR THE TOWN OF RIVERHEAD**

COUNCILMAN DENSIESKI offered the resolution, which was seconded by **SUPERVISOR KOZAKIEWICZ**.

COUNCILWOMAN SANDERS: "In that I don't still don't understand to this moment, the difference between what was and why we presented something at the Town Board Meeting on Tuesday, that at the time everyone had an opportunity to support or oppose that resolution, and we all supported it, why we're addressing a different one today? So with that I will vote NO."

COUNCILWOMAN BLASS: "No."

COUNCILMAN DENSIESKI: "Almost all of the town employees received about a 4% raise, why we would consider less for elected officials. By voting no, we're voting no for all elected officials; not just ourselves, even the ones you don't control your own economic destiny. I recommend that we vote YES, and anybody that doesn't feel that they deserve or work hard enough to merit a raise, you can elect not to take it, but for myself and the other elected officials who can't vote for themselves, I will vote YES."

SUPERVISOR KOZAKIEWICZ: "First and foremost, I want to address the comment which was a switch and bate issue and I'm going to do so because I believe that regardless of whether this resolution was adopted or whether the resolution from Tuesday is adopted, the bottom line, very, at the very bottom of this issue, is the fact that there would be a public notice to all individuals in the Town of Riverhead, establishing these posted salaries and I think to characterize this which (inaudible) somewhat unfair, there may have been a change of heart, change of position by Town Board members, believing that the fairer thing to do would be to allow the elected officials a cost of living increase that commensurate or equal to what the staff are earning through collective bargaining agreements. Clearly the public has a right to react to this, clearly the public has a right to tell us whether we're being unfair, clearly the public has the right to say that this should not have happened the way this has happened. I am troubled by this, there were numerous discussions during the budgetary process where we talked about salary increases for various elected officials and quite frankly, I believe we all did know what we were voting on last Tuesday and that did not include salary increases for anyone other than my position and I think that certain quotes and indications subsequent to that or that we didn't know what we were voting for, although I had been led to believe that the reason that the request was made to hold a special town board meeting because that there had been some difference of opinion or lack of understanding of what it was that had been voted upon at the public hearing on last Tuesday. I think it's unfair that politics should prevent this from

taking place. I don't appreciate the fact that there seems to be different stories going out to different people based upon of what you believe and this is only establishing a ceiling and I think in all fairness we should establish that ceiling and then of course we'll get into the battle when January comes for the establishment of salaries and the organizational meeting of the year. For that reason I would vote YES. I vote YES again because I think that to say that this is not something the public can hear be heard on is unfair, and they can be heard on this particular issue and I'm sure they are going to tell us how they feel. I believe that there was a lack of participation perhaps in the budgetary process. I again reiterate that what I understood from my colleagues, Councilman Densieski and Lull is that there had been some difference of opinion of what was being voted on Tuesday night and to hear to the contrary later in the press was particularly troublesome. I vote YES, non-the less.

COUNCILMAN LULL: "I vote YES."

BARBARA GRATTAN: "That resolution is adopted."

COUNCILWOMAN SANDERS: "Inaudible)"

COUNCILWOMAN BLASS: "This is a travesty."

COUNCILMAN LULL: "No its not, it's the---it satisfies my voting, I mean the order of voting is an arbitrary process and Barbara reads them out of order some time and we still vote. So it really doesn't make any difference."

COUNCILWOMAN BLASS: "But you weren't here when the resolution was moved, and I just think you would have to be at least present for the motion or the consideration of the resolution, that would be issue."

COUNCILMAN LULL : "I had seen it."

COUNCILWOMAN BLASS: "When"

COUNCILMAN LULL: "When I knew it was going to be, I mean I hadn't seen it on paper, but I knew it was coming."

COUNCILWOMAN SANDERS: "Well I think until we establish (inaudible) but what I am asking is what is the procedure here? What is, what rule, what do the rules states in this situation?"

SUPERVISOR KOZAKIEWICZ: "Under the Town Law as we discussed earlier Rose, two board members have the right to call for a special board meeting. A memorandum had been issued, I understand was not circulated as it should have been by two town board members, by Councilman Densieski and Councilman Lull. As I indicated, I think there was a change of heart or at least some change of thought process with respect to this particular matter on the budget and as I think Rose, you

and Barbara will know during the budgetary process, I did recommend that at the very least a cost of living increase for the elected officials. As far as the procedure here, I think that as long as the board members in time for the vote, they can register a vote. Jim can obviously make whatever decision he sees fit as to the process and that's his call."

COUNCILMAN LULL: "Well, everybody knows that during the budgetary process, I was in favor for a raise for the Town Board Members of a minimum of a cost of living and of a maximum same as the CSEA and SOA and PBA, and so that's what I had said. When the majority of the people seem to be indicating that they would go along with something less than that, I certainly wasn't going to stop the entire budget process just for what is essentially probably a \$15,000 item, so it's hardly that important to spend more on some tools that we buy. So as far as that is concerned, where my sentiments lie they haven't changed, that's all, but as far as the process is concerned, I've certainly been chairman of an awful lot of meetings over the years, and I don't think that there is any indication that the order in which somebody votes it's anyway, I apologize for being late, at least three of you here will know what it's like to have a daughter in labor sometime, so I'm sorry about that."

COUNCILWOMAN BLASS: (INAUDIBLE)

COUNCILMAN LULL: "No, I said that I'm not going to hold up, I'm not going to, this is a way board works, you try to go along with it as much as you can, and I'm not going to hold up an entire whatever it is a million dollar budget for the price of a motorcycle. So that's, I was not in favor of that, the budget that way, of the salaries that way, and I thought everybody here includes the type of same salaries the people that work for them, and I didn't have any problem with that at all, but as I said, I wasn't going to hold up the budget process for something like that."

COUNCILMAN DENSIESKI: "A motion to adjourn we have another meeting in this room."

COUNCILWOMAN SANDERS: "I can't second that because Number One, I just need to comment on again going back to resolution that was presented to us on Tuesday was clearly identified that there would be a salary hold for all officials except for the Supervisor's position. It wasn't (inaudible) I'm sorry—"

COUNCILMAN DENSIESKI: "We going to discuss this, because if we do, (inaudible)"

SUPERVISOR KOZAKIEWICZ: "Well there was a motion to adjourn, there is no second. Is there a second? There is a motion on the table, so, is there a second to adjourn?" No further business, is there any further business?" Alright, as I go back, there is a motion to adjourn, is there a second? We'll sit here all morning guys, if that's what you guys want to do."

COUNCILWOMAN SANDERS: “No, I don’t want to do, I’ve been sitting here all morning already.”

SUPERVISOR KOZAKIEWICZ: “I know that.”

COUNCILWOMAN SANDERS: “Since 9:30 when this meeting was suppose to start and it did not start until 10:00, and”

SUPERVISOR KOZAKIEWICZ: “I apologize for that.”

COUNCILWOMAN SANDERS: “I know you did and I accept your apology, I’m just saying now to rush now when I was sitting here for a half hour is.”

SUPERVISOR KOZAKIEWICZ: “I’m saying is there any further business.”

COUNCILWOMAN SANDERS: “Well, I need a clarification in our procedure, and I was about to ask about our procedure and I needed a clarification, I asked what the procedure is when a member of the board is not present at the beginning of the--- when the resolution is moved and we’ve already gone beyond his vote, her vote, the board member’s vote, can we then go back, and I asked for the (inaudible) and instead what I got was I appreciate an explanation of how we got to today, that’s not the question I asked, I asked the question regarding the procedure on how a resolution is moved, to its present at the time it’s moved, that’s what I am asking.”

SUPERVISOR KOZAKIEWICZ: “I don’t believe there has been any written procedure for this town board to operate upon an unwritten policy, we attempted to try to enact rules and procedures last year or a few years ago, I believe it was on different issues, Roberts’ Rules would apply, I believe we never, I cannot recall during my tenure, this situation ever come up ; however, I think that if an individual is here, and can register a vote before the close of the vote, I believe their vote can be registered. Further, I understand that if you wish to change your vote before a vote is closed, you can change your vote, so I would think, the same of rule of thumb would apply. We can debate this issue forever, if there is a desire to invalidate or nullify, I’m not sure if this is, where we are willing to go. I do have, I do believe the response to it, I, if you wish to sit here I can ask the Town Attorney to come and render us an opinion if you wish to do so, but I don’t think that we need to do this at this particular point in time. We have concluded business, we can...”

COUNCILMAN LULL: “I’m not sure we can do this, the Suffolk Legislature as an example, of parliamentary procedure., but I imagine that they hold as close as they can to parliamentary procedure. I have seen people walk in a room for a total of ten seconds, fifteen seconds just to say yes and”

SUPERVISOR KOZAKIEWICZ: “Well it happens all the time at the county levels, that’s for sure.”

COUNCILMAN LULL: "Town Law indicates that unless otherwise, as I indicated, that Roberts' Rules support it."

COUNCILWOMAN SANDERS: "Well I guess that (inaudible) that I personally receive a formal response to that question, I would like to know what the rules of order are here. Not being familiar with them, I'm just asking someone to please advise me what they are."

COUNCILWOMAN BLASS: "Mr. Supervisor, I would also like to see a copy of the written request By Councilman Lull and Densieski which actually calls for it."

SUPERVISOR KOZAKIEWICZ: "I'm sorry about that. It was done on Wednesday, you will receive a copy of that memo, absolutely. Any other business?"

There being no further business on motion and vote, the meeting adjourned at 10:20 a.m.

Barbara Gration
Town Clerk