

5/16/2006 minutes

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at the Riverhead Senior Resource Center, Shade Tree Lane, Aquebogue, New York on Tuesday, May 16, 2006 at 7:00 p.m.

Present:

Philip Cardinale,	Supervisor
George Bartunek,	Councilman
Barbara Blass,	Councilwoman
John Dunleavy,	Councilman

Also Present:

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

Absent:

Edward Densieski,	Councilman
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(The Pledge of Allegiance was recited, led by Vince Tria)

Supervisor Cardinale: "-- before the meeting begins in earnest, a proclamation. So I'd like to come down and do that and is- first off are Alex and Rosemary Horton here? Come on up, please, and I'll come down.

Congratulations. I understand that Alex and Rosemary had a special event on April 9th and John I think you learned of it- John Dunleavy."

Councilman Dunleavy: "Yes."

Supervisor Cardinale: "And thought it should be commemorated and indeed it should. It's a proclamation which begins:

It is fitting and proper for the residents of the town to honor those within the town who celebrate the milestone anniversary, and Alex and Rosemary celebrated their 50th on April 9th at Calverton Links and Mr. and Mrs. Horton have resided in Manorville, the town of Riverhead for their entire lives, and they have selflessly dedicated their lives to their children Rose Anne, Patty, Allen, Bernadette and Alex, who is diseased, and their grandchildren, Kristen, Terry, Joseph, Rosalie, Jonathon, and Spencer, who is deceased; and

Whereas, their children and grandchildren fully understand through their example what 50 years of love and commitment can bring to a family.

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Be it Resolved, that I, Phil Cardinale, Supervisor, and on behalf of the residents and the town board do hereby honor and congratulate Alex and Rosemary Horton on this day, the 16th of May, 2006.

So congratulations. And I think— oh, look at that. That's what sharing, 50 years. And as I read that, I could see a lot of joy and some sadness in all lives, but 50 years you've been together and that—and you're sharing the proclamation, so that's an accomplishment."

Alex Horton: "Once again, thank you very, very much."

Supervisor Cardinale: "He's going to hang it, okay. And thanks for bringing that to our attention, John.

Go out and get another 50. The second 50 are toughest, I understand.

Thank you. We also have— Jan McKenna who we would like to honor tonight. Is Jan here? Right in front of me, I can't believe I missed her. Jan, come on up. Congratulations to you, too. Jan is being honored this evening and the Labor Management committee is coming up to tell us a little bit about how Jan was selected as the Employee of the Quarter. Why don't you tell us how that happened and then I'll read the proclamation?"

(Unidentified) "Michael nominated Jan for Employee of the Quarter."

Supervisor Cardinale: "Michael."

Michael "Jan was nominated for Employee of the Quarter (inaudible). She was recognized for doing work above and beyond her call of duty doing extra tasks that weren't really expected of her. Doing everything with a smile (inaudible) and take on many responsibilities. There was a work session where she was being appointed as one (inaudible) program and at the time she had (inaudible).

So the supervisor turned around and said what doesn't this lady do? She's involved in so many different activities and I said, you know, for once, the Supervisor is right. She's involved in many activities outside her job, the East End Arts Council, the school for arts and music and acting and several different things. Different functions that you go to, normally you'll see Jan behind the scene. She's a great asset for the town. (Inaudible)."

Supervisor Cardinale: "Well said. Thank you. Jan has in fact during my— when I was younger, in my first term when I was short staffed and she wasn't at the garage but was in accounting, she would come up and she would help a lot at the— because I was losing a lot of

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staff. In fact, I had to actually bring my secretary from my law office because she was the only one that could work with me. But I—Jan was great, one of my expressions is are you happy in your work, which I ask rhetorically to the population of the office, and Jan, most of my answers from my deputy, from my administrative assistant and most of my department heads, is ambivalent. But Jan was always, I'm delighted to be here, I'm very happy in my work.

And that's the way she was. She's infectiously enthusiastic. So Jan has been a valued employee of the town. She's currently working as an account clerk typist at the garage and a part time landfill guard, too, for extra hours.

And she began working for the town in the accounting department where she was always friendly, helpful, and when we were short staffed in the supervisor's office, she pitched in and helped as well as doing her own job in accounting. And her commitment to the community is equally clear through her participation in many events, such as singing in the town bonfire at Christmas, not in it, at it, at the Blues Festival, volunteering at the Vail Leavitt Music Hall, and performing in local theater productions.

As a result of Jan's hard work and dedication, the Labor Management Committee recently named her Employee of the Quarter for the first quarter of 2006 and I and the town board with me would like to congratulate her as the Employee of the First Quarter. And I think— doesn't she get a day off and a hundred bucks or something?"

Jan: "Really?"

Supervisor Cardinale: "Yes."

Jan: "I would just like to say that it really is a pleasure to work for the town. I get up every day and I look forward to coming here. And whether it's in the accounting department, the supervisor's office or the garage. When I was transferred a year ago to the garage, I said, where am I going? A garage, mechanics. It's really cool. I work with a really nice group of people. It's fun. And I love being involved in politics and all the people around.

And I'm very involved with the Vail Leavitt Music Hall and we're running the Riverhead Blues Festival, I'll put in a pitch for that. Come on out. And I'm also (inaudible) this weekend in Mattituck if anybody wants to go.

Supervisor Cardinale: (Inaudible) "We want to get through (inaudible). And congratulations."

Jan: "Thank you."

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Supervisor Cardinale: "Take care."

Okay. We would— you can note from— perhaps you can get some inkling as to why Vince did as he did in the last election by the hoards of people that are surrounding him in the first row here. I don't know, you're just not a people person, I don't know. There's absolutely no one in the first row and even in the sides of the auditorium.

Okay, we'd like to— it could be us, too. Yeah. Approval of the town board minutes of the meeting of May 2nd. Can I have a motion to approve those minutes and a second?"

Councilman Bartunek: "So moved."

Councilman Dunleavy: "I make a motion."

Supervisor Cardinale: "Moved and seconded by George and John. Can I have a vote to approve the minutes?"

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Cardinale. The minutes are approved."

Supervisor Cardinale: "Okay. We have congratulated Alex and Rosemary and pleased to do that. We have some Reports. Would you give us those, Barbara?"

REPORTS:

Receiver of Taxes
Total collections to
date:
\$59,041,226.52

Building Department
Total collections for
April -
\$98,147.25

Barbara Grattan: "That concludes Reports."

Supervisor Cardinale: "The Applications, please."

APPLICATIONS:

Site Plan
East End Vineyard LLC -
to
renovate existing barn into
new wine tasting room

Site Plan
Calverton Industries -
construct mixed use,
restaurants in Bus CR and
transfer station and outdoor
storage yard in Ind. B

Parade permit
Wading River Shoreham
Chamber
of Commerce - May 7th

Parade Permit
St. John's Evangelist RC
Church - May 15th

Special event
Wading River Assembly of
God
Church - for a car show

Barbara Grattan: "Well, this has been changed, it's in July and I don't remember the date when we change the resolution."

Supervisor Cardinale: "Okay."

APPLICATIONS:

Special event
Church of the Harvest -
July 15
Community appreciation

Special event
East End Arts Council -
July
22 and Aug 5 - wine press
Concert series

Fireworks permit
Riverhead Raceway - July
1 and
August 26

Barbara Grattan: "That concludes Applications."

Supervisor Cardinale: "Correspondence, please."

CORRESPONDENCE:

Martin Sendlewski
regarding Apollo Pan and
East
Avenue

Kelly Wallace
regarding Kent Animal
Shelter

Richard Wyeroski
regarding rules and
regula-
Calverton Executive
tions for the Calverton
Aviation Assoc.
Executive Airpark

Barbara Grattan: "That concludes Correspondence."

Supervisor Cardinale: "

Barbara Grattan: "That concludes Reports, Applications and
Correspondence."

Supervisor Cardinale: "Thank you."

Barbara Grattan: "You're welcome."

Supervisor Cardinale: "We have six public hearings commencing
at 7:05, it being 7:20, we can begin them. I should tell everybody,
anybody that didn't vote in the school board election, you can do so
now. They're open until nine, aren't they? Okay. And that's right
at the high school but we've got to stay here."

Councilwoman Blass: "One committee report, please."

Supervisor Cardinale: "And Barbara has a report before we begin
the public hearings."

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Councilwoman Blass: "It's actually more of a general comment but I guess you can say it comes out of the Farmland Select Committee.

I don't know if it was in the local papers but the town of Riverhead was the only town in Suffolk County to be awarded funds for round nine of the farmland protection program that was recently awarded by the governor.

As the only town in Suffolk County, I think it speaks well to our commitment locally here. The town was recognized and awarded \$1.55 million dollars which we're putting towards the acquisition of 60 acres of farmland in Calverton."

Supervisor Cardinale: "Right, and I think that was not only were we the only town, but we were the-- the county itself did not receive any funds."

Councilwoman Blass: "That's correct."

Supervisor Cardinale: "And what was the total--"

Councilwoman Blass: "And we should probably commend the Peconic Land Trust-- "

Supervisor Cardinale: "Yes."

Councilwoman Blass: "-- for submitting that application on our behalf and they awarded \$15.2 million dollars throughout the state but-- "

Supervisor Cardinale: "We received ten percent of it, a little better than ten percent. So we were very fortunate. And we did very well last year so I guess it's not surprising actually because I am told that Suffolk County farmland is the best in the state as far as soil content."

Public hearing opened: 7:20 p.m.

Supervisor Cardinale: "Okay, the public hearings are scheduled at 7:05 through 7:30 and the first one is for the petition for a lateral water main to serve the development to be known as Carrera Property, Wading River. We have a presentation by H2M the engineer for the district. Great. Can the camera catch it? Good, thank you."

Dennis Kelleher: "Good evening. My name is Dennis Kelleher from the engineering firm of H2M. We are the consulting engineers for the Riverhead Water District.

First I would like to apologize. The last time I was in front of the board I did say that my next presentation would be in an

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electronic format but Gary Pendzick, the Superintendent of the Water District, reminded me that I wasn't going to be in town hall, so I have one of my famous boards with me tonight. This will be the last time you should see this, so-

Supervisor Cardinale: "We understand."

Dennis Kelleher: "Good evening. The reason for tonight's meeting, public hearing, is for the installation of public water to a proposed subdivision known as Carrera property which is located in Wading River.

The developer of the subdivision has petitioned the town board to extend the public water to service the proposed four lot subdivision. The four lot subdivision is located off of Old Field Court in Wading River which is just south of the Great Rock golf course.

In order to provide water to the subdivision, approximately 700 feet of water main would need to be installed. Highlighted on the plan in blue is the existing water main located on Old Field Court in Deer Run. It's an existing eight inch line. We are proposing to service this subdivision to install the 700 feet which is highlighted in green, 700 feet of eight inch pipe to extend an existing dead end to another dead end.

We evaluated a possibility of trying to loop this line and decided it is not feasible at this time.

Highlighted in orange is really the subdivision property.

Approximately- this subdivision will use approximately 2,000 gallons per day of water on the average day and on a peak summer day should use a maximum of 6,000 gallons per day.

The Riverhead water district is in the process of planning for future well sites. Actually within the next two weeks, I will be making a presentation to the town board at a work session presenting the water plan for the Riverhead water district to talk about future well sites. So we will have sufficient water to provide water to this proposed subdivision and any subdivision in the future.

The cost of extending water to this subdivision has been estimated at \$53,500 which includes construction costs, engineering, design, inspection and contingencies. This entire cost will be paid for by the developer.

In addition to that cost, the developer will need to pay key money fees in the amount of \$2,500 per lot, with the four lots, would work out to \$10,000. This key money will be used to pay for any additional facilities that the Riverhead water district needs such as new wells and new elevated tanks. Thank you."

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Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Excuse me."

Supervisor Cardinale: "Yeah, we have a question, Dennis."

Councilman Dunleavy: "Dennis, is this on Sound Avenue? You said south of Great Rock."

Dennis Kelleher: "Yes. Actually, it's north of Sound Avenue really in the Deer Run enters into the subdivision that I think was installed with the golf course. And Old Field Court is just a small little- it's only like, I think, one, two lots off of that."

Supervisor Cardinale: "I can't see. How many lots are going to be serviced?"

Dennis Kelleher: "Four lots."

Supervisor Cardinale: "Four lots. Okay. How many acres?"

Dennis Kelleher: "Eight acres."

Supervisor Cardinale: "Okay."

Dennis Kelleher: "John, I have a map here if you want to take a better look."

Councilman Dunleavy: "Yeah, yeah."

Dennis Kelleher: "So really the backyards of these homes will be part of the golf course."

Councilman Dunleavy: "Then it's north of Great Rock?"

Dennis Kelleher: "The golf course is north of these properties. This property is just south of the golf course."

Supervisor Cardinale: "Any questions from the public in regard to this proposal to serve the development to be known as Carrera property with the water district? If there are no questions from the board or from the public, having opened this at 7:20, will close it a 7:26 and move to the second hearing."

Public hearing closed: 7:26 p.m.

Public hearing opened: 7:26 p.m.

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Supervisor Cardinale: "Which is scheduled for 7:10. It being 7:26. We're going to discuss the purchase of development rights of agricultural lands owned by Jeffrey S. Batch and Mary Hartill, our town- deputy town attorney, will present that."

Mary Hartill: "Good evening. This is a public hearing pertaining to the sale of development rights on property located on the easterly side of Horton Avenue in Riverhead and it's agricultural production right now. It's Suffolk County Tax Map No. 600-63-1-11. The sale of development rights on this 4.36 acres of a 6.2 acre parcel on Horton Avenue is owned by Jeffrey S. Batch in Riverhead. The property is surrounded by protected farmland on the north, the east and the west as you can tell from the map. The bargain sale price is \$90,000 an acre for a total of \$392,000- \$400.

An appraisal was done by Patrick Gibbon Assoc. on February 27 of 2006 and the appraisal came in at \$112,000 an acre, so they agreed to a bargain sale of \$90,000 an acre."

Supervisor Cardinale: "Is that for the development rights?"

Mary Hartill: "The development rights."

Supervisor Cardinale: "Okay. This is 4.36 acres?"

Mary Hartill: "Yes. There's a portion left out."

Supervisor Cardinale: "Yeah, of the right side, there?"

Mary Hartill: "Yes."

Supervisor Cardinale: "So it's basically a, I guess a square more or less. They're cutting out a lot to build on? Existing house.

The size of this parcel is quite small compared to some of the ones that we generally purchase."

Mary Hartill: "That's correct."

Supervisor Cardinale: "And I know that in order to be considered for the district farmland program, you have to have what, 10 acres?"

Mary Hartill: "I think it's seven."

Supervisor Cardinale: "Seven. Is this in active production now?"

Mary Hartill: "According to the Peconic Land Trust it is."

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Supervisor Cardinale: "Yeah. Pete, you want to comment? It's a very small parcel."

Peter Danowski: "Yes, we do qualify because there's an alternative way to qualify based upon annual sales. Mr. Batch is in the greenhouse operation business, raising horticultural products. He's here tonight. This ties nicely with the Cornell research forum which is the adjacent parcel. So the thought was here, I think, from the Farmland Select Committee, this ties everything together as surrounded by the green areas.

Although small in nature, this is an active farmer who is actively producing a unique quality of flowers and plants that service a lot of the community stands that other farmers don't raise the particular product that he has. I've actually been physically there to the site.

The one thing he doesn't have that used to be on the site was a large animal, that was actually a lion of some sort, I think a Lancelot or some description. When we bought this property, we didn't want to buy the animal with it but it came with it and we had some scary moments in the beginning.

There is an existing residential home there already improved and that's the area that was cut out."

Supervisor Cardinale: "Oh, this is- this presently has greenhouses on it?"

Peter Danowski: "Yes, it does."

Supervisor Cardinale: "What percentage of the lot is covered by greenhouse?"

Peter Danowski: "I don't know what percentage but a good deal. We take some of that material down and put it back up in a temporary nature to keep these flowers growing for the year round business."

Supervisor Cardinale: "And it's in production of flowers?"

Peter Danowski: "Yes. And it's similar to the research farm which does something very similar in putting structures up and taking them back down to go through the winter and raise, so it's really, you know, a great benefit to the town to acquire it.

Also I will say most of these funds- and we're not scared to say this, will go to retire the debt for the product for a young local farmer."

Supervisor Cardinale: "Are they temporary or permanent greenhouses?"

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Peter Danowski: "That's a great definition for the town code. I don't want to decide which they are."

Supervisor Cardinale: "What are they considered under the (inaudible)?"

Peter Danowski: "We just watch them come up and go down. I think they're temporary in the sense that I think they're not the hardened structures that we are used to seeing. But I've visited that definition lately and I've looked at some of your amendments to the code. I'm willing to call it anything you want."

Supervisor Cardinale: "Can we— the percentage, Mary, can we get that information before we have to vote on this. The percentage of coverage of greenhouses on this thing, temporary or otherwise."

Peter Danowski: "Well, we'll certainly supply that before you— "

Supervisor Cardinale: "Thank you. Anybody else have a question? Okay. That being the case it now is 4:31 and if there are no questions from the board or the public, I'd like to close the second hearing in regard to the development right purchase."

Public hearing closed: 7:31 p.m.

Public hearing opened: 7:31 p.m.

Supervisor Cardinale: "And move onto the third which is regarding the purchase of agricultural lands owned by Louis and Ottavia Caracciolo. And Mary Hartill will present this."

Mary Hartill: "This public hearing pertains to the sale of development rights on approximately 20.4 acres of contiguous parcels totaling 30.4 acres on the easterly side of Herricks Lane, south of Stall Drive (phonetic) owned by Louis and Ottavia Caracciolo in Jamesport.

As of right, the owners are retaining building envelopes on each parcel and are retaining the ability to create three additional lots off the— off of Stall Drive. The bargain sale price is \$90,000 an acre for a total of \$1.836 million dollars.

An appraisal was completed by Patrick Gibbon Assoc. on March 15th of 2006 and supports a price of \$93,000 per acre.

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This property is described as Suffolk County Tax Map No. 600-9-1-6.6 and 600-22-34."

Supervisor Cardinale: "The total acreage again is?"

Mary Hartill: "20.4 of development rights."

Supervisor Cardinale: "And what's being retained?"

Mary Hartill: "Well, it's 30.4 so it's 10 acres being retained."

Supervisor Cardinale: "And those are in lots- I see two, three, four there."

Mary Hartill: "One is down by Herricks Lane."

Supervisor Cardinale: "Oh, one is up there by Herricks. How do they get up to two, three and four?"

Mary Hartill: "I think there's a road coming off Herricks Lane."

Supervisor Cardinale: "There's a road into two? Coming into two?"

Mary Hartill: "Yes. There's two and then it goes in- all the way to- "

Supervisor Cardinale: "Continues. Okay. Any questions from the public or from the board in regard to this purchase of 20 or so acres of farmland at a price of \$90,000 development rights? Yes, sir."

Robert Magee: "Is there going to be (inaudible)."

Supervisor Cardinale: "Could you come up, please, because we need to have this on the record."

Robert Magee: "If it is proposed- Robert J. Magee. If there are going to be lots developed south of Stall Drive, am I correct in understanding that there would be approximately 10 lots?"

Supervisor Cardinale: "Three lots south of Stall Drive."

Robert Magee: "Three lots."

Supervisor Cardinale: "One lot off Herricks, the balance would be in farming, if this transaction went through. Two, three and four would be lots and one A would be a lot."

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Robert Magee: "Okay. And- "

Supervisor Cardinale: "A building lot."

Robert Magee: "Yeah, a building lot. And it looks to me like they would be a little over an acre each?"

Supervisor Cardinale: "A little over two acres. Is that correct, Mary? These lots are a little over two acres each, are they not?"

Mary Hartill: "Yes."

Supervisor Cardinale: "Yes. A little over two acres each."

Robert Magee: "And they would be for residential homes?"

Supervisor Cardinale: "Right. And that would be required by the zoning here, I believe, two acre lots."

Robert Magee: "Okay, thank you very much."

Supervisor Cardinale: "Thank you. Okay. Okay, we have Mr. Caracciolo here if there is any question that any one has from the board, from the public. If there is no question, we will at 7:38 close this hearing, number 3."

Public hearing closed: 7:38 p.m.

Public hearing opened: 7:38 p.m.

Supervisor Cardinale: "And commence that hearing intended to start at 7:20 p.m. or thereafter regarding the purchase of development rights of agricultural lands owned by James Sharkey and Monique Molfetta, to be presented again by Mary Hartill."

Mary Hartill: "This is a public hearing concerning property located on the southerly side of Middle Road in Riverhead and is active in agricultural production as a horse farm."

It's a sale of development rights on approximately 17.2 acres of a 19.9 acre parcel on Middle Road owned by James P. Sharkey and Monique Molfetta in Riverhead. The property is adjacent to protected farmland on the west. The sale price is 87 an acre for a total of \$1,496,400.

An appraisal was completed by Patrick Gibbon Assoc. on January 6th of 2006 which supports this price."

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Supervisor Cardinale: "What was the appraisal for?"

Mary Hartill: "I think it was 88."

Supervisor Cardinale: "Thank you. And the light green is the parcel that we're in question here?"

Mary Hartill: "The yellow is what's in question. The light green is already protected."

Supervisor Cardinale: "The yellow is to be purchased and the green is already protected."

Mary Hartill: "Yes. And that parcel on the road, Mill Road is owned by a different party."

Supervisor Cardinale: "Okay. Okay, so this is a proposed purchase as stated. Questions from the board, questions from the public in regard to this proposed purchase? Yes, sir. Or comments from the public."

Brian Schwarz: "Brian Schwarz, Riverhead. I know where this parcel is. I'd rather see the money that's for farmland preservation actually go to a farm, not some guy that boards horses or things like that. You know, I may sound ignorant saying that, but you know, a family farm, I think deserves other something like this."

Supervisor Cardinale: "Could you tell us, Mary, a little bit about the present use of the property?"

Mary Hartill: "Well I know that the property is used as a horse farm and they have a residence on the property, their own residence, and they have a barn where they have horses on the property. I don't think- "

Supervisor Cardinale: "His- yeah, it's got horses, it's got a barn, it's got a house. There's no boarding or anything there?"

Mary Hartill: "I don't know if they board- "

Supervisor Cardinale: "Did you have a question, John?"

Councilman Dunleavy: "Yeah. Is there any- is there wetlands on that property?"

Mary Hartill: "I don't believe so."

Councilman Dunleavy: "Not by Middle Road?"

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Mary Hartill: "I don't think so. You're familiar with the property, you know of any wetlands there?"

Supervisor Cardinale: "Mary, on this one, could you check— as I asked you on the other one, to check the— well I guess it was the Carrera property, I wanted to check the percentage of coverage of greenhouse. On this one, would you check and make sure that there's no wetlands on this property?"

Mary Hartill: "Sure."

Supervisor Cardinale: "But it's used presently as a horse farm and for horse riding?"

Mary Hartill: "That's correct."

Supervisor Cardinale: "Okay. Any other members of the public would like to make a statement? Yes, sir."

Dave (inaudible): "Yeah, my name's Dave (inaudible). I own White Post Farms in Melville and White Post Wholesale Growers in Huntington which is 50 acres and the other one is 40 acres. I own a small parcel in the front there that I use for agricultural and use for my equipment and there's no way nothing agricultural is going on there. I've got PDR property in Huntington, 50 acres of it, and you guys make sure, you know, when the rights are sold and everything, we've got to keep it a farm. And this is no way a farm. I mean give it to a farmer that deserves it."

Supervisor Cardinale: "Okay."

Councilwoman Blass: "Can I— "

Supervisor Cardinale: "Yes."

Councilwoman Blass: "-- ask for verification that horse boarding is considered acceptable agricultural operation under New York State Ag and Markets. So if we were to deny this or not consider it a farm we would be unreasonably denying them this opportunity. Is that an accurate statement, Mary?"

Mary Hartill: (Inaudible)

Supervisor Cardinale: "Come on up."

Councilwoman Blass: "I think in the definition of what's considered acceptable agricultural practices under New York State Ag and Markets, horse boarding is one of those."

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Supervisor Cardinale: "Yeah. But we haven't heard anything about horse boarding. We've heard about somebody who has a farm building and has horses. But I don't know- I don't know what a horse farm is. I never did understand what a horse farm is frankly. Does anyone here know what a horse farm is? I mean unless you're growing horses, that I get, you know, like breeding horses. I get that. But what is--what is the difference between whatever- we need to know this on this one. Okay. Because I'm going to forget this, so please write it down.

Wetlands, and I need to know whether the use is consistent with the farming covenant that I believe says you're limited to certain uses. Because it would be very foolish to buy it and then find out it was automatically in violation of the farming covenant. They do allow horse farming, as Barbara points out. I just don't know what horse farming is."

Mary Hartill: "Okay, we'll definitely verify the definition of horse farming- "

Supervisor Cardinale: "And whether the present use makes it eligible at this point. They could buy it but they wouldn't want to- I mean they could sell it but they wouldn't want to sell it if they're going to be automatically in violation of the covenant by their use."

Mary Hartill: "No. They want to stay there."

Supervisor Cardinale: "Thank you."

Mary Hartill: "Oh and Mr. Danowski was able to provide us the answer that you asked on the Batch hearing- "

Supervisor Cardinale: "Yes."

Mary Hartill: "The 18,000 square feet is what's covered by greenhouse which is less than half the acreage."

Supervisor Cardinale: "So they have about 140- you have 160,000 square feet of space if it's four acres, right, and only 18,000 is in greenhouses. Okay. Thank you for that. And did we just do the 7:20, is that what we just did? Sharkey and Molfetta. Okay, so now we're up to- this being quarter of eight, 7:24, we're up to the 7:45 hearing."

Public hearing closed: 7:45 p.m.

Public hearing opened: 7:45 p.m.

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Supervisor Cardinale: "Which is the declaration of a portion of the water district's premises located on the northwest corner of Midland Street where it intersects with Park Road in Reeves Park. Is that dedication for sale? Is that what we're doing here?"

Mary Hartill: "That's correct."

Supervisor Cardinale: "Okay, would you tell us about this one?"

Mary Hartill: "This public hearing is pertaining to property that's owned by the town of Riverhead, real property located on the northwest corner of Midland Street which intersects with Park Road in Reeves Park. I don't have the map for this one. It's also identified as Suffolk County Tax Map Number 500-13-4-7.1.

The town of Riverhead acquired the premises in its capacity of the governing body of the Riverhead water district as part of Riverhead water district extension No. 23. The town of Riverhead now desires to declare this property excess property and offer the subject premises for sale by listing the property with various real estate agencies as a multiple listing.

The appraisal was completed by Andrew D. Stype dated April 29, 2006 and the appraised value was \$225,000."

Supervisor Cardinale: "Thanks. So this is a hearing- I think it's actually- we've had another hearing on this before to auction it but we decided it would be a little more intelligent to sell it through a broker and the appraisal is two and a quarter. Anybody have any comment on this? Yes, please, well, you want to come on up. And if you know, Mary, you can answer any questions she poses.

We do have an appraisal I'm told from Val Stype. He thinks it's worth two and a quarter."

Helen Harris: "I'm Helen Harris."

Supervisor Cardinale: "Yes."

Helen Harris: "I live on South Drive for the last 49 years and four months. This parcel that Mary is discussing is about two roads from where I live. This afternoon at a quarter to three, I picked up my mail and got notification that we were having a meeting this evening. I don't think that was enough time.

When I called the town hall I spoke to several ladies, one who was very, very nice."

Supervisor Cardinale: "That was Peggy."

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Helen Harris: "That's right. That is- I don't know- "

Supervisor Cardinale: "That's my administrative assistant."

Helen Harris: "Okay. And spoke to another young lady, a town attorney who fluffed me off and said oh, that was an oversight that the mail went out so late. I don't think that was appropriate to express a late mailing like that to a taxpayer in the community who is concerned as to what is going to happen on this parcel of land that you're proposing to sell.

Now, like I said, I haven't done any research because I never knew this was transpiring. Is it just a little over an acre?"

Supervisor Cardinale: "It's about a third of an acre, Mary?"

Helen Harris: "Oh, it's a third- what possibly could you put on a third of an acre in Reeves Park?"

Supervisor Cardinale: "A house."

Helen Harris: "I thought it was two acre zoning?"

Supervisor Cardinale: "Well it may be now but it's a pre-existing, non-conforming lot so you can build- like all the other ones that are undersized, you can build on a lot that existed before the zoning."

Helen Harris: "Well, I really don't think you should--"

Supervisor Cardinale: "Single and separate."

Helen Harris: "-- you should have this hearing this evening unless all of the residents in that area have had an appropriate time to digest what you're saying."

Supervisor Cardinale: "Sure."

Helen Harris: "And if in event you do sell this property, where will this money allocated- where will it go to?"

Supervisor Cardinale: "It won't even come to us. It will come to the water district and it will mean that water district rates will remain stable as long as they don't screw up meter readings anymore."

Helen Harris: "So the residents of Reeves Park will get no benefit from this sale at all."

Supervisor Cardinale: "Only through your water bill, minimal, yeah. That's no benefits to anybody except through your water bill."

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Helen Harris: "But then whatever- all right I won't go into the rest now because you don't really know who would be interested in purchasing this property. But I'd like to voice my sentiment. I'm very opposed to the way this was handled."

Supervisor Cardinale: "Okay. Dawn, what was the notice requirements in regard to neighbors? Was there a special- or Mary, whoever knows."

Mary Hartil: "According to the town law, we're required to post it in the newspaper 10 days notice, that was done. Because the town sends out notices to all the adjacent landowners within a 500 foot radius, for other sales for purchase of development rights and open space, the town attorney's office decided to send a notice for this even though they're not required to do so and the fact that people got notice and showed up for this hearing, they can't contest the fact that they didn't have notice if they're here."

Supervisor Cardinale: "Well the breakneck pace which we- this is our second hearing. The first one we did and we decided we didn't really want to sell it at auction so we had come back and do this one. Why don't we just leave it open this evening and we'll close it at the end of the next meeting and that way anybody that got a short notice can come and talk to us at the next meeting."

(Inaudible comment)

Supervisor Cardinale: "How many notices are there?"

Mary Hartill: "One hundred and twenty."

Supervisor Cardinale: "There's not, yeah, what she's trying to get across and Barbara is whispering and correctly, that this was actually an extra notice that was not required by law. The legal notice was in the newspaper. See, start giving these extra notices, you get yourself in trouble. But this was an additional notice so why don't we just let the people have an opportunity to speak at the next meeting."

(Inaudible comment)

Supervisor Cardinale: "I know. Nobody ever reads them."

(Inaudible comment)

Supervisor Cardinale: "That's true. Legal notices are only good for the newspapers and the lawyers. I don't know anybody that reads legal notices frankly. I don't even read legal notices."

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Mary Hartill: "No one in the town wanted anyone to feel like they were getting shafted and that's why we went beyond what we were required to do and we sent out notices. The size of the property is .73 acres."

Supervisor Cardinale: "Point seven three, not one-third. So seven tenths of an acre not three-tenths of an acre. Two hundred twenty five thousand I guess would be the simple answer."

Councilman Bartunek: "What were the dimensions of the property? I thought it was 150 by (inaudible)."

Supervisor Cardinale: "We could do that."

Councilwoman Blass: "I think the size of the property is 15,700 square feet."

Councilman Bartunek: "I think it was less than that."

Councilwoman Blass: "It's got to be less than a half an acre."

Supervisor Cardinale: "Okay, so we're thinking about it. It might be one-third of an acre. But you know that's not such a silly suggestion. If we're going out and buying all this development rights stuff and we happen to— we could be— we could protect it without having to buy it because we already own it. Yes, sir."

I was going to-- oh, Mary, Barbara did the research for you and it's an interesting issue. When the use is— the permitted use in the agricultural district, field crops, fruits including vegetables, including horticultural, livestock and livestock products including Christmas trees, commercial horse boarding operation. You've got to board horses. You can't just keep them there to ride because you've got a nice house and a lot of property. So if that's the case here, they would be in default the moment we bought just the land. So check it out.

Yes, sir."

Brian Noon: "My name is Brian Noon (phonetic). I also live in Reeves Park. I'm in favor of the town selling this piece of property as long as they sell it as a residential lot only."

Supervisor Cardinale: "Okay. Thank you. Any other comment from a member of the public? Yes, sir."

Paul Bagan: "My name is Paul Bagan. I live on Park Road directly across the street from this property and the thing I would be most interested in is if it wasn't kept green which would be a great

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thing for the neighborhood actually, but if it was sold, how many houses would be put on it would be my biggest question."

Supervisor Cardinale: "No more than one house could be placed on that lot."

Paul Bagan: "Just one?"

Supervisor Cardinale: "Yes."

Paul Bagan: "Okay."

Supervisor Cardinale: "Any other questions, comments? Appreciate your comments on this and we're going to leave this open 'til 10:00 a.m., what, two weeks from now-- two weeks, Wednesday-- what's today, the 16th-- the 31st-- is that right, the 31st-- yeah, Wednesday, the 31st at 10:00 a.m. So anybody want to make a comment in writing, come to the next meeting, talk about it, feel free. Hey, you can talk right now. Why not? Why put off for tomorrow what you can do today?"

Bob Panчек: "Bob Panчек (phonetic), Reeves Park. How do you go about-- how would somebody go about buying this lot? How long is it going to be on the market? Somebody makes an offer for 225 it goes, or--"

Supervisor Cardinale: "That's a very good question. We'd like to avoid a brokerage so if there's a member of the public that's interested in purchasing it, the appraisal is at two and a quarter, well, actually it sounds like a pretty good deal, but, yeah, we're going to be selling it at two and a quarter. Maybe-- what did you have in mind? Do you have any thought on that, Mary? Most of the time you sell it at the appraised value unless you want to sit and watch it."

Mary Hartill: "We have gotten a number of calls from people who show an interest in purchasing the property. We got calls from real estate agents and from (inaudible)."

Supervisor Cardinale: "At what price?"

Mary Hartill: "Well that was before the appraisal was done and I think the reason why we decided to do it through a broker, multiple listing, was to get the best price."

Supervisor Cardinale: "But you have to give them a price to- "

Mary Hartill: "Right. So you have to, you know, set a price and then- "

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Bob Panchek: "And then the first guy gets it or- are you going to leave it open and there's going to be an auction."

Councilman Dunleavy: "Who sets that price?"

Supervisor Cardinale: "To tell you the truth, the market isn't that hot as far as I can tell that you have to auction this. But 225 does seem a little loose- a little weak but, you know, it's one-third of an acre. It's not--"

Councilman Dunleavy: "That's right."

Supervisor Cardinale: "I'll tell you what, Bob, your point being that before we give it to a broker we ought to have it available to the public at--for a bid. We haven't really- "

Bob Panchek: "Well, it's not going to be auctioned so how does one go about- he wants to buy it, he says 225, the next guy comes in and says 230. Now you're in an auction only it's not- it's an auction that could go on for 20 years."

Supervisor Cardinale: "Do you know that happens in real markets like in Washington, D.C.? That you could put a piece up for two and a quarter and sell it for two fifty. You thought you had a hot market."

(Inaudible comment)

Supervisor Cardinale: "Okay. This- for the purpose of this- what I would like to suggest is that the town of Riverhead will advertise this in the News Review before we put it with a broker. Because I think I can save a brokerage maybe but we will advertise it. But I'd like to verify how big this is. I'm also not exactly sure that 225 is the last word on this. So we'll advertise it in the News Review prior to listing it with a broker and if we get action, we'll sell it. If we don't get action- I only use brokers if I can't sell it myself. Isn't that what most of the world does?"

Councilman Dunleavy: "Mr. Pendzick is here from the water district. Maybe he knows how big that piece of property is."

Supervisor Cardinale: "Yeah. Okay. Well somebody here actually knows what they're talking about which excludes most of us, it's Barbara, she has the map. It's 157 by what- 157 by 100."

Mary Hartill: "The lot goes between all three roads- it's 200 east between Park Road by 157 by 200. So it's .73 acres."

Supervisor Cardinale: "Okay, so it's 200 not 100 by 157."

Councilman Dunleavy: "I guess it used to be years ago two building lots, years ago."

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(Inaudible comment)

Bob Panchek: "And over there it would probably be, the lots there are 25 by 100 so it would be six, eight, twelve of them."

Supervisor Cardinale: "Okay. It's 200 by 157. I have a couple questions about this lot. Was this lot once two lots?"

Councilman Dunleavy: "Gary, was this once two lots at one time on the tax map?"

Gary Pendzick: "Gary Pendzick, Riverhesd water. Years ago it was two lots. If you look at the tax map, you'll see that the existing lots surrounding it are half the size."

Supervisor Cardinale: "Which means that Mister-- not to belie-- what is the word, publicly insult our appraiser, but I would like to look more carefully before we set a price because you can-- if it's been merged, it could be unmerged and that needs to be looked at."

So this hearing is to ascertain whether we can sell it, whether we should sell it through a broker if we find that to be wise. Some people suggest we shouldn't sell it, I hear you, because we should leave it alone. Why sell it, leave it green. Some people suggest that we're underselling it, I hear you there, too. Some people suggest that we ought to offer it to the public before we put it to a broker, I hear that, too. Anybody have another comment? Okay, the gentleman back there and then Sal."

Brian Noon: "Brian Noon again. If it helps the town to forego a broker, I'll offer you 225 for it right now."

Supervisor Cardinale: "I might buy it for two and a quarter myself if it's two lots."

Brian Noon: "Can I go on the record saying that?"

Supervisor Cardinale: "Yes. Thank you. Go right ahead, Sal. It's good, we might sell it tonight."

Sal Mastropolo: "Sal Mastropolo, Calverton. Why don't you consider making it a park for that neighborhood? Put in a basketball court and some benches and use it that way."

Supervisor Cardinale: "You, a man that is trying to-- is always telling me how much I spend wants me to make a \$300,000 park now. Okay, I'll consider that, too. Anybody else? Okay, we're going to leave this open as I said until Wednesday morning, two weeks from

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tomorrow morning for verbal comment at the next meeting and for written comment in the interval."

Public hearing left open for written

comment to May 31, 2006

Public hearing opened: 8:00 p.m.

Supervisor Cardinale: "This brings us 7:58 and the 7:35 hearing for the declaration— forget it, we just did that, the 7:30 hearing, the purchase of development rights of agricultural lands owned by Eileen and Richard Jarzombek, this is the last hearing of the night, all good things come to an end."

Mary Hartill: "This property is located on the easterly side of Osborne Avenue in Riverhead and is active in agricultural production. It's shown by the yellow portion on the map. It's approximately 38 acres of a 40 acre parcel owned by Eileen and Richard Jarzombek in Riverhead. The property is surrounded by protected farmland to the north, south and east. The sale price is \$90,000 an acre for a total of \$3,420,000.

An appraisal was completed by Gibbon Assoc. on April 15, 2006 which supports that price."

Supervisor Cardinale: "What's the appraised price?"

Mary Hartill: "I believe it was much higher. I don't have the appraisal with me today but I believe it's a bargain sale. Do you have the figure, Barbara?"

Supervisor Cardinale: "How many acres again?"

Mary Hartill: "Thirty eight."

Supervisor Cardinale: "Thirty eight. How many acres are being retained?"

Mary Hartill: "Two."

Supervisor Cardinale: "And what street is it on?"

Mary Hartill: "That's on Osborne."

Supervisor Cardinale: "Osborne?"

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Mary Hartill: "And here's Reeves."

Supervisor Cardinale: "What's the zoning?"

Councilman Bartunek: "APZ."

Supervisor Cardinale: "APZ. APZ."

Mary Hartill: "I'm not sure."

Supervisor Cardinale: "Okay. Would you make a note I'd like to know what the appraised price is on this."

Councilman Dunleavy: "Mary, is that the house where he has the barns where he fixes the trucks and- "

Supervisor Cardinale: "Yes."

Councilman Dunleavy: "Is that the house? Is that the land behind that house?"

Mary Hartill: (Inaudible comment)

Supervisor Cardinale: "Okay. So you know the questions. You got me the one answer on number one. We got that for the 4.36 acre parcel. On the- we need to know the horse farm definition, whether it's met and whether there's any wetlands on the Sharkey piece, and we need to know the appraised value on the Jarzombek piece. Okay. Any other remarks from the or comments or questions from the public or from the board? If not, I will- it being 8:03 or 8:02, I'll declare this hearing closed."

Public hearing closed: 8:03 p.m.

Supervisor Cardinale: "And move onto the resolutions. Things are moving along nicely tonight. We're missing someone. That's perhaps- Ed isn't here. I wonder if there's any cause/effect. No, that's not true. Yeah, Sal, you are going to tell us all the screw ups in the resolutions."

Sal Mastropolo: "Resolution #440."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "The second Whereas."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "The second line. Resolution #9-05, that doesn't seem like a good number considering it was September of 2005."

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Supervisor Cardinale: "Yeah, it should be 9-05. So we'll make that— kill that dash. Okay. We'll do that. Hey, you've got Sal up here, you can't miss him Barbara. Did the machine go off? Oh, Dawn's got it covered, okay. Okay. Anything— what's the next one we didn't get right?"

Sal Mastropolo: "Resolution #441."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "Copy the town attorney."

Supervisor Cardinale: "A copy to the town attorney. Okay. We'll make that note, the town attorney gets a copy."

Sal Mastropolo: "442, copy the town attorney."

Supervisor Cardinale: "Okay, the town attorney gets a copy of that, too."

Sal Mastropolo: "443, the third Whereas."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "The sketch has been approved by three town board members."

Supervisor Cardinale: "By instead of the."

(At this time the CD ended)

Sal Mastropolo: "And in the other case you struck it out for informally outdoors on the premises so I'm just trying to understand."

Supervisor Cardinale: "Because that was in the initial language it was prohibiting informal outdoor dining. We're trying to permit it."

Sal Mastropolo: "So you're going to allow it."

Supervisor Cardinale: "Yes."

Dawn Thomas: (Inaudible comment)

Supervisor Cardinale: "So we're trying to permit it."

Sal Mastropolo: "Are we going to make accommodations or are we going to put in requirements about the site plan and parking?"

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Supervisor Cardinale: "We'd have to have a site plan and they would only be able to use- "

Sal Mastropolo: "So part of the special permit would require additional site plan requirements for outdoor- for additional parking."

Supervisor Cardinale: "Well, you would have to provide parking for all your tables, outdoor or indoor. There's no question about that. But in the previous- previously you could not have outdoor informal dining in the definition of a restaurant and we felt that in many instances we would like to encourage outdoor dining. For example, downtown."

Sal Mastropolo: "Okay."

Supervisor Cardinale: "Thanks."

Sal Mastropolo: "476."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "What's the- what's the selling price of the 2.3 acres?"

Supervisor Cardinale: "476."

Sal Mastropolo: "On the point in South Jamesport."

Supervisor Cardinale: "I wish that we had one."

Sal Mastropolo: "I guess my question is you go for this grant for \$350,000. Is the town going to have to come up with money in addition to that?"

Supervisor Cardinale: "Yes."

Sal Mastropolo: "And do we have an idea of how much it is?"

Supervisor Cardinale: "We don't until we get an appraisal but I pretty much guarantee it's at least a million to buy that piece. So we'd have to come up with 650 instead of a million if we got the opportunity to buy it."

Sal Mastropolo: "Okay. I guess my concern is are we in any kind of a position to come up with that kind of money to buy 2.3 acres on the point?"

Supervisor Cardinale: "Definitely not. We-- unless it comes from the 2% tax proceeds. I definitely am not bonding for this."

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Sal Mastropolo: "So why even go for the grant for this?"

Supervisor Cardinale: "I'm saving my bonding for the landfill."

Sal Mastropolo: "So why even go for the grant?"

Supervisor Cardinale: "Because if- it would only then require from the 2% tax money 650 instead of a million but any additional funds in addition to this grant that we receive, it would have to come from the 2% money, not from bonding by the public."

Sal Mastropolo: "Okay. I just want to make it clear that the selling price is not \$350,000 and the town's going to have to come up with quite a bit of money- "

Supervisor Cardinale: "Would that it was."

Sal Mastropolo: "Thank you."

Supervisor Cardinale: "Thank you. Okay, any other comments on the resolutions this evening which are distinguished for their un-remarkableness.

The- then let us review them and act upon them and then we can take general comment from the public. Could you call 439 please?"

Resolution #439

Councilman Bartunek: "Resolution and consent approving dedication of highways known as Grant Drive, Bluegrass Court, Derby Court and recharge basin at Equestrian Estates. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #440

Councilman Dunleavy: "Approves site plan of Henry Perkins. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. May we have a vote please."

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

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Resolution #441

Councilwoman Blass: "Approves the site plan of Kroemer Avenue Associates. So moved."

Councilman Bartunek: "And seconded."

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

Councilwoman Blass: "Question."

Supervisor Cardinale: "Yes question."

Councilwoman Blass: "I just want to verify for the record that the site plan that received the WSR permit that was dated February 16—no, excuse me, it was dated April 16 of 2004, substantially conforms to the site plan that we're approving tonight, February 16 of 2006. Do we know that to be the case? Okay, thank you."

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

Resolution #442

Councilman Dunleavy: "Approves site plan of 1044 Parkway LLC. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. May we have a vote please."

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

Resolution #443

Councilman Dunleavy: "Approves sign permit of Harrows. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. May we have a vote?"

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

Resolution #444

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Councilwoman Blass: "Accepts Suffolk County National Bank irrevocable letter of credit of Vinland Commons LLC. So moved."

Councilman Bartunek: "I appreciate that."

Councilman Dunleavy: "And seconded."

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

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

Resolution #445

Councilman Dunleavy: "Approves extension of performance bond of Riverhead Reeves, LLC a/k/a NF Golf Resorts (road and drainage improvements). So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #446

Councilman Bartunek: "Authorizes the release of security for Antonino Militello. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Cardinale."

Supervisor Cardinale: "Yes. And that's Antonino."

Councilman Bartunek: "I was-- I knew I would get a little criticism from my guys on the right-- Antonino. How did I say it? Antonio."

Supervisor Cardinale: "It's a nice name, too."

Barbara Grattan: "The resolution is adopted."

Resolution #447

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Councilwoman Blass: "Approves the Chapter 90 application of Larry's Lighthouse Marina. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #448

Councilman Dunleavy: "Approves Chapter 90 application of Martha Clara Vineyards LLC. So moved."

Councilman Bartunek: "Seconded."

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

Councilman Bartunek: "As amended."

Supervisor Cardinale: "As amended. In all instances, Barbara—in all instances we're doing the amended one as we discussed at the initial portion."

Whereas, the town clerk has received the required fee. And incidentally, I assume you have."

Barbara Grattan: "I think so. I don't remember."

Supervisor Cardinale: "Let us know if you haven't."

Barbara Grattan: "Okay."

Supervisor Cardinale: "Please. That's on 448 and 449."

Barbara Grattan: "Okay."

Supervisor Cardinale: "Thank you."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Cardinale, yes. That resolution is adopted."

Resolution #449

Councilwoman Blass: "Approves the Chapter 90 application of Martha Clara Vineyards LLC. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #450

Councilman Bartunek: "Approves the Chapter 90 application Riverhead Central School District for the American Cancer Society Relay for Life. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #451

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

Councilwoman Blass: "And seconded."

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

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

Resolution #452

Councilman Bartunek: "Approves the Chapter 90 application Wading River Assembly of God Church for a classic car show. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #453

Councilwoman Blass: "Appoints members to town board advisory committees and adopts the mission statements of said committees. So moved."

Councilman Bartunek: "And seconded. There's a comment on this one, Phil."

Supervisor Cardinale: "Yes."

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Councilman Bartunek: "First of all, Barbara I think or I was looking at the first page, it says a member needed and I think that since Jeff Rottcamp (phonetic) has been placed on this committee, I don't think we need- "

Supervisor Cardinale: "Which committee is that?"

Councilman Bartunek: "This is the first one, agricultural advisory committee."

Supervisor Cardinale: "Okay. When- did we appoint him?"

Councilman Bartunek: "Yes."

Supervisor Cardinale: "Okay. Then, Peggy, on the agricultural advisory committee, we're up to full strength now from- where is Peggy? Yeah, you're right there. Peggy, so remove that from the website."

Incidentally, all of these advisory committees, their membership, their town board liaisons, their meeting dates and any members needed in case you want to join, are on the website. Riverheadli.com."

Councilman Bartunek: "And I would suggest on the next one, animal control advisory committee, that it be- the bottom, underneath the members listed- "

Supervisor Cardinale: "Yes."

Councilman Bartunek: "-- you have- I would suggest that you make that town liaisons, myself and John Dunleavy, town board- "

Supervisor Cardinale: "We got that."

Councilman Bartunek: "David Hagermiller, Chief of Police, Matt Hattoff, CSEA representative, and Sean McCabe is the ACO."

Supervisor Cardinale: "He's the town board liaison."

Councilman Bartunek: "Yes, he is."

Supervisor Cardinale: "You want to list those- I mean Peg."

Councilman Bartunek: "And then meeting dates is going to be the- not the first and third, Barbara. It's going to be the third Monday. They've cut their meetings down to one a month, the third Monday, 6:00 p.m. And then you want to eliminate the dates, you want to change the first date- the first Monday of each of the months. So you eliminate one, five, three, seven- okay."

Supervisor Cardinale: "Right."

Councilman Bartunek: "Anti-bias task force, April Gray is G-R-A-Y, and the next one is Anne Rodriguez, not Anna. It's A-N-N-E."

Supervisor Cardinale: "Okay."

Councilman Bartunek: "I think that's it."

Supervisor Cardinale: "That's it. I have them, Peg, so if you want them, I'll put them here. Okay, the rest of them are okay?"

Councilman Bartunek: "Yes."

Supervisor Cardinale: "Okay. They're all on the website. You should look it up, you should join up, and we could use your help. Did we vote or- "

Barbara Grattan: "No."

Councilman Bartunek: "No."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Cardinale, yes. That resolution is adopted."

Resolution #454

Councilman Dunleavy: "Appoints summer recreation aides to the recreation department. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #455

Councilman Bartunek: "Appoints summer program leaders to the recreation department. So moved."

Councilwoman Blass: "And seconded."

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

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

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Resolution #456

Councilwoman Blass: "Appoints an assistant waterfront coordinator level II to the Riverhead recreation department. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Dunleavy, yes; Bartunek."

Councilman Bartunek: "Yes, as amended."

The Vote (Cont'd.): "Blass, yes; Cardinale, yes."

Barbara Grattan: "Okay, what's- "

Councilman Bartunek: "CC- copy to- "

Barbara Grattan: "Okay, very good. The resolution is adopted."

Resolution #457

Councilman Dunleavy: "Appoints a crossing guard to the police department. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. May we have a vote please?"

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Cardinale."

Supervisor Cardinale: "Yes. And John is here tonight. John, I'm sure you'll do a great job. Thank you for being willing. I vote yes."

Barbara Grattan: "The resolution is adopted."
Resolution #458

Councilwoman Blass: "Appoints a student intern in the accounting department. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #459

Councilman Bartunek: "Appoints Deputy Town Supervisor Margaret Welsh. So moved."

Councilman Dunleavy: "And seconded. She well deserves this but she's not getting a raise with it. I'm sorry."

Supervisor Cardinale: "Yeah. She's getting zero for this."

Councilman Dunleavy: "That's right."

Supervisor Cardinale: "We're moved and seconded. May we have a vote, please?"

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Cardinale."

Supervisor Cardinale: "Yes. Peg has done a wonderful job over the last year now but unfortunately in June, July- at the end of July she's leaving for some major international law school. They've- I can't tell because she got into every one she applied to. But by July 31st, right? So in the interval you will be my trusted deputy. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #460

Councilman Dunleavy: "Accepts the retirement of John Schwarz in the Highway Department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #461

Councilwoman Blass: "Discussion."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "George, were you able to (inaudible)."

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Councilman Bartunek: "Yes. The date has been changed effective May 26, Barbara."

Councilwoman Blass: "Okay, thank you."

Supervisor Cardinale: "So this is amended to read May 26th?"

Councilman Bartunek: "May 26th in the first Whereas."

Supervisor Cardinale: "So with that change."

Councilwoman Blass: "Accepts resignation of senior citizen homemaker. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded as amended to May 26th. Vote please."

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

Resolution #462

Councilwoman Blass: "This is an order establishing Extension #84 in the Riverhead Water District, the Splish Splash water park. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #463

Councilman Dunleavy: "Order establishing the Extension #83 Riverhead Water District for Stoneleigh Woods. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #464

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Councilwoman Blass: "Authorizes the Supervisor to execute agreements in connection with County of Suffolk supplemental nutrition assistance program contracts. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #465

Councilman Bartunek: "Authorizes the Supervisor to execute agreements in connection with County of Suffolk residential repair IIIB contracts. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #466

Councilwoman Blass: "Adopts a local law to amend Chapter 108 of the town code of the town of Riverhead entitled Zoning Section 108-3 Definitions. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #467

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 108-56 Signs. So moved."

Councilman Dunleavy: "And seconded."

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

Councilwoman Blass: "Comment."

Supervisor Cardinale: "Yes."

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Councilwoman Blass: "Would we want to consider putting in something that requires the removal of temporary signs after (inaudible)."

Councilman Bartunek: "Well, it does give you a definition of a temporary sign as being 90 days, Barbara."

Councilwoman Blass: "But if they don't remove it in 90 days, would we want to direct that after 90 days they be removed otherwise— I'm just questioning whether we should put something like that in there."

Councilman Bartunek: "I guess after the public hearing we will consider, maybe add that in before we have a public hearing. I don't know if we can do that."

Supervisor Cardinale: "Yeah. We could certainly consider that. I think the question is whether we should put it in before— well this won't be advertised until next week, Barbara."

Barbara Grattan: "Next week, Phil."

Supervisor Cardinale: "Why don't you discuss it with Dawn because it will save us another public hearing if we put it in now if we want to do it."

Dawn Thomas: (Inaudible)

Barbara Grattan: "We could change it?"

Dawn Thomas: "Yeah. (Inaudible)"

Supervisor Cardinale: "So if you'd like to add it, why don't we do it? Yes, I think if we say it's for 90 days, then I think it should be removable by the town if it's in excess of 90 days unless extended."

Councilwoman Blass: (Inaudible)

Supervisor Cardinale: "Okay. Any other— "

Barbara Grattan: "Okay. We've got— "

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

Councilman Dunleavy: "And John."

Barbara Grattan: "And John did. I thought you did first."

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Councilman Dunleavy: "No, I seconded."

Supervisor Cardinale: "Okay. So now he's voted as well."

Resolution #468

Councilman Dunleavy: "Authorize town clerk to publish and post public notice for a local law to consider an amendment to Chapter 46A Agricultural Review of the Riverhead town code. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Architectural Review. Maybe Agricultural Review would work better considering some of these buildings."

Councilman Dunleavy: "Architectural Review."

Supervisor Cardinale: "Okay. Second please."

Councilwoman Blass: "Seconded."

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

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

Resolution #469

Councilman Bartunek: "Authorizes the town clerk to publish and post notice of public hearing for the consideration to repeal and replace Chapter 73 entitled Landmarks Preservation of the Riverhead town code. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #470

Councilman Dunleavy: "Authorize the town clerk to publish and post public notice of a public hearing to consider a proposed local law to amend Chapter 108 entitled Zoning Supplementary Use Regulations of the Riverhead town code. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #471

Councilman Bartunek: "Authorizes town clerk to publish and post public notice of public hearing to consider a proposed local law to amend Chapter 107 entitled Freshwater Wetlands of the Riverhead town code. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #472

Councilman Dunleavy: "I want to move this. This is the new rental dwelling unit law that Ed Densieski, Councilman Densieski and myself were working on and we're going to have a public hearing.

So it authorizes the town clerk to post and publish a public notice for a public hearing regarding a local law to repeal the current version of Chapter 86, Rental Dwelling Units in order to adopt a new Chapter 86, Rental Dwelling Units of the Riverhead town code. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #473

Councilwoman Blass: "Authorizes the town clerk to post and publish the attached notice to bidders for a concrete foundation and prefabricated canvas building system and interior asphalt paving for Highway Department salt storage building. So moved."

Councilman Bartunek: "And seconded."

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

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

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Resolution #474

Councilwoman Blass: "This awards a bid for the removal of liquid sludge Riverhead Sewer District and Scavenger Waste District. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #475

Councilman Bartunek: "Authorizes submission of application to New York State Department of Parks for grant funds for the Nadel Drive park improvement project. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #476

Councilwoman Blass: "Authorizes the Community Development office to file an application for funds to acquire real proeprty in Miamogue Point, South Jamesport. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #477

Councilman Bartunek: "Ratifies the submission of a grant application to the State of New York Unified Court System. So moved."

Councilwoman Dunleavy: "And seconded."

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

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

Resolution #478

Councilwoman Blass: "Ratifies the submission of a grant application to the New York State Governor's Traffic Safety Committee. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #479

Councilman Bartunek: "Authorizes the town clerk to publish and post public notice to consider the purchase of a parcel of open space located in the town of Riverhead purported owner Carl E. Carter and Karen Terry Carter. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #480

Councilman Bartunek: "Authorizes the town clerk to publish and post notice of public hearing maritime zoning use district. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #481

Councilman Dunleavy: "Authorizes the retention of Norton Brothers Dunn Engineering & Surveying LLP and AKRF as environmental planning, traffic and engineering consultants to the town board in connection with the downtown redevelopment project. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #482

Councilman Dunleavy: "Approves fee schedule of John Raynor and Associates. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #483

Barbara Grattan: "Resolution to pay bills, #483."

Councilman Bartunek: "So moved."

Councilman Dunleavy: "And seconded."

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

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

Barbara Grattan: "Now we've got the withdrawals."

Supervisor Cardinale: "Now we have Resolutions 398 and 397 which have been passed under an amended forum. Can we have a withdrawal application for both?"

Councilman Dunleavy: "I make a motion that we withdraw 398 and 397."

Supervisor Cardinale: "Second please."

Councilman Bartunek: "I'll second that."

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

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

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Supervisor Cardinale: "Thank you. That concludes the resolutions. We'd like to take public comment now on any matter that is within our purview. So if anyone has comment, we'd be glad to take it. If you don't, we'd be glad to not take it.

Hal, please come up."

Hal Lindstrom: "I just had- I spoke on the reclamation project at the last town hall meeting and I just had a few more questions on that particular issue because it is a big concern of the people of Riverhead.

Where did the town get the \$25 million dollar figure to cap the landfill?"

Supervisor Cardinale: "I think we answered that last week. That was a figure based upon the actual experience of other towns who have capped and have spent nearly \$700,000. That was the high end. There were some towns depending on the nature of the landfill that capped for as little as \$250,000 an acre. So on the high end, if you use the three highest towns, you were at \$25,000,000 to cap."

Hal Lindstrom: "Right."

Supervisor Cardinale: "And on the low end you were about half of that depending upon which town figures you took."

Hal Lindstrom: "Did Grimes- "

Supervisor Cardinale: "All of the figures came from the DEC."

Hal Lindstrom: "It didn't come from Grimes?"

Supervisor Cardinale: "No. They did not come from Grimes. Right? No they came from the DEC. This was before-- before they made the decision to reclaim it in '02, they estimated the capping cost and the reclamation cost. They didn't estimate it right, but they did estimate it."

Hal Lindstrom: "Yeah, because you read in the News Review, it states that Grimes also did a study for East Hampton. Okay. And Jay Schneiderman, the Supervisor of East Hampton, is quoted as saying that their numbers didn't add up. The numbers that they were giving."

Supervisor Cardinale: "Correct me if I'm wrong. They thought about reclaiming, they determined to cap- "

Hal Lindstrom: "Right."

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Supervisor Cardinale: "It seems to have worked out pretty good except I saw today and John you should see this too, he did see it, apparently Barbara showed it to him. They got a problem on their cap in East Hampton and the DEC is all over them because they have a plume of garbage going into the water and even if you cap, you've got to go catch up to the plume of poison in the water and stop it at whatever expense is involved. And that's— so it hasn't exactly been— Schneiderman should have held his comments for a week or two."

Hal Lindstrom: "I hadn't heard of any toxic clean ups in East Hampton."

Supervisor Cardinale: "Well, that's what we— we learned of one in East Hampton which we have now that required a clean up after a capping and it's unclear how much that's going to cost, but it's going to cost, and Brookhaven has— there's been also some indication of trouble there, too. So this isn't going to— there's trouble in paradise either way, reclamation or capping."

This is— the document that Barbara was able to obtain, it's August 18, 2005 and it's a letter that she FOIL'd for from Carl Fritz who is the same environmental engineer from the DEC that is supervising our project for reclamation, and it indicates to us, Stephanie Davis, it's being written to Stephanie Davis of FPM Group who is the group that is representing East Hampton at that time.

And in salient point, the New York State Department of Conservation has reviewed your August 2nd report on the ground water characterization of volatile organic compound plume in the vicinity of well D-3. Your report has proposed the addition of four monitoring wells to further delineate the plume. The addition of monitoring wells is a good start to further monitor the plume. However, the town of East Hampton must begin to take an aggressive approach of remediating the impacting ground water.

The town's landfill has impacted the shallow and deep ground water downgrading the landfill. Monitoring of the ground water has been ongoing to several years and there have been periods when the water quality has shown improvement as well as times when water quality is diminished.

Since the plume has traveled beyond the property boundary the town must implement a ground water treatment system that will target the plume. At this point it would be irresponsible for the town to maintain the status quo and hope the plume will dilute.

In addition any water supply wells downgrading to the landfill may become (inaudible) if steps are not taken to clean up the plume. The Department will require the town to submit a treatment work plan

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consisting of a treatment system as well as the additional monitoring points proposed in our August '05 response to the department.

The department will provide the town with a three point period to design and submit a treatment system for approval. If you have any questions, please contact me. Carl Fritz.

So when you have a problem under a cap, it's not just like you put on a raincoat and you're finished. You have to deal with the problem and they are dealing with it."

Hal Lindstrom: "Right. Any landfill has to be monitored. We know that."

Supervisor Cardinale: "But it's not just monitoring. If you monitor and you find a problem under a cap, you apparently have got to fix it at whatever cost is involved."

Hal Lindstrom: "Yeah. But you're not going to reclaim the whole project just to- "

Supervisor Cardinale: "I'm not defending reclamation. I'm just saying that- "

Hal Lindstrom: "Well, I'm saying. You're not going to reclaim the whole project just to address one issue."

Supervisor Cardinale: "But if you put a cap on- I think you may be right about that but if you put a cap on, it's not the end of the story is my point."

Hal Lindstrom: "Because every other town has capped and I mean I haven't heard any other problems as far as them having to do a reclamation project after they capped."

Supervisor Cardinale: "It's still young. There's a 30 year period of monitoring."

Hal Lindstrom: "Okay."

Supervisor Cardinale: "And if I had to deal with the DEC for 30 years, I think I'd pull out the rest of my hair. But, you know, I'm not saying it might not be a better move to cap, but there are problems."

Hal Lindstrom: "Right. Because their capping cost them four and a half million dollars."

Supervisor Cardinale: "That's very good."

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Hal Lindstrom: "Our reclamation is up to what- \$52,000-\$52,000,000 now?"

Supervisor Cardinale: "No."

Hal Lindstrom: "Well, it's 42 plus you just bonded five."

Supervisor Cardinale: "Which wouldn't be 52."

Hal Lindstrom: "Well, it's 47."

Councilwoman Blass: "It's \$40,250,000 plus five."

Supervisor Cardinale: "Plus five, which we have not spent yet. But I get your drift that it's much more expensive to reclaim. And I'm not going to defend reclamation. But what I am going to say is that capping is not a panacea. There may be problems associated with capping as well which will only become clear over the 30 year period.

On the other hand, four and a half million sounds pretty good to me."

Hal Lindstrom: "Well, it's a big savings to the taxpayers. That's the bottom line."

Supervisor Cardinale: "Yes, I understand your point and it's a good one."

Hal Lindstrom: "I also- was there someone from the town at the reclamation site on a daily basis to record the number of trucks leaving the site and the different types of materials in each truck? Was there someone from the town actually verifying that the amount of trucks that were leaving- "

Supervisor Cardinale: "Yes. And there was also an audit as we discussed and they can track the material as it comes out of the landfill to where it's going."

Hal Lindstrom: "Who was actually there monitoring it every day to see it, to keep track of every truck and what materials were in the truck? Who was that?"

Supervisor Cardinale: "There was a monitor that was full time- "

Hal Lindstrom: "From town hall?"

Supervisor Cardinale: "From Young & Young our engineer."

Hal Lindstrom: "Oh, from Young & Young."

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Supervisor Cardinale: "Yeah, well- "

Hal Lindstrom: "They were head of the project but there was nobody from town hall down there actually monitoring the trucks and the materials that were coming out of there."

Supervisor Cardinale: "No, there was no one from town hall but there was an outside engineer who had a full time employee there. The town engineer was down there frequently and the- there were spot checks to determine that what went out actually, you know, we got billed for when they take the refuse out of there in the trucks, they go someplace, so you can spot check what went out (inaudible)."

Hal Lindstrom: "I know we got a bill- "

Supervisor Cardinale: "Right."

Hal Lindstrom: "-- but- "

Councilwoman Blass: "They were verified, that's what it is."

Hal Lindstrom: "But I'm saying you're taking out 20 truckloads of toxic material and they're only taking out 20 truckloads of wood, that's what I'm saying because of course different amounts to remove different types of materials. So someone from town hall actually verifying every day that- if it was 50 trucks coming out of there, were there 50 trucks and was the material that we were getting charged for the material in those trucks."

Supervisor Cardinale: "As far as we- yes, we have checked that. We have checked it by the monitor that we paid; we've checked it in regard to the- "

Hal Lindstrom: "You were relying on Young & Young though."

Supervisor Cardinale: "Well, yeah, that's right. We were relying on Young & Young and anybody else you hire, that's the way the world works."

Councilwoman Blass: "Except we also were relying on the destination because they had manifests that they had received information- or received materials of a certain composition and a certain quantity and those were checked against the tickets that were at the weigh station. So that's how they verified and that's how the town engineer authorized payments when the end- when the receiving end of the materials matched what went out. That's how they were verified."

Hal Lindstrom: "Yeah. But don't you think it would be better to have someone from- I'm saying from the town hall to actually be at

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the site, at the gate, to see that- I mean you could have two parties working together and saying yeah, you know, we received 20 trucks of wood or toxic materials but if you don't have somebody from the town- from town hall, say the help, whatever it is, one of the inspectors there, so say that when that truck is coming out, he stops the truck, puts down, you know, the #2 truck came out, checks the verification of what's in that truck that leaves that site.

I mean, how do we know that we're not being overcharged? I mean, here we have a- here we have a situation where the project is not completed and we have used up \$40,000,000 of that taxpayers' money."

Supervisor Cardinale: "There was a monitor, there was a check against the destination. There is an audit. I would almost- the facts appear to be that there's just too much garbage in that hole and that nobody stole anything or mis-billed anything. There's just a lot of garbage that was not properly estimated in that hole, and there still is if you go look. There's- there was estimated to be 1.5, there's already out 1.2 or so million cubic yards. And there's plenty left.

So it appears that there was much more volume than anticipated and that the composition in the second phase was somewhat less beneficial than in the first phase. Certain garbage is more expensive to remove, up to \$84 a ton whereas if it's steel, you get paid a penny a ton. So obviously if we had more steel, this is going to be a much more profitable- much more cheaper endeavor. We had more garbage than steel.

So that's really what I believe happened here but I don't know- that's why I'm getting an audit to verify once again by a triple check that it is simply volume and composition that is causing the problems up there.

But as far as we know, Hal, that is what is causing the problem."

Hal Lindstrom: "That's the next thing I just wanted to touch on was the audit. You said that you were going to have a forensic audit."

Supervisor Cardinale: "Yes."

Hal Lindstrom: "Can we get a non-bias audit from this firm that works for the town on an annual basis? I mean I was under the impression that you were going to have an independent-- outside independent company come in. Now this company is familiar with- works for Riverhead- "

Supervisor Cardinale: "They do our annual audit every year for the-- required by- by good accounting practices and by the State of

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New York. And this firm has been doing it for a while and they know our operation and they're going to look at that account- it's not- I think there's only about 40 or 50 bills actually. They're going to look at the bills and make certain that they are- were proper and they reflected the accurate quantities and they're the obvious choice, I'm told. In fact, I took the recommendation from my budget officer because they know the operation and they, therefore, will do it more quickly and for less of an auditing fee.

I don't- they know the operation, they are a separate firm with a license in the State of New York, and I don't think they're going to do anything but look and tell me if there's a problem. That's what I asked them to do."

Hal Lindstrom: "Well, I mean if there was a problem, they might be questioned as to why they didn't find it in the past because they do the annual audit, right. I mean, if there was something."

Supervisor Cardinale: "Well, you're saying that the firm that does the annual audit which is Markewitz, Fenlon in Riverhead- "

Hal Lindstrom: "Right."

Supervisor Cardinale: "-- should not- you would like to have a separate firm- separate and apart from them, do it? Make a suggestion. You've got somebody in mind?"

Hal Lindstrom: "Well, that's what I'm saying. I would just like to see an outside independent company come in that's not familiar with Riverhead. They're coming in fresh. They don't know, you know, what the figures are. Because if they did an audit, they basically know what numbers- "

Supervisor Cardinale: "They do the annual audit. At this stage, I've asked them to give me a time frame, how quickly they can do it and how much they'll charge. Like I can get several audits. I'd like to get this sometime before I grow much older, the results of this, but I really don't care who does the audit as long as they give me a good audit. But we can certainly consider other firms before we actually hire, you know, hire them.

I've asked them for an audit amount and an audit time frame. They've indicated- my budget director, Jack Hansen, has indicated that would be his choice because they are familiar with the operations of the town. I guess we could pick any firm. Make a suggestion. I'm open to any suggestions. Board members, public, I don't care who does the audit."

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Hal Lindstrom: "Thank you. One other thing and this is about the Grumman property. The Island Water Park, is the town going to force them to fill the excavation if they don't finish the project?"

Supervisor Cardinale: "They should and they will to the tune of the bond, to the extent of the bond if that comes to pass. The bond, both at the DEC level and at the town level, which was taken some years ago before I was here, was in adequate. But the good news is the property is so valuable that- and there's no loan on it, they're not going to abandon that property. They're going- if they cannot put that water ski park in there, they're going to have to reuse it for some other purpose and if it requires- it probably will require dealing with that contour."

Hal Lindstrom: "Right. The reason I bring that up is- "

Supervisor Cardinale: "The bonds are 40 and 40, right? They're like 40 grand for the DEC and 40 grand for the town."

Hal Lindstrom: "Right. The reason I bring it up is that you're going to build a recreational park there, right adjacent to that piece."

Supervisor Cardinale: "Next to it yes. Yes."

Hal Lindstrom: "And I think it would be a safety issue if kids went in there, they could get buried by that loose sand. I mean it is a deep hole. I actually went in there and took a look at it."

Supervisor Cardinale: "Yes. They would have to take some action once they get a decision from the pine barrens commission and the DEC as to whether they can continue the project. If the deal is they can't continue it, they're going to have to stabilize that so that it's safe. There's no question about that and that's a whole other issue. That's correct."

If they don't proceed with the project, they will have to stabilize the slopes in some fashion."

Hal Lindstrom: "Right. Thank you."

Supervisor Cardinale: "Thank you, Hal. Any other, yes, sir."

Al Harrera: "Good evening, thank you. I just need a few minutes of your time."

Supervisor Cardinale: "Sure."

Al Harrera: "Sure. I'm a concerned resident of the Willow Ponds. My name is Al Harrera. We have a very serious erosion problem

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in our community. Mr. Dunleavy, Ms. Blass, you were privy to coming and seeing that. We have major issues with the builder who does not want to take any blame for what's going on in there.

We have boulders which were in process of coming down especially with these heavy rains. If you come back, you'll see that the conditions are even worse than since the last time you were there.

We have our own STP plant in there which we had to have cleaned out because of the silt coming in through the drainage from all this erosion. It was thousands of dollars. We're in the process of having issues with the builder who is going to pay for it.

We are also in process of having our STP turned over to the county. The county inspected it, told us we had one of the best plants on the island and if this continues to happen, it's not going to be one of the best plants on the island.

We really need this issue taken care of. I mean I know they had bonds with the buildings and stuff. Most of the bonds— because most of the buildings are done, have been turned back over to them. Where do we stand with this issue?

We've had numerous problems, numerous people come out from the town. There was a Mr. Barnes or something who was coming out to look at the property also."

Supervisor Cardinale: "He's the building administrator."

Al Harrera: "Right. We really need some help from the town with this issue before the builder just walks out on us."

Supervisor Cardinale: "Have you— I'm aware of the situation and Barbara— and I've read some of the correspondence. The State Attorney General, has he been any help?"

Al Harrera: "Not at this point. No."

Supervisor Cardinale: "Is this the one where we've written to the Attorney General and asked him for— I think Ed Romaine has also."

Al Harrera: "Yes. Everyone has been made aware of the situation. But meanwhile now it's become a safety thing. Because these big boulders keep on getting unearthed and they keep shifting and— "

Supervisor Cardinale: "Where are these boulders?"

Al Harrera: "The boulders are on— on the top of the hill. In the complex, there's a couple of roads that--"

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Councilman Dunleavy: "They're on top of the hill and the hill is eroding and the silt is going into a pond that they have there. So we brought this up at a work session. I just don't know how much of a bond we have left from Willow Ponds."

Supervisor Cardinale: "Who is the builder?"

Al Harrera: "The builder is Sound Housing LLC. (Inaudible)."

(Some inaudible discussion)

Al Harrera: "They were not vegetated properly."

Supervisor Cardinale: "Wouldn't that all be on the site plan?"

Councilwoman Blass: (Inaudible comment)

Al Harrera: "And the last answer we got from someone in the town and I don't know their names so I will not quote them, was that if it was not in the original site plans, that they were going to (inaudible) something off to hold this from coming down, then it would be an HOA problem and at this point we just don't buy that (inaudible)."

Supervisor Cardinale: "Well, there's three levels- there's three levels of responsibility here, I can tell you that, and then we went over this actually in a work session a few months- a few weeks ago.

One, as you know the State Attorney General approves the prospectus and he's supposed to make certain that you get what you were promised. The second is we approved the site plan at the town level by an outside engineering firm. As you know, we've had a few problems with them lately. And they have a certain (inaudible) responsibility level to- on the site plan. Now we may still have a site plan bond on this. I'm going to- I can check that for you.

And the third level of responsibility is at the building department level before we release the bonds for the certificates of occupancy for the buildings after the building permit is issued and the inspections are done.

I recently on this issue, because you're not the only subdivision- condominium- you're one of the foremost but you're not the only one that's having problems with their builder. And I wanted to get a definition from the State Attorney General of what he thought his responsibility was, what our site plan engineer's responsibility was, and what the building department thought they were approving when they were approving.

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And I got memos. And I will share them with you as to what they say they're checking for and to the extent that any one of those failed to properly check, that the prospectus was followed, that the site plan was followed and that the building permit was followed. Then you will know who is responsible for the correction."

Councilman Dunleavy: "Now he's still building up there, correct?"

Al Harrera: "He's still building, they're probably about 98% complete. All the buildings-- the exterior is done. They're probably looking to get out of there within I would say two to three months they'll be gone and we don't know where we stand at this point."

Councilman Dunleavy: "And they should-- and there should be some safety rails on those walls that are 10 foot high."

Supervisor Cardinale: "I want to ask one other-- "

Al Harrera: "We need to stop the rocks before we put up railings."

Supervisor Cardinale: "One other responsibility level, and, one, you have as I said the State Attorney General, site plan engineer, town, building department town. The homeowner's association has taken the common area-- the common areas, the deed to the common areas?"

Al Harrera: "Only on phase I and II, not phase III."

Supervisor Cardinale: "But not on III. Okay. Before that happens on phase III-- are you in phase III?"

Al Harrera: "I'm in phase II."

Supervisor Cardinale: "Okay, before that happens, before you take the common area, the homeowner's association should have a private attorney look at this because before you take that-- those common elements have to be given to you in a certain level of repair and completeness and you shouldn't be taking it if it isn't in that level of repair and completeness. So let me see if-- I know that this is a problem for not only you but for four or five other condos and let me see if I can help with the town attorney maybe put together a memo that would be helpful to all the condo associations that are having problems."

I was telling a young attorney recently that if he wants to have a really growth practice, he should start representing condo associations because so many of them are having these kinds of problems. It's really unfortunate."

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Al Harrera: "Thank you very much for your time. I appreciate it."

Supervisor Cardinale: "Thank you. Yes, Sal, and why don't you come up, Tom, after Sal's comment."

Sal Mastropolo: "Sal Mastropolo, Calverton. A suggestion. I think the town needs to issue through a memo to the town employees that if they're stopping more than momentarily in town vehicles, they should shut their vehicles off. I mean at the price of gas today it's ridiculous that a guy that's doing water meter changes and he's going to stay at a house for 15 minutes, his truck runs for the 15 minutes."

Supervisor Cardinale: "That is ridiculous."

Sal Mastropolo: "Right. The police do the same thing. I mean they pull up in front of a store, three cars will pull up in front of Waldbaums. They'll be there a half an hour and three cars are running. Okay, that's one thing."

Supervisor Cardinale: "It's amazing when you have said send directives out. I'm supposed to send a directive out saying turn your engine off when you're not driving your car?"

Sal Mastropolo: "No. When you're not stopping momentarily. If you're going to stop more than a couple of minutes. Okay?"

Supervisor Cardinale: "How many minutes?"

Sal Mastropolo: "Well it takes a guy 15 minutes to change-"

Supervisor Cardinale: "So anymore than three minute, turn the damn thing off."

Sal Mastropolo: "Right. McDonald's in Wading River. It's funny you're talking about site plans. When you do site plan reviews, do you review contour maps for altitude? I passed the McDonald's in Wading River today at about 1:30. It was raining pretty good. If I tell you the water flow off the property, off the McDonald's property onto Wading River Manor Road, hundreds of gallons a minute, pouring off the property onto Wading River Manor Road, then running south and flooding the entire back of the McDonald's parking lot that you probably couldn't even get through the entrance. Okay? I mean, do we look at contour? We should be looking at contour and we should be controlling water flow off property. Okay?"

Supervisor Cardinale: "I did have a planning director when I started this meeting. He's not here, Andrea?"

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Sal Mastropolo: "Okay. The third thing was I was under the impression that town code says that you can't sell retail from temporary greenhouses. Is that true?"

Supervisor Cardinale: "Something like that, yeah. You have to have a different zone in order to retail. I think that's true."

Sal Mastropolo: "Well, Lewin's Farm on Sound Avenue has obviously leased some land to Jamesport Gardens and they have about five greenhouses. At first they were just greenhouses with some plants outside. Then they started planting trees in front of the greenhouses. Then they put in one of these artificial waterfalls. Then they started putting in stone walls and fencing. Okay? And they're running a retail operation. Nothing gets grown there. Everything gets brought in by truck and they're selling out of the hothouses."

Supervisor Cardinale: "Where is this location?"

Sal Mastropolo: "It's on Sound Avenue."

Supervisor Cardinale: "Lewins?"

Sal Mastropolo: "It's the property- it's Lewins property."

Supervisor Cardinale: "On Sound?"

Sal Mastropolo: "Right."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "All right. Thank you."

Supervisor Cardinale: "Thank you. Tom, welcome back. Haven't seen you in a while. Yeah. Yes. I hear."

Tom Gahan: "Good evening, Mr. Supervisor, Town Board. Thomas Gahan, Riverhead, New York. I have some comments to make about downtown Riverhead revitalization. I do have a copy for Mr. Stephens as to not be misquoted. I'll read those comments now."

Supervisor Cardinale has been working overtime to promote his pet Apollo Spector project for downtown that would include a parking garage and a multiplex. I was present at the Eastern Long Island Executive's meeting in April to hear the Supervisor talk about the downtown revitalization project and he spoke at length about the Apollo plan and only the Apollo plan.

His presentation to the Westhampton Beach Rotary about downtown projects was aired on Channel 22 and again the subject was solely Apollo. There has been a project that would have improved one of if

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not the worst blighted areas of downtown Riverhead before the town for years. In fact, the town board passed a resolution on July 6, 2005 to enter into contract negotiations with that developer, the Vintage Group.

All along and predating the Apollo proposal, the Vintage Group has proposed a multiplex movie theater along with a parking garage on Railroad Avenue that would lift the expense of providing the parking asked for and agreed to with the county from the taxpayers of Riverhead. The cost I understand would exceed \$10,000,000.

The Vintage project would be paid for by private not public funds. Never once did the Supervisor talk about this competing project for downtown improvement at either one of the two aforementioned public forums.

How can the Supervisor be personally touting one project when he's supposed to be in good faith negotiations on another? What's more, I heard once again on WRIV radio yesterday that in December, 2004, the Vintage Group had offered in writing to the Supervisor's office to pave the parking lot that now exists between Railroad Avenue and Court Street if the town would be willing to enter into negotiations for their project. That offer was ignored.

The nearly \$1,000,000 that was eventually spent to pave that lot could have been used towards other downtown improvements.

Apollo has now amended their original offer to include a hotel in downtown. Interestingly, Atlantis Marine World which has been on Main Street for almost 10 years and a tremendous asset to downtown, has had a similar proposal for a downtown hotel they had been seeking approval for for over the last five years.

Recently their outstanding and extremely tasteful drawings for the hotel was summarily dismissed by the Architectural Review Board.

So now there are two very good revitalization projects that have been on the books for a long time with the Vintage project being a lot further along than the artist renderings in Newsday. Competing against Apollo's hotel, multiplex and parking garage that the Supervisor has not given any recognition to.

But the most alarming point in this whole matter is that it was only last week that the Supervisor revealed his plan to have a parking garage being built behind the present Woolworth building be paid for with Riverhead taxpayer money.

With construction costs for a multi-level parking running about \$20,000 per stall, the garage proposed there would easily cost more than \$22,000,000 and if built by the town under the Wicks Law, we could expect to pay much, much more than that.

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Using public funds to build this parking lot which is an issue that cannot be blamed on any previous administration was withheld from the town board and the public.

On another salient point on this disturbing news, were other companies that had submitted proposals for downtown redevelopment told that this parking garage that supports Apollo's project would be paid for with town funds? This surely would have played a hand in their proposal and had they known, put them on a more level playing field.

Did Apollo Spector have an advantage and therefore favoritism in writing their proposal by giving a heads up on this arrangement before submitting their response?

In light of the scandal regarding the huge crossover runs, the ongoing uncertainty of exactly what happened with the landfill reclamation project and who was responsible, this new discovery is both shocking and unacceptable. All of the events I have mentioned are to say the least very suspicious and I hope that the entire documented truth is made available to the public not the spin, but the whole true story.

Thank you. Good night."

Supervisor Cardinale: "Thank you, Tom. Two things. One is, Dawn, I'd like you to— Dawn, the town attorney, has been asked by the town board in July to negotiate the Vintage transaction. They, I think, have met on repeated occasions and are in the process of negotiating and I am hopeful that that will be successful.

Two, the taxpayer is not going to pay for any parking in downtown Riverhead. It will be paid for by the developers and the Riverhead Parking District as required, not by any taxpayer bonding.

Would you tell us a report on Vintage? In July of '05, a resolution was passed to negotiate with them and I know you have met on numerous occasions with them. Would you tell us about it?"

Dawn Thomas: "Yeah. We've had several meetings. In fact, we met just last Wednesday. We have another meeting scheduled for I think next week. The progress on the contracts is going along nicely and other than that, I don't— "

Supervisor Cardinale: "I think that I made clear in the past that neither— those projects are not mutually exclusive. I would be delighted to have both of them in downtown and I hope that both of them actually appear in the downtown as successful projects in the reasonably near future.

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Any other comment from anybody of the public? If not, we're going to go home and find out who won the school board election and I thank you very much for attending. Thank you."

Meeting adjourned: 9:00 p.m.