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Minutes of a Town of Riverhead Board meeting held by the town board of the Town of Riverhead at Riverhead Town Hall, Howell Avenue, Riverhead, New York on Tuesday, June 16, 2009 at 7:00 p.m.

PRESENT:

Philip Cardinale,	Supervisor
John Dunleavy,	Councilman
Barbara Blass,	Councilwoman
James Wooten,	Councilman

ALSO PRESENT:

Diane M. Wilhelm,	Town Clerk
Dan McCormick,	Deputy Town Attorney

ABSENT:

Dawn Thomas,	Town Attorney
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Supervisor Cardinale: "Okay, we are gathered here today for the 6th-- actually the 6/16th meeting although I see the resolution here, Resolution 13, reads 6/15, but it's the 6/16th meeting of the town board. We're going to begin with the Pledge of Allegiance and our town attorney of the evening, Dan, will lead us."

(The Pledge of Allegiance was recited led by Dan McCormick.)

Supervisor Cardinale: "Yeah, we're going to go down, Sam Cila, come on up please."

Okay, thank you. We are beginning the meeting this evening by honoring one of our residents, Sam Cila, who is a hero and a veteran of the-- of war and injured in war and we would like to read this town board proclamation dedicated to Sgt. Sebastian Sam Cila.

And it reads as follows:

Whereas, US Army Sgt. Sebastian Sam Cila a Riverhead resident joined the New York National Guard shortly after the September 11th attack and was serving in Iraq when his left arm was severely injured; and

Whereas, the town of Riverhead supports Sgt. Cila and all the honorable men and women who serve our country in their efforts here and overseas; and

Whereas, Sgt. Cila through operation rebound as part of his recovery competes in triathalons all of the country to provide

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positive encouragement to soldiers coming back from war feeling defeated whether physically or psychologically; and

Whereas, the town of Riverhead applauds Sgt. Cila's efforts to provide positive role models and encourages all Riverhead residents to continue to value and remember the honorable men and women who serve our country.

Be It Now Therefore Resolved that I, Phil Cardinale, Supervisor of the town of Riverhead together with the entire town board offer best wishes and commendations to Sgt. Sebastian Sam Cila and proclaim today, June 16, 2009, as Sgt. Sebastian Sam Cila Day in the town of Riverhead.

And it is signed by all members of the town board and I'm honored to present it to you, Sam, and thank you for your sacrifice and for your deeds on behalf of the town and the nation."

Sgt. Cila: "Thank you very much."

Supervisor Cardinale: "And I'd also like to give you an opportunity to say a few words."

Sgt. Cila: "First I'd like to thank the town and the board members for this great honor. I accept this on behalf of all my brothers and sisters in harm's way. Without them I wouldn't be here and I genuinely appreciate everything they do every day.

Thanks again to the town board and thank you all for your support. Thank you."

Supervisor Cardinale: "Thank you, Sam, and the town board and the town attorney would all like to congratulate you. So thank you very, very much and come by and say hello anytime you wish. If we can help you, come by."

Councilwoman Blass: "I was just telling the supervisor that Sgt. Cila has agreed to work with me and CDA director Chris Kempner on working with a-- on a triathlon here in the town of Riverhead starting at Veterans Park possibly up at Calverton National Cemetery or what we may come to know as Veterans Park, with a run and bike and swim somewhere but we'll work on a route.

And I think it will be a tremendous tribute for the servicemen in the town of Riverhead and I thank you very much for your offer to do that for us."

Supervisor Cardinale: "Thank you."

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Councilman Dunleavy: "Can I just-- I just want to say, he just had a triathalon in San Fracisco and it started at Alcatraz, swam across and completed in San Francisco. So he gets around. Thank you."

Supervisor Cardinale: "Thank you very much. Okay, is there any other-- before we get the minutes approved, is there any other announcements anybody would like to make?"

Councilman Wooten: "I just want to make one. I don't want anybody to think I'm being discourteous, but as soon as we're done with the resolutions, I'm not going to stay for the public portion only because I have a medical problem at home that I have to tend to. So I just came to make sure that the resolutions go done and I will definitely pay attention to the minutes and read what public comments are made after the meeting."

Supervisor Cardinale: "Thank you. Any other comments? Then we can approve if a council person would offer the minutes and second, we can approve the June 2nd minutes."

Councilman Dunleavy: "I offer the June 2nd minutes. So moved."

Councilman Wooten: "I'll second."

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

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

Supervisor Cardinale: "Okay. Would you tell us about the applications we received, town hall reports and correspondence, please?"

APPLICATIONS:

Fireworks permit
Newton Carnivals for Wading River
Festival on July 4, 2009

Wine Press Concert
East End Arts Council - Martha
Series
Clara Vineyards - 7/4/09;
Jamesport Vineyards - 7/11/09

Lawn Mower & Bicycle Riverhead
Elks Lodge - 6/26/09

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Event

Parade Assembly Permit Abate,
Veterans Appreciation Run
to Montauk - 6/14/09

Assembly Permit
Riverhead High School
commencement - 6/27/09

Parade Assembly permit
Jamesport Fire Department, Sound
to Bay 10k road race - 8/23/09

Parade Assembly Permit
National Multiple Sclerosis
Society, 2009 bike MS Twin Forks
Ride - 9/12/09

REPORTS:

Tax Receiver
total tax collection dated 6/3/09
\$113,877,573.01
total tax collection dated
6/10/09 - \$115,690,458.25

Utilities collection report -
May, 2009 - \$193,189.34

Building Department
statement of monies received -
5/09 - \$84,952.00

Town Clerk
Monthly report for May, 2009 -
\$8,167.35

Police Department monthly
report for May 2009
Juvenile Aide Bureau monthly
report for April, 2009

CORRESPONDENCE:

Esseks, Hefter & Angel letter
dated 6/3/09 re special

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permit petition of John and
Sandy Reeve

Esseks Hefter & Angel letter
dated 6/11/09 re special
permit petition of John and
Sandy Reeve

Group for the East End letter
regarding special permit
petition of John and Sandy Reeve

Phil Barbato, Jamesport letter
to ZBA regarding special
permit of Kar-McVeigh

Wildwood Hills Property
Owners Association
letter of thanks to George
Woodson and highway department
crew

John Vogt, Wading River letter
to ZBA regarding Jamesport
Manor Inn

Dominique Mendez, letter to ZBA
regarding Jamesport
Wading River Manor Inn

FIRE DISTRICTS:

Jamesport Fire Dist.
Notice of special election June
30, 2009

Diane Wilhelm: "And as a reminder, the next regularly
scheduled board meeting is Tuesday, July 7th-- I think I made a
mistake on that one, is July 7th at 2:00 p.m. here at town hall."

Public hearing opened: 7:15 p.m.

Supervisor Cardinale: "Thank you. We have three public
hearings this evening, the first to commence at 7:05. It's 7:15.

The first is to consider a local law to amend Chapter 79
entitled mobile homes and travel trailer parks of the Riverhead town
code.

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The additional language that would be added includes the phrase it shall be unlawful-- or the sentence, it shall be unlawful for any person, firm or corporation to store or place or cause to permit to be stored or placed a mobile home or travel trailer as those terms are defined in Sections 79-4 or any personal property associated with such mobile home or trailer or travel trailer upon any street, roadway or sidewalk area within the town of Riverhead and the penalty for doing so is a fine of \$100.00 not to exceed \$300.00 or imprisonment for a term of 15 days.

This is designed to avoid the dumping of mobile homes on the roadway in dispossessed situations since mobile homes are actually personal not real property.

Do you want to add anything to that, Dan, because I know you worked on this piece of legislation? Okay. So that's what this hearing is about. We'd be pleased to take any comment. Come to the microphone if you have a comment."

Mrs. Brown: "Mrs. Brown. I live in Glenwood Village. Okay. I think by you trying to pass this law, you're really kind of opening up a can of worms. I moved out here in 2001 and I was always concerned why I paid real estate taxes on personal property and our manufactured homes or mobile homes are personal property because you can see as the state of New York says, put it on the street. That's part of our personal property.

I kind of think you're opening up a can of worms on that. I would suggest that before you have a backlash of a lot of mobile home owners getting together and looking for refunds on real estate taxes, that maybe you just better sell these homes for scrap or gift them to Steve Levy. I'm sure he'll have an innovative idea of what to do with them. We also have that problem there, too.

But what I'm really trying to say to you is I live in this park and you'd be surprised what goes on in this park that the senior have to put up with. We want these people out. It's not because they don't pay for rent, they store guns. We had a stabbing. I could go on and on, things that do not make your local newspaper. So we are thrilled to death if we can get somebody out of there.

Recently we had-- we have a drifter living there, I mean I could just go on and on about what's going on in there. And you know I really think you ought, you know, it's making us happy, I mean the owner has to go out and he's got to spend three months to get them out and then if you make a complaint, your home is attacked. My screen gets cut, okay, my flag is ripped down, you can talk-- I've talked to the detective 45 minutes on the phone and they say there's nothing you can do. You know, there's nothing you can do. You can't prove anything.

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So you know it's not because they just don't pay the rent."

Supervisor Cardinale: "Right, I understand that. And I think we want to clarify, Dan does, Barbara does, I do, that the only anticipated effect of this addition would be that as the judge in the dispossessed court, the justice court, Judge Ehlers or Judge Smith, issued a dispossessed order this would allow them to say the personal property just as they bond-- the sheriff's office requires a bond for the other personal property, he must require a bond for the trailer itself.

It cannot just be simply placed out there. It has to be properly removed from the area and that would not affect the fact that the dispossessed would occur in any fashion, it would simply make clear to the county that they cannot simply dump the trailer on the street and expect our sanitation department to pick it up. They have to make certain that it is properly addressed and carried away by the applicant for the dispossessed or by the tenant ultimately."

Mrs. Brown: "Yeah, but it's landlord tenant law of the state of New York."

Supervisor Cardinale: "Correct."

Mrs. Brown: "How can you go change that law? You're only a township."

Supervisor Cardinale: "We're not changing the state law, we're simply adding this to the town law at the advice of counsel as has been done in Babylon and in other towns in order to combat the county's attempt to shift the cost of these removals onto the town as opposed to the county.

But we certainly applaud the fact that responsible landlords remove their tenants from their parks because we know that's necessary."

Mrs. Brown: "But the \$100.00 that you're going to fine either-- which I don't think it should be the landlord, it's not his fault, okay, or if you are going to fine the tenant you know all you're going to get is a judgment, you're going to litigate it, you're going to spend more money sending your lawyer into court.

But you can sell these for scrap and get a lot more than \$100.00."

Supervisor Cardinale: "I asked about that because I agree with you this fine is not going to work.

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The purpose of that is simply to allow— we don't expect to get any fines. What this does would allow, does it not Dan, the judge to place in the dispossessed warrant a direction of how the trailer should be disposed of and it should not simply be left on the town roadway. It has to be correctly disposed of by the county. It's not— the sheriff's office in effect would have to deal with it as opposed to the sanitation department."

Mrs. Brown: "So then you would have to find a location then where— why don't you do a town ordinance for that? Find out, consider where you would put these trailers if you can't put them at the town lot up on 58 and then just amend that the-- "

Councilman Wooten: "I would think that the county lot in Westhampton that would be."

Supervisor Cardinale: "That's what probably is going to happen. The county will put them in one place throughout the county. Apparently other towns have had the same problem and have done similar legislations. Is that correct, Dan? But it certainly is not directed to make any more difficulty and will not make any more difficult or we won't pass it."

The action of dispossessing a bad tenant in a good park, like Glenwood."

Mrs. Brown: "Yeah. There's only a handful but it's worse now because of the economy. People have no place to go so they're moving in with mom."

Supervisor Cardinale: "Sure, I understand."

Mrs. Brown: "And they bring kids in with them, they bring everything. And pitbulls, dobermans, I mean we get— it's just— if we could get some of these tenants out believe me we'd be glad to see their homes on the street."

Supervisor Cardinale: "I understand. And thank you for coming down expressing yourself."

Mrs. Brown: "Okay, you're welcome."

Diane Wilhelm: "What is your first name again?"

Mrs. Brown: "Shirley."

Supervisor Cardinale: "Thank you, Shirley. Any other comment on this particular first hearing? If there is, please come forth. If there is not, I will leave this open for 10 days for any written

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comment anyone wishes to give to the clerk's office prior to the 26th at 4:30 p.m.

It's now 7:22. This hearing is closed."

Public hearing closed: 7:22 p.m.
Left open for 10 days for written
comment until June 26 , 2009 at
4:30 p.m.

Public hearing opened: 7:22 p.m.

Supervisor Cardinale: "We're opening the second hearing. This hearing is for consideration of public input with regard to a map, plan and report and an estimate of cost in relation to the proposed increase and improvement of the facilities of the public parking district in said town, consistent of the acquisition of land to construct a parking lot on 209 East Avenue and construction of parking lot improvements thereon including incidental expenses in connection therewith at a maximum estimated cost of \$325,000.00.

This is to purchase a piece of property that is a corner cut out of the north parking lot behind the old Woolworth building and Capitol One Bank in order to reconfigure parking and ultimately there may be some structured parking there in years to come.

Anyone have a comment on the 7:15 hearing which is now opened at 7:23?

If there's a comment, we'll take it. If there is not a comment, we will keep it open for written comment 'til the— oh, this one we are not going to keep open. We are going to try to act on this evening so, therefore, we will close it both for written and verbal testimony in a few minutes unless anyone has something to say about it.

So, if you do, please come up and if you do not, we will close this at 7:25 now and consider the resolutions associated with it later in the evening."

Public hearing closed: 7:25 p.m.

Public hearing opened: 7:25 p.m.

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Supervisor Cardinale: "The next hearing is scheduled to begin at 7:25 and it is approaching 7:25 as I speak so by the time I read this hearing we will have reached 7:25.

It is for consideration of public input with regard to improve and implementation of the central business district zoning through adoption of historic guidelines for the towntown historic district prepared by Preservation Design Partnership. A grant from the New York State Department of State Quality Communities Grant Program funded the project.

It is now 7:25. I'm going to open the hearing. I know that Richard Wines who is chair of our Landmarks Preservation Committee is here. You may wish to open with a comment. And Ms. Kempner our CDA director is also here— was here, is here. Would you like to start with a comment, Christine, and then maybe Richard Wines will comment and we'll move forward."

Chris Kempner: "The background of the project is that this was a grant funded project under the Department of State Quality Communities Grant Program and it was in the amount of \$70,000 for a Riverhead downtown redevelopment consensus initiative.

Part of this grant is a bulk study that we're finalizing right now and we'll have more on that and this piece was development of the historic guidelines to improve the implementation of the historic district downtown.

We went through at RFP process and we had a very good consultant who's out of Philadelphia and she's actually now writing the guidelines for New Orleans historic district and she did a great job. It's available on line, there's a link through the community development department. There's also hard copies that are available in town hall in the clerk's office and in the community development office.

There's eight brochures totaling 92 pages of historic guidelines and it covers the topics of historic properties, exterior maintenance, roofing, exterior woodwork, masonry, wood windows and doors, new construction and additions, and commercial buildings storefront, signage and (inaudible) and the purpose is to give guidance to people who are looking to redevelop or build new in the downtown historic district.

The project was moved forward through a project advisory committee that consisted of members of the community development department, the planning department, the building department, the town attorney's office, the town board, and the architectural review board and the landmarks preservation committee and we have Richard

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Wines here today who I think did you want to talk about the project at all?

They were very involved in guiding the project and we have a great product and we're looking forward to any public comment to make it even better."

Supervisor Cardinale: "Thank you. Richard, landmarks preservation chair Richard Wines, if you have a comment, please make it."

Richard Wines: "Thank you. You may recall when we proposed and adopted the downtown historic district the one thing that came up in the public hearing there was that people asked for guidance, some guidelines of what they should do with their historic buildings and what should happen with new buildings.

So basically this is a promise kept and thank you to the town board and thank you Chris for finding the funds to make this happen.

And I have to say it's been a pleasure working with Chris and her colleagues in Community Development and with the ARB and with the planning department and the building department to bring these guidelines to fruition. I think the committee as a whole has done a great job.

I would like to read just two sentences from the guidelines. There's a lot of good stuff in there. There's advice on everything from how to repair your roof to if you want to put up a new building in various parts of various historic districts, what would be best.

But for the downtown district I told Phil about this a week ago and he was quite surprised. But what it says here in our guidelines: in many cases the most successful new buildings are those that are clearly contemporary in design, but compatible with the character of neighboring properties.

And consequently the landmarks preservation commission encourages the construction of quality contemporary buildings that will become future local landmarks.

So I just wanted to make sure that's clear out there that just because we have a historic district and just because we're a landmarks preservation commission there's this wonderful progression of architecture in downtown Riverhead and want to see that progression continue in the future rather than merely replicating the past.

So thank you everyone and certainly Chris and I would be happy to answer any questions if there are any."

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Supervisor Cardinale: "Thank you for an interesting point. Anyone else want to make a comment upon these guidelines which these guidelines are available— Christine, these guidelines which Barbara is holding are available for review? Will you tell us where so in case someone is particularly interested they could get a look at them and then maybe comment in writing by the 26th at 4:30 p.m. to the clerk's office."

Chris Kempner: "There are hard copies on file with the town clerk and also in my office, but the exact link is on the RiverheadLI.com website and it's historic pres- p-r-e-s design guidelines.6.09.pdf and there's a link in the community development department that just says historic design guidelines and if you click that it brings up 104 pages and if you want to print it by our office for your own copy, we'll print it at \$.25 a page, it's approximately \$26 and we'll bind it for you but they may want to wait until it's finalized so they get the actual guidelines."

Supervisor Cardinale: "Right. So if anyone wants to make a comment in writing that could make it this evening, that's how to get a look at it and we'll take written comment through the 26th at 4:30 p.m. delivered to the clerk's office right here in town hall."

Is there any other verbal comment this evening? If there is, we'll take it. If there is not, it being 7:31, we'll close this hearing and leave it open for verbal comment and leave open written comment through the 26th at 4:30 p.m."

Public hearing closed: 7:31 p.m.
Left open for 10 days for written
comment to June 26, 2009 at 4:30 p.m.

Supervisor Cardinale: "We have concluded the three hearings we have on the agenda. We also have resolutions which I think are 46 or 47 in number and we'd like to take comment on any of those resolutions that anyone has to make and here's our favorite proofreader and friend, Sal. Tell us what you'd like."

And I also want to before you make comment on the resolutions, note that there will be a couple coming off the floor. Does the clerk— can you summarize what's coming off the floor?"

Diane Wilhelm: "There will be a CDA resolution #13, a resolution amending CDA resolutions #9, 17 and 27 of 2008— "

Supervisor Cardinale: "That has to do with Vintage?"

Diane Wilhelm: "Right. And a budget resolution— general fund budget adjustment and then the last one is— "

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Supervisor Cardinale: "What is that about, the general fund budget adjustment?"

Diane Wilhelm: "That is miscellaneous equipment."

Supervisor Cardinale: "Oh this is for the equipment for the police department for the police boat we're receiving through a grant, yes."

Diane Wilhelm: "And the last one is accepts irrevocable letter of credit of Rugby Recreational Group subdivision entitled Baiting Hollow Club."

Supervisor Cardinale: "And that was the one we received just this afternoon from the planning board.

Okay."

Councilman Wooten: "And then 609 is changed."

Diane Wilhelm: "Oh, that's correct. 609 will be now CDA resolution 14."

Supervisor Cardinale: "Okay, yeah. Okay, did you have some points on the resolutions, Sal?"

Sal Mastroapolo: "Resolution 578."

Supervisor Cardinale: "Yes."

Sal Mastroapolo: "First question is what's the project and the second question is what is the cost to the town?"

Supervisor Cardinale: "578 is the-- that is the-- we received as you know \$3. how much-- \$3.15 million dollars to do a bike path and associated road improvements and that is the project. It is 100% funded by the federal government and it is part of Obama's-- what do they call that act-- reinvestment and recovery act. So we will not have any required contribution to this."

Sal Mastroapolo: "Okay. Because it wasn't very clear in the document."

Supervisor Cardinale: "Yeah I said the same thing because it's a new form and they have to pass it in just that form. We talked about it at the work session."

Sal Mastroapolo: "594."

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Supervisor Cardinale: "Yes."

Sal Mastropaolo: "I noticed that they're waiving the fee because of the non for profit status but then in one of the Resolves, we have employees of the buildings and grounds, the police department, the highway department, the sanitation department and the fire marshal's office hereby authorize to utilize overtime expenditures to ensure the necessary public safety and security."

Do we have a not to exceed number? I mean it seems like we're committing all of this extra salary and we're not even getting a fee. Well, there's five different 4th of July fireworks on the same night. I mean that's ridiculous."

Councilman Wooten: "There's four actually."

Supervisor Cardinale: "This is the business improvement district's fireworks and you're asking about the first-- the second Resolve is it?"

Sal Mastroapolo: "Yeah."

Supervisor Cardinale: "You're asking about the third Resolve actually. Resolved that employees of the buildings and grounds, the police, etc. are authorized to utilize overtime expenditures to ensure the necessary public safety and security."

That's great. But I don't necessarily need to have this in this resolution. I don't see why we need that. We are going to approve it or not approve it as we get the request for it.

And I don't know what a not to exceed would-- I don't know exactly what the numbers are on this. So we could delete it."

Sal Mastroapolo: "Do we know what it cost us last year?"

Councilman Wooten: "Yes."

Supervisor Cardinale: "I'm sure we do if we ask each of the departments and I generally do, not a lot for this one, but why don't we just delete the clause? Make you happy, make me happy. Because I don't see why we need it and I don't believe they are traditionally in these."

Yeah, well, if he's going to receive overtime, all overtime has got to be cleared through my office anyway."

Sal Mastroapolo: "Okay."

Supervisor Cardinale: "All right. Go ahead."

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Sal Mastroapolo: "598, in the Therefore Be It Resolved-- "

Supervisor Cardinale: "598?."

Sal Mastroapolo: "Yeah. The project is estimated at \$4.8 million, okay-- "

Supervisor Cardinale: "Yes."

Sal Mastroapolo: "With 80% of the total cost to be matched by other sources both public and private."

Supervisor Cardinale: "Yeah, we have-- we expect-- the \$3.8 is coming from the federal government. I think- we haven't announced that yet but we're getting pretty close, Bishop-- we just had a recent press conference on that, that's for the rail line. We're trying to get the 20% that we're supposed to contribute by this empire state development downstate regional blueprint fund grant."

Sal Mastroapolo: "Are we getting anything from the businesses at EPCAL?"

Supervisor Cardinale: "Yes, ultimate-- "

Sal Mastroapolo: "That are going to take advantage of the spur?"

Supervisor Cardinale: "Oh, yeah. Ultimately they-- if we own it they pay when they use it, yes."

Sal Mastroapolo: "Okay. 603."

Supervisor Cardinale: "Yes."

Sal Mastroapolo: "Is East End Oysters a seeding program or harvesting program?"

Councilwoman Blass: "It's a FLUPSY- they are culturing in upwellers at East Creek."

Sal Mastroapolo: "Yeah, that I understand. But are they doing it so that they can seed oysters in the bay or are they doing it so that they can harvest oysters for sale? Which is it?"

Councilwoman Blass: "Possibly both. Possibly both."

Sal Mastroapolo: "Because it says that they're a non profit organization, okay, and I was just wondering, you know, I can

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understand that they're not for profit if they're seeding the bay, okay, but I can't understand them being not for profit if they're harvesting and selling them."

Supervisor Cardinale: "I understand your point clearly. Do you know?"

Councilwoman Blass: "I don't know for sure. Obviously I didn't even realize that they are saying that they're a non profit--"

Supervisor Cardinale: "Yeah, the first paragraph, not for profit corporation. We know they're not for profit but your question is-- "

Sal Mastroapolo: "Well, I can understand the not for profit if they're taking the oysters, the seeds, and implanting them out in the bays."

Supervisor Cardinale: "I understand. But how about if they're a not for profit that takes the seeds, plants them in the bay, makes them grow and then takes them back and sells them. Then they're not doing us any good is your point."

Sal Mastroapolo: "Right."

Supervisor Cardinale: "They're only subsisting. They must leave some of these seeds around, don't they, Barbara?"

Councilwoman Blass: "Actually they've been very generous. We haven't dealt with this particular company yet but the other companies that rent space from us at East Creek for this same purpose have donated considerable seeds for us to--"

Sal Mastroapolo: "For the public to harvest?"

Councilwoman Blass: "That we actually went out and broadcast into the bay, yes."

Sal Mastroapolo: "Okay. One last question. 600, the farmer's market. Does the town get rent for that space?"

Supervisor Cardinale: "That's an interesting question. The-- we allow a portion of what I guess is public property, the parking district or town, to be used. I do not believe we take rent for that."

Sal Mastroapolo: "Shouldn't we charge rent?"

Supervisor Cardinale: "Well, we could have a long debate on that. Shouldn't we charge rent to the Chamber of Commerce and the East End Arts and-- "

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Sal Mastroapolo: "Yeah. But these are not not for profits. Right?"

Supervisor Cardinale: "You mean the farmers that are selling there?"

Sal Mastroapolo: "That's right."

Councilman Dunleavy: "I think what we want to do is bring people down to Main Street so as a public service we're letting them have this farmer's market, draw people to Main Street. And that's basically what I think it is."

Sal Mastroapolo: "And then as a public service the sanitation department goes in and cleans it up. And the police monitor it for safety and- "

Councilman Dunleavy: "Just on regular patrol. Just on regular patrol."

Supervisor Cardinale: "That's an interesting question though. That really is."

Sal Mastroapolo: "I mean you're going to set a precedent and other people are going to come in- "

Supervisor Cardinale: "It's a public service to have anybody downtown, that's basically what the justification is."

But I get your point. It's interesting. We will explore that. Do you have a comment on any of the resolutions?"

Larry Oxman: "Yes, I do. Larry Oxman. Just to follow up with what Sal said. I hope you wouldn't dare charge a fee for the farmer's market. The idea is offensive."

That's not why I came up here. I came up to find out the resolution that's coming off the floor on the Vintage Group. Could you please elaborate on what that exactly is?"

Councilman Wooten: "It's just a CDA resolution. It's extending the Q and E six months and that's his phone."

Larry Oxman: "And why are we doing that?"

Councilman Wooten: "Why are we doing that?"

Larry Oxman: "Yes."

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Councilman Wooten: "As a courtesy to the Vintage Enterprises and they requested it."

Larry Oxman: "Have they demonstrated the financial ability to go ahead with the project, have they given you new information that leads you to believe that they- "

Councilman Wooten: "They have."

Larry Oxman: "They have? All of that is available for public inspection?"

Councilman Wooten: "Well, we'll see because there are- this is just Q and E. There are other caveats in the contract that has to be also (inaudible), Vintage, which will make or break this. But that's all contractual. That's part of this also."

Larry Oxman: "Right. How many extensions have they been given."

Councilman Wooten: "This will be the second, third."

Supervisor Cardinale: "Third."

Councilman Wooten: "They had six months. Right."

Larry Oxman: "So the third. So this is 18 months out."

Councilman Wooten: "This is after one year, this is six months, right. This is the third six months, a total of 18 altogether."

Larry Oxman: "Okay. And you're sure that their financial information is still accurate?"

Councilman Wooten: "I have no reason to question it. I mean I was told it was."

Larry Oxman: "The economy has changed drastically and where people were financially able to go ahead with the project, they are not necessarily able to do so today. And before you- "

Councilman Wooten: "But actually I do know that the costs are down. I know that the original projection cost of the building of that is a lot less now, it's about a third less than it was even two years ago."

Larry Oxman: "I would find that hard to believe."

Councilman Wooten: "Steel is down 40%."

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Larry Oxman: "Construction costs have not gone down."

Councilman Wooten: "But materials have."

Larry Oxman: "Slightly. And that's not the majority of the cost. Anyhow I hope that they do have the ability to go forward."

Councilman Wooten: "We all hope that, Larry."

Larry Oxman: "Well, I hope that they've actually demonstrated in writing to you before you pass the resolution."

Councilman Wooten: "Thank you."

Supervisor Cardinale: "Thank you. Any other comments? If there are no other comments, we'll consider the resolutions. Would you begin the resolutions?"

I'm going to adjourn the meeting of the town board for a moment to consider the CDA resolutions sitting as the board of the Community Development Agency."

Meeting adjourned

Meeting reconvened

Supervisor Cardinale: "And reopen the adjourned meeting of the town board and sitting as the town board ask that you call the resolutions, please."

Resolution #573

Councilwoman Blass: "It's a public interest order in the matter of the increase and improvement of facilities of the public parking district in the town of Riverhead, Suffolk County, New York. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolutions #574

Councilman Dunleavy: "Town of Riverhead 209 East Avenue acquisition public parking district. So moved."

Councilman Wooten: "Second."

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

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

Resolution #575

Councilman Wooten: "It's a budget adjustment 2009 recreation capital improvement project for the recreation department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #576

Councilwoman Blass: "A budget adjustment for the Calverton Sewer District. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #577

Councilman Dunleavy: "Scavenger waste district budget adjustment. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #578

Councilman Wooten: "578 is an Economic Recovery Projects municipal sponsor resolution for the DOT transportation enhancement alternative transportation (inaudible). So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #579

Councilwoman Blass: "Authorizes the release of 5% site plan security of Kroemer Avenue Associates LLC, Savings Pass Books. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #580

Councilman Dunleavy: "Appoints a call in chaperone to the recreation department. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #581

Councilman Wooten: "It ratifies the attendance of two police department employees to the 5th annual New York Statewide TraCS steering committee meeting. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #582 through #586

Councilwoman Blass: "If there's no objection, 582 through 586 are all appointments to the recreation department. Does anyone object to moving them as a block?"

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Supervisor Cardinale: "No. That's great. So move- "

Councilwoman Blass: "Resolutions 582 through 586 appointing various individuals to positions in the Riverhead recreation department. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Wooten, yes; Dunleavy, yes; Blass, yes; Cardinale, yes. The resolutions are adopted."

Resolution #587

Councilman Wooten: "It ratifies the reappointment of a law intern to the town attorney's office. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #588

Councilwoman Blass: "Ratifies the transfer of a maintenance mechanic II in the buildings and grounds division of the engineering department to the position of an automotive equipment operator in the highway department. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Wooten, yes; Dunleavy."

Councilman Dunleavy: "We're taking a person out of a very busy department during the summer which we have to replace. There's a word that we're using in this town, attrition, and if the highway department loses a person in economic times, we should attrition that department. So I vote no."

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

Resolution #589

Councilman Dunleavy: "This is the one where we have to replace that employee and I just hope that we hire two seasonal

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grounds keepers also because in the last month and a half they had 34 hours of overtime, watering plants on Main Street, and I think seasonal people can do that.

So authorize the town clerk to publish and post a help wanted ad for maintenance mechanic II and seasonal grounds keepers in the buildings and grounds division. So moved."

Supervisor Cardinale: "Second please."

Councilman Wooten: "I'll second."

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

The Vote: "Wooten."

Councilman Wooten: "I vote yes without any fanfare."

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

Councilwoman Blass: "That was to fill the vacancy?"

Supervisor Cardinale: "Yes."

Councilwoman Blass: "Okay. Just so I understand. Okay."

Resolution #590

Councilman Wooten: "Government makes a lot of sense sometimes."

Appoints a call in registered nurse to the recreation department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #591

Councilwoman Blass: "Appoints part time safety dispatchers to the police department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #592

Councilman Dunleavy: "Approves the application for fireworks permit of Gina Goula (Martha Clara Vineyards July 4, 2009). So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #593 through 596

Councilman Wooten: "They're all Chapter 90's. 93, 94 and 95 all deal with July 4th fireworks; 96 is August 22nd. 593 deals with the Newton Carnivals up in Wading River; 94 deals with the BID on East Main Street and 95 deals with the raceway, all on July 4th. Can we move these all together?"

Supervisor Cardinale: "Yes, thank you."

Councilwoman Blass: "Why don't you move 596 even though it's a different day. It's still a fireworks permit. It's their rain date."

Supervisor Cardinale: "For the raceway on August 22nd. Okay, so we'd like to move 593 through 596 together."

Councilman Wooten: "All dealing with fireworks. All right, I'd like to move those. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Wooten, yes; Dunleavy, yes; Blass, yes; Cardinale, yes. The resolutions are adopted."

Resolution #597

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Councilwoman Blass: "Approves the Chapter 90 application of East End Arts and Humanities Council, Inc. for the wine press concert series. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #598

Councilman Dunleavy: "Ratifies the funding request to the Empire State Development Downstate Regional Blueprint fund for Calverton rail access. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #599

Councilman Wooten: "599 is a resolution properly designating road names as Segal Avenue with an "e". So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #600

Councilwoman Blass: "Establishes the location for farmers market for 2009 season. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #601

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Councilman Dunleavy: "Authorizes the supervisor to execute and inter-municipal agreement authorizing the town to apply for and accept matching grant funds from the Suffolk County Water Quality Protection and Restoration program regarding repair of Oakleigh Avenue. So moved."

Councilman Wooten: "I'll second."

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

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

Resolution #602

Councilman Wooten: "602 authorizes the supervisor to execute an amended agreement authorizing the town to accept funds from Suffolk County Office for the Aging for the purpose of supplementing the town's supplemental nutrition assistance program. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #603

Councilwoman Blass: "Authorizes the supervisor to execute an addendum to the license agreement with East End Oysters. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #604

Councilman Dunleavy: "Authorizes the supervisor to execute an agreement with Commander Power Systems for generator service. So moved."

Councilman Wooten: "I'll second."

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

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

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Resolution #605

Councilman Wooten: "Authorizes the supervisor to execute an agreement with Eaton Electrical Corporation for emergency battery system. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #606

Councilwoman Blass: "Authorizes the supervisor to execute renewal agreements with Nextiraone LLC d/b/a Black Box Network Services for telephone maintenance. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #607

Councilman Dunleavy: "Authorizes the town clerk to publish and post notice to bidders for calcium hypochlorite tabs for use by the Riverhead water district. So moved."

Councilman Wooten: "Well read. Seconded."

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

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

Resolution #608

Councilman Wooten: "Authorizes the supervisor to execute an agreement authorizing the town to accept funds from Suffolk County Sheriff's Department to assist the county in Operation Shield exercises. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #609

Diane Wilhelm: "This is off the floor. 609 is off the floor."

Councilwoman Blass: "I'd like to take resolution 609 off the floor. It's a general fund budget adjustment and put it in for consideration. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #610

Councilman Dunleavy: "Resolution to authorize the submission of a proposition for the determination to fund or transfer the public safety dispatch function. I request this tabled."

Councilman Wooten: "Second."

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

The Vote: "Wooten."

Councilman Wooten: "This is for (inaudible) considerations. Yes."

The Vote (Cont'd.): "Dunleavy, yes, to table; Blass."

Councilwoman Blass: "Yes. But I do hope that the wording gets finalized because we're getting pretty close."

Councilman Wooten: "Yeah, I agree and we did work on that last week, so it's-- "

Councilwoman Blass: "Second to table or yes to table."

The Vote (Cont'd.): "Cardinale, yes. The resolution has been tabled."

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Resolution #611

Councilman Wooten: "Adopts a local law amending Chapter 101 entitled Vehicles and Traffic of the Riverhead town code. I was going to vote no on it anyway."

Supervisor Cardinale: "This I think was placed in error. We weren't prepared to vote on it so would you have a motion to withdraw, not to withdraw, to table. Or withdraw it now and we'll consider it if we're going to consider it later."

Yes, motion to withdraw, somebody has got to make it."

Councilman Wooten: "Okay. I move that we withdraw Resolution #611 which adopted stop signs for Riverside Drive. So moved."

Councilwoman Blass: "Second to withdraw."

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

The Vote: "Wooten, yes; Dunleavy, yes; Blass, yes; Cardinale, yes. The resolution has been withdrawn."

Resolution #612

Councilwoman Blass: "Adopts a local law amending Chapter 18 entitled Code of Ethics of the Riverhead town code. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #613

Councilwoman Blass: "Supports the recommendation of the East End Transportation Council for a north fork transit concept. So moved."

Councilman Dunleavy: "And seconded."

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

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

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Resolution #614

Councilman Dunleavy: "A resolution approving the site plan of East End Wireless. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #615

Councilman Wooten: "Awards bid for tennis court renovations. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #616

Councilwoman Blass: "Awards bid on spaulding 130 gallon crack sealer or equivalent. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #617

Councilman Dunleavy: "Awards bid for paint. So moved."

Councilman Wooten: "Second."

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

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

Resolution #618

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Councilwoman Blass: "This is a resolution authorizing the acquisition of a parcel of land and construction thereon of a lot for parking purposes in and for the Town of Riverhead, Suffolk County, New York at a maximum estimated cost of \$325,000 and authorizing the issuance of \$325,000 bonds of said town to pay the cost thereof. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #619

Councilman Dunleavy: "Authorization to pay bills. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #620

Councilman Wooten: "Resolution 620 accepts irrevocable letter of credit of Rugby Recreational Group LLC Subdivision entitled Baiting Hollow Club. So moved."

Councilman Dunleavy: "And seconded."

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

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

Diane Wilhelm: "And that's it for the resolutions."

Supervisor Cardinale: "That concludes the resolutions. We'd like to take comment now, general comment from those who wish to make it upon any matter within our purview."

Councilman Wooten: "All right, ladies and gentlemen, I did say at the beginning of that meeting that I wouldn't stay past the resolutions because of a medical concern I have at home. So I will read the minutes, I promise. Thank you."

Supervisor Cardinale: "Yes, comment, please."

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Sean Walter: "Sean Walter, counsel for Riverhead- candidate for Riverhead town supervisor.

I have two brief things I want to discuss with you, Phil."

Supervisor Cardinale: "We're not having a discussion. You're making a comment."

Sean Walter: "And the- well, it concerns you. So the first, I'm at Riverhead Little League last week and several of the parents came up and said to me that the town is now fining Riverhead Little League \$50.00 for missed games or rescheduled games. So at the- what I understand is we've gone from a town that used to help support Riverhead Little League to fining them \$50.00 for missed or rescheduled games.

So I'm looking around town and some of the other parents said to me did you see the supervisor put his name up on every single sign around town? So I did some research and I understand, Phil, you spent \$3,000 of town money this year to put your name on every single sign in town hall, around town, every park, every facility.

And what I find extremely interesting is not so much in this very difficult economic times that you spent the \$3,000 which I find just unbelievable. We're fining Riverhead Little League \$50.00 and you're spending \$3,000 to put your name up.

What I find troubling is that if you go to any other town in Suffolk County or Nassau County or upstate New York, the supervisor's name is not the only name up on the signs. It is all the council members and I think it's- you constantly say you're only one member of the board, you're only 20% of the board, but yet you take an action like this and you don't include the other members of the board.

So what I'm suggesting is that the board members should pass a resolution removing the signs and when the town has the money to put everybody's name as should be there, you are all equal members in this, put the signs up with the names. I mean I think it's disgraceful that Phil's done this in this time but I understand it's reelection, it's looking forward to reelection and at the same time I think since we have \$3,000 to put your signs up, we should not be billing Riverhead Little League \$50.00 every time they have a missed game.

That's it."

Supervisor Cardinale: "Thank you, Sean. You are inaccurate as usual both in regard to the Little League and in regard to the signs. Next comment."

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Dominique Mendez: "Hello, my name is Dominique Mendez and I'm from Wading River. And excuse the reading glasses, I need them. No, actually I can read this.

Okay. So two things. One I wanted to make a comment and ask about the status of changes to a bunch of definitions, accessory building, accessory use, principal use, catering facility, in Section 108.3.

That's something that was discussed way back in October at a town board meeting. At the time the board members seemed to recognize a need to significantly revise these definitions which have been so vague as to leave a lot of room for interpretation. Of course, there are some who maybe appreciate that vagueness but I don't think that once a lack of clarity has been identified, that the board probably would want to keep that lack of clarity in there nor does it really serve the town as a whole.

I think the codes are supposed to be specific.

So if as I suspect because I looked it up, I couldn't see any changes when I looked it up on line, unless that hasn't been updated lately. If they haven't been made, I'm asking that the board does address this issue."

Supervisor Cardinale: "Yeah, they are pending. We discuss them at the work sessions on Thursday and we have about two or three laws that we're still considering but we understand your point, that we have to act because there is a necessity for clarification."

Dominique Mendez: "Okay."

Supervisor Cardinale: "Thank you."

Dominique Mendez: "Second issue is regarding overlay districts and if I am understanding it correctly, when the town did the master plan in 2005, there were a bunch of overlay districts on a bunch of properties that when those properties were rezoned, the town board may have been under the impression that the overlay districts were automatically removed yet maybe that has come in to question whether they were automatically removed or not or whether they still applied.

So if that was an oversight or something that the board had intended to do, remove overlay districts like the recreational overlay district on Great Rock, then I ask that, you know, if that certainly was the intent, that hopefully that can be done now and kind of address that issue."

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Supervisor Cardinale: "That was the intent and that actually was done. The recreational district that affects Great Rock was terminated, rescinded. In fact, I discussed that yesterday with their attorney. His present contention is that we didn't do it right but he acknowledges we did it.

So I'm asking the town attorney to make certain that she's comfortable that we did it right. But it is rescinded and it was the intention of this board that did the zoning, Barbara and I served on it, that there would not be overlay districts and the reason for that was they could be easily abused."

Dominique Mendez: "Okay. When was that done? I didn't realize that."

Supervisor Cardinale: "Shortly after the issue came up. We can get you a copy. It was in the last six months."

Dominique Mendez: "Because I saw in the out of court settlement with Great Rock that it does mention the overlay-recreational overlay district again as something that applied to the property."

Supervisor Cardinale: "How old is the decision?"

Dominique Mendez: "That out of court settlement is only a couple of weeks old or less than a month old."

Supervisor Cardinale: "No, the one that was just decided. I will check that."

Dominique Mendez: "And it was handwritten in. It was an addition to. Not in the original but the one that was finally settled on I thought."

Supervisor Cardinale: "Yeah, I think that that may have been deleted in the final version."

Dominique Mendez: "Oh, the copy I might not have. The final."

Supervisor Cardinale: "So if you want to check the final version of that settlement document, just contact my office tomorrow, I'll get it for you."

Dominique Mendez: "Okay. Thank you very much."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

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Dominique Mendez: "Oh, one last question. The tennis courts that you were fixing up. Where are those tennis courts?"

Supervisor Cardinale: "There are two at Bayberry; two at Stotzky; and two at Jamesport and they are really going to be great, the tennis courts. They are— this method they are using is expensive but it's supposed to last 25 years and it's supposed to avoid any cracking that we've been plagued by and having to repair every three years."

Dominique Mendez: "I was hoping you were going to say Bayberry because I use those courts. Thank you very much."

Supervisor Cardinale: "And that should be done within the next 30 days I'm told."

Dominique Mendez: "Oh, okay. Thank you."

Supervisor Cardinale: "Sid."

Sid Bail: "Sid Bail, aging president of the Wading River Civic Association. I am here supporting the points that Debbie, excuse me, Dominique Mendez, made.

Maybe some of you last week saw the letter that Phil Barbato wrote in the News Review. It was Manor Inn issue bigger than just Jamesport. And in part of it, the end of the letter, Mr. Barbato says do you have an ever expanding non-conforming use in your area. Is it affecting your sleep, your peace, your quality of life?

And I think that's really the crux of it. It's not a Wading River issue, it's a town-wide issue and I'm happy to hear that you're addressing it and you're addressing it aggressively and, you know, maybe it will even be discussed during the campaign, you know. So thank you very much."

Supervisor Cardinale: "Thank you. And you are right, it is a perceptible point. It's a town-wide issue, when you pass new zoning in '05 and '06 the continuation of non-conforming uses or the expansion of them is in direct contravention of the whole idea of the master plan. But there's a counter (inaudible) consideration often and it gets very, very difficult. You're right."

Sid Bail: "Thank you."

Supervisor Cardinale: "Larry."

Larry Oxman: "Larry Oxman. With regard to some of the definitions that you're working on for code revisions, I believe that Ann Marie Prudenti had given you a package of information.

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Sometime back many of the changes I think may have been spurred by the Riverhead Business Alliance asking for clarification on those changes and I think that we were invited being on the board of directors of the RBA, that we were invited to participate."

Supervisor Cardinale: "Right."

Larry Oxman: "Is it possible that we could get a copy of those proposed changes at this point, sooner than later than rather than have to- "

Supervisor Cardinale: "Absolutely."

Larry Oxman: "Okay, that would be terrific."

Supervisor Cardinale: "If somebody would just give me a call tomorrow, I'll get you a copy."

Larry Oxman: "Okay. Procedurally- "

Supervisor Cardinale: "I think Jodi might have them but if she doesn't, I'll get them for you."

Larry Oxman: "I don't believe so. Procedurally, Barbara, you brought a resolution off the floor. Did you pass the resolution to bring it off the floor or did you actually pass the resolution- "

Councilwoman Blass: "I put it in for consideration is what the terminology was."

Larry Oxman: "So you did both. I thought that somehow you only did one but maybe I missed it."

Councilwoman Blass: "The terminology I used was I'd like to take it off the floor and put it in for consideration meaning- "

Larry Oxman: "Okay, so you didn't have to vote to bring it off the floor."

Councilwoman Blass: "I did it all at once."

Larry Oxman: "Okay, terrific. Very good. I just wanted to make sure. Thank you."

Supervisor Cardinale: "Thank you. Any other comments? If there aren't any other comments, I thank you all for attending. We'll be at the work session later in the week and thank you."

Meeting adjourned: 8:10 p.m.

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