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Minutes of a Town of Riverhead Board meeting held by the town board of the Town of Riverhead at the George M. Young Community Center, Jamesport, New York on Tuesday, August 19, 2008 at 7:00 p.m.

**PRESENT:**

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

**ALSO PRESENT:**

Diane Wilhelm,	Deputy Town Clerk
Dawn Thomas,	Town Attorney

**ABSENT:**

Barbara Grattan,	Town Clerk
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Supervisor Cardinale: "I'd like to bring the meeting to an opening and ask that Kenny Zahler lead us in the Pledge of Allegiance."

(At this time, the Pledge of Allegiance was recited, led by Kenny Zahler).

Supervisor Cardinale: "Okay. Good evening, it's nice to be back in Jamesport for this summer meeting and there's a method to our madness because one of the hearings is about a Jamesport project and we wanted to do that here in the area that's most affected."

I'd like the town clerk to- first, I'd like to offer the minutes of the August 5<sup>th</sup> meeting, would someone offer them and second it?"

Councilman Dunleavy: "I offer the minutes of the August 5<sup>th</sup> meeting. So moved."

Councilwoman Blass: "Seconded."

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

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

Supervisor Cardinale: "Okay. Would you give us, please, the Reports, Applications, Correspondence and public hearings?"

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**REPORTS:**

Police Department	Monthly report for July, 2008
Juvenile Aid Bureau	Monthly report for July, 2008

**APPLICATIONS**

Special event	Darkside Productions - 9/26 to 11/5/08 - haunted house
	Fink's Country Farm - 9/20 to 11/2/08 - hayrides, u-pick pumpkins

**CORRESPONDENCE:**

John Zlatniski	Re sidewalks in dire need of repair
Barbato Nursery Corp.	Re the special permit of New York SMSA, Limited Partnership d/b/a Verizon Wireless
Tina Taborsky	Re special permit of Atlantis Marine World LLC

Diane Wilhelm: "That concludes Reports, Applications and Correspondence. That's it."

Supervisor Cardinale: "Thank you. We have two public hearings scheduled for this evening, one at 7:00 p.m. and one at 7:10 and I would like to take the second first except that it isn't - oh, yeah, it is 7:10, so I'd like to hear - I don't think we'll have much comment on that."

Is there anyone- you want to pull that, Dawn, so we can get that done before we begin what I think will be a lengthier hearing.

This is a proposed local law to amend Chapter 101 of the code for additional parking regulations."

Public hearing opened: 7:10 p.m.

Diane Wilhelm: "7:10 p.m. proposed local law to amend Chapter 101 of the code entitled vehicles & traffic, Chapter 101-20 additional parking regulations."

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Supervisor Cardinale: "Would you please explain what this is about? I guess it's pretty basic and simple."

Dawn Thomas: "This local law is being proposed to amend our parking, standing and stopping regulations to simplify the way in which we enforce our parking regulations in private parking lots.

Previously we would indicate the site plan approved parking lot specifically and separately in the town code. Rather than doing that we're adding a catch all whereby any approved site plan with parking restrictions would be enforceable by the Riverhead town police department and any other town enforcement- code enforcement officials listed in the town code. So it really just simplifies what we already have."

Supervisor Cardinale: "Thank you. Would anyone like to be heard in regard to this change that was just described in the proposed change to the town ordinance?"

I think you said that this would give us control over parking in the parking lots and- "

Dawn Thomas: (Inaudible comment)

Supervisor Cardinale: "Okay. If there's any comment, I'll take it. If there isn't, I will leave this open until a week from Friday which would be the 29<sup>th</sup> at 4:00. If you have a written comment, please bring it to the clerk and we'll consider it before we consider adopting this section.

And I opened it at 7:10; I'm closing it at 7:12."  
Public hearing closed: 7:12 p.m.

Left open for written comment for 10  
days to August 29, 2008 at 4:30 p.m.

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Public hearing opened: 7:12 p.m.

Supervisor Cardinale: "The second hearing is at 7:00 p.m. in regards to the draft impact statement to support the 42,000 square foot commercial development proposed by Jul-Bet Enterprises here in Jamesport at Main Road.

This is a scoping hearing to determine what issues should be studied in regard to determining environmental impacts of this project and how best to mitigate or diminish them.

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I believe the applicant's attorney is present and I hope that the planning director is present. If he isn't, he'll hear it from me tomorrow. He is not-- okay, Charles, maybe you could do the initial introduction-- presentation and then we'll take comment from the public."

Charles Cuddy: "I'm Charles Cuddy. I'm here tonight with Theresa Elkowitz (phonetic) from (inaudible) Consulting Group who's prepared I think a very comprehensive and relevant draft scope for this meeting. And I think that the issues that she's touched upon are those that should be considered by the board and we're here, both of us, to listen to comments from the public."

Supervisor Cardinale: "Thank you. Okay. There was a draft scope of issues that was proposed by the applicant but we obviously want to hear not just from the applicant but from the public as to what they think is important to study concerning the environmental impacts of that proposed project."

Obviously it's going to have an impact. That's why we determined it was a-- would require an environmental impact statement before it could move forward.

So we'd like to hear from the public as to what you wish us to include in the scope of issues to be studied in the environmental impact statement at the expense of the developer as part of the state environmental quality review act process.

So if there's anybody that wishes to speak at this time, please come forward now. Okay. Good evening. Would you indicate your name and your thoughts."

Andrew Benners: "Andrew Benners from South Jamesport. I think the biggest concern is traffic. The road to be cut in I think would not only be unsafe but would go against the economical goals that we have for the area generally."

Supervisor Cardinale: "Thank you."

Andrew Benners: "Further-- "

Supervisor Cardinale: "Yes."

Andrew Benners: "-- it seems to me-- well, I don't think any plan that cuts a road in there would be acceptable in terms of traffic safety. And I also think it would be a blockage to the economic environment, you know, all the way out east."

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Supervisor Cardinale: "The proposed road, Charles, correct me if I'm wrong, the proposed road entrance is off 25. Correct? Okay. So you believe that any road at that point poses a problem?"

Andrew Benners: "Well, it doesn't seem to make sense. Currently, you know, we have traffic problems inherently. I would think you would see from where you live. I think this is further aggravated by the situation with the gas station.

The traffic light that we have at S. Jamesport Avenue, you have a lot of traffic- it's only one lane there. If you were sitting at the light, you wanted to make a left at S. Jamesport Avenue, you'd have traffic moving by you not in a lane, I mean, like close to the curb. And I just don't understand how logically you could do that from a safety standpoint.

And then, again, I think there's an economical issue. If there's a backup that goes beyond what we already experience now, I wonder what that would do to the economic aspects of all of the areas further east. It just doesn't make sense to me.

A better plan to me would be to find a way for the town to acquire the front part of- the first part of that development on 25 in some productive way for the community, and then perhaps negotiate something on the back end that I think may be more acceptable to the folks in the area as a generalization. Thank you."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Thank you. Do you have any other comment in regards to the issues? Yes, that you think we should study or the developer should study or be required to study as far as this environmental impact statement?"

Georgette Keller: "Good evening, ladies and gentlemen. I'm Georgette Keller, South Jamesport.

I did notice on page 7 a document that was made available to us under aesthetics and cultural resources, it says that an assessment will be prepared by a qualified archaeologist and will be included in the DEIS if cultural sensitivity is identified.

What is going to be the marker for that? Is the town going to require that the state weigh in on its archaeological findings from 50 years ago?

It was significant enough that the previous- two previous owners of this property- two owners previous were stopped farming in

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that area. And we actually have a primary witness of that still living in Riverhead so I should think that that would be adequately addressed in the DEIS, not, you know, if it's found to be— what's going to be the bar whether it's necessary?

I think that needs to be fleshed out as well as the fact that this area and Route 25 being the east end of Long Island, the New York State Department of Transportation considers it to be qualified for character protection. So is that going to be included in the traffic portion as well?"

Okay. That are my questions."

Supervisor Cardinale: "Thank you. Okay. We would like to take as much comment as you've got in this hearing this evening so if you do have further comment verbally I'd like to take it now. Yes."

Robert Keller: "My name is Robert Keller, S. Jamesport. Just one thing. The topography of that land is such that the western end is a lot higher than the eastern end and in their plans they're going to level it and there's something you need to know.

I've been told that the water table under that property is a stream. It runs right across the street and comes down to the bay. It's very high. And the people with the houses in that area need to pump out their basements constantly, and the sump pump is always going. So that's an impact that could unexpectedly flood the entire town if they cut that out. So that's something— I don't know if it's in their statement, but that's something that's going to need to be addressed, that water flood plain and that if they do cut down, you know, the people that live in that house west there would have a serious problem with a retaining wall.

We went through all of this last time."

Supervisor Cardinale: "Right."

Robert Keller: "I just mean that needs to be addressed, the topography and the drainage issues. I'm not sure if it's in that— I haven't read it yet, but I think that's something you need to look into. Thank you."

Supervisor Cardinale: "Thank you. Okay. Every comment that's made will be addressed so we'd like to hear whatever comments you have, we'd like to hear, because each of them will be addressed in (inaudible), as to whether we should study that area.

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This hearing actually is not required in the SEQRA process but if we found a good idea, rather than to leave it simply to staff and the developer to determine what issues are relevant.

So, Barbara, did you have— any members of the board, if they have comment, I'd like to get that on the record too as to additions to the proposed scope of study.

Does anyone know why Mr. Hanley abstented himself from this meeting? Do you know, Bill? A medical procedure."

Councilwoman Blass: "I do have some comments, Mr. Supervisor, that I'd like to put into the record with respect to the scope of issues.

I'd like the archeological study to cover the entire site, not just the partial portion which is the subject of this application but the entire property that's owned by the applicant, including the rear portion as well."

Supervisor Cardinale: "Right. Yes."

Councilwoman Blass: "I'd like the traffic analysis to make sure that the traffic counts are done during peak season not just the peak times of the day. And I'd like the intersection of Route 25 and Manor Lane to also be analyzed, not only Route 25 and S. Jamesport Avenue but impacts to the Manor Lane intersection as well."

Supervisor Cardinale: "Thank you. Okay. Any other comment? Yes?"

Councilman Dunleavy: "I'd just like to say I go along with Barbara on the traffic analysis. I feel Route 25 has quite a bit of traffic on it and if that's only going to be the entrance and I would like to see a good traffic analysis of Route 25, S. Jamesport Avenue and Manor Lane to see how that would be affected by this traffic.

And, also, Circle Drive, which is just to the west of where this intersection is going to be. I'd like to put that on record."

Supervisor Cardinale: "Is there any public comment that anyone would like to add to the record? Yes, please come up."

Andrew Benners: "Sorry, but I forgot to mention earlier."

Supervisor Cardinale: "Go ahead."

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Andrew Benners: "But there's another aspect to me and again it relates to the economic aspects of the region."

My impression is that commercial rentals is not a great market right now. I know of a lot of restaurants locally that are struggling under the rules that they committed to previously with the town to try and run a business. And simply I think we're adding to the commercial capacity and the restaurant capacity in a way that may make the market you know less desirable or simply it may be more difficult to be successful in industries that are important to us."

Supervisor Cardinale: "Thank you."

Diane Wilhelm: "Sir, what is your last name for the record. I didn't catch your last name for the record."

Andrew Benners: "Oh, Benners."

Diane Wilhelm: "Benners."

Andrew Benners: "B-E-N-N-E-R-S."

Diane Wilhelm: "Thank you."

Andrew Benners: "Thank you."

Supervisor Cardinale: "Yes, please."

Georgette Keller: "One more particular issue for the DEIS is that this property does border our historic district that we have finally designated and are now trying to promote."

Under the cultural or neighborhood, the section that deals with the community, you know, that is affected, will the I don't want to say financial, but the impact financially be looked at for the property owners as well as the business owners that are currently in that business district?"

Supervisor Cardinale: "The economic development, yeah."

Georgette Keller: "Right the economic development for those business owners, being a historic district, the master plan does call for the town to act in a way to protect those economic interests and the economic viability of those businesses in that district."

Supervisor Cardinale: "Yeah, that issue came up on the Wal-Mart application. How did we decide that, Dawn? That was a part or was not a part of that?"

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Dawn Thomas: (Inaudible)

Georgette Keller: "Well, we're not simply talking about competition. I mean you're talking about if you have a lot of increase in traffic, is the state now going to come in and remove the on street parking that's on Main Street which is the first line of, you know, parking access for those businesses?"

So is that going to be a negative impact that would basically shut down any store from remaining economically viable because of the increased traffic, things like that? So that's what I mean, you know, by the impacts being a negative economic viability."

Dawn Thomas: "Both the natural and social environment gets analyzed in the process, so to whatever extent the financial or fiscal impacts are that are not dealing with just competition and whether the business would be viable because there are other businesses in the area or other available commercial space (inaudible)."

Georgette Keller: "No, I'm not worried about other commercial space available."

Dawn Thomas: "I'm just indicating to you that that part of it wouldn't be but other physical impacts would be studied. Yes."

Georgette Keller: "Okay. So it would be looked at, the physical impact. Okay, very good."

Supervisor Cardinale: "Thank you. Any other comment from the public, verbally, or from the board or anyone else?"

Councilwoman Blass: "I have one additional one that I missed earlier."

Under ecology, I know there was a reference that they were going to utilize information from federal and state wetlands map. I think we should put the town wetland map in there as well because I know that the surface water that's on Manor Road is listed on the wetlands map and (inaudible)."

Supervisor Cardinale: "Okay. Thank you for that comment. Anybody else? Okay. I'm going to hold this open for written comment for those who would like to make such comment through 4:00 on the 29<sup>th</sup>, Friday, the 29<sup>th</sup>."

There is a document that Barbara was looking at and I looked at previously submitted and in the clerk's file, the scoping document by the applicant."

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Councilwoman Blass: "I actually printed out about 15 copies and made them available."

Supervisor Cardinale: "They are available to you now and they will be available to you whenever you wish it at the clerk's office. You may want to look at that and add to that whatever you think is relevant as far as what should be studied as part of the environmental impact statement for this project, as to what environmental impacts there will be and how they could best be diminished or mitigated."

And so I'll close the hearing at 7:28 for verbal testimony but keep it open for written as I stated, the 29<sup>th</sup> at 4:00 p.m."

Public hearing closed: 7:28 p.m.  
Left open for written testimony for  
10 days to August 29, 2008 at 4:00 p.m.

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Supervisor Cardinale: "We have a number of resolutions on—two for the CDA and about 30 something for the town board which we are prepared to take comment on at this time."

We also have a tabled resolution (inaudible) of raising the price for the recycled garbage cans, naturally we pay for them, which is the tabled resolution #668.

Other than that, those are the resolutions that we have noticed.

Yes, Sal."

Sal Mastropolo: "Sal Mastropolo, Calverton. Resolution #723. The Now, Therefore, Be It Resolved, somebody better check that price. It can't be \$.18 a gallon. Things that come to mind is it could be \$.18 over wrack but there's no way you're getting it for \$.18 a gallon."

Supervisor Cardinale: "Yeah, it would be nice, but I don't think it's true. This is a bid for propane. Who's here that would know—our town department heads? All right. If we can't figure out what it's supposed to say, we'll defer it to the next meeting."

Sal Mastropolo: "728. The first Whereas. I don't know if you want to take out in the second line down—"

Supervisor Cardinale: "Yes."

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Sal Mastropolo: "-- after the word Riverhead, either take out through the or add something in there because it doesn't make any sense."

Supervisor Cardinale: "Okay. We'll delete through the."

Sal Mastropolo: "That's it."

Supervisor Cardinale: "Thank you. Okay, we're taking comment at this point on any of the resolutions that have been that have been indicated to the public that will be considered."

Would you-- if you have any comment, we'd like to hear it. Do we have-- I know I have my CDA director here, Christine Kempner. Is the attorney for-- he's not here yet. Okay, you're here. About the attorney Shay for us? Okay.

We have received your correspondence. What is it-- CDA number what? 20. The attorneys for Weber's firm, represent Apollo, would like us to defer action on 20 because they have raised an issue concerning the sewer, decided there was something that should be added. Is that correct?"

(Inaudible comment)

Supervisor Cardinale: "Why don't you come on up and let me ask you-- let's call this a comment of my own on one of the resolutions, namely #20. Could you come up by the-- I know the comment came in very late on this because we were reviewing it the last two days. Do you want us to defer action or not?"

Sy Gruza: "We're not seeking to defer action. While we think that that additional information should be in the final GEIS, I also think simply deferring it-- it would take longer than two weeks I believe to develop that information. So deferring it isn't really going to address the issue and it's not something that we're seeking."

We do raise it with the town. We'd like to have that issue resolved but we're not seeking tabling it now."

Supervisor Cardinale: "Okay. The reason I ask that question is because the resolution 20 authorizes the issuance of the final generic environmental impact statement on the proposed update of the Riverhead East Main Street urban renewal plan of '93 authorizing the town clerk to publish and post a notice of completion."

It's either complete or it isn't. I mean if you want us to add something to it you're paying for it. I want you to be happy. And we can't accept it logically unless it's complete."

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Sy Gruza: "I guess the issue and, again, because we got it late we haven't been able to really have discussion and flesh it out, is whether— the town feels that it's sufficiently complete that they're going to be able to issue a findings that there is sufficient capacity available at the pump station for all of the identified short term phase 1 projects.

If the town is able to do that on the record, well then our main concern is satisfied, that we know when we go forward with the specific site plan application, that won't be an issue.

If the town feels that there isn't sufficient information in there now to make that finding, then there's a problem."

Supervisor Cardinale: "All right. Well, then, I'm going to defer action until Mr. Shea is here because he's our counsel. I'd like to discuss it with him before we take action. Hopefully, he'll be here at 7:30. He's supposed to be here tonight, 7:00, Christie? At what time?"

Christine Kempner: (Inaudible comment)

Supervisor Cardinale: "All right. Well until I hear from him, I think — could you try to reach him on the phone and have Mr. Gruza talk to him? I'd like to know what his recommendation is. Thanks.

Okay. Is there any other comment on any of the resolutions? Okay, if there isn't— they're going to try to reach— we'll defer the CDA resolutions until you reach Mr. Shea and I'll consider these other resolutions.

The town clerk, would you begin the call of the— 712 and thereafter. We're going to hold on all the CDA resolutions until we get a response."

Resolution #712

Councilman Buckley: "Authorizes the supervisor to execute amendment to agreement of sale dated October 2, 2007 with REPCAL, LLC. So moved."

Councilman Wooten: "Seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy."

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Councilman Dunleavy: "Yes. And this is refers to CDA resolution 21-- "

Supervisor Cardinale: "No, this is actually unrelated, John. This is-- this is the one we will pass. This is the one regarding EPCAL."

Councilman Dunleavy: (Inaudible comment)

Supervisor Cardinale: "We're going to pass that. We may or may not pass 20 depending on what-- "

Councilman Dunleavy: "Okay. Yes."

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

Resolution #713

Councilman Wooten: "Authorizes Gary Jacquemin to proceed with East End Arts Council Carriage House interior modifications. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #714

Councilwoman Blass: "Authorizes the supervisor to execute a telephone service and maintenance agreement at the senior center. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #715

Councilman Dunleavy: "Street lighting district budget adjustment. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #716

Councilman Buckley: "Sewer department budget adjustment. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #717

Councilman Wooten: "It's a sanitation department budget adjustment and it's not for recycling cans. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #718

Councilwoman Blass: "This is a budget adoption in connection with the town of Riverhead home improvement program. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #719

Councilman Dunleavy: "Accepts resignation of a seasonal traffic control officer. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #720

Councilman Buckley: "Authorizes the town clerk to publish and post a help advertisement for a site plan reviewer. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #721

Councilman Wooten: "Authorizes the attendance of assessor at seminar. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #722

Councilwoman Blass: "Authorization to publish bid for signage services for the town of Riverhead. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #723

Councilman Dunleavy: "Awards bid for propane which I'm going to approve but we're going to find out if we're paying \$.18 a pound or \$.18 a gallon or what the \$.18 is. So I so move."

Councilman Buckley: "Seconded."

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

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The Vote: "Wooten, yes; Buckley, yes."

Supervisor Cardinale: "Do we want-- this is the one that-- yeah, we're saying \$18.00 per gallon-- \$.18 per gallon which we're going to have to amend anyway. Because no one knows exactly what the language is, maybe we should table it until we do."

Is there any one here who can assist us, because obviously we will approve this for \$.18 per gallon but I doubt that's what they meant.

Can I have a motion to table?"

(Inaudible comment)

Supervisor Cardinale: "Yeah, that's a possibility. Would you like to award it to Amerigas? But strike 18 per gallon as suggested and pass it in amended form. Can we have a re-vote, please as amended?"

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

Resolution #724

Councilman Buckley: "Authorizes the release of security of Baiting Hollow Club (Rugby Recreational Group, LLC). So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #725

Councilman Wooten: "Authorizes town clerk to publish and post public notice to consider a local law to amend Chapter 108 entitled zoning of the Riverhead town code, Section 108-175 and Section 108-179 - Pine Barrens Overlay District. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #726

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Councilwoman Blass: "Authorizes legal action against the owners, tenants, occupants and mortgagee of the property located on the south side of Route 25, east of Edwards Avenue, Calverton, New York. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #727

Councilman Dunleavy: "Authorize attendance of one police department employee to NY/NJ Regional Fugitive Task Force Training. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #728

Councilman Buckley: "Awards bid for town of Riverhead Community Development Agency removal of waste and disposal of non-friable asbestos shingles at 1114 Woodcrest Avenue, Riverhead. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #729

Councilman Wooten: "It supports and endorses a back to business fall 2008 series. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #730

Councilwoman Blass: "Authorizes the release of cash security for Omnipoint Facilities Network 2 LLC (T-Mobile). So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #731

Councilman Dunleavy: "Authorize town clerk to publish and post public notice to consider a local law to amend Chapter 108 entitled zoning of the Riverhead town code, Section 108-58.1 yard sales. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #732

Councilman Buckley: "Authorizes the replacement of site plan security of Sprint Spectrum LP. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #733

Councilman Wooten: "Adopts a local law amending Chapter 108 entitled Zoning of the Riverhead town code (Section 108-294 - Uses - Business CR Zoning Use District - Rural Neighborhood Business. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #734

Councilwoman Blass: "Authorizes the supervisor to execute an agreement with the town police department of East Hampton, Southold and Shelter Island and the Village police departments of Southampton, East Hampton, Quogue, Westhampton Beach and Sag Harbor regarding mutual aid and assistance. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #735

Councilman Dunleavy: "Authorize the town clerk to publish and post public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, Section 108-3 - Definitions - Building Trade Shop. So moved."

Councilman Buckley: "And seconded."

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

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

Resolution #736

Councilman Buckley: "Ratifies authorization to publish notice to amend CDBG Program. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #737

Councilman Buckley: "Amends the zoning use district map of the town of Riverhead Destination Retail (DRC) Zoning Use District to Industrial A Zoning Use District. So moved."

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Councilwoman Blass: "And seconded."

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

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

Resolution #738

Councilwoman Blass: "Accepts the offer of sale of real property located in the town of Riverhead formerly known as Hubbard Duck Farm - owner North Fork Knolls I, LLP. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy."

Councilman Dunleavy: "Yes. We're going 50/50 with Suffolk County and I think this is a real good purchase for open space in the town of Riverhead. Yes."

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

Councilwoman Blass: "Yes. This purchase has been contemplated for over 20 years in the town of Riverhead. It's on every environmental sensitivity list there is and it's a wonderful purchase. I'm glad we're finally closing it.

Yes."

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

Resolution #739

Councilman Dunleavy: "Rescinds Resolution #686 of August 5, 2008 which authorizes town clerk to publish and post a public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, Section 108-26 entitled cluster development and additional subdivision requirements. So moved."

Councilman Buckley: "Seconded."

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

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

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Resolution #740

Councilman Buckley: "Authorizes the town clerk to publish and post notice of public hearing - Sid Harvey Industries, Inc. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #741

Councilwoman Blass: "Authorizes the town clerk to publish and post notice of public scoping hearing subdivision and site plan of REPCAL, LLC. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #742

Councilman Wooten: "It's 2008 Iron Pier Beach capital improvement project budget adoption. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #743

Councilwoman Blass: "Motion to pay bills. So moved."

Councilman Dunleavy: "And seconded."

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

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

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Supervisor Cardinale: "We have a tabled resolution 668. Councilwoman Blass, would you offer that?"

Councilwoman Blass: "I'd like to take Resolution 668 off the table."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded to take it off the table. Vote please to un-table it."

The Vote: "Wooten."

Councilman Wooten: "Yes. This is for the increased fee for recycling cans. Yes."

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

Supervisor Cardinale: "Now if we could have a motion to consider it now that it's off the table."

Councilwoman Blass: "I make a motion to-- on Resolution #668."

Supervisor Cardinale: "Okay, second, please."

Councilman Wooten: "I'll second."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Blass."

Councilwoman Blass: "Yes. I just think it's unfortunate we didn't have a chance to talk about this before the cans were purchased (inaudible)."

Supervisor Cardinale: "I did talk to him, no more orders at \$19.00-- \$18.30 for garbage cans."

Councilwoman Blass: "My vote is yes."

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

Councilman Wooten: "I have one additional resolution, Mr. Supervisor."

Supervisor Cardinale: "We-- would you tell us what it is because we did not post it for public comment."

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Resolution #744

Councilman Buckley: "Resolution 744, something that we discussed numerous times during executive session. Being that it's during executive session we can't really- "

Supervisor Cardinale: "Right. But I'm talking about the public having an opportunity because it wasn't given to my office to have them comment before we pass it. That's my concern."

Councilman Buckley: "I'm going to make the- I'm going to make a motion to discontinue the position of citizen ombudsman. Can I have a second? Great. If not, that's fine. So moved."

Supervisor Cardinale: "All right. Discussion. I understand the motion. We've discussed it as a personnel matter. However, I think the least we should do is let the public comment on the resolution as we do on all resolutions before we consider a vote on it. Which is the reason why I request that the motions be delivered to my office prior to them being considered off the table."

So that's really my only concern with the motion. Which would mean that I would like it to be considered but not until the next meeting because then the public would have had an opportunity to comment on it because it would be part of the packet that they receive."

Councilman Buckley: "I have the motion on the floor."

Supervisor Cardinale: "In other words you are- I'm having a discussion and I'm asking whether you want the public to comment on this motion as they do on all motions or whether you want to take it off the floor without giving them an opportunity to comment."

Councilman Buckley: "I have a motion on the floor."

Supervisor Cardinale: "Okay, so it's moved and seconded to be passed without the opportunity for public comment- "

(Inaudible comment)

Supervisor Cardinale: "They can't comment because they're not allowed- we're voting now. Usually we have resolutions delivered to the public before the meeting so that they can come to the podium and comment in the section of the meeting we just concluded. So this is out of the ordinary and I am urging you not to do that because it is- we're sliding back into a bad practice which is passing resolutions when the public hasn't had an opportunity to comment on them."

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So that is why I urge that you not consider it. So I am urging you to table it. I am motioning to table on the basis that the public- "

Councilman Buckley: "Well, I have a motion on the floor, I believe I have a second."

Councilman Wooten: "You have a second."

Supervisor Cardinale: "There's a motion to- well, what's your motion?"

Councilman Buckley: "My motion it to discontinue the position of citizen ombudsman."

Supervisor Cardinale: "No, no, no. I'm talking about what is- the motion- that is not a part of the resolutions that were cleared for this evening and presented to the public.

Do you want to present this to the public or simply vote on it before you do?"

Councilman Buckley: "I want to vote on it tonight."

Supervisor Cardinale: "Okay. Then I object to that on the basis indicated. That the public has not had a chance to comment.

Unidentified: "What did Resolution #744- "

Councilman Buckley: "I'll read the resolution into the record.

Discontinues the position of citizen ombudsman.

Whereas, the town has recognized the reporting structure of certain departments within the town; and

Whereas, it has been determined that the position of an ombudsman although a volunteer position is not an effective mechanism through which to facilitate access to government agencies; and

Whereas, discontinuing this position will allow additional work space for a paid employee as well as a computer terminal for office supplies.

Now, Therefore, Be It Resolved, that the town board discontinues the position of Vince Tria as an ombudsman effective Friday, August 22, 2008.

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That's the resolution."

Supervisor Cardinale: "Okay. Now would you like to give the person that you're directing it at and any other member of the public an opportunity to respond or to comment as we do in every other instance? Because that's- "

Councilman Buckley: "I'll take any comment before we vote."

Supervisor Cardinale: "Okay. So why don't we- in order to accommodate this unexpected resolution, if there's anybody that wishes to comment from the public, please make comment.

Yes, please come to the microphone. And then we will consider that comment before we vote, I hope."

Bernadette Vooris: "Good evening. Bernadette Vooris, Riverhead, New York.

Having availed myself several times of this position to have comments reach some of you in the past, I'd just like to know if you are taking the position away, then what are you going to replace it with because it is a voice, it is a mechanism. Maybe it's not perfect, it was our first time I think that we did this.

But I'd like to know what it would be replaced by so that we, the citizens, might be able to voice ourselves when we can't get on your mind or you're not in the office or we can't contact you but we could avail ourselves of calling him."

Councilman Buckley: "It's- we're doing away with the office itself. And, again, there's issues that we spoke about at executive session. I don't believe that I can- "

Bernadette Vooris: "Okay, then let me put it this way. I would like to encourage the board to reject this on the limited information that I have. I, as a citizen of this town and country, value every opportunity to open my mouth and express my opinion as you probably all know, though you haven't seen my lately it doesn't mean that I don't have an opinion.

I value every opportunity to voice an opinion because it is my government, I am paying for that government and I want to be a part of it. Therefore, if this is going to just simply with the information that I've been given abolish a position and not replace it with something in kind that perhaps is re-worked or whatever, then I would urge the members of the board, each of you, to consider rejecting this."

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Supervisor Cardinale: "Is there any other comment from the public on this proposed resolution? If not, do we have extra copies so we can look at what we are about to consider?"

Councilman Buckley: "Phil, I asked you before if you wanted a copy and you said no."

Supervisor Cardinale: "Well, do you have extra copies?"

Councilman Buckley: "I do, but I don't want you to make it sound like I didn't make it available to you."

Supervisor Cardinale: "Well, does everyone else have a copy?"

Councilman Buckley: "Yes."

Supervisor Cardinale: "Okay. Okay. The motion has been made. Has there been a second? Moved and seconded, again, so they know what we're voting on, it's a motion to discontinue the position of citizen ombudsman.

Whereas, the town has recognized the reporting structure of certain departments in the town; and

Whereas, it has been determined that the position of an ombudsman though a volunteer position is not an effective mechanism with which to facilitate access to government agencies; and

Whereas, discontinuing the position will allow for additional work space for a paid employee as well as computer terminal and office supplies.

Therefore, Be It Resolved, that the town discontinue the position of Vince Tria, citizen ombudsman effective August 22, 2008.

Be It Further Resolved that the town clerk is directed to forward copies to Vince Tria.

Okay, that's the motion. Can we have a vote, please?"

The Vote: "Wooten, yes; Buckley, yes."

Councilman Dunleavy: "I'm going to vote yes for this and my reason is we hired a person for town and our planning department where we really needed a person and we were short one computer. We were told we couldn't have a computer because our ombudsman had a computer and he is only supposed to be whatever a civilian has, comes into town hall.

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He's supposed to do what they do as far as any other person and I think that our employees come first with our computer, our supplies, and we have to re-think this position and see what we can do with it.

I vote yes."

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

Councilwoman Blass: "I didn't support the creation of this position originally so I really have no problem at this point supporting it's discontinuance. I am consistent.

My vote is yes."

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

Supervisor Cardinale: "It would be well to I guess explain to the public what an ombudsman is because it's an odd word.

An ombudsman is a position in many governments which started in this one about two years ago which is an assistant or a helper to members of the public in maneuvering the (inaudible) of the particular government. It's done in a number of places and we were fortunate to have a volunteer who worked 30 or more hours a week and was paid nothing for two years. And I thank him for that service from which he's been discharged by the four individuals who voted before me.

The resolution indicates that- what is most disturbing aside from the pettiness of this is that the resolution speaks to a larger problem and that is that we are discharging a volunteer who gave 30 hours of free labor to the town every week so that we can higher someone into a position- a paid position- "

Councilman Buckley: "No, Phil, you're not being- "

Supervisor Cardinale: "What it says is discontinuing this position will allow- "

Councilman Buckley: "Councilman Dunleavy said something that we spoke about a few months ago when we were hiring a site plan reviewer and you came to us and said he has no- there was no computer for him. It sound silly, but, folks, that's how it is. There's no computer for the site plan reviewer in the planning department.

I made the suggestion of using the ombudsman's computer and you scoffed that. I would rather have a site plan reviewer have access to his computer than the citizen ombudsman who really has no other authority than any other position- any other citizen in the town.

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Other citizens of the town don't have access to a town computer, don't have access to town e-mail. Given the choice, I would much rather have that terminal go to the site plan reviewer to expedite site plan review process (inaudible)."

Supervisor Cardinale: "What you are failing to acknowledge is that the individual that has left the employ of the town, in fact, received a computer and had no need for— so this is a red herring issue.

The thing that disturbs me is that this is a volunteer that the town has enjoyed which you are discharging and, therefore, losing 30 hours of assistance in helping individuals through the bureaucracy of the town and assisting them through his efforts who is there each day and he does that.

However, what I was really trying to say though is that this is part of a pattern where the members who just voted have shown very little restraint in spending, promoting people, adding additional staff.

You'll recall that my budget called for a 2% increase last year. When it came through the town board, it had a 6% increase. And I believe that we need volunteers to be a part of town government to assist us in diminishing the cost of town government to you as taxpayers.

And I think this is really wrong (inaudible). Taking—stripping the individual aspect from it, it is absolutely astounding to me that a board can sit here with a straight face and reject the volunteers offer of 30 or 40 or in some instances 50 hours of free labor a week.

I will not do that. I don't really care what you voted. I as the supervisor will endorse volunteer's effort and invite all of you to volunteer. You can sit in my office and you can assist the town as long as you are willing to do that without pay.

This volunteer was there more often than many members of this board and that is the honest to God truth and I think it's a disgrace what has just been done.

I vote no."

(Inaudible comment)

Supervisor Cardinale: "Okay. Let's move on to the CDA meeting. I'm going to adjourn the meeting of the town board."

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Meeting adjourned

Meeting reconvened

Supervisor Cardinale: "We're going back to the town board meeting. We are now at open comment period. I had a request-- there's some elderly people-- not you, you're too young-- all right, go ahead. This is public comment on anything in our purview."

Eric Biegler: "Eric Biegler, 110 Park Road, Riverhead. I notice there's a lot of people here today. We're here for one reason and one unified voice."

Town Supervisor, Town Board Members, you have before you an opportunity to appeal a Supreme Court decision. It's Supreme Court decision 02-9010 2004, that's the index number. I'd just like everybody who is in this audience who is here for that reason to raise their hand or stand up.

Members of the Board, back in 2004 the town board after taking into consideration the recommendation of the master plan consultants, also the expert opinion of the town engineer with regards to environmental and infra-structure impact and most importantly a clear and overwhelming community mandate removed commercial zoning from this part of Sound Avenue.

Mr. Supervisor, Town Board Members, nothing has changed since 2004, not the views of the consultants, not the infra-structure or environmental impact and certainly not the mandate of the community that is here tonight or in that area or in the town of Riverhead.

We do not need nor do we want commercial zoning on Sound Avenue. You need to know, you must vote to appeal this decision. That is your mandate. I ask as you go back to executive board and make your decision as to whether you want to appeal this or not, you take that mandate into consideration.

I also ask, Mr. Supervisor, that as you go back to this board-- to the executive committee and you vote on this appeal, that you instruct the board members to vote in writing and with their comments and opinions for public display later on.

That's all I have to say. The committee members have more things to say."

Supervisor Cardinale: "Thank you. Yes. Next comment."

Bernadette Voorhis: "Bernadette Voorhis, Reeves Park, Riverhead."

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I am here four years later and I'm on the same topic. I thought it was over. Some of you were not here in office at that time and so I am going to give to you exactly what I'm going to say. I don't often speak with papers and exactly I do extemporaneously quite well but I don't want you to be deprived of any information. I will be very exact and precise as to what has happened in the past.

The topic is the Barbara or the Barra property at the northeast corner of Park Road and Sound Avenue. Very briefly the history.

A few years ago, I appeared before the board at that time to present the fact that a very interesting thing has happened in regard to the properties under consideration. After years of public meetings and work shops in this town concerning the master plan, the zoning changed overnight without public knowledge.

Commercial zoning which was never discussed in a public meeting, I will vouch for it because I searched every written record at that time, was introduced just simply out of the blue so to speak, and it was put into the zoning at the locations that are being discussed at this meeting. Eric gave you the precise number of the case.

At almost the same moment, each parcel was immediately sold and yet those properties had been farmed for years. I've lived there since 1980. It's being leased now and still farmed but not for long. And they were— or else the other side on the east was left in a natural state. Both were bought overnight.

Present experiences that I want you to consider, one, two and three.

One - Sound Avenue - high traffic year round, many trucks. I'm a year round resident, I'm on the roads all the time. I don't come and go. Average speed going east is between 50 and 55 miles an hour. That's average. Going west after picking up from the traffic signal, the vehicles are in a mode of acceleration having been delayed by the only light that is on Sound Avenue, the light at Roanoke and Sound.

This road, Sound Avenue, is a State of New York designated historical corridor. Dr. Grantham, who I introduced and presented four years ago, spoke upon this. It was created to benefit our farmers and to preserve some of the last remaining character of this beloved town.

If I were here in the boardroom, I'd do what I've been doing for years. I'd point at that beautiful picture again. I'm still in love with it.

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The second consideration - Park Road. The only access road to the town beach and the Reeves Park community, that's what Park Road is. There are more than and I counted them on line to be sure, there are more than 250 homes in what is called the Reeves Park community.

In exiting onto Sound Avenue it is always a risk because of the amount and the speed, 55 miles an hour plus sometimes, of the traffic, and this used to be only in the summer. It is now all year round. But in the summer, forget it. If you don't live there, you don't understand.

When entering onto Park Road from Sound Avenue from the east, well from the west, the traffic backs up behind you making a left turn, or they drive off the road, there's only a two foot shoulder there if you want to call it a shoulder. You get beeped at, glared at. That's the nice stuff.

If you're coming in from the east from the light, you will attempt to pull over and slow down. I'm always concerned that I'm going to be rear ended by the accelerating traffic who have just taken off from the traffic light, and I get the glares, the beeps and sometimes a crude gesture.

Park Road is a no parking restriction road from its beginning at Sound Avenue all the way down to the beach.

Those are the things I want you to consider.

Now, lastly, Baiting Hollow Commons has to come into this because it is an example of what will happen.

A commercial zone that was created from an agricultural area overnight, literally overnight, cited for overuse in parking, lack of adequate parking. I have been responsible for many of those citations, reporting them at least, and then I know that they were delivered according to the law.

Too many seats, they're not allowed to have the seats that they do have. I looked out today, the patio was filled with all of those umbrella seats, and those as I recall are over the limit of the Suffolk County Health Department.

Adding to the facility they have done this without a permit and I know that they were cited from the town for that, for closing in an area that was not to be closed.

Parking in two fire zones in front of the facility. If you go to the Cooperidge Inn you will see the two fire cut outs and they

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are striped brilliantly in yellow as they are supposed to be. I pass by all the time, I always have my camera. Never have I seen a car parked there. It is quite the contrary at Baiting Hollow Commons. And I've got the pictures to prove it.

There are no yellow stripes. I have asked the fire warden, I guess last year-- I kind of gave up this year, I've been a little busy, wearing out and expressing myself as a 71 year old. I guess I'm slowing up a little. But up to that point I kept complaining and complaining. It still is being parked in. The last one was a stretch limo.

We objected to this a few years ago because I proved that people were in danger because they were on the road. Children getting out of cars. I thought parking lots were for this. That's not a parking lot.

We have a restaurant and several small stores with a lack of parking that existed from the day it was created. The staff alone uses, and I was given this fact inadvertently by an employee, 22- 20 to 22 stalls are required. I didn't think it was that many. But it's required by the staff. Well, if I recall my figures from a few years ago, there weren't even 50 stalls and that includes the handicapped. So that's half of them to the staff.

Now they park in a field owned by Farmer Zalinsky (phonetic). I don't know what the deal is but at least now they're on the same side of the road as this commercial establishment and at least the rest of the parking lot is for the people.

Several collisions, you can check the records, have occurred over the years. I have witnessed and have photographs of people backing out of the parking lot because there's no room.

Now I have nothing against a successful business. I owned a business myself. But I want the law followed. I have lived by the law my whole life and I am not going to allow anybody else to get away with it if I can help it.

The last thing to consider is the Samonas Moving and Storage (phonetic). They have been out of compliance in regard to a covenant regarding the forbidding of parking at any time, any 24 hour period outside of their facility. That's since 1992.

I have worn myself out. I'm still waiting because the place is still filled with used trucks on an historical corridor, a blight on our farms, a blight on our road, and a blight on our natural environment.

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I, by the way have spoken to all the owners. I don't hold back so I'm not, you know, just talking to you. I've talked to Mr. Samonas. Now those were the three considerations. This will be a culmination.

Based on this aforementioned information, number one, the original zoning change to commercial is clouded. I want you to consider this.

Two, present commercial ventures in this area have shown major non-compliance with town codes and Suffolk County health codes.

Three, lack of proper planning for the New York State designated corridor.

Four, the Barra property and plans for development are not appropriate for this area. There's nothing wrong with his plans. I've got the perfect spot for him. The lot right across the street from King Kullen. It's even got the number of buildings he wants plus a restaurant building. It's sitting there and parking galore.

Adjacent property have houses on them, within 50 feet. The project proposed is going to put a restaurant and retail stores. I thought that retail stores belonged on 58 and we were going to give the rest of the community their peace. A restaurant is a retail business I do believe.

Now, lastly, and as I said I have a copy for each one of you.

Members of the board, please carefully consider the following. The Barra property plans for a restaurant and retail store:

1 - if you look at the plans, insufficient number of parking stalls. What about employee parking, where are they going on a 4.1 acre corner?

2 - traffic created would cause a complete meltdown. I described to you the present situation of the traffic on both roads, Park and Sound, before. Please consider that the present traffic problems will be magnified even if you put a light there. Park Road is an entrance and an exit. It's the only one we have to the park. Consider the traffic problems of people coming in and out if the property is developed as stated by Mr. Barra. All right?

And, third, it is out of character with the agricultural and the natural aim for the historic corridor. Major mistakes were made in this area. After litigation of some of the problems, this is what has happened. The 14 plus acres on the west side of Park Road is now going to become some homes.

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I talked to Mr. Corwin a couple of weeks ago who was surveying it and he told me the property had changed hands. So Mr. Brodie who owned that property evidently decided that the commercial wouldn't work. I hate to use the phrase, he saw the light.

On the west side, it's another situation or it is a situation that has become positive. There's going to be homes but there's also going to be I'm told and I have to find out about this, a small agricultural area. I don't know what that is but it sounds good to me, in this area instead of the banks and everything else. The Barra property should be treated in the same manner. I see no difference. But it's smaller, 14 versus 4.

Mr. Barra can recoup his investment, I would not want to deprive him of it. He is a very good businessman. He's running the East Wind and that is a big plus for the town and it is a very magnificent facility. He can recoup his investment by selling to a home developer just like Brodie did. A few homes can go there. They are appropriate, they'd match the other ones right there.

And, of course, it would leave the corner, it would be a little bit more proper to have homes there because there is a memorial there, a memorial that will be there forever. The town has allowed that for the young Mr. Kelly who gave his life for all of us actually on 9/11. And so it's much more appropriate to have homes there than what is being proposed.

But I'm not basing it on that. I'm basing it on the real problems, traffic and so forth.

A personal opinion and then I'm done. Mr. Barra's restaurant and retail venture will fit nicely in another place in town and I've suggested it. There are many opportunities in this town for his business ideas which evidently will be very successful.

The only problem with this is that it's in the wrong place.

Thank you."

Supervisor Cardinale: "Thank you. Dorothy, go ahead. Yes, please go ahead, Dorothy."

Dorothy O'Hare: "My name is Dorothy O'Hare from 179 (inaudible) Road, Reeves Park.

I have nothing prepared, I didn't have time. I didn't really—this absolutely snuck up on me because in 2006 the courts upheld the master plan and we thought, well, everything is fine.

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I took the whole master plan and the whole 12 chapters, I spent the whole summer learning it. The very first chapter said what are Riverhead's assets and I think it was the second or third one, it said the rural atmosphere of Sound Avenue.

Now tourists are not going to come out here to look at restaurants and God only knows what else. They want to come out and see— they want to come out and see what I've seen for 42 years. I mean this place is heaven on earth and we're going to fight for it and I'm here to beg you if I have to, to appeal because the way it was done, I had all the newspapers delivered to each one of you, the copies of the News Review articles and things. This was changed— "

At this point, the CD ended  
There were problems with the  
second CD

Speakers:

Suzanne DeRosa  
Helen Harris  
Ken Zahler  
Sal Russo  
Michael Tillman  
Bob Kelly  
Sal Mastropolo  
Wesley Kreegan  
Mary Beth Vetter  
Vince Tria  
Sherry Davison  
Eileen Kelly  
Mrs. Kamaris  
Rose Sanders

Meeting adjourned: 9:00 p.m.