

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York on Tuesday, October 2, 2007, at 7:00 p.m.

Present:

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

Also Present:

Barbara Grattan,	Town Clerk
Dawn Thomas,	Town Attorney

Supervisor Cardinale: "Okay. We're going to say the Pledge of Allegiance. Do you know how to say the Pledge of Allegiance? I pledge allegiance- you know how to do that?"

Supervisor of the Day Moore: "Yes."

Supervisor Cardinale: "Okay. Can you lead us? Okay, I'd like to begin the meeting by- with the Pledge of Allegiance and we're going to be helped by the Supervisor for the Day, Matthew Moore. Right here, you speak right into that. I pledge allegiance. Ready? Right here."

(At this time the Pledge of Allegiance was recited, led by Supervisor of the Day Matthew Moore)

Supervisor Cardinale: "Okay. I should introduce the Supervisor for this day and this meeting which is Matthew Moore of Jamesport and his dad, Rick Moore is here to keep an eye on him because he's a wild man."

Yeah. He has injured several people during the afternoon with this instrument here. What do they call that? A gavel, right. So he's going to be the Supervisor of the Day. He won this honor by reading 19 books and then being picked from a lottery at the Riverhead library. I think George Bartunek was there to attest to the honesty of the procedure and he won it fair and square so he's running this

meeting, he's running this town, this day.

The first thing he's going to do is go down and honor some people who have performed in an extraordinary manner. All right. You're going to help me out? And the town board is all coming with you.

Here you go, Matt. Okay, we're going to— Matt, come on over here. You want to stand on the chair or the table or just sit down? Okay. Matt is going to help me to honor himself as Supervisor for the Day, and then the Supervisor awards that we're about to give out for the Peer Helpers, and they are here. Would you come up, please, those of you who are here? And is Donna here? Please come up.

Okay. Stand up, you're about to award some recognition here. There you go, Matt. Okay.

Donna, come on over. Donna is the head of our newly formed youth bureau and she, because she does it so much better than I, is going to describe the program and why we're honoring these kids today."

Donna: "Okay. Our Peer helpers program was developed because we have a group of students that (inaudible) out of our summer recreation program, they're between 13 and 15. They're too young to get jobs and we really wanted something for them to do. So we designed a program where they would be able to come back and work almost as counselors in training with the younger students in the summer rec program and these students completed three days of training in the heat of the summer, the end of June, and then worked approximately 16 to 20 hours a week for no pay, just community service hours, going to the beach and taking care of the young people.

They worked for eight weeks during the summer and so for this reason, they are standing here today to receive their community service hours and award."

Supervisor Cardinale: "Well, thank you, that was a good description. ~~Matt, are you ready here? You see anybody you know out there? You want to invite them up? Come on up. That way you can get a better view and keep them under control.~~

Okay, we're going to award with Matt's help, the town of Riverhead Supervisor Award to these young people, the first being Darryl Ross. Now would you bring that over to Darryl and would you shake Darryl's hand.

I should read- these read: in acknowledgment in completing 96 volunteer community service hours working as a Peer helper in the town of Riverhead summer recreation program, signed by Philip Cardinale, Supervisor, and I'm sure my entire board joins me. So would you bring that over to Elissa Patrick?

The next one is- I should mention that Matt is a first grader at the Aquebogue School. Can you read yet? Okay. Well, I'll read it. It says Jeremy Warner. Is Jeremy here? Okay, Donna will take Jeremy.

The next one says Masha Schafer. Is Masha here? Would you walk over and give that to Masha? And this one says Michael Piro. Is Michael here? Michael, here you go. Kristen Hattorff is not here so we can give it to Donna to carry to her.

Jonathan Lul, would you give that to Jonathan? Samantha DiResta. And I'll be Miranda is not here."

Donna: "No, she had a death in the family."

Supervisor Cardinale: "I'm sorry to hear that. Okay. Now you did great, Matthew. I want- your ordeal is almost over. But you should stand there, hold those up, smile, because this gentleman wants to take a picture of you and- there's your new Supervisor for the Day. Donna, why don't you get in this picture? Stand right there, you're the supervisor. Right in front of them. Right here. Get another picture.

The next part of your ordeal (inaudible) who I couldn't do anything about.

Okay, you know how to read that name?"

Supervisor Cardinale: "He knows. And your mom. That's mom? How are you? Nice to meet you. And your sister. What's your sister's name?"

Supervisor of the Day Moore: "Kaitlin (phonetic)."

Supervisor Cardinale: "Kaitlin and Mom. Okay. We also have what's his dad, Rick; mother and sister Kaitlin. He doesn't know how to read except he grabbed this off the table and immediately claimed it as his own. It is in fact town of Riverhead Supervisor and the Board in acknowledgment of Matthew Moore for his completion of the 2007 summer reading program at the Riverhead Free Library and his

willingness to serve the town as- put this under your face, this is it. So here we go. I'll smile and look on. Now that was good. Okay, you get to take that home.

Okay. We have one last award to give out. Is the Schmelzer family here? And we have a resolution to pass tonight relating to this award so if the family of George Schmelzer is here, please come up.

Now did you know George Schmelzer? You're too young. Many people in this room did. Right up here, the Supervisor of the Day wants to talk to you, Matt. Come on up. We have the Schmelzer heirs here. Okay.

I know Mrs. Schmelzer, George Schmelzer's widow; his son, but you are going to have to introduce the rest of them."

(At this time, the Schmelzer family was introduced - Harry, Rick- Richard, Ingrid, my sister; sister-in-law, Laura (inaudible)."

Supervisor Cardinale: "For those of you who did not know, George Schmelzer was a fixture at meetings for many years when I was on town board in 2001 and later he became ill but (inaudible) in 2004 and 5, and a few weeks ago we were discussing the naming of a new park on the riverfront for which George was famous as a (inaudible) and as an expressor of long held and passionate convictions on how to care for the riverfront, and also about zoning and other such matters.

So the first resolution we'll pass this evening, I see my director of planning here and the board is, I'm sure (inaudible) interesting evening. George would sit right around where the Suffolk Life representative is and he would not hesitate to come up and explain what we were doing wrong which was generally everything. But we were particularly inept at passing zoning which should not be passed and sometimes not caring adequately for the riverfront.

So we decided as a board, I think one of the members suggested it, that we name the park that we're going to dedicate, the- actually it's called the George Lindgren Schmelzer Park. It's across from- the small pocket park across from the post office on the riverfront.

So this Supervisor's Award to the Schmelzer family reads: in acknowledgment of the stewardship of George Lindgren Schmelzer in protecting the valuable community resource which is the Peconic River; and in memory of his counsel to the Riverhead town board concerning

land use policy, the parcel of land at 609 West Main Street is today designated the George Lindgren Schmelzer Riverfront Park.

As a senior representative of the family and I want to thank you on behalf of the town board present and past for George's participation in the town."

Mrs. Schmelzer: "I want to thank you. I'm very surprised."

Supervisor Cardinale: "Well, it's our pleasure. I think it was unanimous once one of the board members suggested it, Eddie, as I recall.

You also get a dispensation- we're going to pass the resolution. I think maybe what we should do is so they won't have to stay, as soon as I get back up there, let's pass that resolution. They'll know it's done and then they can go home and relax. Thank you. Come on up, thank you.

What number is it? Number one? No?"

Barbara Grattan: "908."

Supervisor Cardinale: "What is it? 908. Okay. This is 908, right, which is the first of the town board resolutions to be considered this evening. Barbara is coming up and we're going to consider it with the help of our buddy here. I'm a little hesitant when he has a weapon in his hand.

I don't want to tell on you, Matthew, but when you first came, I gave him a shot at sitting here and taking a look at the seat in the afternoon. He took this one because he preferred its size. And whatever happened to the little rubber ducky you had? Because the last I saw was he was asserting his authority over the duck with this gavel and it was just squashed. It is- did it still survive? Oh, you still have it. Okay.

Let's take- it's still there. Let's take 908 and consider that so the Schmelzer family can get the kids home."

Resolution #908

Councilman Densieski: "Authorizing the naming of the park located at 609 West Main Street, Riverhead, New York George Lindgren Schmelzer Riverfront Park. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes. I just want to say, George as far as I can remember was at every meeting here and he had more records than our town clerk did as far as zoning and what's been happening in the town of Riverhead. So he knew everything, George. So I am definitely saying yes to this."

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

Councilman Bartunek: "Yeah, I'd like to go back and- I have a fond memory that I just thought of, is probably about 15 or 20 years ago, I actually sat in on an interview with John Lombardi and George Schmelzer. George was trying to go for a spot on the Conservation Advisory Council. It was an interesting interview to say the least. Yes."

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

Councilwoman Blass: "Absolutely, yes. George was a very special person and even though we didn't always see eye to eye, he was always very frank about his opinions and we appreciated everything he did for the town. Yes."

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

Councilman Densieski: "Yeah, George spent a lot of hours in my office and some of those hours he was awake. Some of them he wasn't awake. But, anyway, he was one of the smartest people I've ever met. He had the best memory of any human being I've ever met and I agree with a lot of what he had to say and I like the way he said it. So I'm going to vote yes."

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

Supervisor Cardinale: "Of course, I'm happy to join in the vote with a yes. George- there was an article done by a local paper on him a few years, I guess, before he passed away, and one of the great lines was George never approved of zoning. Period. And, of course, zoning was not permitted in the United States until 1922 and it's been

all downhill since according to George.

But when he-- one of his contentions was that just because a misdeed was done, I guess at that time some 75 years or so ago, was no reason to allow it to continue. And that kind of summarized George's attitude towards life and that's why he was so vigorous to the end.

So I vote yes and I hope you all get over and sit there and contemplate the river and think of his contributions to conserving it."

Barbara Grattan: "Resolution is adopted."

Supervisor Cardinale: "Okay. Now we have to go to the normal announcements and then the town board hearings. So what I've got to do is find-- there it is, thank you. We have called approval of the minutes of the September 17, 2007 meeting. But I'm not doing it, you are. So can you ask for the approval of the board minutes of the September 17th meeting. Go ahead. You can announce it. Say I-- call for approval of the minutes of the September 17th board meeting."

Supervisor of the Day Moore: "I call for-- approval-- of the minutes-- of the September 17th-- board meeting."

Supervisor Cardinale: "Okay we have a motion."

Councilman Bartunek: "So moved."

Supervisor Cardinale: "Second?"

Councilman Dunleavy: "And seconded."

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

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

Supervisor Cardinale: "You, too. Matt wants to approve it. The next one is-- what we've done, Supervisor of the Day, Matthew Moore; Supervisor Awards to the Peer Helper and the Schmelzer family. How about Reports, Applications and Correspondence?"

REPORTS:

Receiver of Taxes

Utility collections report for

	September, 2007 - total collected \$449,476.91
Town Clerk	Monthly report for September, 2007 - total collected \$10,286.26
Juvenile Aid Bureau	Monthly report for August, 2007
Sewer District	Discharge monitoring report for August, 2007

Barbara Grattan: "That concludes Reports."

Supervisor Cardinale: "Applications."

APPLICATIONS:

Special Event	St. John the Evangelist RC Church - Dec. 1, 2007 holiday craft fair
Special event	South Bay Recreation, Inc. Oct. 20 and 27 th - youth lacrosse tournament
Special event	South Bay Recreation, Inc. Oct. 21 and 28 th - girl's lacrosse club tryouts
Change of zone	Peconic Iron Works - east side of Kroemer Avenue

Barbara Grattan: "That concludes Applications."

Supervisor Cardinale: "Now, are you staying awake? Okay. Do you know what Correspondence means? It means mail. So say mail."

Supervisor of the Day Moore: "Mail."

Supervisor Cardinale: "Go ahead."

CORRESPONDENCE:

Diane Woodcheke	Regarding the Shops at Riverhead
Rexcorp proposal	three letters in support of
Remy Bell: Handicap Advisory Committee	regarding highway department budget
Stephen Searl: Peconic Land Trust	Regarding Kobylenski recommendation and regarding the Griffing Avenue laundromat building

Barbara Grattan: "That concludes Correspondence."

Supervisor Cardinale: "Okay. Can you say public hearings? Go ahead. Public hearings."

Supervisor of the Day Moore: "Public hearings."

Supervisor Cardinale: "You know what a public hearing is, Matthew? It's when we're going to propose to do something and we want to hear from the citizens as to whether they think it's a good idea or not. We have three public hearings scheduled and the continuation of a public hearing on the Vintage Group proposal to follow that."

Public hearing opened: 7:30 p.m.

Supervisor Cardinale: "At 7:05 we were to start a hearing on the consideration of a local law to amend Section 3-1 of Chapter 3 entitled Appearance Tickets of the town code. It being 7:30, we can certainly start. Would you tell us what that's about, please?"

Dawn Thomas: "Sure. This proposed amendment would add the words police officers to Section 3-1 of the town code which would permit police officers to issue summonses and otherwise enforce the provisions of the town code."

Supervisor Cardinale: "Okay. Do you know who that lady is, Matthew? That's the town's lawyer. Do you know who that lady is? That's the town's clerk. Okay. You know now? Now, you can tell them whatever you want them to do and they have to do it. I tired that, that doesn't work either. They haven't done that for four years."

But we are going to take public comment on what is a technical

change, adding police officer- I can't imagine why it was not there in the first place, can you? Was that just an oversight?"

Dawn Thomas: "Yes, actually."

Supervisor Cardinale: "Yeah."

Dawn Thomas: "It's been years that it hasn't been there and there were certain provisions that the police officer could enforce and we wanted to make sure it was clear every provision."

Supervisor Cardinale: "Okay. This will make clear that police officers are peace officers and then can enforce all laws of the town."

Would you come forth if anyone has a comment? If they do not, we'll allow you mull over whether you wish to make comment. You can make written comments through Friday, let's see, today is the 2nd, so I guess that would make it the 9th, 10th, 11th, 12th, Friday, the 12th, at 4:30 p.m.

And moving right along, that means I'm going to close the hearing at 7:32 for verbal comment."

Public hearing closed: 7:32 p.m.
Left open for 10 days for written comment
to October 12, 2007 at 4:30 p.m.

Public hearing opened: 7:32 p.m.

Supervisor Cardinale: "Moving on to the 7:10 hearing which is for the consideration of a proposed local law to amend Chapter 44-6 entitled Administration by Farmland Preservation Committee of the town code. Would you tell us, Dawn, what the gist of that is?"

Dawn Thomas: "Yes. This amendment proposed to Chapter 44 of the town code, specifically 44-6A-3 would remove planning director as a member of the Farmland Preservation Committee."

In addition, it would create two at large members appointed by the town board as opposed to the one that is currently part of the membership."

Supervisor Cardinale: "Okay. So this knocks off that fellow

over there from this board, the director of planning, because actually he lives in Huntington and never comes. So we're going to put a citizen on instead.

Do you have any objections to that, Rick? I think he's partly pushing this. So, does anyone have an objection? Does anyone have a comment in the public hearing about this not awesome or dramatic change? If not, we will call this- "

Councilwoman Blass: "We are looking for another community member, so if anyone is interested in serving on the committee, please forward a resume to us."

Supervisor Cardinale: "And could you describe the committee's work?"

Councilwoman Blass: "The committee essentially makes recommendations to the town board on acquisitions of farmland in the town of Riverhead or development rights on farmland and they also render opinions as to where agricultural buildings should be sited after development rights have been purchased. They have input into the future development of the site with respect to agricultural building."

Supervisor Cardinale: "This is any citizen- a citizen at large."

Councilwoman Blass: "That is correct."

Supervisor Cardinale: "Not necessarily large."

Councilwoman Blass: "And we meet once a month."

Supervisor Cardinale: "Although we don't discriminate. Okay, so that's going to stay open until- what did I say, the 12th- yeah, the 12th for written comment, but verbal comment is closed as of 7:34."

Public hearing closed: 7:34 p.m.
Left open for 10 days for written comment
to October 12, 2007, at 4:30 p.m.

Public hearing opened: 7:34 p.m.

Supervisor Cardinale: "Okay, we're moving right along to the 7:30 hearing concerning the purchase of approximately 2.3155 acres of vacant lands located on the southeast corner of Front Street and South Jamesport Avenue, South Jamesport, for a purchase price of \$2,000,000.00. This is a parcel on the Peconic Bay which would come into the town's ownership, again, with this community- the 2% tax paid by the purchaser when they come into this community.

Is there anyone here who would like to comment on this proposed purchase? Please come up.

Flip that thing on the side. That would help, I think."

Martin Walecki: "My name is Martin Walecki. I live on Second Street in South Jamesport. And this purchase has been looked forward to by the whole community for many, many years.

So I just want to congratulate someone for putting it up, I hope as a unanimous vote, on this proposal. I look forward to having this parcel in our possession instead of the present use right now. So thank you very much. I hope it's unanimous."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Okay. Any other comment on this- yes, please."

Steve Lanier: "My name is Steve Lanier. I live on Front Street in South Jamesport. It's a great acquisition.

I have a little bit of a problem though. This is going to be used as a parking lot. Is that correct?"

Supervisor Cardinale: "No. I will let- I know, but I'm not going to tell. I'm going to let Barbara or who's on the committee, right? George? Tell them what we're going to really use this for."

Councilman Bartunek: "Well, there is going to be a parking lot provided. There is going to be a parking lot--"

Steve Lanier: "I've got a couple questions for you. What I

read was that it was going to be on Front Street, the parking lot, okay, which I don't understand other than the fact that it gives right of way to the Patchel Restaurant, I guess. Why wouldn't that be off of South Jamesport Avenue, the entrance? Why shouldn't there be a buffer along Front Street so that it remains pristine?"

Councilman Bartunek: "Well, the parking lot is being provided where it's going to be or where it's planned to be located because that's the easiest access I think onto the site and- "

Steve Lanier: "Where is that access from?"

Councilman Bartunek: "Front Street, across from the Bayview Restaurant."

Steve Lanier: "Why is that the easiest access from the site?"

Councilman Bartunek: "That was- that's a plan I think that if we go back four years, it was the plan that we were looking at if the property were ever acquired and I believe the parking was envisioned to be located on Front Street there."

Steve Lanier: "So all you do is direct more traffic on Front Street which already has a problem."

Supervisor Cardinale: "I don't want to get involved in the dispute except that if you don't put it on the north you have to put it on the south and who in their right mind would put it on the south? That's the bay. You would want to have the southern exposures open for the bay."

Steve Lanier: "I'm not concerned with that. The entrance what I'm saying should be on South Jamesport Avenue. I'm not saying that at all. I understand the reason for the purchase."

Supervisor Cardinale: "Right. So if the parking lot- we all agree the parking lot should be north because the valuable part of this \$2,000,000 property is the bay part on the south, we may very well consider the entrance of South Jamesport Avenue. But it will be on the far north."

Steve Lanier: "That's fine. That's fine, with the buffer along- so you're not looking at a parking lot."

Supervisor Cardinale: "Yeah, that I don't think is precluded by

anything, right?"

Councilman Bartunek: "That is- I'll be honest with you. That is not my understanding."

Supervisor Cardinale: "What difference does it make where the entrance is?"

Councilman Bartunek: "The understanding, and part of this deal is that Mr. Patchel is going to be able to use that parking lot for his evening customers."

Steve Lanier: "You know what? We're giving into him again. We did that the first time."

Councilman Bartunek: "We- we- if I could- "

Steve Lanier: "Absolutely."

Councilman Bartunek: "I'll let you have your say before I have my say."

Steve Lanier: "Go ahead."

Councilman Bartunek: "The appraisal for the property came in substantially higher than the amount of money that- "

Steve Lanier: "Can I ask what the appraisal was?"

Councilman Bartunek: "I don't know- can I divulge- "

Steve Lanier: "He was asking two-six."

Councilman Bartunek: "I believe the appraisal was 2.25, if I'm not mistaken, \$2,225- 2,250,000."

Steve Lanier: "So we're giving him \$2,250,000 for access to the parking lot."

Supervisor Cardinale: "No. What I think we're doing is- if I get this straight. There's got to be a parking lot because there's going to be people utilizing the beach front. Is that correct? And the- and I'm not sure what the details of this are but I do know that people use the beach during the day."

So during the day it's going to be a lot for parking of people with stickers, I presume, if they need stickers. And during the evening when it is empty, there is not going to be required a sticker. So if you want to— you can park there is you wish. I could park there. And so, too, could the guy that wants to go across the street to the restaurant park there."

Councilman Dunleavy: "George, can I just say something or ask you a question?"

Councilman Bartunek: "Sure."

Councilman Dunleavy: "Why can't the entrance be off of South Jamesport Avenue and these people that go to his restaurant would only have to walk maybe 10 feet more to go past that buffer zone to his restaurant?"

Steve Lanier: "Absolutely."

Councilman Bartunek: "Well, you'll have to— "

Supervisor Cardinale: "Did you do that? Good. Okay. I'm the one that has the microphone."

Steve Lanier: "What you're doing is you just have to consider the rural nature of the area and turning it into looking like a parking lot. Nobody wants that. Not any of the residents that are down there and we are only looking that we are conceding to Bob Patchel again. He went inside there, right or wrong, he put together wonderful Bayview Restaurant with not enough site plan for parking, everybody is on the street.

So now we're purchasing his property across the street which is absolutely wonderful. It's a great acquisition. But we're giving him a parking lot in order to park there again and it's a win-win situation for him again.

I'm absolutely opposed to that. I love the acquisition. If the entrance is off of South Jamesport Avenue, not on Front Street, and there's a buffer along Front Street, I don't think you're going to have anybody complaining about it. All right? The traffic is directed from South Jamesport, not along Front Street which is overburdened by traffic right now, it's probably all right.

But, you know, I'm here on behalf of a lot of people in the area

that couldn't be here to say that it's a wonderful acquisition, but we absolutely don't want to be staring at a parking lot.

Supervisor Cardinale: "Thank you. I think you make some good points. We'll discuss that I'm sure at the work session on Thursday. You can watch it on TV."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Yes, sir, would you like to make a comment? Please, just follow— oh Angela, are you going to come back? Oh, please, Okay."

Councilman Dunleavy: "There's a switch there. Leave it on when you get up there."

Supervisor Cardinale: "Okay."

John Peck: "That working better? My name is John Peck, and I live at 14 Campground Circle in Jamesport. I think this is a great purchase myself. If there were any way the entire area down there could be left pretty much the way it is today, I would be 100% in favor of that. I think it's been a long time, if ever, that I can remember swimmers during the day requiring anything more than South Jamesport Avenue from Front Street down to the bay. So as far as making a parking lot off of the road itself to accommodate swimmers, I don't think we even need one. I've never seen that many swimmers there in 60 some what years.

As far as the area down there, booths to be put up like you would normally think about for a town park or lines for parking, I would rather if you could think about doing absolutely none of that. So in effect what you've done with the end of that road is it's not necessarily a park as much as it is just town access to the beach. The road could be fixed up because it's in terrible shape.

Obviously the property that Bob currently owns could be cleaned up and fixed up and the big mounds taken away. There's an old sea wall on the west side of South Jamesport Avenue that's underneath all that sand and gravel, could probably be exposed and kind of make that area look a little bit nicer. But I would prefer that it just weren't changed to look like a lot of town parks are with booths and places where you must park and restrictions and signs and regulations.

The beauty of that area down there is just as it is, you know,

left alone."

Supervisor Cardinale: "Thank you."

Councilwoman Blass: "Thank you, Mr. Peck."

Angela DeVito: "Angela DeVito, South Jamesport. I echo the sentiments of my neighbors from South Jamesport who have stepped forward this evening to congratulate you on taking this step for this land purchase.

As a member of our Civic, it's something that we have looked forward to for at least six years that I know of that we've been asking for it. And I think that before we rush into a particular design or concept for a park, I know as Mr. Stefans reported in the News Review, it sounds like we're going to have an East Creek West sort of park set up on this parcel of 2.3 acres of land that actually is in an historic district and we should really look to balance what we place there with the concept of what we've preserved and what we set aside as a historic district.

So my suggestion is that after the transfer has occurred, the town board set up a community based commission with representation from appropriate members of the town board and various departments to come up with a plan as to how you are going to discharge that particular piece of land and how you are going to use it in the future.

Thank you."

Supervisor Cardinale: "Thank you. Any other comment in regard to this proposed purchase? Come up, please, if you do have a comment. Hi, Georgette."

Georgette Kellor: "Good evening. Georgette Kellor, 6th Street, South Jamesport. I'm also president of the Jamesport and South Jamesport Civic Association who has been supportive of acquisition of this land for a very long time. The Civic is— some number of years ago, about five years ago, submitted plans to the town for what its membership at that time desired to see as an outcome in its planning.

And there are a couple of items. Like Angela said, that there should be community input into its development because it affects all of our neighborhood and I think in light of what we've seen in other areas of town and what's happened, not as an indictment to Mr.

Patchel, but some sort of guarantee to the town that the land will not be cleared before the transfer takes place. And that its historic nature is preserved and that the historic preservation committee is also consulted in that sort of thing.

I understand the first gentleman that came up was worried about the access from Front Street. He was simply talking about a matter of not turning onto Front Street but then turn into a parking lot and staying on South Jamesport Avenue and I think that his request for a buffer so that it's just not a parking lot up on the street is certainly a valid request to be reviewed in the future.

We would just really like the town's commitment to involve the community in the decision making process."

Supervisor Cardinale: "Thank you. I'm sure we will. Anybody else have a comment in regard to this proposed purchase? Okay. If- "

Councilman Dunleavy: "Could I say something?"

Supervisor Cardinale: "Yes, please."

Councilman Dunleavy: "I just want to say that I didn't realize- no one mentioned a parking lot that was going in there so assure you that we will take care and I will recommend that the community does get involved in it."

(Some inaudible comment)

Supervisor Cardinale: "I'm told that because that we may be- is his within the packet or are we considering this resolution tonight? Because I'm wondering whether to hold it over for any comment or to close the hearing."

Councilwoman Blass: "It's my understanding there was a resolution that was coming off the floor."

Councilman Bartunek: "I won't propose it tonight."

Supervisor Cardinale: "Okay. All right, then, we'll talk about this on Thursday and we hope to propose this at the next meeting, I expect to as a matter of fact, propose it for purchase and in the interval if you have any written comments, you have until October 12th at 4:30 to submit them because we expect to take action on this on the

16th.

Is there any other comment? If not, I'm going to close it for verbal comment, keep it open until the 12th for written comment."

Public hearing closed: 7:48 p.m.
Left open for 10 days for written comment
to October 12, 2007 at 4:30 p.m.

Supervisor Cardinale: "And return to the Vintage hearing. The Vintage hearing as I recall was a July hearing which was adjourned to obtain additional data through the summer and to this date. And here is the attorney for Vintage.

Vintage is the project on the Railroad Avenue-- in the Railroad Avenue corridor there which I think most people are familiar with at least generally.

Counsel for the town is you, right, Frank, on this? Frank Isler of Smith Finkelstein and he's here and counsel for the proposed developer is here. Fire away.

They'd like to make a further presentation on the qualified and eligible sponsorship hearing. The purpose of this hearing is to determine whether the developer has the experience or the experience team necessary to complete the project and the capital necessary to complete the project.

Oh, I should point out before we get started, Rich, Mr. Supervisor, Matt, you've got Kaitlin here, you've got Diane here. Any time during this hearing or thereafter in the meeting if you'd like to reclaim the supervisor, I was afraid you were going to say that. When you heard that screech before, I said did you do that, he said, you're the one sitting next to the microphone.

I'm going to give you an opportunity whenever he's ready to go, give him an opportunity to make a comment and then he will depart whenever you want him.

There are two that have been taken. I think it was during Kozakiewicz's reign that it was said the boy was turned to who was in this position and he was asked for a comment on leaving and his comment was I now know why they call it the town bored-- b-o-r-e-d.

Second, one other kid who was up here for this day and we asked for a final comment, a parting comment, said is that stupid-visor or supervisor? So those two are taken. I don't want to hear those again. So whenever you want him, let me know. Just give me a sign.

Go ahead, please, John."

John Sullivan: "Good evening, Mr. Supervisor, Mr. Supervisor Moore and Mr. Supervisor Cardinale."

Supervisor Cardinale: "Excuse me, wait, before you start, you have to make your comment now. Your parents would like to reclaim you. You are now leaving your supervisor duties. Do you have a parting comment?"

Supervisor of the Day Moore: "No."

Supervisor Cardinale: "A wise choice. Wise choice. He's going to stick with it's your microphone. I didn't make the noise happen.

Okay, I want to thank you, Matthew, for being the great supervisor you have been. Many people in this town believe that you are a vast improvement on the current supervisor and you've established that I think, so thank you. I want you to try and find Kaitlin okay. Good job, good job.

Take your supervisor award. Don't forget. Give me the duck. That is the duck that was squashed by this gavel. He practiced the gavel on the duck's head. I suggested that that might be a technique I could use with my board, but they objected.

Okay, we're going to let you re-group as a family and I'm going to let John take off. John, you want to begin the hearing? Thank you.

~~Are those the grandparents there? I should have introduced you. Smile on the way out. This is the grandparents of our supervisor. John."~~

John Sullivan: "Thank you, Mr. Supervisor. I have handed up to the board members and the counsel and the clerk a package which contains some documentation. This is a continuation of a hearing which we had back in July regarding the Vintage Square project.

The package that I handed up is meant to present materials that address the concerns raised by the board at the original hearing together with supplementing the information provided there at that time.

The first item is a parking demand and feasibility study which has been conducted which was done to ensure that the project shows—demonstrates a need for and ability to provide adequate parking in a developing downtown hub area and provides revenue stream that would enable it to service the debt involved in going forward with the capitalization of the project and paying off the mortgage. That was raised at the last meeting. We include the feasibility study now so that the board can consider it in going forward.

That feasibility study was shown to George Heinlein (phonetic) who has restated, okay, his commitment, okay, to fund 100% if the project from land acquisition through completion and occupancy and he has done so in providing a letter which has been amended from the original one given to the board that sets forth in terms that are either similar to or identical to those terms and conditions which have already been approved by the board in similar projects that he stands ready, willing and able to provide 100% of the financing.

The key is to have as all of these projects are— is to have the developer be declared an eligible and qualified sponsor under the urban renewal law. If that designation by the board is given to the developer, the developer, Vintage, stands ready, willing and able to complete the land disposition agreements which it will have to complete with the town and with the CDA in conformity with all of the requirements of the urban renewal law and go forward with the project into the acquisition and construction phase.

We've been trying to do it for a considerable period of time. We're ready, willing and able to do it. We hope that we can do it as quickly as possible and the lender, Heinlein Capital, remains committed to providing the financing necessary to do this. And Mr. Heinlein is known to the town. ~~The Old Vine project and the Willow Pines project which he funded and saw through to completion represents nearly \$160,000,000 in development in the Riverhead area in the last five to six years.~~

So, he's ready, we're ready. What we need is a designation that we are qualified and eligible to finalize the agreements with the town and with the CDA to get going on the actual project itself.

Now the next thing that we talk about is a letter that we have from Marquee Videos and Theater Corporation saying— it's a letter of intent. They want to put a multiplex state of the art theater in the premises. They give us that letter of commitment which I understand is the only letter of intent that has ever been presented by a theater company to the town. They're ready, willing and able to do that subject to, again, being declared qualified and eligible to proceed with the project.

The next items are two letters that come from the Vintage team and they address specifically a concern that board member Blass had at the last meeting regarding whether or not there was any urban renewal experience on the design and construction side of the team that's been put together by Mr. Burke for Vintage.

You will see there a letter from Wiederson (phonetic) Associates listing their experiences. They conferred with their associates back at the office after the hearing and came up with those items. And also from Sullivan Construction Company, a list of projects that they have done under urban renewal together with the source of the financing that was provided under urban renewal for those projects.

We'd like the board to consider those items.

Lastly, there's a letter of support from County Legislator Ed Romaine who represents the first district, okay, in the county legislature. He's in favor of the project because he feels that it's in a transportation hub area of the town which will be beneficial not only to the town but to other areas of the county and he applauds the conservation consciousness that the project shows in the green factors, okay, that were presented at the last hearing by our design and also our construction consultants.

So in essence what we've provided to the board is information that expresses Vintage's continued interest in doing his project. It needs to be designated qualified and eligible as a sponsor in order to do it. ~~It's ready, willing and able to proceed. And all it does is~~ respectfully requests that the board give it the opportunity to do so and make this envisioned improvement to this area a reality.

I thank you very, very much."

Councilwoman Blass: "Thank you."

Supervisor Cardinale: "Thank you. Now if you'll stick around

just for a moment. Frank, I don't know if you would prefer to defer and speak to counsel, you know, at your leisure. If you have any questions now, I'd like to give you the opportunity. Because I-

Frank Isler: "Just very briefly. We just received this material right now. In looking at the letter from Mr. Heinlein's Capital Ventures that was part of your original package dated June 6, 2007, and the one that you handed up today is dated the same date and there's some wording changes. But the conditions that were being questioned by the board at the last public hearing on this, still seem to be in this commitment. You know, specifically, that it's subject to a feasibility study being performed.

But there's no indication that he's accepted it or that he's willing to stand by or accepts the analysis. I think that was one of the concerns the board had at the last meeting that there needed to be more certainty in the financial commitment."

John Sullivan: "I can tell you that Mr. Heinlein did, in fact, read the feasibility study, did say that he was still interested in doing the financing after having read the feasibility study. If we can provide documentation from Mr. Heinlein by way of a letter that supplements the Heinlein Capital Ventures letter here, I will absolutely go and ask him."

Councilwoman Blass: "I think that would be an important part of the record considering the comment that was made here."

John Sullivan: "All right. Certainly."

Frank Isler: "I think that the- I'm sure that the board is going to need the opportunity to review the study that was provided and examine it. So, you know, it would be premature to really get into depth on that study."

John Sullivan: "Sure. It's going to be an ongoing process, I understand."

Supervisor Cardinale: "Who did the parking demand and feasibility analysis?"

John Sullivan: "It was done by a conjunction of the Vintage Group, (inaudible) Parking Consultants from Central-- Parking Systems did it, and there was another principal involved, too. Cashin (phonetic) Associates also. Yes, Cashin Associates also contributed

to the study."

Supervisor Cardinale: "There's no indication is there on this study that I can find of its authorship. The study's conclusions I guess would be impacted by the knowledge of the individuals making the statements. So we need some clarification as to who prepared this and whether they're willing to stake their professional reputation on it. I don't see that. If it's an oversight, that would be helpful to have it. If Cashin participated, we should have it stated."

John Sullivan: "All right. I will try and clarify those who participated, both Cashin and Central Parking."

Frank Isler: "The other thing I just noticed and, again, we've really not had time to study this, in just quickly going through this parking report, I don't see the number of spaces being converted into money to show the economic feasibility. There's a conclusion that it is economically feasible but there's no analysis of the revenue anticipated from the parking spaces that I saw. Maybe it's in here, maybe I missed it. That would be something we'd want to also look at."

Councilman Dunleavy: "I think it's on the next page. Isn't it the next page?"

Frank Isler: "I may have missed it."

Councilman Dunleavy: "Vintage Square parking income analysis."

Supervisor Cardinale: "I think, Frank, you do, we do, but if you look at that carefully-- that's why I suggested at the outset, some communication with Mr. Sullivan in the next few days as to what you need."

I will repeat what I said before. I'd love to see this project built on Railroad right now. I wish you were there. Every time I drive down Railroad Avenue, I wish it were there. ~~But we want to make~~ sure that if we go, we've got something that's going to come to the finish line.

Believe me, I know how-- I know that it's never possible to do that totally but we want to get as close as we can."

John Sullivan: "All right. I'd be more than happy to consult with Mr. Isler and see if we can dot "i's" and cross "t's" and move it

forward. Thank you, again, for your time."

Supervisor Cardinale: "Thank you, again, Mr. Sullivan. Is there any comment from anyone here who would like to make a comment on what was presented this evening or on the project in general, please come forward.

We're going to continue the hearing, open for both verbal and written testimony. If you'd just send it into the clerk if you have something that you haven't said today that you'd like to say. And our attorneys will be communicating."

Hearing to be continued

Supervisor Cardinale: "That is the last of the hearings we have scheduled for this evening. We have a series of resolutions that we're going to consider and we'd like to take comment from anyone who wishes to comment on those resolutions that are being considered tonight.

Sal, did you have anything? If no one has any specific comment— Frank, did you want to speak with the board and give us an update? We're going to take— I'd like to take about a five minute— maybe 10 minutes, to 8:15, a break, to— and then regroup and begin the resolutions. There's— I have to speak with Mr. Isler and I want him to speak individually with two or less board members about your present status on a couple of the resolutions.

Why don't you speak with— we can't all be together. I want to do this quickly so I know the status, you pretty much filled me in. Why don't you speak with John and Barbara and then with George and Eddie?

Can I do that? Okay, since this— we'd like to take— we'll be back in in 15 minutes, 20 minutes, 8:20. I'm going to ask to adjourn this meeting to 8:20.

And I make a motion to go into executive session to discuss with counsel."

Meeting adjourned: 8:15 p.m.

Meeting reconvened: 8:20

Supervisor Cardinale: "Okay. We're going to resume the meeting and I apologize for the delay. We are going to consider the resolutions before us and then we're going to take comment on any subject anybody wishes to comment on within our purview.

On Resolutions 14 and 15, 14 I'd like you to call them both. 14 we are going to consider; 15 we are likely going to table for further consideration."

Councilwoman Blass: "Mr. Supervisor, I think you've got to open the CDA meeting."

Supervisor Cardinale: "Oh yes, thank you. Before we vote on the town board resolutions, we're going to consider two CDA resolutions. I would like to adjourn the meeting of the town board."

Meeting adjourned: 8:31 p.m.

Meeting reconvened: 8:34 p.m.

Resolution #909

Councilman Densieski: "Highway fund budget adjustment. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #910

Councilwoman Blass: "Budget adjustment in connection with the South Dam fish passage capital project budget adjustment. So moved."

Councilman Bartunek: "Seconded."

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

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski,

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

Resolution #911

Councilman Bartunek: "General fund budget adjustment. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #912

Councilman Dunleavy: "Helen Zilnicki development rights budget adjustment. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #913

Councilman Densieski: "Town of Riverhead Lou Carraciolo and Octavia Carraciolo development rights budget adoption. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #914

Councilwoman Blass: "Town of Riverhead Frederick Reeve and Lois Reeve development rights budget adoption. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #915

Councilman Bartunek: "Town of Riverhead Phillip Anthony Schmitt, Deborah Schmitt and Stanley Zilnicki and Kathy Zilnicki development rights budget adoption. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #916

Councilman Dunleavy: "Town of Riverhead Austin Warner and Jean Warner development rights budget adoption. So moved."

Councilman Densieski: "Second the motion."

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

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

Supervisor Cardinale: "Yeah. I point out that I believe these are all-- Barbara, George, you may know, 70/30 splits with the county."

Councilwoman Blass: "Yes, they are."

Supervisor Cardinale: "Again, another \$5,000,000 worth of acreage so I comment the county's participation, our participation, and the committee people. I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #917

Councilman Densieski: "Economic development revolving loan

program budget adjustment. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #918

Councilwoman Blass: "Authorization to discard fixed assets. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #919

Councilman Bartunek: "Rescinds disposal of item. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Dunleavy, yes; Bartunek."

Councilman Bartunek: "When I was reading this, I was being amused that they were probably trying to take a van away from somebody trying to drive it down the highway or something like that. I vote yes."

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

Supervisor Cardinale: "Didn't Sal ask if any of the items on the disposed list may have been saved? Here's one they missed. So we're saving it. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #920

Councilman Dunleavy: "Accepts 100% security of Island International Industries, Inc. (Performance bond). So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #921

Councilman Densieski: "Accepts 100% security of William Dries irrevocable letter of credit. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #922

Councilwoman Blass: "Appoints Juliann O'Neill as a deputy registrar in the town clerk's office. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #923

Councilman Bartunek: "Appoints a traffic control specialist in the police department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #924

Councilman Dunleavy: "Appoints a recreation aide in the recreation department. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #925

Councilman Densieski: "Appoints a community development administrator. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #926

Councilwoman Blass: "Ratifies the transfer of a maintenance mechanic II to the street lighting division of the engineering department. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #927

Councilman Bartunek: "Authorizes the town engineer to participate in online professional development course. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #928

Councilman Dunleavy: "Authorizes the supervisor to execute a stipulation with Local 1000, AFSCME, AFL-CIO, Riverhead unit of the Suffolk Local #852. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #929

Councilman Bartunek: "I'll take this one, I guess. I take credit for this or whatever."

Authorizes the appointment of members to the anti-litter advisory committee. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #930

Councilwoman Blass: "Authorizes the town clerk to publish and post a public notice for a public hearing regarding a local law to amend Chapter 52 entitled Building Construction of the Riverhead town code. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #931

Councilman Bartunek: "Authorizes the town clerk to publish and post a public notice for a public hearing regarding a local law to amend all sections of Chapter 62 entitled Excavations of the Riverhead town code. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #932

Councilman Dunleavy: "Authorizes transfer of county owned property to the town of Riverhead. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #933

Councilman Densieski: "Authorizes the supervisor to execute a construction agreement. So moved."

Councilwoman Blass: "And seconded."

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

Councilwoman Blass: "Discussion."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "I just have a question, Mr. Supervisor."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "There are about 10, 9 items to this agreement, but there is no mention as to what consequences there would be if they don't live up to their part of the agreement. Is there any consequence to it?"

Supervisor Cardinale: "They'll do it."

Councilwoman Blass: "Well- "

Supervisor Cardinale: "I'll defer to the town attorney who drafted it. This was- Dawn, correct me if I'm wrong. This was a letter that the engineering department gave to the culinary art which I understand may be opening as soon as later this month, that they wanted offsite improvements, right, that were of specific nature and I said to you, you want to put it in an agreement or sign the letter. So take it from there. What did you do?"

Dawn Thomas: "We decided that an agreement would be more appropriate and since they do not have a certificate of occupancy we would withhold the certificate of occupancy and not let them occupy."

Supervisor Cardinale: "Okay, so if they don't do the offsite- "

Dawn Thomas: "And if they really don't comply, then we have horrible things we could do."

Councilman Bartunek: "You are scary, Dawn."

Councilwoman Blass: "Thank you, Dawn."

Supervisor Cardinale: "Okay, so with that discussion concluded, let us consider the vote."

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

Supervisor Cardinale: "Yes. And as I said, I'm hopeful that they will have a groundbreaking in this month that we're into. I'm sorry, a ribbon cutting. Groundbreaking they better not have."

Councilman Densieski: "They had two of those."

Supervisor Cardinale: "Yeah, that's right. They had two of those."

Barbara Grattan: "The resolution is adopted."

Resolution #934

Councilwoman Blass: "Authorizes the town clerk to post and publish a public notice for public hearing regarding a local law to amend Chapter 108 Zoning Empire zone of the Riverhead town code. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #935

Councilman Bartunek: "Authorization to publish advertisement for milk. So moved."

Councilman Dunleavy: "And I second it."

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

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

Resolution #936

Councilman Dunleavy: "Authorization to publish advertisement for 2008 Type III Class I emergency vehicle (ambulance). So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #937

Councilman Densieski: "Amends Resoltuion #842 of 2007 Authorizes town clerk to publish and post public notice for a local law to consider an amendment to Chapter 101 entitled Vehicles and

Traffic of the Riverhead town code, Section 101-10 Parking Prohibited. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #938

Councilwoman Blass: "Amends Resolution #843 of 2007 authorizes town clerk to publish and post public notice for a local law to consider an amendment to Chapter 48 entitled Beaches and Recreation Centers of the Riverhead town code, Section 48-13 Parking and Parking Permits. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #939

Councilman Bartunek: "Approves the Chapter 90 application of Southbay Recreation Inc. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #940

Councilman Dunleavy: "Ratifies the approval of Chapter 90 application of Garden of Eve LLC. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #941

Councilman Densieski: "Approves Chapter 90 application of the Riverhead Foundation for Marine Research and Preservation (5K Run for the Ridley). So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #942

Councilwoman Blass: "Approves the Chapter 90 application of St. John the Evangelist RC Church for a craft fair to be held December 1st. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #943

Councilman Bartunek: "Approves Chapter 90 application of East End Rowing Institute LTD. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #944

Councilman Dunleavy: "Approves the Chapter 90 application of Southbay Recreation Inc. youth lacrosse tournament October 20th to

October 27, 2007. So moved."

Councilman Densieski: "Second the motion."

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

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

Councilwoman Blass: "Yes. I'd just like to make a comment on it. This is the second Chapter 90 we are approving for Southbay this evening and they are able to make a special permit which is I think something that this town board took action to allow for recreation facilities to operate. And I would hope that they would make their special permit application so we could dispense with Chapter 90 applications."

Supervisor Cardinale: "I can't agree with you more. Rick, did you were discussing it with them. Did they ever make the formal application? Any particular reason? All right. I will remind that we'd like them to do that. Save us a lot of paperwork."

Okay, you were voting, I think."

Councilwoman Blass: "Yes."

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

Resolution #945

Councilman Densieski: "Adopts a local law to amend Chapter 108 entitled Zoning of the Town of Riverhead for prohibited signs. 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; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #946

Councilwoman Blass: "Adopts a local law to repeal Chapter 109

entitled Moratorium on Residential Development of the Riverhead town code. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #947

Councilman Bartunek: "Authorizes the transfer of county owned property to the town of Riverhead. So moved."

Councilman Dunleavy: "And I second it."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes. These two pieces of property that the county is giving us is going to be used for affordable housing and I think it's a great deal that we're getting to help our workers out. I vote yes."

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

Resolution #948

Councilman Dunleavy: "Awards bid on truck body repairs. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #949

Councilman Densieski: "Authorizes the town clerk to publish and post public notice to consider the purchase of a parcel located in the

Town of Riverhead known as Riverhead Meadows, purported owner Crystal Bay Construction, Inc. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #950

Councilwoman Blass: "Authorizes the town clerk to publish and post a public notice to consider the purchase of a parcel located in the town of Riverhead, purported owner Walter Kobylenski Revocable Trust. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #951

Councilman Bartunek: "Ratifies the authorization of the town clerk to publish and post a public notice to consider the purchase of development rights of a parcel located in the town of Riverhead, purported owner John Elcik and Robert J. Arnone, Trustees of the Joseph G. Manzi, Jr. Irrevocable Trust. So moved."

Councilman Dunleavy: "Seconded."

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

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

Resolution #952

Councilman Dunleavy: "I'm offering this resolution to bond the ambulance that we are going to go out to bid. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #953

Councilman Densieski: "Sets registration fees for the Riverhead Recreation Department. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Dunleavy, yes; Bartunek, yes; Densieski."

Councilman Densieski: "Yes. I want to thank Ray Coyne for recreation for doing a great job in this. Other than the supervisor's picture on page two, it looks pretty good."

Supervisor Cardinale: "Yeah. It is a great cover and a great improvement. You're right."

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

Resolution #954

Councilwoman Blass: "Mr. Supervisor, I'd like to make a motion to withdraw Resolution #954. We already have tabled Resolution 630 which mimics the contents of this resolution."

Supervisor Cardinale: "Second, please."

Councilman Bartunek: "I'll second that."

Supervisor Cardinale: ~~"Moved and seconded to withdraw because we have a tabled resolution that covers the content."~~

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

Resolution #955

Councilman Bartunek: "Authorization to publish advertisement

for oil, lubricants and fluids. Another controversial resolution here. So moved."

Councilman Dunleavy: "I second it."

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

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

Resolution #956

Councilman Dunleavy: "Authorizes the town clerk to publish and post a public notice for a local law to consider amendments to Chapter 101 of the code of the town of Riverhead entitled Vehicles and Traffic. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #957

Councilman Densieski: "Authorizing the supervisor to sign an agreement consent order with New York State Department of Environmental Conservation. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #958

Councilwoman Blass: "Authorizes the town clerk to publish and post a public notice to consider a local law to amend chapter 108 entitled Zoning of the Riverhead town code in connection with major subdivisions. So moved."

Councilman Bartunek: "And I'll second that."

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

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

Resolution #959

Barbara Grattan: "Resolution #959 is to pay bills."

Councilman Bartunek: "So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution to pay bills is adopted."

Supervisor Cardinale: "We have one other, I think, that we to be considered tonight. You want to take it off the table? You want to offer that off the floor?"

Resolution #960

Councilman Dunleavy: "I'd like to make a motion we take 960 off the table. What number was that? Yeah, but we have to take the other one off the table."

Councilman Densieski: "This is a new resolution."

Councilman Dunleavy: "Okay. Okay. All right. Okay. We're going to do 960."

Authorizes the supervisor to execute a stipulation with a police officer. So moved."

~~Councilwoman Blass: "And seconded."~~

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

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

Supervisor Cardinale: "Okay. Is there any other business that we want to consider before taking comment? If there is none, I'd like

to open the floor for comment from anyone who wishes to comment on any matter within our purview. Fire away. Ed, how are you?"

Ed Purcell: "I'm tired. I was up in Vermont up on Okemo Mountain where there's really a mountain to go skiing on. And you know it's only about four and a half hours away.

My question is what is the present status of the negotiations between Apollo and downtown Riverhead? You know I was— I know you made a comment that it was surprising that a conservative would be for taking people's property."

Supervisor Cardinale: "Right."

Ed Purcell: "Now yes it is for that but to do something different that you want because we're presently in the problem we are with so many vacant buildings because almost all those buildings are owned by one person. And if you were apt to, you know, by eminent domain take those buildings, I suspect it would be better for the town to not to give it all to one person. And what's the status of the Apollo negotiation?"

Supervisor Cardinale: "The status of the Apollo negotiation is this as I understand it. And, remember, we're not a part of it but we're monitoring it. They are, as you know, they're in ownership to the north side. They are seeking to buy the south side. They were to have met Thursday of last week. They did not meet, but they are meeting Wednesday of this week according to Kevin Davis. They are going to offer the best deal that they can to get the property by negotiation.

I indicated to them that if they're not going to get it by negotiation, we need to know (1) we need them to come in and present the plan for the area between McDermott Street and the old Marine Store— I guess it's West Marine."

~~Ed Purcell: "West Marine."~~

Supervisor Cardinale: "What is their plan? I presume it to be the same plan they had on the waterfront which is restaurant and retail below and above condos, condominiums."

Ed Purcell: "Two stories like they were going to do on the —"

Supervisor Cardinale: "That's what we don't know."

Ed Purcell: "Because- "

Supervisor Cardinale: "We presume that but we don't know that. And then if they- if we like the plan under the master designated developer agreement, they could ask us and we could determine whether we would use eminent domain. So far they haven't asked us because they're persisting in negotiating with Riverhead Enterprises. They indicated they would get to me on Thursday and advise me as to the results of the meeting on Wednesday.

I'm not going to- I don't think that the board is inclined to do anything in regard to the existing arrangement which is voidable on 30 day notice by either party because they continue to pay money for our attorneys and for the studies which will be completed this year."

Ed Purcell: "And anything new on the movie theater?"

Supervisor Cardinale: "No. I have not seen a letter of intent on a lease which is what they're looking for for a movie theater."

Ed Purcell: "No, no, no. On the Suffolk Theater."

Supervisor Cardinale: "Oh, on the Suffolk Theater. Castaldi's. Deafening silence. He submitted a site plan. We told him what we needed from his professionals in order to process the site plan and I guess Rick is here, aren't you? Rick has indicated there has been a deafening silence. I've instructed legal to advise monthly that we await his actions as required to process his plan. He doesn't process properly by February, the board will have an option on February 8th to take the property back in its current state for \$700,000."

Ed Purcell: "Well, I hope that whatever gets built downtown takes the lead of the Culinary Institute because that is a very beautiful building as opposed to much of the facades that were redone under the- I don't know what it was, Urban Renewal, whatever was done when you redid many of the facades.

That building was done, as far as I'm concerned, something to last from a long time, it's very beautiful and the way they did it was very tasteful. And that's what Riverhead needs downtown, not what originally your favorite Apollo had written up. That's a beautiful building. Thank you."

Supervisor Cardinale: "Thank you. That was Ron Parr incidentally. I would like to take any other comments that anyone

would like to express. Yes."

Ron Pisco: "What's going on? My name is Ron Pisco. I live in the town of Riverhead and no disrespect to- "

Councilman Dunleavy: "It's not on. Everybody keeps shutting it off."

Barbara Grattan: "Ron, can I have your last name again, please?"

Ron Pisco: "Pisco. P-I-S-C-O. I live here in the town of Riverhead- better?"

I live in the town of Riverhead and I'm trying to figure out why are we going to build a ski mountain instead of a resort where there is a motor sports theme, not a ski resort."

Supervisor Cardinale: "I guess there would be at least four individual answers to that question but the decision the board made a few weeks as to pick an initial negotiating partner. We don't know what we're doing except we're negotiating with Riverhead Resorts at the moment until we fail to reach a conclusion, in which case we'll be back to negotiating with Mr. Reckler who I spoke with as well this week.

But the board, I think, was choosing between an integrated eight hotel resort destination location including one of the resorts that's a mountain, you know, a ski mountain, as opposed to an event oriented family destination with a motor sports emphasis. Both of them were very attractive. They had a lot of support on the board, both of them.

We had to make a decision on who to negotiate with. We only can negotiate with one of the two. And the initial negotiation partner was chosen. But we do- we know that that project of Riverhead Resorts can go forward without the ski mountain. They've stated publicly to this board that if the mountain is not approved because of height variances and other difficulties, they'll probably substitute an ice dome of about 75 foot height which is the height permitted.

As far as I'm concerned, I would be very happy if they substituted it with a Reckler oriented auto sports or motor sports facility which was enclosed so that it didn't emanate noise and they could do anything they wanted.

It wasn't a choice against motor sports. It was a choice that we would prefer a resort— at least for me, it was a choice that we would prefer a resort concept if we had the option."

Ron Pisco: "All right. But out of three different polls, every poll, Newsday, the town of Riverhead had a poll in front of them that I understood, and News 12 poll, every poll favored the Rexcorp plan.

We don't need more hotels. We have another one getting built now. We need a place where kids and their families— we don't need a ski resort. Motor sports is the most economic feasible thing to have at Calverton Enterprises."

Supervisor Cardinale: "Yeah. You may be right. I think that the board made its best judgment that a destination resort of world class sophistication in five or ten years at that site would be a good fit for Riverhead. I have no doubt that the Reckler proposal would have been a good fit too. But we could only pick one.

It's entirely possible we'll be back to the Reckler proposal. I spoke with Reckler this week and certainly I wouldn't preclude that because we're not sure where negotiations are going to go with Riverhead Resorts."

Ron Pisco: "All right. Just one last question. Last Saturday, Sunday at the rally, you also said something about five acres that would be able to be available. Five hundred acres."

Supervisor Cardinale: "Yes. We made— "

Ron Pisco: "Why is only 100 of it developable?"

Supervisor Cardinale: "There's more than 100 developable acres. The acreage that we're talking about is— if you had a map I could show you precisely but it's 500 acres, 300 of the acres are near the 750 acres that Riverhead Resorts is taking. Okay? Then on the southern ~~part of the property there's another few hundred acres coming up to~~ the east. Total is 500 acres.

Some of it is south of the wild and scenic river line so you can't build there or it's in a buffer area but you can use your yield and move it up to the other side of the line. So say of the 500 acres you cannot build on land that is covered by let's say 200 acres. What you wind up with is the 500 acre yield on 300 acres which is exactly what Burman did. He moved all his yield north. That could be done.

There was an amusement park that they wanted to put in the southeast corner and the deal blew up after we had gotten contracts prepared. That would be the far southeast of the property, a perfectly good location noise-wise because it's far away from Calverton cemetery, the farthest that you could get. That's available."

Jose Pisco: "All right. But one last question. Wouldn't that affect the traffic design to get out of that area now?"

Supervisor Cardinale: "On the south side?"

Joe Pisco: "Yes."

Supervisor Cardinale: "I don't know if I should say this publicly, I've said it enough privately. I don't think that we can handle the traffic on that site without an access from the south from the Long Island Expressway."

Joe Pisco: "All right. I'm sure there's more people- "

Supervisor Cardinale: "Okay. So that I think the south is going to be an access- a good access at some point. Yes."

Martin Johnson: "How are you doing, Phil? We met Saturday."

Supervisor Cardinale: "Yes."

Martin Johnson: "How are you doing, the rest of the board, which I haven't met? Okay. Nice to meet you."

Barbara Grattan: "Your name."

Martin Johnson: "Okay. My name is Martin Johnson. I am from the town of Brookhaven in Mastic Beach. I'm not a Riverhead resident but I do represent the Long Island Motor Sports Association.

We do at this time have about 15,000 members and what I'd like to bring before you as hopefully an idea for you to maybe rescind the ski plan and not waste any more time with it, is the economics like he brought up just a minute ago. What I'll do is the next town meeting you guys have, I'll attend here and I'll bring you all the businesses that support skiing and I will just bring you just, just the businesses that handle motor sports association. Whether it be building cars, frame stuff, just the performance industry.

I'm not going to bring anything about all the regular mechanics, you know, repair shops and stuff that handle that. Just to show you the major support here. Okay? We've had one- we just had one shop leave New York which was- I can't remember the name of it. It was that place up in Port Jeff, if anybody is familiar with the name. Right, and they also left for North Carolina because there's no facilities here where they could do what they do and have somewhere to test.

Now those two shops that left were I believe they took 10 employees with them and all that value to the towns where they lived was probably the tax they were paying. All right? So it's a major loss. I promise that at the next meeting that you guys have that I will have all that. Just- I'm not going to leave you the rest of the stuff. You've got to remember, you have all these other shops out here. I deal with all the shops out here in Riverhead. I do all their repair work, all the Riverhead shops.

Even them are handling, you know, support for the motor sports, you know, the whole referendum and these people are all leaving this area. None of that money stays here.

My 15,000 members, not all of them are from Riverhead. I think right now we have about 3500 members that are from Riverhead. But we grow every day. I believe today we just got another 20 people, but we've been growing pretty rapidly. But all of that in mind, doesn't stay here. Now if you just look- I believe it's four ski shops in Suffolk County versus probably we're looking at about 75 major motor sports companies that are doing big things here. Not playing little games on the side, fixing someone's car, once in a while, they're doing something nice.

Major companies, and like I said a couple of them have left. There's another company right now waiting on your decision on what they want to do. And that's American Racing (inaudible) and those people have a lot of people with them and they're good paying jobs and ~~they would like a place to test and not have to trailer everything out to Jersey.~~ And they're contemplating on what the town board of Riverhead is going to do with this.

And I've been fighting with them to stay here, wait, wait, wait, we're not going to give up on this. They're going to see the economic growth over that ski area, you know and another thing I can point out is that my parents and my grandparents have owned property upstate. My uncle is a farmer upstate and I've been in the middle of the

Catskills up there all my life, every summer I got shipped up to my uncle's farm to work for free pretty much. Let's put it that way.

And the amount of people that you get there to go skiing, those people I know from up there, they're not going to want to come and do an indoor skiing even if it was a 350 foot mountain that's going to wind up getting knocked down considerably less. It's just not going to work out.

So I'd like to say the other aspect of our involvement in this is that we can physically go out and remove the (inaudible) from the streets. I don't wear a badge. These people don't run from me. I can take them by the hand and show them a better way. Okay?

Another aspect that we have— that we would like this facility, is we would like to offer free training to all the students to learn how to drive. Okay? Because as it is now and I've been screaming about this with the state with their idea of getting a license, we have a driving instructor that just takes a kid, tells him well this is what you've got to do for the road test, drive around the block so you can get this piece of paper so now you can go out tomorrow night and get yourself killed.

And that's another thing that we'd like to try and stop but without a proper facility, I can't take these kids somewhere for free because it would be of no cost to them, to train them, to teach them how to drive in all different conditions.

I mean we've lost what, 11 young lives in the past month and I don't want my son to be one of the fatalities. I'm sure you don't want yours. And God forbid, I'm not saying I want anybody as an example here, but you know and also as a motor sports enthusiast, you've got to remember from other people here to have their children, their children growing up watch what their parents do.

Now, if you can't do what your parents do somewhere legally, you know, ~~there's a lot of temptations out there to do these things in the~~ wrong area and I don't want to have to have that worry at night when I go to sleep that my son might be doing something dopey in the street. Just as I'm sure nobody else does and doesn't want their family to be caught up in.

So I mean this is a huge, huge weight on your shoulders that I think you should really rescind that idea and go with that because we're talking about fixing a lot of problems. Besides for the

property taxes for the people of Wading River that are getting- I mean, it's- I'd love to move to Wading River to be honest with you, but, you know, if you could get this going.

I mean you're talking about something that could be up and running much quicker and the economics that would bring back to the county would far outweigh what I believe that ski mountain could possibly bring in in 10 years versus what Rexcorp facility could bring in three years.

Also, we also represent the equestrian people also. They're also on board with us and they have nowhere to go. Like I explained to you Saturday, there should have been a lot of them with us but they couldn't because they had planned to go out to Jersey. So those are people also that are looking to do something here also. I just think it should all be considered versus, you know, four ski shops in Suffolk County. I don't see- "

Supervisor Cardinale: "What do you see as the most needed motor sports facilities and what kind of acreage would accommodate those facilities?"

Martin Johnson: "We would- we're backing the whole Rexcorp plan. Because basically the whole Rexcorp plan affects all the people that are behind us between the people that race their automobiles versus the people that want to use their horses at equestrian events.

Also we have children, you know, within all of our families in groups and there also-- you're talking about 10 other items for them to do in one area. It's not just about cars. A major part of it is about cars.

What our association wants to do is about cars. But as a family man and the rest of the people here with a family, you have a lot of other items that are going on in there. There's an outdoor field they want to put that are going to be world class. You know, between that and they're going to have a museum there, the coliseum, the ice rink. I mean there's a lot of stuff you could do.

I mean an ice rink isn't the end of the world because we have a few- like four others we could drive to here on Long Island to get to. But you're talking about having one major hub of everything that's going to work for everybody in the county, what everybody wants along with the town of Riverhead."

Supervisor Cardinale: "On the Rexler plan, there were only— there were six elements and one was the oval track which was clearly sports car— motor sports oriented, and there was another which was a motor sports country— a road course."

Martin Johnson: "Right. And a road course would be a great help to us for teaching people how to drive, along with— you have a lot of people living in Riverhead who used to use the road course in Bridgehampton that don't have nowhere to go. I just witnessed last Sunday watching (inaudible) GT's driving up and down the LIE. I'm sure they didn't want to spend all that money to drive up and down the LIE."

You know, instead of them driving the LIE, you have them paying money to use the facility here that you guys have in your town."

Supervisor Cardinale: "One of the things— since I spoke with you on Saturday, I spoke with Scott Reckler and one of the things we discussed was whether the two elements of motor sports could be placed elsewhere within the property because only two of the six elements planned had to do with motor sports."

Martin Johnson: "Right."

Supervisor Cardinale: "And that was what— when we got in the discussion of 500 acres, and as you also know, there's a 42 acre parcel that presently has an ATV park application pending."

Martin Johnson: "Right."

Supervisor Cardinale: "All of it is zoned correctly so it could happen there. I'm just wondering if this deal did go forward, the 750 acre, is there an area of acreage that would accommodate the needs of the motor sports community and then all we'd have to do is deal with the noise issues by placement in enclosure, whatever else was necessary."

Martin Johnson: "Well the noise issue nowadays, you're talking about technology that came around since the past 60 years. I mean if you look at Riverhead Raceway, I don't know what all the issues are there, if they are not allowed to make changes or if the track has to stay as it has been since it was built, but that facility, if it was allowed to update, I honestly believe you wouldn't know it was there until you got right past it."

I mean because if you take- I'd even be willing if you want to take a ride with us one day to a track in other areas where the noise isn't an issue. I mean until you got there, you wouldn't know it was there. I mean, you'll see a big huge facility but if you compare that to Riverhead Raceway which has- I don't know if it's not allowed, I'm not saying it's your fault or what the whole issue is with that, but you're talking about aluminum stands that aren't covered. There is no sound deadening devices used anywhere plus the noise filters right through there, rattles through there. You've got aluminum, it resonates also, adding to the noise.

I mean, me-- I'm used to noise. I grew up in Howard Beach next to JFK. I could wave to people on a plane. So for me I don't have an issue. I'm used to noise. It just doesn't bother me. But I can understand how some people can be bothered but we're talking now, we're in the 2000's. If you look at some of the biggest tracks like Nassau has and we're not looking for a two and a half mile oval, you know, what Rexcorp proposed would make a lot of people happy, along with the road course would make me happy for the uses we would like to use it for with the young kids and plus ourselves.

But the noise issue nowadays, I think what a lot of these people fear is they're looking at something from 1940 when they had originally built it and it's not fair to do that because it's never been up there. You know, and I can't- I would love to take all those people who have an issue with the noise and show them look what happened now."

Supervisor Cardinale: "There was no drag strip component, was there, in the Rexler plan?"

Martin Johnson: "No. Not that I'm aware of."

Supervisor Cardinale: "Was that a need that you see?"

Martin Johnson: "I have- out of our members, we have a fairly large following that would like to see a drag strip proposed in there and that's another thing that you might want to maybe talk with Scott and have put in there. That's a very big money maker."

I mean, if you guys lived in Englishtown, and we can compare Englishtown with the property at Calverton by just looking at the traffic issue for let's say for example Englishtown would draw in a 90,000 person plus crowd for their main event.

If you compare Englishtown, it's not a major highway to get to. You come down a route, and then turn down a single one lane, each direction lane, exactly like Wading River Road. So if you were going to come in on 69, it's exactly how you would go to Englishtown. A one lane road in each direction just like Wading River, except that Englishtown's road is nine miles. It's not 1.8 miles to get to that facility.

And then that, I mean, we maybe sat in traffic. It might have taken maybe 20 minutes to get down that nine mile road into the facility itself when it was a 90,000 person day. When then have their regular local events for the local people, on normal days you just drive right through.

And that track has also gone through some sound mitigating areas. On a normal day if you were dealing with just us personal people out here in Riverhead, you wouldn't realize the track was there. There maybe some sound issues when they're running the top fuel cars, but you're talking about running a class of 30 cars under about 20 minutes where you're going to hear- and you're talking about four second runs where you're going to hear- four seconds. So over the course of 30 minutes, figure over the course of a weekend, you're talking about maybe a couple of noise they would hear because I'm sure, you've got o remember when Englishtown was built, it just had things added to it. I'm sure if you talked to Scott and let them put it in ahead of time, that that would be built better."

Supervisor Cardinale: "Well, we are talking with Scott and we'll continue to do that and I know he's speaking also with the Riverhead Resorts to see what they can work out together because they could use his participation. So I'm just looking for a plan that would accommodate both interests."

Martin Johnson: "Well, we like the plan they originally went with and that's fine. It's a beautiful plan. And it would help everybody."

Supervisor Cardinale: "We were impressed, too. That's why we took eight months to make a decision."

Martin Johnson: "Come on. You guys should have been able to make that in a week. I seen that and I was like here we go. What are we waiting for?"

Supervisor Cardinale: "We were impressed with both though."

Martin Johnson: "I've got to be the boss in that town. I've got to crack the whip a little. We've got to get moving on it."

Councilman Dunleavy: "Can I ask you one question?"

Martin Johnson: "Sure."

Councilman Dunleavy: "The manufacturer you said that tests whatever he builds. What does he test?"

Martin Johnson: "Which one?"

Councilman Dunleavy: "You said- "

Martin Johnson: "Oh, American Racing- the other company that we're working with to make stay here, that's waiting pretty much on this decision. They produce headers. What that is it's the exhaust system for the motors to make them perform better. Whenever they build something, they have to test it. They have to go out of state. They want to stay here. It's a very good paying job. They pay their employees at least \$20.00 an hour. I believe they have 30 employees there. It's a big facility. They even would like to- if the facility does open, I believe they would like to get involved in the industrial side of Calverton so they could be right next door. So I mean it's a plus-plus for them and I'm doing everything I can to stall them. I'm doing everything I can to stall a lot of people."

Councilman Dunleavy: "Thank you."

Martin Johnson: "Thank you."

Peter Milano: "One thing I want to add- my name is Peter Milano. I'm from Long Island (inaudible).com. Basically I do coverage for Riverhead Raceway, basically (inaudible). But I'm a racing enthusiast all around, whether it be drag racing, NASCAR. NASCAR is the fastest growing sport in America. Drag racing is growing by leaps and bounds where they're drawing 90,000 people for NHRA. Events at those tracks like Englishtown is like once a year. It's not like every weekend. But they get hundreds of race car drivers every weekend, these tracks, drag racing and stuff."

So, I wrote this little thing, so just bear with me for a minute while I read this. (Inaudible) we, the people, and that means the race car drivers and the voters. Who are the people? The vast majority. Riverhead news.com has the majority vote at 83% of the

people for Rexcorp and Reckler's plan while only 5% was the ski mountain and the resort.

News Channel 12 had, and this was before you guys even voted, 84% in favor for the motor sport complex and entertainment facility. All right? These people are lawyers, firemen, policemen, doctors, overseas traders, auto body technicians, mechanics, all business owners, farmers, truck transportation owners, car dealership owners, auto enthusiasts and local business owners in the town of Riverhead and Suffolk County and Nassau.

They are the voters. They are also the vast majority who do not want a resort complex that (inaudible) has proposed, as these votes for Riverhead News and News 12 that we've seen so far.

They want a safe place where their families can enjoy what they love to do on the weekends. They are the ones who bring and will bring money into local business Riverhead downtown facility and also on the main drag strip.

Downtown Riverhead has been neglected. I drove down there before and I saw many empty buildings that have for rent signs or whatever, they were empty. Major companies have built and opened major name brand stores outside the downtown area of Riverhead. Downtown features a strong history. A water front property, the river. Building 90 acres of a man made lake hurts the waterfront and (inaudible).

The Riverhead board is neglecting Splish Splash by supporting a water park theme resort. What 90 acres of a man made lake will bring? It will bring and support a problem that is known to Long Island and I live on the water and that is mosquitoes. This is a bedding ground for mosquitoes. West Nile Virus disease has been popping up widespread the past several years on Long Island and what will we do about that? We're trying to resolve that now. We're adding to the problem.

The little- the person down the road that wanted to put the ski park in. He dug down into the ground and the high water tables would not let him build down there. You want to build a 90 acre lake and you know that the water bed table is too high to build that.

You know also that the ski mountain is too high to build there and that will not be built either. Riverhead town board is neglecting local business. Rexcorp has been a proven company on Long Island and

it is also Long Island based. Instead the board votes for a company with most of its interest in Europe.

Is four to one the mass majority? Polls have shown it is now. How does four people vote for the people? We are the people. We have spoken and we have written into town board and into the office. We have a voice and we have been ignored by four people's votes. They did not vote for the people. We the people want this overturned and taken to the polls in November.

Long Island itself in America per capita has the most hotrods and most muscle cars in America. That's Suffolk County and Nassau. This is a major industry and a major business, not just racing. These are car enthusiast hobbyists, too. They are being neglected and they are not being heard.

Bald Hill, Tuesday nights, tonight, gets 2,000 to 3,000 cars and the money goes towards the local fire department. Also I was brought a question before with the Scotsman deal coming through, what will you do about the fire department and the issues to have all the EMT workers and the ambulance and fire department service there? Most racetracks that are around the country support and they end up buying equipment or bringing in equipment from, you know, towns and stuff like that to support it and a lot of it is just local people giving their time. But where is this going to come from for EMT workers and the fire department for the town of Riverhead because it would take so much more to be able to cover that area.

So, that's basically what I want. And we would like to see this go to the polls in November because four people voting against all the people in the polls is just pretty ridiculous when the voice of the people are for the Rexcorp and not the Scotsman. So-

Supervisor Cardinale: "Thank you."

Peter Milano: "Thank you very much."

Elaine Downs: "Hello. My name is Elaine Downs. I'm not a town resident of Riverhead but I do pay Riverhead volunteer fire department. I am one of the people that talked to Peter about that. Okay. We pay tax even over in Southampton town side for the Riverhead fire department. I want to know, they're volunteer. The ambulance is volunteer. Most of the functions in motor sports provide paid ambulances or rescue crews. Okay? You have a resort with however many avenues, venues, you have got going on. Who is going to provide

the emergency service or the fire department? Are they going to provide the paid stuff or our taxes going to go up on that? Has anybody ever looked at that?

We have volunteers now. We don't have enough. They're always begging for them. You have a signs out on the street, we need more volunteers. You are having venues there, ski mountain, lakes, an avenue for problems, accidents. With the motor sports, most of the time, they provide their own. Thank you."

Supervisor Cardinale: "Thank you. Okay. Well you are certainly giving us something to think about. If there is any other comment, I'll take it."

Donald Schultz: "Good evening. My name is Donald Schultz. I live in Lindenhurst. I come out to the east end a lot. I have always raced on Long island and in the polls there's that many people that are looking to come to Riverhead. They're looking to come and race out here. It's almost like an EPCOT center that Rexcorp has put forward between the museums, the concerts.

The motor sports is a big thing. It's always been a big part of Long Island. And my son wants to race me, I don't have two trucks and trailers to take him out of state. There's so much to be brought to Riverhead in a motor sports arena that like Marty said, it would tenfold of what anything else could bring forward.

And as far as the sound abatement goes, I drag race. I have a set of mufflers on my car, it cost me almost \$800.00. My race car, kit runs nine seconds, about 140, it's a good ride but it's quieter than about half the cars going down the street.

You know, we're not all kids here that race. We're adults. We race, we're not, you know, everyone thinks of drag racers as low lifes. It's like a four letter word when you bring it up to any kind of council. If you really want to come out and see the technology ~~that's put into the headers and exhaust systems, the sound walls, the materials,~~ it's staggering.

I'm a material analyst and I look at a lot of this stuff and it's amazing how much can be done when something is built from the ground up. The Hamptons race track was a problem because of the noise. It wasn't built with sound abatement around it. They put up a couple board walls and that was it. Same thing with Riverhead. It was built and then they stuck a couple walls up. If it's built the way-- they

have the top sound engineers in the country working with Rexcorp. If it's built to code, you wouldn't know it's there.

And as far as they were saying about the EMS and stuff, you go to Englishtown, Maple Grove or any of the other local drag strips that have an event, all the fire departments are out with their buckets and you would be surprised at the size of the buckets and the hand trucks they have to use to carry the money away. Everybody gives. It's a win-win all around.

Thank you."

Supervisor Cardinale: "Thank you. Come up, please."

Chris O'Keefe: "Hello. How do you town board? My name is Chris O'Keefe, I'm a Nassau County resident but my family lives in Southold township. Now, my feeling on the Rexcorp entertainment sports and motor sports complex versus the Riverhead Resorts seems like the Rexcorp would be the winning issue on this.

Now, we have a multitude of things to do for the family. They're proposing putting an ice rink with the possibility of bringing a minor league hockey team. There are going to be some teams available that are going to be moving and we could bring a team here. That will be something that the family could come to. People from Nassau could come to who maybe don't go to the Islander games. People from Suffolk county obviously.

Now, with the Riverhead Resorts, when I was listening to you speak on Saturday, Mr. Cardinale, one of the things you said was that they wanted to bring a Disneyland type of atmosphere here and bring people here. I don't know if bringing— one of the things that I read about Riverhead is bringing a million people into Long Island is really going to be a necessary thing.

I think people from Long Island, whether they're interested in— ~~with the horses, whether they're interested in motor sports or going~~ to hockey games or playing in hockey leagues, or any of the other things that the Rexcorp is proposing, I think that we should be building for Long Islanders.

I understand I'm not a resident of Riverhead but I do come out to visit my family and I do bring my family into here. I do know that there's many enthusiasts who have to go whether it's to New Jersey or upstate New York for their own private hobbies and what they like to

do. I'd like to think that what you want to do is for the people of— I know it's for the people of Riverhead, but it's also to keep the people of Long Island here so we don't just keep leaving on weekends.

I mean market studies have shown as far as I know of what people want and I don't see a ski mountain as being something that the people want because we already know that the 350 feet isn't going to happen. It can't happen because if you did that, you'd be changing the landscape of Long Island because you would be the first township bringing something in of that fact and that height that we really can't use right now.

What we need to do is keep Long Island a suburban area. We're not looking to turn it into urbanization. Next to Nassau County, we have Queens and Brooklyn. That's urban enough. Nassau County is a crowded area. Many people would like a place to go where they can vacation on a weekend or vacation for a week and they could do things and the whole family would have different opportunities.

Now one of the proposals that they're saying is a 90 acre lake where Riverhead is fully surrounded by water. We have water on obviously both sides of it. Obviously it can't be all sides because Riverhead would be an island itself.

I'm hoping that you guys take these things into consideration and the fact that what the people of Long Island would really like. I would like to take my vacations on Long Island. I don't want to have to go upstate. I don't want to go up to the Rochester area or different areas to go see— we have water here, we have fishing here. Many people I know come out to Suffolk County to do their fishing.

I don't think that adding these things are really going to be feasible and I see the Rexcorp proposal as a win-win situation. I'm hoping that you all will take the opportunity to re-think what you have spoken about and I hope that this can all be resolved and we can build a future for Long Islanders. We don't need more people. We need something for us to do here and I would much enjoy coming to Riverhead more often for more weekends and vacation time.

And I'm not going to take any more of your time and I thank you very much for allowing me to speak to you tonight. Thank you."

Supervisor Cardinale: "Thank you. Larry."

Larry Oxman: "Good evening. Larry Oxman with offices on Old

Country Road and in downtown Riverhead. I had no intention of speaking tonight but some interesting points have come up and I'd like to address them.

First of all, hot rodding-- the term hot rodding, if you've seen any of the auctions on television, Barrett Jackson, a premier auction house, these cars are not inexpensive. They're often much more expensive than Ferrari's or Lamborgheni's. Old Mustangs and GTO's can easily go for \$100,000 or more, and they have to be kept up.

The 90 acre lake, from an environmental point of view. It's going to be an artificial lake. Most lakes are spring fed or they flow in and they flow out. Has the Resorts company talked about how this lake would not become stagnant or-- because it's large. Usually, again, lakes, natural lakes flow in from-- their stream fed or spring fed, so I don't know how big the water ski park lake is or strip. It's not very big but they run into all sorts of problems and it's much smaller.

The other question that I have from reading the newspapers, when the ski slope concept was originally proposed, that was the centerpiece of their proposal and everything else was kind of ancillary. They were going to have themed attractions around this centerpiece. At the last meeting, they said they didn't necessarily have to build that and I for one was very confused because that was the showpiece and now they might not build it and I thought that all the timeshares, 1600, whatever, were going to be housed in the building that they were constructing for the slope.

If they're not going to build that, their centerpiece, where are these timeshares or fractional ownership or whatever going to be built? So these are questions that you the board have to address and I hope that you do it in a diligent fashion. Thank you."

Supervisor Cardinale: "Thank you, Larry. Okay, anybody else, please come up."

Allan Astrogomie: "Hi. My name is Allan Astrogomie. I too was not going to speak tonight but I have a totally different perspective or point of view from this.

I see you people as parents. Just like a parent of a child, you are basically parents of a community. You are the leaders, you are the structures, you are the overseers, the watchers. That's what your job is, that's what your role is. And over the past seven months, I

have to tell you, no disrespect intended, but I have to give you guys a failing grade as a parent.

I'm a recently retired high school math teacher and over the past seven months, it has been made known multiple, multiple times Riverhead is the last place that we're ever going to have to do something like we want to do, like the people want to do. And you've heard that. You've heard that in e-mails, you've heard it in phone calls, you've heard it in letters, you've heard it in person. I give you failing grades for not hearing the people.

As a high school math teacher, I would go to the drag strip at Westhampton when it was functioning and on every single weekend that I was there, and I was there pretty much every single weekend, I would see 12 to 15 of the students in my high school and I applauded them. I congratulated them for being there, for doing the right thing and exercising their hobby and their joy of racing their car in a safe, legal sanctioned manner.

Here's a scenario that I see that happened here. A parent and a child and a five year old boy saying to his daddy, you know, daddy, I don't want to draw on the diningroom walls anymore. Please get me a table and paper and a lamp. Week after week the child says to the parent I don't want to draw on the walls anymore, please get me a table, paper and lamp. And what happens? The parent comes home one day and says, ah, I got you something little Johnny. I got you a new videotape. It's winding up with wool. You're going to love knitting. But daddy, that's not what I want. I want to stop drawing on the diningroom walls. Get me paper.

Let me do what I want to do and express myself in the way that I love to express myself, in the proper way. Nobody wants to draw on walls. I want to race in a place that has safety features, in an official place, and this was the last place that we could all do this and as parents you heard us. You heard us beg you. Please give us a place to race.

I have talked to your police chief and he has told me that racing is an issue on the street here. He can't take sides in this process and he can't, you know, come down on one side of the competing entities, but he knows that racing is a problem on the street. And if kids are going to have cars and you know they're going to have licenses, they're going to want to do this on the street because there is no place to go.

So, again, without any disrespect meant, as parents of a community and you all are conscious that these things are going on on the street and Newsday has had many stories where people were killed and you did nothing about it and you could have done something about it.

So the next time you are driving on the street, just know that it could be safer for the people out there if there was a place that we could teach our young people. Every single year, young people could come to learn skills, come to make the right choice. We can help them as role models do that. But now we can't and once Westhampton closed as a teacher in a classroom I had no more hook into those kids that used to race at the track. The hook was gone. And I would say to them, well, go to Englishtown. Yeah, right, I'm going to travel all the way to Englishtown for three, four hours and then go race two times down a track. Forget it, I'll do it right here on route whatever. That's what they would say to me.

I'm very disappointed in your decision I have to tell you. The day that you made that fateful decision if four to one, News 12 came to my house and in my garage I could hardly speak, I was so disappointed. And I hope you reconsider."

Supervisor Cardinale: "Okay, we thank you for your comments, we will consider them carefully and if there are any other comments on any other topic or any other topic, I'll take them, otherwise I would thank you again for coming and sharing with us your thoughts and we'll be back Thursday at the work session and we'll talk about it some more.

Thank you."

Meeting adjourned: 9:45 p.m.

Barbara Hunter
Town Clerk