

Minutes of a Town of Riverhead Board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, December 29, 2009 at 2:00 p.m.

**PRESENT:**

Philip Cardinale,	Supervisor
Barbara Blass,	Councilwoman
James Wooten,	Councilman
George Gabrielsen,	Councilman

**ALSO PRESENT:**

Diane M. Wilhelm,	Town Clerk
Dawn Thomas,	Town Attorney

**ABSENT:**

John Dunleavy,	Councilman
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Supervisor Cardinale: "Okay, we're ready to rumble. Okay. I'd like to begin the December 29<sup>th</sup> meeting of the town board which is a year end meeting to wrap up a few resolutions that needed passing and a few acknowledgments that needed to be made.

We do not have any hearings today but we should begin as always with the Pledge of Allegiance."

(The Pledge of Allegiance was recited.)

Supervisor Cardinale: "Okay, I'd like to approve the minutes of the town board meeting of December 15<sup>th</sup> and special town board meeting of December 17<sup>th</sup>. Thank you, Vince. Can you hear me? Is that now on?"

Okay, we want to approve the minutes of the town board meeting of December 15<sup>th</sup> and the special of December 17<sup>th</sup>. Would someone move them, please?"

Councilwoman Blass: "So moved."

Councilman Gabrielsen: "Second."

Supervisor Cardinale: "Okay, moved by Barbara, seconded by Jim. Vote please."

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

Supervisor Cardinale: "Okay, we'd like to take a minute before going on to the correspondence and the rest of the reports to give out some acknowledgments of service so we'll go down into the well of the room."

Can you hear me? This is not exactly overwhelming but it does work. Okay? I would— this being the last meeting of this town board including Barbara and myself, I wanted to take an opportunity to acknowledge the service of Barbara Blass, my deputy. Also, Sarah Manarel (phonetic), Trina— who are we going by— Miles— Trina Miles, and Bill Welsh and Vince Tria.

I also should mention that we asked Fred Meyers— not Meyers, Fred Smith, to just to come in and be acknowledged for his many years of service to the buildings and grounds. He's the fellow that took care of this building, took care of our offices and certainly there will be a clean sweep because he's left, too. We're going to have new people coming in for that. But he couldn't make it here today but I do want to acknowledge up front Freddie's contribution to the town over many years and buildings and grounds. He's just too shy to be here but we'll send him one of these seals anyway and tell him thank you for his many years of service.

Yes? Oh, I don't know— Otto, nice to see you.

I'd like to move now to Barbara my deputy who after many years of service to the town is going out into the real world to earn an honest living.

I want to say a few things, then I want to read this proclamation which we will present to her.

She's been a presence in this town and a key contributor to making it a better place for nearly 30 years. She started when she was three years old. Actually after beginning as a child protégé of three, she served 19 years as a member of and chair person of the

planning board; eight years as a council member and most recently as an extraordinarily talented deputy supervisor. And I served with her for six years, a caring and consistent advocate for sustainable town planning and sustainable is just a big word for something that continues to work and doesn't work only for the first moments that it was in operation.

Her commitment to improve our environment is honestly held and deeply held and has been consistently implemented. She was the conscience of the board as it related to environmental matters. She brought us back to what is important for the people that will follow us, our children and our grandchildren and our successors in office.

And the board needs to develop that expertise and I think we picked Jimmy Wooten as a candidate and she's been trying to tutor him in the last six months to pick up on the issues and I'm sure he's going to do well at it.

Barbara has honestly in my experience been the hardest working town council member I have known during my time as town supervisor and for that matter on the town council.

She's highly sensitive to the principles of fundamental fairness and equality under the law which has been important to me as well and to others who have served.

She's worked tirelessly to make certain that the town serves all equally and all residents are special to her and believe me if you've heard some of the grief she took, for example on both the great- the bunker run, you would know that it is true that they're all so special even though you would like to strangle some of them at some time.

The last thing I want to say is Barbara- actually I have Barbara that I'm speaking about now, Barbara in 2001 together with Rose Sanders also here, caused my first electoral defeat and I have a wish for the gentleman who caused my second among the six runs I made for town office, Sean. Barbara beat me and I wasn't happy but her performance in these ensuing eight years was a wonderful thing to see and a wonderful surprise and I wish for Sean that I can say the same about him in two years or four years or six years that you are never rooting for the people that replace you but she really proved that the public made a good choice by her performance over the next eight years.

And it's a little remembered fact but she was with Rose the one that— the two candidates that made me the third place finisher in 2001 on the council side.

Now to the proclamation. It reads and we gave her a seal already in case you're wondering. We wanted her to be comfortable when we gave her the town seal for her service so we did it in a local bar when they had an event to honor her service.

And the proclamation reads:

Whereas, it is fitting and proper for the town of Riverhead to recognize the contributions of those who make our community a better place; and

Whereas, Barbara has been a valued elected official of the town for the last eight years having served as council woman and most recently as deputy supervisor;

Whereas, Barbara has been a valued appointed official for the previous 19 years, having served as a planning board member and chairperson;

Whereas, Barbara has always served the taxpayers of this town to the best of her considerable ability often going above and beyond the call of duty;

Whereas, Barbara has consistently distinguished herself as a dedicated hard working full time public servant; and

Whereas, Barbara has been a valuable asset to this town and her presence will be missed greatly.

Be It Resolved that I, Phil Cardinale, the supervisor, together with the entire town board celebrate her accomplishments and on behalf of our town express our deepest appreciation to Barbara Blass proclaiming December 29<sup>th</sup> Barbara Blass Day in the town of Riverhead."

Councilwoman Blass: "Thank you, Phil, for all those kind words. I had quite some time to prepare for this moment but it's every bit as difficult as I thought it would be.

For the last 30 years, this building has been my home away from home and many of the people here have become part of my extended family and so as I sat down last night to try and pull some thoughts together I found that not only was it going to be difficult because there was so much that I wanted to say, but it is so difficult to convey how very grateful I am to have been given this wonderful opportunity to work with you and for the great people of the town of Riverhead.

It's not only been an honor and a privilege to serve but this experience has been truly one of the most enriching, rewarding, challenging and fulfilling experience that I could never have expected it to have been as wonderful as it's been.

I've been very fortunate to work with very dedicated staff and it may take three town board members here to pass a resolution but you should all know that it's the staff that provides the backup and the fundamental know how and they get the projects done and they make the events happen.

The town is very grateful to have very dedicated staff and I was very fortunate to have them assist me over the years.

I am grateful for the many challenges that broadened my horizons both personally and professionally. I learned things I never thought I would ever learn and I learned from some of the best and I've mentioned this before but people like Jack Hansen and Miles Fairley (phonetic) and Barbara Grattan were not only friends, but they were teachers. And I appreciate everything that not only they taught me but every one else who was willing to share their knowledge and patient enough to teach me.

I thank them for all of that because it's enriched my life in ways that you can't even imagine.

I can go to a cocktail party now and talk about solid waste and sewers, Phil, right, for hours and enjoy it. Go figure.

But I am most grateful and thankful for the wonderful people I have met across this community, your loyalty and your support and encouragement and at times consolation is something that I will forever take with me and forever cherish. You are very genuine people and you will always have a special place in my heart and I thank you for all that you have done for me and helping me pass

through my comfort zones.

I wouldn't have traded these last few years for anything but in the end I really want you all to know that I did try to be fair and I tried to treat every one equally. I tried to address the needs of a very diverse community as best I could and to balance the needs of the community and the interests and I tried not to let politics get in the way of bringing you good government.

I worked as hard as I could and as the oath of office said, I wasn't perfect but it was to the best of my ability.

I'm going to ready something very briefly. I quoted Mother Theresa eight years ago when I first took the oath of office so I think it's only fitting that I repeat some of those words right now.

She said give the world the best you have and it may never be enough but give the world the best you have anyway. I want you to know that I did. I just hope it was enough to make a difference.

I wish the incoming administration all the very best and I thank you from the bottom of my heart for the honor to have worked with you and for you for the last several years. Thank you."

Supervisor Cardinale: "Thank you, Barbara. She really is devoted to solid waste. I realized that in 2004 in February a month into my three terms in office. We were driving to the city with myself, George Bartunek and his wife and my wife for the Association of Towns and I asked a question. What did I know, just coming into office about something to do with solid waste and that was at exit 70 on the expressway.

Barbara didn't stop talking until we were at the hotel. I noticed that everyone in the car was sleeping at exit 55 and I was nodding off my exit 30. So- but she really educated- I got a great education whether I liked it or not on that trip.

The next person I'd like to acknowledge is my deputy before Barbara was and my office chief of staff, Bill Welsh. Bill has served for over three years. He- come on up, Bill. He's a person of great integrity, believe me. I think all of you who know him have learned that of loyalty and of industry. He's been really a hard working person throughout his tenure with the town.

He is persistent, he is diligent, he's also Republican and he's given me over the three and a half years we've worked together a clear indication that he understands what public service is about. And the fact is and if the new people coming in don't know it now, they will shortly, it is service. If you do this right, you wind up feeling like a servant which is one of the things I actually won't miss, but you do.

You are really- and if you don't believe that we're going to talk in a moment to Sarah who was the person that mans the front desk and then Trina who was the person who had to bail her out of some particularly citizen came in. And I always loved the way that Bob Kozakiewicz had arranged the offices there because in order to get to the supervisor's office, you have to get through Sarah, Trina, and the deputy which I don't think was by chance. I think that was by design.

And so these people that man the front lines for the town really do learn what public service is about and I want to thank you, Bill, sincerely from the bottom of my heart for your three and a half years of effort.

He was going to retire three and a half years ago but we short circuited that for three and a half years and I thank you for being willing to serve the town and for serving it so well and if I find the right one, here it is.

Bill Welsh, deputy supervisor."

Bill Welsh: "I just really want to thank everybody who is here, everybody who works for the town, everybody who I've had the pleasure of working with over these years and thank you, Phil, for short circuiting the retirement but I've got my circuits in gear now and I'm going to enjoy it after this.

Again, it is a matter of service. The town employees are great, the citizens I've enjoyed working with and it's been a memorable several years here. And I thank you all for that. Thanks again."

Supervisor Cardinale: "Thank you, Bill. I'd like to move now to the staff I alluded to in the front office on the front lines with the citizens. Trina Miles Castile (phonetic) and any new names? All right.

Trina actually served the town during the period I was a councilperson from '98 to '01 and I got to know her then and then when we needed a new executive assistant she was available because she just worked five years for the charter school as a personal assistant to the principal. And she really had developed as an employee and as a worker.

She's simply terrific. She is bright, always helpful, always vivacious, extraordinary with the public and I will tell you and I will not tell you the name of the person who— one of the people that succeeded her in her office was very smart and he was keenly analytical and he would speak to the public in my behalf and take down the problem and study it carefully and was good at it and I overheard him one day saying I have taken your complaint, I have done all the research, I have studied out the situation, and I have concluded and then he basically told the person that they were full of crap and they were completely wrong.

And that was his— and I overheard this and I said wait a minute, this is my first or second term. I said you can't do that and to her credit, despite the fact that in many instances that might have been the logically appropriate course of action, do all the research, ascertain that the person had a cause and then state the truth, Trina you evaded the truth remarkably with so many of the citizens. The citizen was always right and Trina was always charming and wonderful on the phone.

So thank you for being what you are and who you are and for doing what you've done for the town of Riverhead, and keep doing it. I understand that you're going to hopefully stick around for a bit and I'm sure that the town is better for it."

Trina: "Thank you, Mr. Supervisor. What Bill said was very appropriate. I enjoyed my time here in the supervisor's office. I enjoy dealing with the public. I am still going to be around so I'm happy about that and I thank you all for being able to serve the town of Riverhead. Thank you all."

Supervisor Cardinale: "Thank you. Oh yes, I've got to give you your seal. It says Trina R. Miles, Executive Assistant, thank you.

Sarah, come on up. Sarah is truly the one who is on the front lines. She's the one that cannot avoid the citizen who wants to

tell us that their road was deliberately, deliberately left out of the plow schedule because we don't like them. And she expresses that no, that wasn't it. We don't know why your road wasn't plowed but we're not even the superintendent of highways but we do— she gets those kinds of contacts all the time. She deals with them very, very well and if she has any problems she goes round the corner and says, Trina, this person wants to talk to you.

So Sarah is wonderfully adept both at dealing with the public and at dealing with the work that we impose upon her. She's also going to be with the town and the town is better for that fact.

Sarah, thank you. You're not leaving, at least that's a good thing but you have been the legislative secretary for several years and you've performed well and wise and I thank you."

Sarah Manarel: "I just wanted to say thank you. It's been a great opportunity and a great experience and I enjoyed working with everyone. Thank you."

Supervisor Cardinale: "Thank you. And I've saved for last and certainly not least Vince Tria. Vince, come on up.

Vince is old now. When he started, he was a youth. When he first started I think we called him at that time the citizen— or the ombudsman or as some would say the om-boods-man. He was the ombudsman, we was then the citizen advocate, I think in your later rendition.

But what he has always been is someone who came to work every day and tried to help the town be a more welcoming place, a place where people could get help if they had a concern with anything, any department was doing. And an ear ready to listen to the public.

He has demonstrated charm, grace, and diplomacy at all times by which I mean that he has sometimes shown some of the impatience and sarcasm at the pace and productivity of town and government work, but he has always done all that he's done without any compensation and simply because he cared truly about the town.

It is thought that he cared about me or my administration of the town which of course always comes to an end, whether it's six years or eight years or more or less but I really can assure, because he came in and told me this on great frequency, he really

did not care much about me or my administration of the town.

He cared very deeply about the town, his adopted town and he served it for six years without any compensation and he put in literally 40 hours a week virtually every week during that time.

So there is no way I can adequately say thank you on behalf of the town and on behalf of myself but I'm going to do it anyway.

Thank you, Vince, community advocate, they did not say ombudsman, they said community advocate and thank you for being there. Thank you for doing what you've done and thank you for being who you are and say a few words. I mean a few words."

Vince Tria: "I want to thank my adopted town and honestly it was a pleasure working for this supervisor. Thank you."

Supervisor Cardinale: "Hey, that was quick. Thank you. Thank you. That concludes the ceremonies and- okay, Barbara wants to say something."

Barbara Blass: "Well, not it's our turn, Phil, to say thank you to you.

It's really been an honor for all of us to work with you alongside you. You have been a very dedicated public servant as well and probably one of the most fiscally conservative people I've met. That's a nice way of saying he's so cheap. Maybe it's Sal. I don't know. The two of you must have gone to the same school there but quite honestly with your business skills and negotiating skills, Phil, you have left the town certainly in better financial and fiscal condition and we are very, very grateful for that.

You've worked very hard over the years; you've implemented many of the goals that the town had expressed to you were important to them. We appreciate your service. You did the courageous thing many times in crossing party lines and we know that that's not always an easy thing to do.

And as I said to you the other night in your small gathering, farewell gathering, over 200 people, you should never doubt, Phil, that you have left Riverhead a better place and we thank you for that.

And now I will read the proclamation that was prepared by your staff.

Whereas, it is fitting and proper for the town of Riverhead to recognize the contributions of those who have made our community a better place— no, this is the wrong one.

I guess I could use it.

Let's try that again.

Whereas, it is fitting and proper for the town of Riverhead to recognize the contributions of those who have helped to better our community;

Whereas, Phil Cardinale has been a valued elected official of the town of Riverhead serving six years as the 61<sup>st</sup> supervisor of the town and for four years as a town councilman; and

Whereas, Phil Cardinale has served the taxpayers of the town of Riverhead to the best of his ability and has guided the town during many challenges; and

Whereas, Phil Cardinale has consistently distinguished himself as a dedicated hard working full time public servant; and

Whereas, Phil Cardinale has always worked for the greater benefit of the people of Riverhead; and

Whereas, Phil Cardinale has worked tireless for the improvement and future progress of the town of Riverhead.

Now, Therefore, Be It Resolved that this town board and I'm sure prior town boards and prior colleagues you have served with join in this in celebrating your accomplishments and on behalf of our town we express our deepest appreciation to you and proclaim December 31<sup>st</sup> as Phil Cardinale Day in the town of Riverhead.

I don't know, do we have the ability to do that. We better get a legal memo. Can the town board to that? It's okay, it's done.

So it is my honor, Phil, to present this to you on behalf of the (inaudible).

And we wish you luck in all of your future endeavors. I wanted to wish him luck in all of his future endeavors and please whatever you do, do not open a driving school because inasmuch as he said he was halfway paying attention driving into the city, it didn't happen. And if you ever see him on the road, please practice defensive driving and stay away from him."

Supervisor Cardinale: "Thank you. Thank you. I appreciate your kind words and I truly do appreciate your kind words and I appreciate the kind words of all the people over the last couple months who I've met.

It is an- it was an honor and a privilege to serve the three terms I did and the one term as a council and it was educational and humbling in so many ways. But on balance I would not have- I am delighted and very, very happy that I did serve and I'm going to look forward to other opportunities to serve the community which I love. And thank you very much."

Hal Lindstrom: "Since we're giving out awards, a number of people have asked me to honor Phil and give him an award from the people and it's been an honor for me to know Phil as a friend and as our great supervisor and he has raised the bar really high for supervisors in our town. And I hope that all of you will appreciate that and I hope that his predecessor can rise to the occasion.

I'd like to say a few words. There's nothing that has to be added don't worry. Okay.

We would like to thank you for your years of public service to the people living in the town of Riverhead. You are a supervisor known for being honest, having integrity, being physically responsible, having an open government and for not having a personal agenda in making decisions.

You worked hard to improve Riverhead and stabilize our taxes. We will miss seeing you on the town board.

To show our appreciation we would like to present you with this award. So this is it."

Supervisor Cardinale: (Inaudible)

"Thank you. And thank you. It was a surprise. I was

wondering what he was coming up here for. I was going to ask- I know he's a friend and a supporter but I was going to ask if they wanted to frisk him or something but I'm glad I didn't do that. It would have been so gauche. But thank you so much and thank you, Barbara, for your service and thank you Trina; thank you, Sarah; thank you Bill and thank you Vince and I want you all back here on January 4<sup>th</sup>, no January 5<sup>th</sup>, it's a Tuesday, 10:00 a.m. There's going to be a work session and then in the evening there's a meeting. I want you all back here, keep these guys honest.

Thank you.

Okay. Thank you, that was very nice.

Proclamations and awards having been concluded, we'd like to know about the correspondence, the reports, the public hearings which there aren't any and then we'll go to the resolution comment."

**CORRESPONDENCE:**

Sal Mastropaolo

letter regarding public hearing of 12/15/09 proposed change to Chapter 98 Littering

**REPORTS:**

Building Department

Monthly report for November 2009 - total collected \$87,835.50

Receiver of Taxes

utility collections report November, 2009 - \$321,645.66

Total tax collection dated December 18, 2009 - \$1,900,000.00

Police Department

Monthly report for November 2009

Diane Wilhelm: "And there are no public hearings. And as Phil Said, the next town board meeting is January 5<sup>th</sup>. I believe it

is 2:00 here in town hall. And that's it."

Supervisor Cardinale: "Thank you. We have a resolution, one from the CDA and 23 from the town board. Would you like to make a comment, Sal, help us to clean them up?"

Sal Mastropaolo: "Sal Mastropaolo, Calverton. On 1175, should the agreement have Barbara Blass' signature rather than yours since you are the subject?"

Supervisor Cardinale: "Yes, it should. In fact, they talk about it. We'll make that amendment now, Deputy Supervisor is authorized to sign that. Yes."

Councilman Wooten: "If it passes."

Supervisor Cardinale: "Right, if it passes. That's right."

Sal Mastropaolo: "1177. The vehicle policy."

Supervisor Cardinale: "Yes."

Sal Mastropaolo: "Can you tell me how many employees have 24 hour use?"

Supervisor Cardinale: "Seventeen I think. Sixteen or seventeen."

Sal Mastropaolo: "Do we review the use on an annual basis?"

Supervisor Cardinale: "Yes. And that is not-- let me say two things. One, everybody on this board and I believe on the next agrees that we should have clearly stated what our policy that we don't have. That many vehicles is still necessary.

Secondly, this thing is going to be changed to read-- it urges that it's going to-- urge adoption of a vehicle policy by the new board similar to the one attached because the new board would like to take a look at what we've worked on and maybe tweak it but you're going to watch them and make sure that they don't tweak it too much. But-- so it won't get passed today. It will get passed I hope in the next month or two.

We do need a policy. We haven't had a policy that's clear.

But this does not address the issue you want to address which is-- this says what the policy of the town is in regard to the vehicles that are given for use to employees. It does not make the hard decision of what employees need to have vehicles. And that should be reviewed and will be reviewed by the new administration as well."

Sal Mastropaolo: "I can only think of three people that I can see justifying 24 hour use, the police chief, Geo and maybe Gary Pendzick."

Supervisor Cardinale: "That's correct. That is an argument that could be advanced. The supervisor winds up getting a car because of his (inaudible) title of police commissioner. That could be reviewed. But there's a lot of people that are on call but we're raising issues like if there are four people that could be called in, why couldn't we just make one that could be called in and simply have one person taking a car home.

And they're going to be looking at those sorts of things as well. This only states the policy if the determination has been made that this person needs a vehicle."

Sal Mastropaolo: "Okay. 1186. Too bad John's not here. Is that a new hire?"

Supervisor Cardinale: "1186?"

Sal Mastropaolo: "Yes."

Supervisor Cardinale: "That is a new hire and it's been much debated and there is some dispute on the board whether it's necessary. But there you go."

Sal Mastropaolo: "1198. Can you tell the public what was amended?"

Supervisor Cardinale: "1198?"

Sal Mastropaolo: "Yeah. Is this another retroactive salary increase?"

Supervisor Cardinale: "Which one is that, 1198?"

Councilman Wooten: "That's Gary's."

Sal Mastropaolo: "Gary's contract with amendment."

Supervisor Cardinale: "Is it a retroactive? No, it's not a retroactive salary increase. It is a-- you could call it a reduction in salary if you want to make yourself feel good. But it is the inclusion in the salary of what was being-- less than what was being paid."

This person had a right to work 10 hours more each week. We thought that inappropriate because he's a department head. He ought to be working as much as he needs to work, period. And not get paid for the extra 10 hours and the net result to the town will be he'll be paid about \$15,000 less than he would be if we hadn't changed it. But it's worthwhile for him to change it because this would then become a part of his actual salary."

Sal Mastropaolo: "Thank you."

Supervisor Cardinale: "For retirement purposes."

Any other comments on the resolutions we're about to consider? If not, then we can consider them.

Oh, yes, Jim wants me to remind me to say Happy New Year to everybody. So, everybody Happy New Year and lots of luck for the New Year.

We can consider CDA resolution. I'm going to adjourn the town board meeting for a moment."

Meeting adjourned 2:51 p.m.

Meeting reconvened: 2:52 p.m.

Supervisor Cardinale: "And open up-- reopen the meeting of the town board and call those resolutions, I guess it's 1175 thru 1197 and I think we have one coming off the floor which will be 98 and then two untabled which is 1087-- "

Diane Wilhelm: "1087, you're correct, and then 1169."

Supervisor Cardinale: "And 1169. Okay. So we're going to consider 25 resolutions and would start the call, please?"

Resolution #1175

Councilwoman Blass: "Approves the defense and indemnification for Philip J. Cardinale. So moved."

Councilman Gabrielsen: "Seconded."

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

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

Resolutions #1176

Councilman Wooten: "It sets registration fees for the Riverhead recreation department. So moved."

Councilman Gabrielsen: "Seconded."

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

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

Resolution #1177

Councilman Gabrielsen: "Urges the adoption for the new board to adopt the vehicle policy similar to the one attached. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1178

Councilwoman Blass: "Landfill capping and closing project budget adjustment. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #1179

Councilman Wooten: "1179 adopts a local law amending Chapter 108 entitled Zoning of the Riverhead town code, Section 108-56 signs. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #1180

Councilman Gabrielsen: "Extends contract with Arthur J. Gallagher & Co. Vericlaim and Perma. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1181

Councilwoman Blass: "Authorizes the supervisor to execute an agreement with the Riverhead Central School District regarding unleaded fuel services. So moved."

Councilman Wooten: "I'll second."

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

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

Resolution #1182

Councilman Wooten: "I'm not sure we're going to do this. Are

we?"

Supervisor Cardinale: "Yeah, we should pass this. I'm going to ask that we break for 10 minutes after we finish this call.

We've got a note-- what is it? We got an e-mail from counsel and we have to discuss whether we're going to pass it and if we do pass it what conditions have to be placed on it.

So could you pass this? We're going to come back to it later but we need to stop for 10 minutes and talk about it in an exec session. All right?"

Diane Wilhelm: "Are we stopping now?"

Supervisor Cardinale: "No. Finish this."

Resolution #1183

Councilman Gabrielsen: "Authorize expenditure of BIDMA funds to support NY Main Street program. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1184

Councilwoman Blass: "Approves the request for a leave of absence. So moved."

Councilman Wooten: "I'll second."

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

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

Resolution #1185

Councilman Wooten: "1185 terminates the employment of the

executive assistant to the town supervisor, Mr. William Welsh. So moved."

Councilman Gabrielsen: "And seconded."

Councilman Wooten: "I'll second."

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

The Vote: "Gabrielsen, yes; Wooten."

Councilman Wooten: "Yes. And thanks, Bill, for all your work."

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

Councilwoman Blass: "Yes. Bill, you're a professional and always a real fine gentleman. Thank you very much for your service. Yes."

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

Supervisor Cardinale: "Yes, and, again, thank you, Bill."

Diane Wilhelm: "The resolution is adopted."

Resolution #1186

Councilman Gabrielsen: "Appoints an account clerk typist to the juvenile aid bureau. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1187

Councilwoman Blass: "Accepts the resignation of an automotive equipment operator."

Councilman Wooten: "Seconded."

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

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

Supervisor Cardinale: "One second. Bill, could you get Dan McCormack and ask him to come into my office and I'm going to take 10 minutes after we finish the call? Go ahead."

Resolution #1188

Councilman Wooten: "1188 approves amendment to memorandum of agreement. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #1189

Councilman Gabrielsen: "Ratifies the appointment of a temporary student intern II. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1190

Councilwoman Blass: "Accepts the resignation of a part timer homemaker. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #1191

Councilman Wooten: "1191 terminates the employment of a maintenance mechanic II. So moved."

Councilman Gabrielsen: "And seconded."

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

The Vote: "Gabrielsen, yes; Wooten."

Councilman Wooten: "Yes. I'd like to thank Mack Ross for all his years of work. Yes."

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

Resolution #1192

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

Councilwoman Blass: "And seconded."

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

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

Resolution #1193

Councilwoman Blass: "Order authorizing increase and improvement to the facilities of the Riverhead water district booster pump station. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #1194

Councilman Wooten: "Authorizes the submission of application to the New York State Archives. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #1195

Councilman Gabrielsen: "Establishes a records advisory committee. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1196

Councilwoman Blass: "Motion to pay bills."

Councilman Wooten: "Second."

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

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

Resolution #1197

Councilman Wooten: "Authorize the supervisor to execute a contract amendment with the assistant water district superintendent. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #1198

Diane Wilhelm: "Resolution 1198 and this is off the floor."

Supervisor Cardinale: "Okay. So you want to take a motion to take it off the floor. Do we have a second to that?"

Councilwoman Blass: "Second to take it off the floor."

Councilman Wooten: "Make a motion to take it off the floor, that's Resolution 1198."

Supervisor Cardinale: "Second by Barbara."

Councilwoman Blass: "Second to take it off the floor."

Supervisor Cardinale: "Vote please to take it off the floor."

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

Supervisor Cardinale: "No, it's actually off the floor."

Councilman Wooten: "It's off the floor, now it's on the table."

Supervisor Cardinale: "So now you're going to adopt it, George."

Councilman Gabrielsen: "Okay. We're going to move— authorize the supervisor to execute contract amendment with the water district superintendent. So moved."

Councilwoman Blass: "And seconded."

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

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

Diane Wilhelm: "And now we have the two to untable."

Supervisor Cardinale: "Right. Those are 1187- 1087 and 1169. Why don't you make a motion to take them both off the table?"

Councilwoman Blass: "I'd like to untable Resolutions 1087 and 1169."

Councilman Wooten: "Seconded."

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

The Vote: "Gabrielsen, yes; Wooten, yes; Blass, yes; Cardinale, yes. Both resolutions are untabled."

Supervisor Cardinale: "You want to call 1987, please, to adopt?"

Resolution #1087

Councilwoman Blass: "This is a budget adjustment in connection with the Cedar Cove subdivision. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #1169

Diane Wilhelm: "Resolution 1169 to untable."

Councilman Wooten: "We did that already."

Diane Wilhelm: "I'm sorry. To adopt."

Councilwoman Blass: "Authorizes the supervisor to execute an agreement with Merchant Services, Inc. d/b/a EVO Merchant Services, Inc. So moved."

Councilman Wooten: "I'll second."

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

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

Supervisor Cardinale: "Okay. Now we have-- did we do them both? Okay, we now have completed the resolutions. We have only one resolution that's left to consider which is 1182 authorizes the New Year's Eve fireworks. We have to discuss that for a few moments with counsel."

If I had a sense of who wants to comment, I could determine whether to just take them and then come back, just come back for that one thing and let everybody else go.

Why we don't start comments and see how this goes and I could break at any moment if it's going to go longer.

Is there anybody at this stage holding 1182 aside which is the only matter of unfinished business that will be preceded by a couple of minutes discussion in chambers or in chambers, my wish, in-- from my-- to God's ears.

We need to talk before we come back and do what we're going to do with that.

But we could take some comment to get some of you people out of here so why don't you come on up. Those of you who wish to make comment on any matter within our purview, please come up."

Vincent J. Trimarco, Jr.: "Thank you Mr. Supervisor. We're going to hand up some material regarding a few individuals that wish to speak.

We're here from American Patriot Credit Corp."

Diane Wilhelm: "Can I have your name?"

Vincent J. Trimarco, Jr.: "Sure. It's Vincent J. Trimarco, Jr."

Mr. Supervisor, congratulations on your honorable service to the town."

Supervisor Cardinale: "Thank you. Thank you."

Vincent J. Trimarco, Jr.: "And we appreciate the opportunity. As members of the council know, I was here a couple, maybe a week or so ago, talking about American Patriot Credit and American Patriot Heroes Fund.

We have had the opportunity to meet with Miss Wilhelm, the town clerk, and I just wanted to take this opportunity to bring some of my team down. As you know, we're a new company but we're not new people, we've been around for a while. We're all- I'm an attorney. We have some business people and some veterans involved.

I'm going to bring them up to speak, familiarize yourselves with us and that's about it. So when the time comes, I want every member of the town board to be comfortable dealing with our company and our charity.

Thank you."

David Zere: "Good afternoon, members of the town board. Happy New Year. Thanks for providing the opportunity to speak today.

I just think a few things need to go on record."

Diane Wilhelm: "What is your name?"

David Zere: "My name is David Zere. I reside at 239 Broad Hollow Avenue in Port Jefferson Station, New York. As the executive director of the American Patriot Heroes Fund I stand before you today to tell you how proud I am to be associated with this great organization.

As a member of the Long Island business community for over 20 years, I take my reputation very seriously and only associate with legitimate and respectable entities.

In addition to my tenure at the American Patriot Heroes Fund, I'm currently a New York State real estate broker for over 22 years with Zere Real Estate Services where my family have brokered hundreds of thousands of office, industrial and retail space, in the town of Riverhead and have exclusively represented and sold all of the Northrup Grumman owned properties outside the gates at EPCAL.

I'm also a project manager for Nelson and Pope engineers and

surveyors, one of Long Island's premiere civil engineering and surveying firms located in Melville, New York.

Over the past four years, I personally generated approximately \$50,000 for the wounded warrior project. Almost 1,000 Long Islanders have attended my charitable events including multiple Suffolk County legislators, New York State Assembly and Senate members and US Congresspersons.

The Suffolk County legislature has given public accolades to our fund raising efforts and the American Patriot Heroes Fund is actively working with the Suffolk County veterans service agency at this time.

In the latter half of 2009, I shifted gears and became involved with the American Patriot Heroes Fund and the American Patriot Credit Corp. During this time, I have witnessed and participated in philanthropic activities that have directly benefitted US veterans.

We have donated monies directly to disabled veterans and recently donated \$1,000 to restock the food pantry at the veterans (inaudible) in Yaphank, New York.

On December 19<sup>th</sup>, we hosted a fundraiser but unfortunately it was snowed out and we have rescheduled another fundraiser for February 11<sup>th</sup> where we look to generate a couple thousand dollars.

For the last two months, we have been planning to visit the Walter Reed army hospital to donate care packages to soldiers in recovery. We have personally reached out to several soldiers in need and I am currently working with the American Patriot Heroes Fund and my staff to develop the heroes to work program putting disabled veterans back to work.

I have decided that the local aspect of the American Patriot Heroes Fund to directly help vets in need in our region is more beneficial than raising funds solely for the wounded warrior project where donations first have to go to Jacksonville, Florida and then disseminated nationwide after all the administrative costs are taken out.

I just want to reiterate that I would only associate with an organization or company whose character was sound and I would personally take offense to anyone that would question the integrity

of the American Patriots Hero Fund or the American Patriot Credit Corp. which would not only donate a significant percentage of its gross business to the American Patriot Heroes Fund but will also create jobs and income for veterans in need.

In closing, my heart goes out to all of those who put it on the line for us every day especially in the conflicts in Iraq and Afghanistan. I am proud to be affiliated with the American Patriot Heroes Fund and all of those who are involved and serve our organization.

Thank you."

Supervisor Cardinale: "Thank you. Mr. Zere, are you related to Marie?"

David Zere: "Yes. She won't admit it though."

Supervisor Cardinale: "I was going to say will she acknowledge it? Now you're in big trouble because I know Marie. Thank you very much for your comments."

David Zere: "You're welcome."

Justin Restivo: "Ladies and gentlemen of the board. Thank you for giving me the opportunity to speak.

My name is Justin Restivo. I reside at 80 Genesee Drive, Commack, New York. I'm the director of client relations for American Patriot Hero Fund. I'm a former United States Marine and served on active duty between 1999 and 2004.

After 9/11 I served on a special tactics team, quick reaction forces that was tasked with providing enhanced security to Marine Corps and Naval installations, airfields training installations, fuel docks and briggs along the east coast.

I belong to the Marine Corps League in Port Washington and to the American Legion for active war time service. I'm assistant vice president with National Mortgage Bank and work very closely with a network of respectable attorneys, financial planners and real estate agents in the local area.

Excuse me, I'm a little under the weather.

I chose to get involved with American Patriot Heroes Fund to give back to the brave men and women who have either served or are currently serving our great nation. Our specialty is that we cater to all veterans. We feel that if you have served your country honorably and are experiencing difficulty, then it is our duty to step in and help out.

For me to be able to give back to the veteran community on a volunteer basis is a great thing. It represents everything we stand for when we took the oath to serve our country upon enlistment.

We are looking forward to a great year and intend on aiding and assisting as many veterans as we possibly can.

Last year both myself and Lee Zelden (phonetic) Captain United States Army 82<sup>nd</sup> Airborne Division visited Walter Reed Hospital to meet with some of the wounded soldiers. We have come up with an action plan to better assist the wounded soldiers at Walter Reed and the Marines at the wounded warrior barracks in North Carolina.

We will officially launch this in the second quarter. Our new motto for 2010 is leave no hero behind and we intend on living up to that. We have developed our 2010 west coast operations.

Leading the way will be my close friend and fellow Marine, Justine (inaudible). He's a veteran of the war in Afghanistan. Last, I'll be working very closely with our executive director, Doug (inaudible), who is also a fellow US Marine and three time Iraq war veteran. We have all earned our titles, wore the uniform proudly and served our country honorably.

Two of our directors including myself receive compensation from the VA for service connected disabilities. We are proud to serve again with American Patriot Heroes Fund and give back directly to the veteran community.

Best regards and Simper Fidelis.

Thank you for your time."

Councilman Wooten: "I just have one question. I thought the town— not you per se, maybe just in general, the town is working to contract with American Patriots. I think the town pretty much is in agreement that this is the way we want to go and I think there were

just some fine tuning details that were being worked out with legal. I thought that that was- I thought we were still pushing forward.

It seems like you're trying to sell something that we all agree should happen anyway."

Councilman Gabrielsen: "Yes, I think, Jim-- there's a little resistance on the part of I don't know if it was legal or what, was looking for more of a track record, they felt uncomfortable with it. I don't. I'm totally 100% behind you and I applaud you, I think it is a noble effort on everybody involved with American Patriot.

I think it was held up- "

Councilman Wooten: "I think there was some questions that had to be answered, unanswered questions, but I don't think it was one that was going to negate any future dealings."

Jodi Giglio: "Hi. Jodi Giglio, Councilwoman elect. I had brought American Patriot to the work session to discuss the services with the current town board.

There was an email that had gone out the end of last week by Dan McCormack from the town attorney's office that was saying that some of the information that was provided by American Patriot was inaccurate and American Patriot felt obligated today to come to explain to the current board seeing as the presentation was given to the current board, that they are a legitimate company and they are doing good things for disabled veterans and they just wanted to explain to the current board their credentials."

Councilman Gabrielsen: "Oh, I think there was also an understanding that American Patriot, a resolution would have come up at this meeting to approve you and it didn't come up so I think, of course, and it caused some concern on my part and probably your part because you came up here to make sure that you know we're on track for a positive thing.

But I can assure you from my point of view and the new board when it comes on, it's going to happen. You've got our support. It just probably got tied up with some legal- but like I said, it's an absolutely noble cause that we support and the new board will support."

Supervisor Cardinale: "Thank you. We will have-- the new board is taking its seat on Monday so someone will contact you probably from legal on behalf of the January 1<sup>st</sup> seated board but my understanding is the same as was just stated that there are a couple of questions and, in fact, Mr. McCormack is right there. Dan McCormack may have-- if you would supply some answers to the questions that were of concern to him, maybe you may get yourself a new position that they can act very quickly when the first meeting occurs on January 5<sup>th</sup>. So you might want to talk to Dan, he's right next to the tax assessor, right there. Laverne. Yes, isn't that the truth.

But on the way out maybe you should avail yourself of that opportunity.

Is there any other-- "

Councilman Wooten: "And I do appreciate the information you gave us. That was-- "

Supervisor Cardinale: "Is there any other comment that anyone would like to make on anything within the board's purview? Yes, Vince."

Vince Tria: "It is my understanding that you want to discuss the fireworks?"

Supervisor Cardinale: "Yeah. And I need you and-- "

Vince Tria: "Let me tell you what I was just told by Bay Fireworks. There was a meeting, the fire marshal was brought on board and I understand that Bay Fireworks came out, looked at the site, and also they agreed to-- this insurance that apparently Terry wanted some kind of-- so that everything is good to go.

That's what I was told, the fire marshal was part of this conversation."

Supervisor Cardinale: "Could you-- could, Dan, we are going to break in a second and the meeting is concluded with the exception of that one resolution which we'll come back in and act on.

Could you verify what's going on so you can talk with us in about five minutes? All right, he's going to repeat it and then you

have to verify it and be comfortable with it so that we can proceed in whatever fashion we're going to proceed.

All right. Is there any other comment by anyone out there who would like to make a comment on something within our purview? If there is— you have another comment— if there is a comment we'll take it. If there isn't we encourage you to— "

Councilman Wooten: "I'd like to make a comment."

Supervisor Cardinale: "Yes, go right ahead."

Councilman Wooten: "Only because this is probably the last time I'll get to talk to you or want to.

As a sitting councilman for the last almost two years, I want to say I've had some differences with the board but we've always worked together. I really appreciate, Barbara, all your hard work. I can't— I can't hold a candle to you. I'm going to try. I'm sorry I only held the match and you've got the candle, but your diligence and your honesty and your truthfulness and you stay true to yourself and your cause and that's very admirable.

And it's hard when you're sitting in this position and you're dealing with so many different special interest and people may need favors and you try and do the best you can for everybody but you really have to do it fairly and sometimes you have to say no or sometimes you can't be the good guy and— but she always did and she held her head up and I really appreciate that.

And, Phil, you and I disagree on tactics sometimes but I think we had the same common denominator when it comes to revitalizing Main Street and getting EPCAL moving forward. And your sense of humor is going to be missed."

Supervisor Cardinale: "Thank you. I appreciate that."

Councilwoman Blass: "Thank you, Jim."

Councilman Gabrielsen: "And I would like to make a comment, too. I'm the new guy. I've been here only six, seven weeks working with them and it's been a pleasure working with both Barbara and Phil. We've worked together great and work things out and I think they're both upstanding, you know, fine citizens that really

contributed to our community."

Supervisor Cardinale: "Thank you."

Councilman Gabrielsen: "And I'm honored to have served with them."

Supervisor Cardinale: "Thank you, George, and it's nice that we were able to serve for several months together."

I should also mention before we break that John Dunleavy was unable to attend today because of illness and we wish him well. He was hospitalized I think over night but he's back home and has a little hypertension but he's going to be back for the big meeting on January 1<sup>st</sup> and January 4<sup>th</sup> and 5<sup>th</sup> he'll be here and, hopefully, all of you will be back.

Thank you.

Now, we're going to take a break and then return to deal with that one resolution. Those of you that want to stay, you're welcomed. Those of you who want to go, we're otherwise concluded. Thank you."

Meeting adjourned

Meeting reconvened

Supervisor Cardinale: "Okay, you're ready?"

Resolution #1182

Supervisor Cardinale: "Okay, Resolution 1182 is to be considered. We needed and did address the issue of amendment. Would you read the Resolve clause which was added to the board, please."

Diane Wilhelm: "Resolved that this expenditure authorization and the fireworks permit approval by Resolution number- we don't know that at this moment- is specifically conditioned upon the prior approval of Scott Divonski (phonetic) fire marshal, of all safety factors including but not limited to soil, grade compaction and conditions, spillway safeguard and adequate ingress and egress from the launch site and prior approval by Dan McCormack, Esq. of

compliance to his satisfaction with insurance coverage and indemnification by Bay Fireworks."

Councilman Wooten: "So moved."

Councilwoman Blass: "One question, Mr. Supervisor. Were we going to put a time on the- "

Supervisor Cardinale: "Yes. Thank you. All such approval- just make it approvals of Divonski and McCormack must be secured and in place not later than 4:00 Thursday, December 31<sup>st</sup> or- "

Diane Wilhelm: "Wait a minute. What was it? Not later than Thursday- "

Supervisor Cardinale: "Yeah. Or this resolution- "

Councilwoman Blass: "At 4:00 p.m."

Supervisor Cardinale: "Or this resolution and the resolution- the fireworks permit, whatever that number is, shall be considered null and void."

Diane Wilhelm: "I'm sorry, finish that last part."

Supervisor Cardinale: "This- all approvals from Divonski and McCormack must be in- must be secured not later than 4:00 p.m. December 31<sup>st</sup> or this resolution and resolution number such and such shall be null and void.

So make it clear they've got to have that by 4:00 to them, they should know that. Like they're going to get it after 4:00 on New Year's Eve."

Councilman Wooten: "I so move that resolution with all those caveats and stipulations."

Councilman Gabrielsen: "And I'll second it."

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

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

Councilman Wooten: "I still think- they spent all the energy finding an alternate site- "

Supervisor Cardinale: "You're right. Thank you. And that concludes our business."

Meeting adjourned: 4:30 p.m.

*Diane M. Wilhelm*  
*Town Clerk*