

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Riverhead Town Hall, Howell Avenue, Riverhead, New York on Tuesday, September 20, 2005, at 2:00 p.m.

Present:

Philip Cardinale,	Supervisor
Edward Densieski,	Councilman
George Bartunek,	Councilman
Barbara Blass,	Councilwoman
Rose Sanders,	Councilwoman

Also Present:

Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Town Attorney

Supervisor Cardinale: "How's Cable? Are they ready to rumble? Okay. Then we will. Okay, this is Tuesday, September 20th Town Board meeting, 2:00 p.m. at town hall. We will begin as always with the pledge of allegiance. Mr. Intravia (phonetic) would you lead us?"

Supervisor Cardinale called the meeting to order and the Pledge of Allegiance was recited led by Mr. Intravia.)

Supervisor Cardinale: "Okay. We have minutes of our previous Board meeting to consider for approval. Barbara- "

Barbara Grattan: "We do not."

Supervisor Cardinale: "We don't. Not yet complete? So we will do that at the next meeting. The Reports, Barbara, would you recite them for us?"

Barbara Grattan: "Sure."

REPORTS:

Building Department
Monthly report for
August.
Total collected was
\$133,951.00

Police Department
Monthly report for July,
2005

Barbara Grattan: "That concludes Reports."

Supervisor Cardinale: "Applications, please."

APPLICATIONS:

Site Plan
Jason's Vineyard, Main
Road,
Jamesport, for a winery

Parade permit
Riverhead High School -
Oct. 1
Homecoming football game

Special events
Peconic Bay Region - 1063
Sound Ave. - Oct. 16th antique
car show

Church of the Harvest - Oct.
16th - community event

Barbara Grattan: "That concludes Applications."

Supervisor Cardinale: "Correspondence, please."

CORRESPONDENCE:

Charles Cuddy
Petition from Gendot
Assoc.,
Inc. - water extension

Warren McKnight
Suggestions of how to
increase
the number of people visiting
and shopping in Riverhead

James and Wanda Rowland
Regarding street sign

Barbara Grattan: "That concludes Correspondence."

Supervisor Cardinale: "Great and I note that today there are no public hearings which is really unusual and actually delightful. So we can move right to the review of the resolutions.

But preceding that, we'd like to take comment from anyone who is present and even preceding that, I'd like to ask, I think, Ed, you had a committee report."

Councilman Densieski: "Yes, thank you, Phil. Just a reminded that October 8th is a STOP date from 8 to 3 at the Youngs Avenue facility for any of your hazardous paints, etc., etc. Thank you."

Supervisor Cardinale: "Anybody else with an announcement?"

Councilman Bartunek: "Yes. I guess I could mention that the BID met on Monday and they are dedicating themselves to another Blues Festival next year."

Supervisor Cardinale: "I hope that's a wise choice and I- the tradition is, of course, a good one, and hopefully this year- this coming year it will be more profitable."

I also wanted to make an announcement. Jacob Rottkamp passed away yesterday I've been informed after a long illness. Mr. Rottkamp served the town and the county Farm Select committees long and well and was a vital and consistent force behind the farmland preservation efforts in Riverhead and throughout the county of Suffolk and I know the entire board joins me in our entire thoughts and prayers and sympathies go out to the Rottkamp family. I just learned of that this morning."

Councilwoman Blass: "I had the pleasure of serving with Jake since 1997 on the town's Farmland Select Committee and although we- the committee was always very excitable at times, Mr. Rottkamp was a true gentleman and really someone that represented the town well and we will miss him in that capacity for sure. And I know his family was very proud of the work that he did as well."

Supervisor Cardinale: "Thank you. And we will miss his service to the town."

We have a relatively modest agenda today of 40 or so resolutions, many of them routine, but there may be some comment on the resolutions and if there is on the resolutions, I'd like to take that comment now prior to reviewing them and then after we review them and vote, we'll take general comment. Yes, Sal."

Sal Mastropolo: "Sal Mastropolo, Calverton."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Resolution 906."

Supervisor Cardinale: "Resolution 906. Yes."

Sal Mastropolo: "The first Resolve, the first line is missing something. Site application of the Riverhead town board."

Supervisor Cardinale: "In the matter of the site application of the Riverhead town board. Oh, I see what you're saying. Matter of the site application- okay, in the matter of the site plan application, the word of should be deleted there. It should read in the matter of the site plan application, the Riverhead town board hereby declares itself to be lead agency."

Sal Mastropolo: "You don't want to put in the name of the applicant?"

Supervisor Cardinale: "Site plan- of, well, the site plan application above herein, how's that? In the matter--"

Sal Mastropolo: "However you want to fix it."

Supervisor Cardinale: "Yeah. Instead of, of, we'll make that (inaudible)."

Sal Mastropolo: "Okay. And on the declarations page, the first Whereas talks about schedule A annexed hereto but there's no schedule A. So there's no definition of the property."

Supervisor Cardinale: "What number is that, Sal?"

Sal Mastropolo: "The same resolution- "

Supervisor Cardinale: "Okay."

Sal Mastropolo: "-- on the declarations and covenants page, the first Whereas- "

Supervisor Cardinale: "Okay."

Sal Mastropolo: "-- talks about schedule A annexed hereto but there's no schedule A."

Supervisor Cardinale: "I'm trying to find- this is 905 you're still on?"

Councilwoman Sanders: "906."

Supervisor Cardinale: "905 or 905?"

Councilwoman Sanders: "906."

Councilwoman Blass: "906."

Councilwoman Sanders: "906 in the declaration, it refers to as set forth in schedule A and there is no schedule A."

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Supervisor Cardinale: "Okay. And schedule A is the description?"

Sal Mastropolo: "Yes."

Supervisor Cardinale: "Okay. Do you have that schedule A, the description of the piece, Rick? If you do, I'd like it attached. If you don't, I believe it to be the description of the parcel, is that correct?"

Sal Mastropolo: "Yeah, it is."

Rick Hanley: Phil?"

Supervisor Cardinale: "Yes."

Rick Hanley: "This is a copy of a covenant that the applicant has to record prior to the building permit--"

Supervisor Cardinale: "So he has to attach--"

Rick Hanley: "This is a courtesy that we provide to applicants so he would have to attach the schedule A to this document."

Supervisor Cardinale: "Understood. Right. So when we review it with legal, they will have to attach the precise description."

Rick Hanley: "Prior to their recording it with the county clerk, they would have to attach the schedule A."

Supervisor Cardinale: "Thank you. Thanks."

Sal Mastropolo: "911."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "There's no mention of a fee- there's no mention as to whether you waived the fee. Okay? They asked for it to be waived, but in the Resolve, there's no Resolved that the fee was waived. And if it was waived, why?"

Councilman Bartunek: "You're sure?"

Sal Mastropolo: "Yes. Read the Resolved. There's no Resolved that says that the fee was waived. Not in this one anyway."

Councilman Bartunek: "Right."

Supervisor Cardinale: "Okay. Who prepared- this is from Laura? This is not- this is Northeast Organic Farming Association. This is-

incidentally we were able to make clear finally that it- all, this isn't a matter of judgment- all of the- first of all, where's our town attorney? Oh, this is a legal question, I thought she had left us. I- oh, okay.

Laura- I wanted to point out that in these there is no judgment involved, all not for profit, all fraternal, all associations, pursuant to our statute are- it is waived. So it isn't a matter of judgment, it's a matter of law. But we should recite it.

The fourth Whereas says- that they have requested it and if they are a not for profit they are entitled to it. I need to check with Laura to make sure they are a not for profit. Could you- we're going to need to know that because we're going to have to address whether it was waived or not.

Could you maybe find out from Laura and I'll correct it as we reach it? Thank you."

Sal Mastropolo: "914. There's no mention of a fee being collected."

Councilman Bartunek: "Sal, with this one, I was going to add that in as a fifth Whereas. The town has received an application fee of \$200 from the Peconic Bay Region."

Sal Mastropolo: "Okay."

Supervisor Cardinale: "Add that in, application fee. Okay."

Sal Mastropolo: "915."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "The first question is wasn't there a contingency in the budget?"

Supervisor Cardinale: "915- "

Sal Mastropolo: "Yeah. It's the Harvard Nichols subdivision extension 79."

Supervisor Cardinale: "Yeah. There was a- I should point out that 898 and 899- 899 refers to the Harvard Nichols water extension budget adjustment, that's being withdrawn because we need to have a public hearing before that can occur.

As to this order calling a public hearing, what's your question again?"

Sal Mastropolo: "My question was wasn't there a contingency in the budget in the first place and the second question is why do we have to go to a public hearing? I mean if the thing was approved--"

Supervisor Cardinale: "Yeah- "

Councilwoman Blass: "Because the original amount of the public hearing is being exceeded or we're asking that the amount now is coming in higher than what it was originally heard and that's the reason for going to public hearing. As to what the contingency fee was, I don't know how much was set aside and why it wasn't sufficient. I can't answer that question, but- "

Supervisor Cardinale: "Apparently it's beyond the contingency- Gary Pendzick the water department head is not here but they have exceeded the contingency and need to increase it to \$8800 and, therefore, we have to have a public hearing even though this is in fact developer money that is being spent, not ours, not our money."

Sal Mastropolo: "It just seems strange that we'd have to go to the expense of a public hearing on something that is not costing the town any money."

Supervisor Cardinale: "Gary, why don't you answer that question, he just walked in. On the Harvard Nichols subdivision which is being- the extension of the water district which is being paid for by developer funds, we're being asked to have an order calling for a public hearing because the expense is \$8800 more than the 643 that was initially estimated and Sal asked the question wasn't there a contingency in the initial and was it not enough to cover this, is that what happened?"

Gary Pendzick: "Without wanting to affect the administrative, the engineering and the contingency it was only in the construction cost. That's why we are going for another public hearing to cover those additional costs."

Supervisor Cardinale: "That were not included- they couldn't be covered out of the contingency without another hearing, is his question."

Gary Pendzick: "That's correct, yes."

Supervisor Cardinale: "You do what, 10%? So you would have only had 6400 in the contingency."

Gary Pendzick: "That's correct."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "917."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "It's- you're going out to public bid for the ambulance."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "And I notice that you're only giving one week to respond. Isn't that a little short? Most of the other public hearings you're given two weeks."

Councilman Densieski: "I can answer that, Phil, if you want."

Supervisor Cardinale: "Yes, go ahead."

Councilman Densieski: "We had another accident with an ambulance and we're drastically, you know, short on ambulances. So it is kind of urgent that we get going- "

Supervisor Cardinale: "Yeah, we have two ambulances at least out of commission. One was the one in that terribly tragic accident in May, and the other one was this past week there was a severe- significantly bent frame on an ambulance accident at 105, so we have to move quickly."

Sal Mastropolo: "Okay. 919, the same thing. You are only given one week to respond on the playground equipment."

Councilwoman Sanders: "Yeah, why is that?"

Supervisor Cardinale: "That is because we want to get- what number did you say?"

Sal Mastropolo: "919."

Supervisor Cardinale: "919. Because we want to get the equipment in is really the reason and because I think they know- they have located- they know where the equipment is available and they don't believe they need more than one week. Let me ask that of Kenny if he's here. Is Ken Testa, Engineering, here? Yeah, just ask him- I know he wanted us to get this in by- these people in Two Bears would like this park in sometime in October."

Sal Mastropolo: "I just want to make sure that it's, you know, that you know that it's only one week and that it was done on purpose rather than an oversight."

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Supervisor Cardinale: "Yeah. We're going to call him and verify he's aware it's one week for a reason."

Sal Mastropolo: "924."

Supervisor Cardinale: "Yeah, sure, if he's there. Yes, Sal."

Sal Mastropolo: "Usually when you ratify an appointment of anybody particularly in like the recreation stuff, you say, you know, at the pleasure of the town board, applications in appropriate forms must be completed. This one you don't say anything and the very next one you do and I'm just wondering why we're being inconsistent. Should it have said to serve at the pleasure of the town board and the position is subject to the following conditions?"

Supervisor Cardinale: "I guess because— I think I know why. The first is a ratification of the appointment of Doris Taylor as a part time recreation aide. She has already filled out all the applications and appropriate forms."

Sal Mastropolo: "Well, 925 is the same thing."

Supervisor Cardinale: "Yeah, well, no. 925— "

Sal Mastropolo: "Ratifies an appointment."

Supervisor Cardinale: "Yeah, that's a good point then. I don't understand the distinction either. Neither one of them should— I can see why 924— "

Sal Mastropolo: "They're just inconsistent."

Supervisor Cardinale: "Wait a minute. No. I think what I'm saying is making sense. That when you are ratifying the appointment in 24 you don't need to fill out the forms, so 25 may be the wrong one. I don't see why if you're ratifying, she must have filled out the forms already. So I think you're right in principle, 25 should be amended to delete the reference to applications."

Sal Mastropolo: "Okay, thank you."

Supervisor Cardinale: "You're welcome. That's it."

Supervisor Cardinale: "Thanks a lot. Okay. Is there any other comment on any of these resolutions? I have learned that Northeast Organic Farming is a not for profit and, therefore, exempt from fee. I am going to ask that Andrea, if you're here, if you could call the CDA resolution which is #16 initially. I'm going to adjourn for a moment this town board meeting."

Meeting adjourned: 2:22 p.m.

Meeting reopened: 2:23 p.m.

Supervisor Cardinale: "I would ask that Barbara we begin at 896 the call of the resolutions."

Resolution #896

Councilwoman Sanders: "It's a budget adoption for 31 Northville Turnpike for a Chapter 96 capital project. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #897

Councilwoman Blass: "This is a budget adoption in connection with a Chapter 96 at 434 Pulaski Street. So moved."

Councilman Densieski: "Second the motion."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #898 and #899

Councilman Densieski: "Town of Riverhead North Fork Golf Resorts Phase 2 water extension budget adoption. So moved."

Councilwoman Blass: "Mr. Supervisor, we need to withdraw this resolution."

Supervisor Cardinale: "Yes. Right. This and 899- "

Councilwoman Blass: "And the next one as well."

Supervisor Cardinale: "-- require a public hearing before we can get to a budget adoption. Would you move, please, both of those."

Councilman Densieski: "I'll move to table or withdraw- "

Supervisor Cardinale: "Withdraw."

Councilman Densieski: "-- to withdraw 898 and 899. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded for 898 and 899 to withdraw."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolutions are withdrawn."

Resolution #900

Councilman Bartunek: "Resolution 900 CDGB Housing rehab project budget adjustment. So moved."

Councilman Densieski: "Second the motion."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #901

Councilman Densieski: "Town of Riverhead Riverhead Sewer District budget adjustment. So moved."

Councilwoman Sanders: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #902

Councilwoman Sanders: "Authorizes the retention of the law firm Jaspan Schlesinger Hoffman LLP as special counsel. So moved."

Councilman Bartunek: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, no; Blass."

Councilwoman Blass: "I'm a little bit concerned that we are referring more and more of our litigation outside because of internal conflicts in the town attorney's office, but I know that these two matters are very important for us to address in a timely fashion. So I will vote yes on this resolution."

The Vote (Cont'd.): "Densieski, abstain; Cardinale."

Supervisor Cardinale: "Yes. I've spoken with board members, Barbara in particular, and made clear that the reason we have to bring special counsel in is because of conflicts in the department and this particular special counsel while a member of Twomey Latham was familiar with this file and I think that will save us money and time. So I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #903

Councilman Bartunek: "Accepts the offer of sale of development rights for Edward W. Harbes III. So moved."

Councilwoman Sanders: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass."

Councilwoman Blass: "Yes. Mr. Supervisor, the-- there were concerns raised at the public hearing with respect to the subdivision that was going to ensue ultimately as a result of this purchase of development rights."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "And I had received assurance from deputy town attorney Sean Walter that all of the concerns that those individuals raised will be not only addressed in the contract but would be addressed at the subdivision stage. And he was going to personally make sure that the subdivision application was consistent with the metes and bounds that were going to be in the contract, and I think that was part of the concern that was raised during the public hearing."

Supervisor Cardinale: "Right."

Councilwoman Blass: "So I thought that was important to put that back on the record and having said that, I vote yes."

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

Councilman Densieski: "Yes. For the reasons Barbara stated, and this is a real good purchase. Yes."

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

Supervisor Cardinale: "Yeah. And I appreciate your mentioning it because as I look at the contract, I'll make-- it will remind me to make sure that those special provisions are in. And I vote yes."

Barbara Grattan: "The resolution is adopted."

Rick Hanley: "Phil, I just have a comment."

Supervisor Cardinale: "You have a comment before we pass on?"

Rick Hanley: "Just for your information. It's not relevant to the vote but there has been an application made for subdivision and if the board is interested, it's on for a hearing on October 6th."

Supervisor Cardinale: "It's October 6th already made."

Councilwoman Blass: "That was the reason I had the conversation with the deputy because he made me aware of that and he wanted to make sure that we knew that he would ensure that it was consistent with what we were doing here."

Supervisor Cardinale: "Okay, very good. October 6th is the hearing date, the first hearing day I assume. Okay, so that's passed."

Resolution #904

Councilwoman Sanders: "Accepts the final supplemental environmental impact statement prepared in support of certain zoning amendments upon lands at the Enterprise Park at Calverton. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. May we have a discussion on one point? Would you come up, Rick, on this?"

I know that you have been working to accept this and it's in adequate form to be accepted as far as your recommendation?"

Rick Hanley: "Yes."

Supervisor Cardinale: "And I know Barbara has worked with you. Once we accept the final, we have to have a hearing on the zone change itself."

Rick Hanley: "Yeah. The next step would be and I would ask you to keep the hearing open at that time for 14 days because we have that length of time before we can adopt a findings statement. But after that's done, the findings statement is written, then we would have to

hold a public hearing on the actual text, if there is going to be changes to the text from the existing EIP and to the map itself."

Supervisor Cardinale: "So that the course is to- if we accept the final today, we have- "

Rick Hanley: "We have a final hearing on the 4th- "

Supervisor Cardinale: "On the- "

Rick Hanley: "-- on the final. We're accepting it as a board today--"

Supervisor Cardinale: "And then the hearing will be on the 4th- "

Rick Hanley: "Right. Fourteen days from the acceptance. Right."

Supervisor Cardinale: "Okay. And at that point after the hearing, the findings- "

Rick Hanley: "We must write findings. It's our obligation to."

Supervisor Cardinale: "Written and reviewed for vote."

Rick Hanley: "Right."

Supervisor Cardinale: "And then we are in a position to proceed with the actual zone change hearing?"

Rick Hanley: "Yes."

Supervisor Cardinale: "Okay."

Rick Hanley: "On your motion."

Supervisor Cardinale: "All right. Thank you."

Councilwoman Blass: "Can I just verify that the document will be assembled in its final form and ready for circulation as of tomorrow? Is that- "

Rick Hanley: "As of tomorrow."

Councilwoman Blass: "As of tomorrow?"

Rick Hanley: "Yes. That's 14 days prior to the hearing date."

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Councilwoman Blass: "Okay. Because that is important. We've seen pieces of it and-- "

Rick Hanley: "You've seen pieces that are being amended."

Councilwoman Blass: "-- that are being assembled and I don't know if the board has had the opportunity to see all the component parts but we really need to make sure that the action we take today can indeed support the ultimate action of the rezone and the process is very important so we shouldn't be cavalier about it. We should make sure it exists in form and content and adequate-- "

Rick Hanley: "The intent is to have it circulated at the clerk and to the ARB tomorrow."

Councilwoman Blass: "Tomorrow. Thank you."

Supervisor Cardinale: "We must do that to make the 14 days before the hearing date."

Rick Hanley: "Right."

Supervisor Cardinale: "So it has to be at the clerk's office by close of business tomorrow."

Rick Hanley: "That's why we're adopting this resolution this afternoon."

Supervisor Cardinale: "Okay."

Councilwoman Blass: "In anticipation."

Supervisor Cardinale: "Very good."

Councilwoman Blass: "Thank you."

Supervisor Cardinale: "Okay. Unless there's further discussion, can we have a vote, Barbara?"

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #905

Councilman Densieski: "Approves the amended site plan of Crown Recycling for Peter Rossano. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "This was the one that we had discussed."

Councilwoman Blass: "We have an amended one. Did it not get to everybody?"

Supervisor Cardinale: "There's an amended which I have here."

Councilwoman Blass: "I passed it- yeah."

Supervisor Cardinale: "The initial resolution failed to include in the first Resolve the only Resolve, yeah, the first Resolve clause, the following. It- the conditions- Resolved that the town board of the town of Riverhead does hereby approve the site plan modification of Crown Recycling as prepared by Jeffrey Butler PE dated August 16, 2005 and the following language is added. Subject to the following conditions. 1) that no certificate of occupancy shall issue prior to the installation and energization of a fugitive dust wet down system to the satisfaction of the Riverhead building department; 2) no certificate of occupancy shall issue prior to the recording of a covenant to the satisfaction of the town attorney requiring the appropriate use and maintenance of the installed wet down system."

Okay, with that addition- "

Councilwoman Blass: "Can- "

Supervisor Cardinale: "Yes?"

Councilwoman Blass: "-- may I ask that we add and any other conditions that were a part of prior approvals either site plan and/or special permit be also included in this as well? Because we have other conditions that went along with the original site plan approval that should be incorporated into this."

Supervisor Cardinale: "In the- "

Councilwoman Blass: "In the first."

Supervisor Cardinale: "The appropriate use and maintenance- that no C of O should issue prior to the recording of a covenant- "

Councilwoman Blass: "And that all prior conditions- "

Supervisor Cardinale: "-- requiring the use and maintenance of the installed wet down system and all prior stated covenants- stated covenants and restrictions regarding site plan application. And all prior stated covenants and restrictions regarding this site plan application. The original- actually, you're talking about the original application. So your point being that this is a condition of the amended but the original- we have to make clear that that is the way that's supposed to operate."

Councilwoman Blass: "Yes."

Supervisor Cardinale: "Okay. So the language, Barbara, is stated here, I've written it out. And at the end of 2 you're adding that all prior stated covenants and restrictions regarding the original site plan application."

Barbara Grattan: "Good."

Supervisor Cardinale: "All right, with that addition to the amended site- to the amended 905, can we have a vote?"

The Vote: "Bartunek, yes; Sanders."

Supervisor Cardinale: "Was it moved? Yeah, I think it was and called for discussion."

The Vote (Cont'd.): "Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #906

Councilwoman Blass: "This resolution approves the site plan of South Bay Sportsplex for a Phase I addition. So moved."

Councilwoman Sanders: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale."

Supervisor Cardinale: "Yes. And at that first Resolve clause the of is to read herein as per our earlier discussion."

Barbara Grattan: "Herein declared?"

Supervisor Cardinale: "At the first-- herein-- no Resolve-- first Now, Therefore, Be It Resolved, that in the matter of the site plan application herein, the Riverhead town board declares-- right. That was it. Okay."

Barbara Grattan: "Got you. Okay, vote."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #907

Councilwoman Sanders: "Reduces Suffolk County National Bank certificate of deposit of Hartill Contracting, Inc. for Kelbridge Meadows. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Discussion. There was a question raised at the work session in regard to the road and drainage and I think that was resolved, that the road and drainage improvements have been completed, recommended by I guess (inaudible), that we reduce it in this fashion. Anybody- "

Councilwoman Blass: "I checked the file this morning and spoke with Vinny and I was satisfied with the memo that he wrote."

Supervisor Cardinale: "Okay, great, then can we have a vote, please?"

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #908

Councilwoman Blass: "Releases the security of Eastern Crest Corporation in connection with the subdivision entitled Meadowcrest Section 2 which is a one year maintenance bond. So moved."

Councilman Bartunek: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #909

Councilman Bartunek: "Releases letters of credit in connection with the condominium project entitled Mill Pond Commons sewer district key money and water district key money. So moved."

Councilman Densieski: "Second the motion."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #910

Councilman Densieski: "Approves a temporary sign permit of Hartill Contracting, Inc. So moved."

Councilwoman Sanders: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #911

Councilwoman Sanders: "Approves the Chapter 90 application of Northeast Organic Farming Association for their event on October 1st with a rain date of October 2nd. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. In regard to this, we've been able to ascertain as per the— incidentally, as per the one, two, three, fourth Whereas, where they ask the application fee to be waived due to their not for profit status pursuant to statute. They are not for profit so why don't we just put in that they— at that point, that it be waived. Whereas it was asked that it be waived due to the not for profit status and has been waived. So, they're entitled to it if they are a not for profit pursuant to the statute. With that addition, can we consider it please?"

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #912

Councilman Bartunek: "Approves a Chapter 90 application Riverhead Elks Lodge. So moved."

Councilman Densieski: "Second the motion."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #913

Councilman Densieski: "Approves the Chapter 90 application of Riverhead Elks Lodge #2044. So moved."

Councilwoman Sanders: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #914

Councilwoman Sanders: "Approves the Chapter 90 application of Peconic Bay Region/AACA for an antique car show as amended."

Councilwoman Blass: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale." "

Supervisor Cardinale: "Yes. And that amendment is an additional Whereas clause reading, Whereas the town has received an application fee of \$200, Barbara."

Barbara Grattan: "The resolution is adopted."

Resolution #915

Councilwoman Blass: "This is an order calling for a public hearing in connection extension 79 of the Riverhead Water District for the Harvard Nichols subdivision. So moved."

Councilman Bartunek: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #916

Councilman Bartunek: "Order calling public hearing Riverhead Water District lateral main water main NF Golf Resorts Phase 2. So moved."

Councilman Densieski: "Second the motion."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #917

Councilman Densieski: "Authorization to publish an advertisement for 2006 ambulance. So moved."

Councilwoman Sanders: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #918

Councilwoman Sanders: "Authorizes the town clerk to publish and post a notice to bidders for street lighting and traffic signal maintenance repair parts. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #919

Councilwoman Blass: "Mr. Supervisor, did we want to ask Ken a question on this?"

Supervisor Cardinale: "Yes, we did. Kenny, on Two Bears, there was— it was pointed out that there was a week period for bid. I think that was deliberate and we wanted to verify that."

Ken Testa: "Yes. It's modular play equipment selected from right out of a catalogue."

Supervisor Cardinale: "Yes."

Ken Testa: "And it doesn't take the bidders much time to just attach their discount whatever that should be and submit the bid to us and it's available electronically on our web site so we didn't see a need to lengthen it beyond five days. And also we're trying to get this done before the cold weather sets in."

Supervisor Cardinale: "Thank you."

Ken Testa: "If we do get any requests from several of the contractors for an extension, that would always be an option if they need more time."

Supervisor Cardinale: "Okay. Very good."

Councilwoman Blass: "Thank you."

Supervisor Cardinale: "All right, with that explanation, I will- "

Councilman Bartunek: "Second that."

Supervisor Cardinale: "Moved and seconded. Did you have a question?"

Councilwoman Blass: "No. I don't think I made the motion, but that's okay."

Supervisor Cardinale: "(inaudible) that's good. We're really moving along."

Councilwoman Blass: "Authorizes the town clerk to post and publish attached notice to bidders for Two Bears park playground equipment. So moved."

Councilman Bartunek: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #920

Councilman Bartunek: "Authorize the town clerk to advertise for bids for repainting #8 stand pipe. So moved."

Councilwoman Sanders: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #921

Councilman Bartunek: "Authorizes the town clerk to publish and post public notice to consider a local law to amend Chapter 108 of the Riverhead town code entitled Zoning, Section 108-56 signs. I should have this memorized by now. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. This is the most well heard piece of legislation I think we've ever passed."

Councilman Bartunek: "Yeah, you go right ahead, I quit."

Supervisor Cardinale: "Okay. It's on for a public hearing on October— what date— the 4th of October, okay. So we have a moved and seconded. May we have a vote, please?"

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #922

Councilman Densieski: "Authorizes the town clerk to publish and post a help wanted ad advertisement for the position of Maintenance Mechanic II. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #923

Councilwoman Blass: "This resolution accepts the resignation of the youth court administrative aide. So moved."

Councilwoman Sanders: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale."

Supervisor Cardinale: "Yes. And thank you to Cheryl (inaudible). I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #924

Councilwoman Sanders: "Ratifies the appointment of a part time recreation aide in the Riverhead recreation department. So moved."

Councilman Densieski: "Second the motion."

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

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The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #925

Councilman Densieski: "Ratifies the appointment of a part time recreation aide for the teen center to the Riverhead Recreation Department. So moved."

Councilman Bartunek: "I'll second that as amended."

Supervisor Cardinale: "Moved and seconded as amended which deletes the second Resolve."

Councilwoman Sanders: "And then it says that the position is subject to the following conditions. So we should actually- "

Supervisor Cardinale: "No. The whole thing, from be it further resolved. Yes. Okay."

Barbara Grattan: "So all that's deleted?"

Supervisor Cardinale: "Yes. From be it further resolved to the next be it further resolved."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #926

Councilman Bartunek: "Ratifies the appointment of Ann Warner as part time homemaker in the nutrition department. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #927

Councilwoman Blass: "This resolution appoints a provisional recreation superintendent. So moved."

Councilwoman Sanders: "And seconded."

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

The Vote: "Bartunek, yes; Sanders."

Councilwoman Sanders: "If I might just take a minute, just to commend Mr. Janacek, I don't believe he's here today. But I know Mr. Janacek for a very long time, he's a personal friend, we've coached together. I've always known him to commit himself 100% to everything he's done and he stepped up to the plate several years ago and he's done an outstanding job. He's never asked for anything in addition to what he was getting. He never complains about it, not really, but he's a wonderful person, a wonderful human being. I appreciate all the time and effort he's put into this job. He made the recreation department, I believe, what it is today. And I thank him for all of that. And with that, I say yes."

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

Councilwoman Blass: "Yes. And I echo those sentiments."

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

Councilman Densieski: "Yes. I agree with Rose and I thank Jim for his services. Yes."

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

Supervisor Cardinale: "Yes. I vote yes for the appointment. I want to thank Jim for serving as an interim and doing a great job in that. I also want to thank finally the personnel committee, Barbara and George and Jim and Jack-- was he on it, too?"

Councilwoman Blass: "And Rose was actually on this."

Supervisor Cardinale: "And Rose. Because this is a very important appointment. Mr. Janacek is athletic program director and that's what he wants to be. We would have loved to consider him for position of superintendent but he said no, I want to be what I'm supposed to be. And we looked hard and long and we finally found a person to fill the position of recreation superintendent. I think we need it, I think it will be a good addition to the town. I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #928

Councilwoman Sanders: "Authorizes the supervisor to execute a stipulation of settlement with CSEA. So moved."

Councilman Densieski: "Second the motion."

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

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The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #929

Councilman Densieski: "Approves military leave of absence for a police officer. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #930

Councilwoman Blass: "Authorizes sewer district employees to attend a course. So moved."

Councilwoman Sanders: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "If Phil were a Councilman right now, he'd tell you the name of this, activated sludge course. Yes."

Supervisor Cardinale: "Yeah, that's a wonderful one."

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

Supervisor Cardinale: "Yes. One of my favorite courses and they take it frequently. I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #931

Councilwoman Sanders: "Authorizes the supervisor to execute an undertaking in connection with highway work permits and/or special hauling permits issued by the State of New York. So moved."

Councilman Bartunek: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #932

Councilman Bartunek: "Authorizes the supervisor to execute agreements in connection with the County of Suffolk EISEP & CSE housekeeper/chore contracts. So moved."

Councilwoman Sanders: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #933

Councilwoman Sanders: "Authorizes the execution of a lease agreement between Kenneth Demchak and the Town of Riverhead. So moved."

Councilman Bartunek: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #934

Councilman Bartunek: "Ratifies the submission of a grant application to the Suffolk County Stop DWI. So moved."

Councilman Densieski: "Second the motion."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #935

Councilman Densieski: "In the matter of the increase- the increase and improvement of the facilities of the Riverhead Ambulance District of the Town of Riverhead. So moved."

Councilwoman Sanders: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #936

Barbara Grattan: "Resolution #936 is the authorization to pay bills."

Councilman Densieski: "So moved."

Supervisor Cardinale: "And a second, please."

Councilwoman Sanders: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Barbara Grattan: "And before you, you have resolutions?"

Supervisor Cardinale: "Yeah, we have two tabled, one is #869 which regards a youth court administrative aide which I'd like a motion to withdraw since we've dealt with it previously."

Councilwoman Blass: "I make a motion to withdraw Resolution #869."

Councilman Bartunek: "Second that."

Supervisor Cardinale: "Moved and seconded to withdraw 869. Vote please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is withdrawn."

Supervisor Cardinale: "The second is #881 which was tabled authorizing a service agreement re Calverton sewer district for the period January of 05 through December 31 of 05. May we have a vote on that or a motion to consider that for a vote?"

Councilwoman Blass: "Mr. Supervisor, I'd like to combine the motion to take it off the table and move it- "

Supervisor Cardinale: "Right."

Councilwoman Blass: "-- in one action if possible. I move that Resolution #881 which reads authorize service agreement re Calverton sewer district. Make a motion to approve- consider."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Motion to take it off the table and- "

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Councilwoman Blass: "And approve it at the same time. Thank you."

Supervisor Cardinale: "Okay."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale."

Supervisor Cardinale: "Yes. To untable and approve."

I think that completes our resolutions, the tabled resolutions for consideration. We can now take general comment from the public. Does anyone who wishes to make a comment, preferably within an area we have some purview, we'd be glad to hear from you.

If- I know it's an afternoon session- if there is no further public comment, we are going to go to work back to our offices. So absent any further public comment, I will adjourn and I would advise the public that on Thursday there is a work session beginning at 1:00 with a presentation by Ronald Parr for the Main Street area followed by (inaudible) Homes. Those will be the third and fourth presentations and then followed by a work session and prior thereto there is a press conference at 11:30 at the site of the Culinary Art Institute on Main Street in which I understand County Executive Levy and members of this board will be present.

So this meeting is adjourned and thank you."

Meeting adjourned: 2:50 p.m.