

12/20/2005 minutes

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Riverhead Town Hall, Howell Avenue, Riverhead, New York on Tuesday, December 20, 2005, at 2:00 p.m.

**Present:**

Philip Cardinale,	Supervisor
Edward Densieski,	Councilman
George Bartunek,	Councilman
Barbara Blass,	Councilwoman
Rose Sanders,	Councilwoman

**Also Present:**

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

Supervisor Cardinale called the meeting to order.

Supervisor Cardinale: "Kenny, how are you?"

(The Pledge of Allegiance was recited)

Supervisor Cardinale: "Okay. Cablevision apparently was here and their camera doesn't work? That tells you something right away. Their camera doesn't work. Did they indicate when they were returning?"

Barbara Grattan: "He said he's only got a short distance to travel. He said I'll be right back, Barbara. I said okay. Continue on. Five minutes."

Supervisor Cardinale: "I'm wondering, we could use our own camera. You think?"

Barbara Grattan: "Yeah, we could use ours."

Supervisor Cardinale: "Would you- Peggy is right there. Peggy, could you grab our camera, please? I know, he doesn't have a camera that works. He could have asked us for ours, but he didn't. Well, yeah, they didn't know we came with camera. The 21<sup>st</sup> century. We have to set up, huh. How long will that take us? Five or less? Okay, we could tell jokes in the interval. Wait a minute, he's here. Oh, no, that's Dave. He left. You know you think he would have asked us. You can't put it there because we're going to use that. That's broken, too. This gets better and better."

We were going to display the hearing on the purchase of farmland on that screen and that projector. It's a very nice show. But you

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can't figure out how to use it? It does not work at the moment. It won't work in 10 minutes for the public hearing. Okay. This guy when he comes in is going to have to use our camera then, isn't he, to keep it all on one tape? Okay. Just tell him to hold the camera and stay where he is.

Maybe you could man it or woman it until he comes and tell him to go over there and stand there. You know, we could do the— since we did the Pledge of Allegiance it always help a meeting to do a pledge twice because it becomes more patriotic. Kenny, why don't you do it this time. When we do it for TV why don't we let Kenny Lavoner lead us in the Pledge of Allegiance when she's on. Okay, you're ready? Go.

Okay, we'd like to begin the meeting of December 20<sup>th</sup>. Kenny Lavoner will lead us in the Pledge."

(The Pledge of Allegiance was recited led by Kenny Lavoner.)

Supervisor Cardinale: "Thank you. We have first order of business a happy holiday season to everyone. Barbara having decided to go with the happy holiday rather than the Merry Christmas. It's a political statement, Barbara. A happy holiday season everyone is the first note.

Second one is the approval of minutes of the town board meeting of December 6<sup>th</sup>. Could we have a motion to approve those minutes, please?"

Councilman Densieski: "So moved."

Supervisor Cardinale: "Second, please."

Councilman Bartunek: "Moved and seconded. Can we have a vote on the approval of minutes?"

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

Supervisor Cardinale: "Very good. Reports. Could you tell us about the Reports, please?"

Barbara Grattan: "We don't have very much on this agenda. It's very sad."

Supervisor Cardinale: "Yes."

**REPORTS:**

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Juvenile Aid Bureau  
Monthly report for  
November,  
2005

Supervisor Cardinale: "Applications, please."

**APPLICATIONS:**

Fireworks permit  
Vail-Leavitt music hall -  
12/31/05 - 7 pm Grangebel  
Park

Supervisor Cardinale: "Thank you. Correspondence."

Barbara Grattan: "None."

Supervisor Cardinale: "No Correspondence?"

Barbara Grattan: "That's it."

Supervisor Cardinale: "Peace on earth, good will to man. Okay,  
and women.

The- announcements from the Board members. Anything?"

Councilwoman Blass: "I have one, Mr. Supervisor. I wanted to  
mention to everyone that congratulations are in order for the varsity  
cheerleaders from Riverhead High School who received an invitation to  
compete in the Nationals in Orlando, Florida in February. So they're  
working very hard and we want to wish them luck."

Councilman Densieski: "Do you know anybody on that squad?"

Councilwoman Blass: "Yeah, I have to know somebody. A couple  
people in fact."

Supervisor Cardinale: "Really? I think- it's February, in  
Orlando?"

Councilwoman Blass: "It's February. Yes, sir. Would you like  
to send me as a chaperone?"

Supervisor Cardinale: "I have this immediate interest in  
cheerleading I never noticed before since my daughter was 16, which is  
a long time ago. So I might want to go down there and watch them.

I- Kenny wants to go watch them."

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Kenny Lavoner: "I'd like to have the board if possible pass a resolution to support these girls financially."

Supervisor Cardinale: "Okay, thank you for that suggestion. We will discuss that at work session on Thursday, whether we can do something to help them."

I have an announcement from the public. Joan, you had an announcement you wanted to make initially before we got into the meeting."

Joan Griffin: "Thank you very much. Is this on? Okay, thank you very much, Mr. Supervisor. I'd like to thank you for giving me a few moments before the meeting gets going to thank some of the businesses and the people in the town hall that have been involved with me in three different community projects."

First let me explain that I am a retired employee of the telephone company. In the phone company we have an organization for active and retired employees called the Pioneers. The Pioneers get involved with all types of community service projects. Three of these projects I have brought forward to the public and I have received great support.

The first one is the old telephone phones or cell phones actually. These old cell phones are given to the police department who in turn gets the phones refurbished to call only E-911 and then they are given out to the public who are involved in domestic violence so they can call for help or to senior citizens who cannot afford the medical alert system.

This started out in 2001 with seven phones being given to at that time police chief Grattan at a town hall meeting and to date we have collected over 740 cell phone and they have been donated by groups such as the Calverton Deli, the Calverton Post Office, Curves of Riverhead and Wading River, Lolly's Hut, the Greater Calverton Civic Association, the Nassau/Suffolk (inaudible) Service Managers, and other miscellaneous individuals.

I would like to thank Councilwoman Rose Sanders for expanding on this program and the additional collection points will be listed on the town's website at [Riverheadli.com](http://Riverheadli.com).

The second project is pull tabs from beverage cans, pet food cans, any aluminum can. This project supports the transplant team at Stony Brook University Hospital who in turn sell these tabs to a recycling company and they receive a thousand dollars for every 3,000 pounds collected.

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Just to give you an idea of what 3,000 pounds is, that's 4.8 million tabs or to physically see it, would be 15 55 gallon drums. So keep eating, keep drinking because every 15 gallons- 15 55 gallon drums sends one child between the age of 8 and 16 on dialysis to summer camp for two weeks, all expenses paid.

I also would like to thank the following people and companies. Bunny's Hair Hutch, Calverton Post Office, Councilman Ed Densieski, Curves of Riverhead and Wading River, (inaudible) Utilities, the Calverton Civic Association, Nassau/Suffolk (inaudible) Service Managers, Paul's Dry Cleaners, Riverhead Town Hall, St. Isidore School, St. Isidor Church, and the senior center in Aquebogue, Mr. Edward (inaudible) of Southold, and the Traveler/Watchman.

To date, in two and a half years, we have collected over 1300 pounds of tabs. We're halfway to sending a child to camp for two weeks.

The last project involves canceled stamps. It is my understanding that these stamps are collected and are given to SAS Airlines who in turn donates their cargo space on the aircraft and we know how valuable that space is. They bring the stamps to Norway. In Norway, these stamps are given to stores that sell stamps to collectors. Before the stamps are sold, they are put in individual bags, tagged on the back that they were received from the Pioneers in the United States. And the proceeds of these stamps goes to a children's hospital in Norway.

I would like to thank all the time the senior center has given me in collecting the stamps and the staff in the Tax Receiver's office, excuse me, Maryann Wowak Heilbrunn, Carol, Lori and Lisa for their help in this project.

So as you can see, I have told you about three different projects that can help our seniors, people trapped in the world of domestic violence, our children and children almost halfway around the world. The cost to the individual is none. Just from the donation of your old cell phone, pull tabs and canceled stamps will do it all.

The timing of telling you this was deliberate with the holidays season on top of us, many people will be receiving those new cell phones and, of course, receiving many cards in the mail. Don't throw out the cell phone or toss it in the back of a closet. Bring it down to one of the many collection points you just heard about. Save those canceled stamps and save those pull tabs and bring them down to the collection point.

For more information, please contact me by e-mail, joanjm@opt.on line or write to me at Post Office Box 247, Calverton 11933.

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One last thing. If you happen to work for a company that will allow you to create a collection point for the old cell phone, the pull tabs or canceled stamps, please do so and contact me by e-mail or write to me at the post office box. Thank you for your help in the past and thank you for your help in the future. Everyone have a Merry Christmas, a Happy Hanukkah and a happy and healthy New Year. Thank you."

Supervisor Cardinale: "Thank you. Okay. That having completed the announcements, we have two public hearings today, one at 2:05."

Public Hearing opened: 2:25 p.m.

Supervisor Cardinale: "It now being 2:25, I'd like to open that hearing for consideration of an amendment to Chapter 108 of the town code entitled Economic Development Zone at Calverton site. Maybe, Dawn, you could-- you could further amplify on what this is or Tracy from the Economic Development Zone as our coordinator, could you come up and elaborate on what this hearing is about?"

Tracy Stark: "Tracy Stark, Empire Zone Coordinator. In April of 2005, is it on-- there was a -- the state legislature changed the laws for the Empire Zone requiring us to condense our zones into six contiguous distinct separate areas. In complying with that by the due date of January 1<sup>st</sup>, the Empire Zone board submitted suggestions of maps, basically condensing the zones as they stood and they're available at the town clerk's office for viewing. That's basically the law that's being changed."

Supervisor Cardinale: "Okay. Do you have the maps available-- "

Tracy Stark: "I have them right here."

Supervisor Cardinale: "-- presently for the public to see? Okay. And those are the areas-- and this is a public hearing about the re-mapping pursuant to the new legislation that emanated from Albany requiring the re-mapping of the specified Economic Development Zone areas.

And was discussed in work session, I think, the week before last. Maybe you would put them out, yeah, and if anybody wants to look at them, they're available. I wish we had the projection on but we don't because it is not working at the moment. There's six areas, right?"

Tracy Stark: "Right."

Supervisor Cardinale: "Thank you. Okay. Okay. So the basics are, are that this EDZ committee has been instructed by the new legislation and required by it to re-map essentially in a specified fashion. They have done so to comply with the new law. That is what

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it looks like. If anyone has a comment upon this, now is the time. I'll leave it open- can I leave it open for a few days? I think we have to do this by the end of the year, right?"

Tracy Stark: "We do."

Supervisor Cardinale: "So I'll leave it open for five days. If those of you who have not had an opportunity to look at the map want to send something in writing later, but there they are. The microphone is open. If anybody wants to speak, now is the time.

Okay, if they don't- then I'm going to leave the maps available at the town clerk's office for five days. If anyone wants to make a comment, look at them and then write the comment to us within the five days. If anybody has a question on what they're looking at, Tracy is available as our EDZ coordinator at extension--"

Tracy Stark: "373."

Supervisor Cardinale: "373. Okay, thank you, Tracy."

Tracy Stark: "You're welcome."

Supervisor Cardinale: "We have- if we have no verbal comments now, we will- did you have a comment or just waving, Jack? Oh, nice to see you. If- since there's no verbal comment, I'll close the hearing for such verbal comment, leave it open for written comment until close of business, let's see, Friday, which is--what is Friday, the 22<sup>nd</sup>? The 23<sup>rd</sup>. Well, I could leave it to the 25<sup>th</sup>, that's five days but that's Christmas. Nobody's going to- we're not open. So we're open until the 23<sup>rd</sup>. When are we closing on the 23<sup>rd</sup>? 4:30. Okay. We could carry it over to next week. You want to do that? How about the 27<sup>th</sup>? Yeah, let's do the 27<sup>th</sup> because we don't have another meeting until the 28<sup>th</sup> anyway. So we'll leave it open to the 27<sup>th</sup> because Rose, to the very end, is a person of the people and wants them to have every opportunity to comment on something they have obviously no interest in. No. I- so we're leaving it open to the 27<sup>th</sup>, close of business. Okay.

The second hearing- I'm closing the hearing now at 2:31, with the exception of the verbal comment through the 27<sup>th</sup> at 4:30 p.m."

Public hearing closed - left open for  
written comment to December 27, 2005

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Public hearing opened: 2:31 p.m.

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Supervisor Cardinale: "The 2:10 hearing that Sean is going to present is the consideration of the purchase of development rights on 61 plus or minus acres of agricultural lands owned by Shirley Edwards, located on the westerly side of Edwards Avenue, Calverton, \$75,000 per acre is the appraised price. Is that the appraisal?"

Sean Walter: "No, I'll go over it."

Supervisor Cardinale: "Explain it if you will?"

Sean Walter: "Sean Walter from the Riverhead town attorney's office. First I just want the record to reflect that I've handed Barbara Grattan affidavits of publishing and posting for the official records.

This really is a wonderful parcel. It is not the appraised value but we're going to get into that. It's the sale of development rights on 60.7 acres of a 63.2 acre parcel; 2.5 acres along Edwards Avenue are being retained for the house and farm lot.

I apologize. We did make all efforts to put the maps on the screen and for some reason, the computer is not working today. Each board member has a tax map with the parcel circled. There are some tax maps up here. If anybody wants to look at them, just see the parcel in question.

It's located on the easterly side of Edwards Avenue. It's more commonly known as Suffolk County Tax Map # 79-1-p/o 3, excuse me, westerly side of Edwards Avenue. It's been supporting a sod crop for 15 years and will be continued in that crop.

The appraised value is \$70,000 an acre and Patrick Gibbon completed the appraisal on October 12, 2005. The committee has voted to authorize \$75,000 an acre and the reason— that's what it's going to take to purchase this farm. We've been in negotiations with both Ms. Edwards and the contract vendee who's buying the farm and this is what it takes for the town to make a deal.

The committee has come up with— they've adopted several reasons to do this and this is why this is— what I'm going to discuss now is why this is a wonderful farm to purchase.

Probably the biggest issue is as you come down Edwards Avenue, I want the people to realize that from the west side of—excluding the Beagle Club (phonetic) and a few house lots— from the west side of Edwards Avenue, all the way past Fresh Pond Road and then up towards the Boy Scout camp is entirely preserved farmland or open space. This piece of property ties into— and I have the figures here— it ties into some 944 acres of protected farmland and it will bring the total

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assemblage to 1,005 acres. That's tremendous. So that area is never going to look any different.

Unfortunately for the town, we tried to purchase the Beagle Club but the Beagle Club sold and there is a residential subdivision pending in the planning division now. And that's for 73 home lots—seven of those 73 home lots will be agricultural lots. So this Edwards property, if you can envision where the Beagle Club is, is just south of the Edwards— the Edwards property is just south of it so you really have the opportunity here to preserve a large tract which are rare— hard to come by. This is a 60.7 acre tract in an area where there is a tremendous amount of development rights that's already preserved.

Now for (inaudible), the road frontage is 960 square feet along Edwards Avenue. So it's a tremendous vista as well.

And I'm going— there's two members of the Farmland Select Committee that I'd like to invite up to discuss this property, then discuss a couple issues in the area. There's a lot of industrially zoned property in the area of Shirley Edwards' property and I'd like them just to come up, introduce themselves, and discuss this with you briefly for the purpose of this public hearing."

Lyle Wells: "Good afternoon, Lyle Wells. I chair the Farmland Select Committee. I will speak in the support of the purchase of development rights of the Shirley Edwards parcel for all the reasons that Sean just put forward.

One of the other things that we felt needed to be talked about was purchase of development rights on all agricultural parcels in the town, in particular industrial and those in the RB-80 I believe it is.

Justification for buying the development rights in those two districts, first and foremost in the planning stage for the master plan, all the discussions that took place, it was very important that a critical mass of farmland be maintained in the town of Riverhead. We're almost at that critical mass point right now of 20,000 acres.

When the industrial C and the RB-80 areas were excluded from the preservation efforts in the transfer of development rights program, the discussion was that the emphasis within the industrial areas and within the Residence RB-80 zones should be PDR being that they had no other option in regards to preservation.

So let me concentrate first on the industrial areas. RB-80, that's probably the largest determining factor as to why development rights should be bought in those, for the simple fact that they have to ability to receive in or out and to us it kind of points a finger that anybody with RB-80 zoning, the town is saying, well, the emphasis

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is not to preserve your area, but rather to see that developed and that's a wrong message to send across the table. We've got a lot of growers in those RB-80 areas, South Jamesport, Wading River areas like that that are interested in preserving what they have.

On the industrial property, there are several components which would argue the fact that we need to concentrate our efforts in the industrial areas in Riverhead where agricultural is still the primary use. Number one, compatibility between uses industrial and agriculture are far more compatible than residential and agricultural uses combined in the same area.

The prices for industrial properties, the purchase of development rights, at least at this point are lower than those— than the residentially zoned areas. And, again, it comes back to they have no option but to sell the development rights if they want to preserve their farm to a municipality rather than utilizing those in a transfer type situation.

That's about it. Any questions?"

Supervisor Cardinale: "Thank you. Yeah, if there are any questions from the board members, because I know Lyle wanted to make himself available today as did Charlie. Is Charlie here as well? Yeah. Because you had made some inquiries and we were unable to get together at the work session, so if the board has any questions now or later by phone, they're available.

I had the opportunity to meet as you know with Lyle and Charlie and others and then I reported back and they have some questions of their own."

Councilman Bartunek: "I do have a question, Lyle. I mean, one of the reasons why the APZ was chosen for the sending of rights, of course, was the idea that you were going to concentrate the agricultural lands in one area, whether that's acceptable to everybody, obviously it's not.

But the question that I have is, is there a possibility and I guess, Sean, this is probably maybe more directed towards the funds that are available. If we were to start buying the development rights from a lot of other pieces that are outside of the APZ are we eventually going to run out of money and not be able to protect some of the land in the APZ as much as we'd like to so we don't encourage the fragmentation of the farmlands?"

Lyle Wells: "I understand what you're saying. The only caveat within the APZ is the preservation tools that are available there also include the transfer of development rights program which will probably be the driving force of preservation within the APZ.

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Outside of that zone, there's nothing unless the town comes up with money and we learned a long time ago through a very hard lesson that we don't discriminate in those who would wish to preserve their farms. And yet we would like to say, yeah, anybody outside the APZ come on down to the town or the county because we would like to purchase your development rights rather than-- and the transfer be the main mechanism within the APZ."

Councilman Bartunek: "How much land in the APZ? What percentage now is-- "

Lyle Wells: "I believe now it's 45- 4700, something like that."

Councilman Bartunek: "How much has been preserved? Do you have any idea, Sean, within the APZ?"

Lyle Wells: "Town-wide-- "

Sean Walter: "I don't know town-wide we purchased 1200- we purchased ourselves about 1200 acres and the county probably has another 800 acres maybe. I don't know--"

Councilman Bartunek: "(inaudible) half then maybe."

Lyle Wells: "Some of the purchases were made outside the APZ as well."

Supervisor Cardinale: "Right. And I think it's 5500 in the APZ. But I think the most telling point, George, is that let's assume you're right, that if we buy industrial property we will not have money. The APZ still can be preserved by the transfer of development rights program so you know that-- there's potential still to do that. Whereas outside of the zone, once you're out of money, there's no other device. So that's one of the arguments that we made to me, that if you run out of money and you can't get it in the APZ, there's still the possibility of transfer of development rights establishing that preservation."

Lyle Wells: "And we would be in strong support of trying to funnel those TDR monies, the purchase of development rights, outside of the APZ and, again, we don't want to discriminate on those who come in and wish to sell their development rights rather than transfer them and stuff like that but we definitely don't want to tell somebody in the industrial zone or the RB-80 zone that we're not interested in buying their development rights either."

Sean Walter: "I just want to point out one thing for the board's understanding. Everybody thinks of the APZ as the farm belt. That's a relatively new term. Obviously the APZ-- if you look at the maps that we have that the Peconic Land Trust has done for us, we've

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got two significant areas of farmland that we have preserved, one sort of in the Wading River-Calverton area and one in the Jamesport area, tremendous blocks of farmland and this is attaching to that.

There's one now that we're looking at, an industrial property that is before you to purchase. That's not attached to any farmland but we're looking to expand that entire block. And then the last place where we haven't been as successful is in the Roanoke area, Roanoke, Sound Avenue, that corridor. We are assembling blocks there. But what you have is two blocks in the east and the west and an assemblage starting in the Roanoke area. So it's not truly the APZ."

Supervisor Cardinale: "Okay. Any- Charlie, did you have a comment?"

Charlie Scheer: "Yes. I'm on the Riverhead Farm Select Committee. I'm also on the County Farm Select Committee.

I think that this Edwards property is- meets the requirements. I think we've always looked at properties, particularly the County Farm Select Committee has vista, good agricultural soil type, and the location near other preserved properties. The Edwards property particularly meets all three of these because we do have the vista, we do have a good agricultural soil and we do have the adjacent properties that have already been preserved.

I think one of the big issues that we've pointed out in the past is the way farming is going to be successfully preserved, is if we can do larger blocks where there's less problems between residential and farm communities on the border. This can be done in two ways. One is to put large blocks together where you have a minimum number of borders and the other is to use commercial properties because the chance that a commercial and agricultural property are going to have issues are much less than a residential and a farm property as far as any dust problems or any other agricultural problems.

So I think it's justifiable for those reasons, not only to accept this property but also to look at commercial properties.

I think right now we're finding also that commercial properties are a better buy and that justifies I think the town spending the money.

I think the point that both Sean and Lyle made is very true. The RPZ has a potential for transfer of development rights which will be a secondary tool and right now I think the place that the town and the county have to really concentrate their efforts are those properties which do not have the potential for transfer of development rights and they are going to have to take the option of purchase development rights only.

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So if we don't preserve those now, we may go into the future and lose that potential in the future. So I think it's justifiable to not only take this property but also go to buy property in a commercial area. Thank you."

Councilwoman Blass: "Charlie, also the fact that this property meets those three significant criteria, the vista, the soils and it's contiguity with other preserved parcels, is that also why the committee felt strongly about being able- or justifiable in offering a purchase price above the appraised value?"

Charlie Scheer: "Yes. I think right now as it was said by Sean, in order to make the deal happen and because of the particular pressure in that area as a result of the Beagle Club going, I think to make this all work the additional funds were necessary. That's the only way I think we can make sure that this happens because that would- it would really ruin that whole area.

Right now, in between county and towns in Suffolk County, we've got over 14,000 acres preserved under PDR's which is pretty impressive. And as Lyle pointed up, the goal, in order to stay in agriculture in Suffolk County, is 20,000 acres. So we have to take the opportunities wherever we can and then fill in the gap later on with TDR's."

Councilwoman Blass: "Thanks."

Supervisor Cardinale: "Thank you. Any other comment from the public in regard to this proposed purchase? Yes, Kenny, come up, please."

Kenny Lavoner: "Good afternoon, Mr. Supervisor, Members of the Board. Ken Lavoner, Ida Lane, Aquebogue. Fantastic. Go for it. Anything where we're going to preserve our open spaces, go for it. Thank you."

Supervisor Cardinale: "Thank you. Yes, please come up, Sal."

Sal Mastropolo: "Sal Mastropolo, Calverton. Two questions. I heard that the property is being sold to another farmer and what is that new farmer proposed growing there? Is my first- sod? Okay."

Sean Walter: "The farm is being leased currently by the person that's going to buy the property and continue it in sod."

Sal Mastropolo: "Okay, so that begs the second question. I wasn't going to say anything until he started focusing on the fact that one of the reasons that they want to buy this property is because of the good soil there. Okay? But that farm's been sodded for 15 years. And my understanding is that after a certain number of years,

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the sod takes all of the value out of the land as far as good soil. Okay?

So I mean that raises some concern, okay, that you're buying land, okay, which may not necessarily have good soil when in another couple of years, it's going to be worthless. Okay.

You can come out on Sound Avenue and look at the sod farms and when we get heavy rains they've taken so much soil out that the water just sits there and forms little lakes."

Supervisor Cardinale: "Charlie or Lyle, you want to address that? Thank you, Sal."

Charlie Scheer: "If I could just comment on this. In my prior, I was nursery specialist for Cornell Cooperative Extension for Long Island and quite a few years ago I had to testify and when Southold discussed this same issue.

There is good research by the University of Michigan showing that a properly harvested sod field due to the way they cut it, they are cutting mostly roots. There's very little mineral soil removed. As a matter of fact, they showed in most of their studies which I'd have to dig back in my files to get out, but they showed that there was less loss of soil through harvesting sod than from normal wind erosion, etc. after the harvesting of potatoes or any other crop, and the wind blowing would remove more than sod would remove.

Also, a good farm practice and we are now working on that, I also was chair on the Suffolk County Legislature's committee on stewardship, agricultural stewardship, we're advocating that farmers now, through cover cropping and (inaudible) sod farmers use cover cropping, the addition of organic matter, are going to be removing less and less of the mineral soil.

So I think it's not justifiable to say that mineral soil is being removed at that rate because what the University of Michigan did is they took pieces of sod, they air dried them, then they incinerated them, and they actually measured the amount of soil that was removed. And that's how they came up with these figures showing that there is actually less and that's why the case in point that was being brought up in Southold was they were saying that sod farmers were actually soil mining and we were able to show that that was not true.

So I think, in looking at it, I think the reason that possibly water was noticed after the harvesting of sod, that's more a compaction problem than it is a removal of the soil from the heavy equipment. Now normally most sod farmers after that follow with effective sub-soiling, then putting a crop of (inaudible) in and the

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roots of that crop would break up the soil. So it's all a matter of good management.

I think we're going to have that program in place this year. The county legislature has already funded it and Cooperative Extension has hired a director to run that program and will be working with farmers to make sure that that does happen.

In addition, that program is also going to provide a 25% reduction in nitrogen and pesticide input. So I think it's justifiable to do it."

Supervisor Cardinale: "Charlie, one other question. In regard to the conclusion that this is good soil quality for farming, what's the data supporting that conclusion in this instance?"

Charlie Scheer: "Well, the soil maps that are prepared by Soil and Water Conservation Service are— have been mapped for the whole Long Island including the Hempstead Plain. It was all mapped years ago. And the categories, the way they map them, is most of our good soils in this area are Riverhead loam and the elevation is also critical.

So Riverhead A would be a flat piece of ground which most of that ground is and there's quite a bit of it that is Riverhead loam which is a very productive soil for Long Island. It's sandy loam but it can be built up very well with organic matter and all and, of course, our only problem here on Long Island is it does require some irrigation because of the lightness of the soil."

Supervisor Cardinale: "Thank you. Okay, is there any other comment from any member of the public? Yes, Hal."

Hal Lindstrom: "Hal Lindstrom, Calverton. Listening to the soil, the issue about the soil, couldn't the town take samples to determine the, you know, how good that soil is? Is that possible?"

Supervisor Cardinale: "I don't have the answer, but maybe Charlie does. Okay. The question was since effectively you have indicated that there is a grading and you described it generally for areas. You've also responded that the sod production, if properly done, sod harvesting does not impact the soil negatively. Is there a method by which we could test the particular soil that the committee recommends buying in this or any other instance, to verify that that soil is good soil for farming?"

Charlie Scheer: "When we looked at the property, we received the maps, the soil maps, and those maps as I said were prepared through Soil Conservation Service years ago and they mapped the

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individual soil by going and testing the soil around and they draw maps.

They're irregular shape because you might have some Riverhead loam mixed with some Bridgehampton loam and each soil is- depending on the amount of sand, silt and clay that's in the soil, the percentages determine what it is and also the percentage of organic matter and the elevation. That's why a flat soil is much more desirable because you have less water erosion. So it's mapped, there's maps for the whole county and we had access to those maps showing us what the soil types were."

Supervisor Cardinale: "I guess- I think what- just to follow for a moment what he was I think getting at, Hal, is this. If you- as we now begin to pay approaching \$100,000 for agricultural soil, we better make sure it's good agricultural soil. Because the price is really driven by the alternate use as residential stock.

So we know from what you've said that the soil is mapped as good solid soil. But you also said if you harvest correctly sod you don't mess the soil up. But how do we know that the sod on this property has been harvested correctly so that the soil on the piece we're buying is as valuable as we're paying?"

Charlie Scheer: "Well, the key is and I know the particular farmer who farms it and his main interest- if you harvest incorrectly, you're freight costs go up. You can carry less on a truck. It's to their advantage to harvest it so that they are not getting the weight. It's also on their advantage to cut it in such a way that it's going to re-root back down very quickly. And everything now is done mechanically. All the machinery that's set up now is to eliminate the minimum amount of waste and to cut with maximum efficiency as far as depth. And a lot of the soils, the sod today are being rolled and so weight is even more of an issue.

They're then taking this sod to a cooler and chilling it down so they can truck it. And again if you have too much mineral soil in it, it's going to inhibit that process and that process is what preserves the product. Because they actually- if you've seen on Edwards Avenue DiLalio sod there has a big vacuum cooler and they drive the whole tractor trailer in there and they bring the whole load down. So it's not to their advantage to have too much mineral in it."

Supervisor Cardinale: "Thank you. I think one of the things that's been made clear by this hearing is the expertise in the Farm Select Committee for which the board is grateful.

Anybody have any other comment? Yes, please."

Kathleen Grodski: "Kathleen Grodski from Calverton. Actually, Phil, you answered a couple of the questions that I was going to ask

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the same thing as to there is no mandate or mandatory checking of this soil, so how do you really know. I mean because you can drive past many of these sod farms in the wintertime and oops, they didn't get their cover crop down in time because they'd been too busy selling what's been on that field. I would really think you should check into that.

And the other thing is the pricing. I mean, you're setting a precedent here of paying more than what the assessed value is. You kind of want to make sure before you do something like that because now the next person coming along says, hey, well, you know, you gave Joe blow here more money than it was worth. Why shouldn't you give that to me also?

And the pricing, you know, I don't know where you're coming up with that figure. I guess that's to make the deal obviously is where you come up with that figure. But you're paying more than what they were going to sell the property for outright and we're just buying the development rights. So I think you should take that into consideration. Okay."

Supervisor Cardinale: "I want to verify and clarify."

Kathleen Grodski: "Yeah."

Supervisor Cardinale: "\$70,000 was the appraised value of the development rights only."

Kathleen Grodski: "Okay."

Supervisor Cardinale: "We're paying \$5,000 more in order to make the deal happen. The full value of the land would be about 100 if you were going to buy it for development right and agricultural right."

Kathleen Grodski: "Well, then, just take into consideration paying more than the assessment."

Supervisor Cardinale: "Right. And it's a good point as is the initial point. Thank you."

Kathleen Grodski: "Thank you."

Supervisor Cardinale: "Any other comment? If not, we have one final comment?"

Lyle Wells: "Lyle Wells. There's been quite a bit of discussion in regards to the soil types and stuff like that which was fine back when my grandfather was farming and soil types were critical to the crops that we can possibly grow here in Long Island."

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As agriculture has evolved, soil types have become less of a determining factor in regards to profitability. Irrigation has caused a tremendous amount of land that possibly wasn't farmed in my grandfather's day to be farmed now because we are able to get water there in time.

The form of agriculture that we now see nowadays is a lot different than my grandfather's day. There's greenhouses, there's over winter nursery stock. It's a huge change.

So the only thing- the only reason I spoke is I think we need to take a little caution when we look at the soil types and having that be the determining factor as to whether we purchase the development rights from that property or not.

And the other misconception is, is that 75,000 sounds like a lot for development rights, but it is for that. It's for development rights. It's not for the agricultural value that is left there on that property. And as everyone knows who has looked at the real estate in this town and every town on the east end, \$75,000 for the ability to build a house is not a lot of money. So in today's real estate. Thank you."

Supervisor Cardinale: "Thank you. If there are no other comments, and I don't see any, I'm going to close the hearing it being 3:01."

Public hearing closed: 3:01 p.m.

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Supervisor Cardinale: "And that completes the second and final hearing today. I'd like to invite the public to make comment on any of the resolutions that are before the board today. Then we'll review the resolutions and then we'll take general comment.

So if there's any comment on any one of more of the resolutions, I'd like to take it now. Thank the committee members for coming out from the Farm Select Committee. Sal, you wanted to review the resolutions? Okay, Sal, did you have some comment?"

Sal Mastropolo: "Resolution 1175, fix the date."

Supervisor Cardinale: "Let me get that, if you would. 1175."

Sal Mastropolo: "Right."

Supervisor Cardinale: "Okay."

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Sal Mastropolo: "Correct the date."

Supervisor Cardinale: "Thank you."

Sal Mastropolo: "1179. Does that resolution actually approve the \$1.147 million expense?"

Supervisor Cardinale: "Let me look at it."

Councilwoman Blass: "It sets it as a maximum, I believe."

Sal Mastropolo: "Okay. At the last meeting we discussed at length, you know, the possibility of putting a new well at that site at plant 10 and not spending the money on- did we decide to forego that or is it still open for discussion?"

Supervisor Cardinale: "The- well, it's certainly open for discussion until we pass it. It was discussed- I don't know if it was or was not actually discussed at the work session. However, I do remember at the hearing that the- I asked him, you know, of all these expenditures, what could you save by making the change and discussing is was relatively modest."

Sal Mastropolo: "Well, at the session, when he responded to that question, he focused on one item."

Supervisor Cardinale: "Right."

Sal Mastropolo: "Okay. But I talked to people after the meeting and when he was presenting it, there were at least three of those line items that directly affected plant 10. Okay? So I would suggest that you look into it a little closer. Maybe go to the tape as to when he was making the presentation."

Supervisor Cardinale: "Would you elaborate on that just as long as you're commenting on this particular one, what- if we do this, we are authorizing up to that amount and what- "

Sal Mastropolo: "I just want to make sure that when you pass this resolution, you haven't blessed the \$1.147 million and said it's a done deal. We're going to do those five or six suggestions. I'd like to know that we're still looking at the individual items and maybe throwing some of them out in favor of putting a new well at plant 10."

Supervisor Cardinale: "Okay. That's what I wanted you to clarify. Thank you. I appreciate what you're saying."

Sal Mastropolo: "1183. The Now Therefore Be It Resolved paragraph."

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Supervisor Cardinale: "Yes."

Sal Mastropolo: "The second line doesn't make any sense. Hereby authorizes the release of accepts— something's wrong there."

Supervisor Cardinale: "1183."

Sal Mastropolo: "1183, the first Now Therefore Be It Resolved, the second line. Editorially there's something wrong with that second line."

Supervisor Cardinale: "The town— Now Therefore Be It Resolved, the first one, right?"

Sal Mastropolo: "Yeah."

Supervisor Cardinale: "The town board of the Town of Riverhead hereby authorizes release of— "

Sal Mastropolo: "Release of accepts. That's what doesn't— "

Supervisor Cardinale: "Okay. It should be the release and the word accepts should be deleted. Okay? Thank you."

Sal Mastropolo: "1187."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "The vote. Mr. Kozakiewicz is on the vote."

Supervisor Cardinale: "Okay, we'll correct that."

Sal Mastropolo: "And that begs the question. A lot of these other resolutions doesn't have the vote on it. Should they all have a vote on them?"

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Like the previous resolution, 1186, is the same thing, release of— oh, that one has it. But 1185, releases the letter of credit. It has no vote on it. Should they all have a vote?"

Barbara Grattan: "1185 has the vote on it. Here on the bottom, Sal."

Councilman Bartunek: "Ours doesn't but Barbara's does."

Sal Mastropolo: "Okay. Ours doesn't."

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Supervisor Cardinale: "She puts a stamp on some of them in order to keep it one page apparently."

Sal Mastropolo: "Okay. Well, when I saw the mistake, it begged me to go back and look at some of the others."

Supervisor Cardinale: "It's the record of the vote. She has them on all but thank you."

Sal Mastropolo: "All right. 1193. There was no Schedule A attached. Just make sure that when you do the public notice in the paper that it has a Schedule A. Otherwise then there's no description of the property."

Supervisor Cardinale: "Yup. Thank you."

Sal Mastropolo: "Okay. 1197. On the notice of public hearing, professional office except for veterinary office. What about doctor's office? Is that considered lumped into professional offices?"

Supervisor Cardinale: "This is to authorize a public hearing and your question is- yeah, I looked at that and I think they're saying that- "

Councilwoman Blass: "We define doctors--when we define professional office- we included doctors."

Supervisor Cardinale: "So we're permitting professional offices with the exclusion of veterinary offices."

Councilwoman Blass: "That's correct."

Supervisor Cardinale: "I think the reason for that is they don't want kennels- is that the idea?"

Sal Mastropolo: "They don't want what?"

Supervisor Cardinale: "We're permitting in this particular zone professional offices but we are excluding from that veterinary offices. So you could have a lawyer, doctor or dentist but you can't have a veterinarian's office. I presume- I wasn't privy to that discussion- that was because you did not want kennels in this particular district. Is that what was the idea? Is there an idea?"

Councilwoman Blass: "Actually there were a couple of reasons. One was that if you think of the activity that's generally associated with a veterinary hospital, for example, or veterinarian office, we did not necessarily want a lot of curbing of the animals on Main Street."

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Supervisor Cardinale: "Right. This is the Main Street area incidentally. Okay- "

Councilwoman Blass: "Usually there's a walking area prior to entering a veterinarian office. We didn't think it was appropriate on Main Street."

Supervisor Cardinale: "And that's- this is a public hearing and it's- but it is correct as it is."

Sal Mastropolo: "Okay."

Supervisor Cardinale: "The proposed law."

Sal Mastropolo: "Resolution 1205. I think we talked about this once before. I started looking at the costs associated with it and the fact that you're not using it for four months and it comes down to like \$1,000 a month but then you're not using it for four months. And it begs the question. Why not use the Jamesport Community Center or possibly even- I don't know what we're going to do with downstairs now that we've moved out those other- those departments. Are we going to do anything downstairs and why couldn't we use downstairs and save the money?"

Councilwoman Blass: "I think they were looking for basketball courts specifically. Jamesport Community Center does not have indoor basketball facilities."

Sal Mastropolo: "Okay."

Councilman Bartunek: "And this is also centrally located."

Sal Mastropolo: "Have we given any thought to possibly using the Middle School or something and pay the money to our school district?"

Supervisor Cardinale: "Yeah. We just can't get it is our problem. That would be great if we could get it."

Sal Mastropolo: "1216. There's no mention what the subject of the litigation is. I mean at first I thought that you were going to use that law firm to enforce town code but specifically what town code? I mean is this all of the- "

Supervisor Cardinale: "This is for- yeah, we- the- this is a litigation. It's not named. That's what your real question is. What litigation are we retaining them for?"

Sal Mastropolo: "Yeah. I was wondering if it's a specific litigation or if it's to enforce quote the town code like I read I

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guess it was last week's paper where we have all those outstanding warrants and we're not going after those people. So I'm trying to understand which- "

Supervisor Cardinale: "Yeah. This has to do with a- it doesn't have to do with what- "

Sal Mastropolo: "The violations of town code. Okay."

Supervisor Cardinale: "It doesn't have to do with violations of town code. This is in regards to a sand mining litigation that's- "

Sal Mastropolo: "Okay. That probably answers my second question. Then why not use a local attorney?"

Supervisor Cardinale: "Thanks."

Sal Mastropolo: "Resolution #1217 made sense to me until I read 1218 and, Rose, don't take this personal because it has nothing to do with you. It's more of a contradiction. Why are we passing 1218 which says that we need more than nine and go into 10 which means we don't have- we'll never have a majority. You can always have a 5-5 split. I don't understand why we have both of these resolutions. 17 made sense; 18 makes no sense."

Supervisor Cardinale: "I think because we need to determine whether there are three votes to support either or both is a simple answer. The other is that having both- my preference frankly as we were discussing it is that we appoint both individuals. This is an advisory board. This is not Supreme Court of the United States where you have to have an odd number and I do not want to reject any person in the public who has an interest and experience who wants to assist us on our advisory boards.

Now that may or may not- you may or may not be shared by the rest of the board. We'll find out at the vote."

Sal Mastropolo: "Well, there's no reason why somebody that wants to assist can't attend and not have a vote."

Supervisor Cardinale: "That's true."

Sal Mastropolo: "And contribute her information or his information, okay, contribute it to the discussion, and only have nine voting members."

Supervisor Cardinale: "We could do that but as I said, the reason that this is generally a consensus decision, I don't think that the even number is going to be particularly painful. But it's a point that is appreciated."

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Sal Mastropolo: "1230."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "We discussed this at the last meeting and it was published in the paper. Are we publishing it again and did anything change? I mean it looks like all the numbers are exactly the same and I brought some information because I was ready to argue my point again."

Supervisor Cardinale: "Yes. We can't get anything by you. Yes, it is the same and it is because there was an error in the— in the— as follows. It turns out it isn't five days but ten days for certain of the hearings that were going to be today, and they didn't appear until the 12/15 paper so they can't be heard until the 25<sup>th</sup> so we're re-advertising."

Sal Mastropolo: "Okay. So we were supposed to have that hearing today."

Supervisor Cardinale: "That's correct."

Sal Mastropolo: "I thought so."

Supervisor Cardinale: "Yeah. Several. And we had to reschedule them and this is one of them."

Sal Mastropolo: "Thank you."

Supervisor Cardinale: "Thank you. Any other comment from the public on the resolutions? Rolf."

Rolf Koesling: "Rolf Koesling from Wading River. On Resolution 1204, it seems that he wants an exemption from paying real estate taxes of 90% because— I forgot the reason I read.""

Supervisor Cardinale: "Yes, that's true."

Rolf Koelsing: "I've been watching this and for the past number of years, I think without fail that piece of property shows up in tax arrears, like clockwork."

Supervisor Cardinale: "Yes. That's because of this."

Rolf Koesling: "How come the county doesn't take it over for nonpayment of taxes?"

Supervisor Cardinale: "Yeah. I asked that very question. That is because the science center and their board have been in direct

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contact with them every year telling this was an extraordinary situation. The situation is as follows.

In '99 when they bought it, they were— they bought it and used 90% of it for this not-for-profit and they asked— but they had to pay a full tax— they did not pay the tax but they asked Senator LaValle to pass special legislation which would allow them to get a waiver of that tax because if you buy property as they did after the taxable status date you're stuck. For example, if you buy property in November 10<sup>th</sup>, okay, the tax bill is already set from December 1 through the November 30<sup>th</sup>. And that's where they were.

So they were saying, oh, wait a minute, we have the property November 10<sup>th</sup>, now we're going to be paying full tax from the next year, let us go to Senator LaValle and ask if he will— this was during Bob' administration. So Senator LaValle did go and get special legislation passed to allow them to waive this year--that year, the first year, and they didn't pay it because they said we're going to get this special legislation. And they kept talking to the county, saying don't take the property. Otherwise this property would have been taken already. You're right."

Rolf Koesling: "I mean you are always looking for money to buy property. You said if we had the money, we could buy more."

Supervisor Cardinale: "That's correct. Now, I would not-- I was supporting this but I would not this if I had been there. But since the then Supervisor asked Senator LaValle to proceed. Senator LaValle went through a lot of effort to get the state legislation necessary to, you know, to allow that year to be paid as a not for profit, 90% exempt. We decided as a board to proceed. But I don't think this is a particularly good policy generally."

Rolf Koesling: "So every time we give an exemption like that and the rest of the taxpayers have to make up for it."

Supervisor Cardinale: "That's right. And incidentally, they get the exemption the following year anyway. It's just for the first year that they're going back and recovering it."

Rolf Koesling: "Every year like clockwork, they don't pay the taxes."

Supervisor Cardinale: "Because they never paid it. That's right."

Rolf Koesling: "Okay, thank you."

Supervisor Cardinale: "The— George's question is how is it resolved in regard to the school district? The legislation's language

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indicates all taxes, special legislation. Well, there's no pay back because they never paid it. They never paid it.

And his question is well they never paid it in 1999, how come they still own the property is because they've been in constant contact with the county telling them about this unique circumstance. Yes, Sal."

Sal Mastropolo: "The same resolution, 1204."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Who owns the land?"

Supervisor Cardinale: "They do."

Sal Mastropolo: "The Place for Learning, Inc. or some real estate developer?"

Supervisor Cardinale: "The Place for Learning."

Sal Mastropolo: "They hold title?"

Supervisor Cardinale: "Yeah, they have to in order to get the exemption."

Sal Mastropolo: "Okay, I just wanted to make sure. Larry Oxman doesn't own it. Okay? So he's not collecting rent from the Place for Learning, Inc.?"

Supervisor Cardinale: "He isn't. The Place for Learning, Inc. is collecting rent on 10% of the property. That's why we're only getting 90%."

Sal Mastropolo: "Okay, thank you."

Supervisor Cardinale: "Yes."

Kathleen Grodski: "Good afternoon, again. Kathleen Grodski from Calverton. I'm here to speak on Resolutions 1217 and 1218, adopting a person to the recreation advisory committee.

First I would like to know why there are two positions for one appointment. Your resolution which was adopted, Resolution #736, specifically states each committee will consist of no less than seven and no more than nine members, adopted August 2<sup>nd</sup>."

Supervisor Cardinale: "That's addressed in Resolution 1218."

Kathleen Grodski: "Okay. By looking at this, I'd like to know what are you changing the resolutions to accommodate positions? After

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the work session on the 8<sup>th</sup>, when the appointment for the recreation advisory committee finally came up for discussion, I spoke with both Phil and George about appointing Robert Danowski.

I also stated to George that I thought I should go to the newspapers with how the board seemed to be putting off this appointment so that Rose Sanders could put her name in for this position since she has lost the board seat. At that time, George asked me not to go to the newspapers, so I obliged.

Both Phil and George told me at that time they thought Mr. Danowski would be right for this position and said they would vote for him. I hope you are both men of your word.

Now there are several reasons why I feel this board should not vote for Rose Sanders, mainly past experience with the community. First, the recreation center in Calverton. The committee was against it I know because I was on the executive board of the Greater Calverton Civic Association that time. We all sent letters, our feelings, but because political agenda and campaign promises to house a summer program which I believe maybe 20 people or less attended, Rose pushed for the center.

She, for the fact at that time, a last minute prior to the vote, swayed Councilman Lull to vote for it on the pretense that she would vote for the dog pound. This recreation center Rose also stated would cost no more than \$300,000 at first and that price kept growing to the tune of \$425,000 to \$450,000 at the end, not in counting work done by town buildings and grounds department.

Second, the handicapped walkways at Stotzky Park was another project that kept being put on the back burner by Rose. The walkways were opposed originally when she was on the committee. It went nowhere. This recreation committee allocated the money for the project and it took a year and a half before anything was done because Rose chose personal projects as a priority. Actually, thanks to the recreation committee and Jill Lewis they were finally accomplished.

Also, Councilman Densieski, he would remember how there was a resolution for the Lombardi Park clock that had been tabled because the question as brought up about a \$25,000 engineering cost which later was found to be hidden in this project to cover the guardhouse rec center done by Rose. Is that not correct?"

Councilman Densieski: (Inaudible)

Kathleen Grodski: "Next, my hope is that Councilwoman Blass for once will take the information and vote not for her friend, but for the community and someone that I feel will be an asset to this

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committee as he is handicapped and also a true, caring person with ties to sports in our town and has no political agenda.

So please fully consider Robert Danowski for this position. After two years, he's asked for this position when there was no openings. He notified the town committee in September and then again in October that he was interested and the town did nothing. You conveniently waited until after the elections to decide on this position which totally appalls me and I'm sure most of the community.

Then after waiting until now, Mr. Danowski was asked to submit a resume for this volunteer position and he did. His resume outlined the many reasons I feel he would be good for this community and town. Please don't make this vote a political one. Vote for the right kind of volunteer, one without an agenda. Vote for a lifelong resident to this community. Please vote for Robert Danowski.

I thank you for your time and consideration and hope everyone has a wonderful holiday season. Thank you very much."

Supervisor Cardinale: "Thank you. Thank you for that. Is there any other comment on any of the resolutions? We're going to take general comment immediately after reviewing the resolutions. Seeing no further comment, I'd like to consider the resolutions and then we'll take the general comment.

Barbara, could you— I think the first one you're also going to call which is the CDA?"

Barbara Grattan: "Yup."

Supervisor Cardinale: "Could you call that please?"

Barbara Grattan: "I could call it but you've got to adjourn the meeting."

Supervisor Cardinale: "I should adjourn the meeting of the town board for a few moments."

Meeting adjourned: 3:23 p.m.

Meeting reopened: 3:34 p.m.

Supervisor Cardinale: "Reopen the town board and consider please 1174."

Resolution #1174

Councilman Bartunek: "Grangebelle Park Dam fish passage project budget adoption. So moved."

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Councilman Densieski: "Second the motion."

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

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

Resolution #1175

Councilman Densieski: "Town of Riverhead Calverton recreation park capital project budget adjustment. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #1176

Councilwoman Sanders: "Riverhead sewer district budget adjustment. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1177

Councilman Densieski: "Approves amendment to Community Development Block Grant program. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #1178

Councilman Bartunek: "Order calling public hearing Riverhead sewer district lateral sewer main Best Western Hotel complex. So moved."

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Councilwoman Sanders: "And seconded."

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

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

Resolution #1179

Councilwoman Sanders: "Order authorizing an increase and improvement to the Riverhead water district as a result of the 2005 system capacity evaluation short term improvements to the Riverhead water district. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1180

Barbara Grattan: "Resolution 1180, Councilwoman Blass."

Councilman Densieski: "Discussion."

Supervisor Cardinale: "Yes."

Councilman Densieski: "I don't know if Peggy got a chance—"

Supervisor Cardinale: "She did. She did."

Councilman Densieski: "Is this time sensitive?"

Supervisor Cardinale: "Not extraordinarily. We can do it on the 28<sup>th</sup> if you prefer. I spoke with Michael Reichel."

Councilman Densieski: "Oh, you did?"

Supervisor Cardinale: "He indicated that's not a problem to put it over to the 28<sup>th</sup> but that the contract is the same price as last year and that you had asked to review this last year and we did get another quote which was higher, but if you want to put it over to the 28<sup>th</sup>—"

Councilman Densieski: "No. If you did the research, I'm satisfied with that."

Supervisor Cardinale: "Yeah. We did it on the last year and this is the same number."

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Councilman Densieski: "Okay. Thank you."

Supervisor Cardinale: "Okay, that being said, can we have a consideration of 1180?"

Councilwoman Blass: "Authorizes service agreement re Calverton Sewer District. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1181

Councilman Densieski: "Grants special use permit of the Aquebogue Bistro. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #1182

Councilman Bartunek: "Approves a site plan of Viva L'Arte Center. So moved."

Councilwoman Sanders: "And seconded."

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

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

Supervisor Cardinale: "I'm going to vote yes. This is an exciting project which is going to be between Barth's Drug Store and East Enders and it's going to be impressive when it's finished. Thank you."

Barbara Grattan: "The resolution is adopted."

Resolution #1183

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Councilwoman Sanders: "Releases performance bond of Silver Village at Aquebogue a/k/a Sound Avenue Company LLC. So moved."

Councilwoman Blass: "And seconded as amended."

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

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

Resolution #1184

Councilwoman Blass: "Releases Suffolk County National Bank irrevocable letter of credit of Zoomas Contracting Corp. in connection with the subdivision entitled, "Fox Meadow Estates" on a one year maintenance bond. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #1185

Councilman Bartunek: "Releases Suffolk County National Bank irrevocable credit of Schembri Homes, Inc. in connection with the subdivision entitled "Sound Meadows" one year maintenance bond. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1186

Councilman Densieski: "Authorizes the release of the security posted for Alexander Tuthill Funeral Home, Inc. for a parking lot expansion. So moved."

Councilwoman Blass: "And seconded."

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

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

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Resolution #1187

Councilwoman Blass: "Authorizes the release of a bond for Jejepe, LLC Neefus Stype Insurance. So moved."

Councilman Bartunek: "And seconded. Just a little word here. I'm surprised Sal didn't pick up on this. In the third line, Barbara, it's Union A Avenue. You want to cross out A there? I don't know why Sal didn't pick up on that."

Supervisor Cardinale: "You missed that A, Sal. You're losing it."

Councilman Bartunek: "You're down to a B plus now. Third line, first Whereas, third line."

Councilwoman Sanders: "There's an extra A. Between Union and Avenue, there's a stray A."

Supervisor Cardinale: "Okay. With that, may we have a vote?"

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

Resolution #1188

Councilman Bartunek: "Authorizes the release of a letter of credit for PRG Corp. So moved."

Councilman Densieski: "Seconded."

Councilwoman Blass: "Discussion."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "Mr. Supervisor, I think it's a good policy to at least indicate the location of the property or the particular project or a site plan that's referenced with a particular date. If I had not asked the building department, I would have not known that this is- the site that it is."

Supervisor Cardinale: "Right. What is it?"

Councilwoman Blass: "It is the Suffolk County Tax Map No. 600-99-1-3 which is the site of PRG on Main Road in Calverton. It's the truck- "

Supervisor Cardinale: "Yeah, so we should add at the first Whereas- "

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Councilwoman Blass: "West of Edwards Avenue on the south side of the street."

Supervisor Cardinale: "We should add after the word town code on the first whereas, at Suffolk County Tax Map Number- what was that again?"

Councilwoman Blass: "600-99-1-3."

Supervisor Cardinale: "Okay."

Councilwoman Blass: "We should also reference a site plan but we didn't have a chance actually to get that particular information. But I think it's just good policy to know."

Supervisor Cardinale: "Absolutely, yeah. Not to mention we wouldn't know what we were releasing."

Councilwoman Sanders: "Well, we still don't. I know I don't."

Supervisor Cardinale: "Do you want to place it onto the 28<sup>th</sup> or do you think you've got enough information to- "

Councilwoman Blass: "Well, I'm familiar with the site. Apparently the building permits coordinator feels that the site has complied with the necessary conditions so unless the building department administrator thinks otherwise- "

Supervisor Cardinale: "Do you have any concern with this? You've checked it? Okay. You know the site plan? What is it? We'll put it in."

Councilwoman Blass: "It's the one with the truck station in the (inaudible)."

Supervisor Cardinale: "But it's at 600-99-1-3. And it's the only site plan on that property."

Councilwoman Sanders: "And did we ever identify what that activity was? I know that was the sump. I think there was- "

Councilwoman Blass: "It's a mining type operations, materials processing type operation with a truck station in the hole."

Councilwoman Sanders: "When did we hear it was a sump?"

Supervisor Cardinale: "Why don't we just carry it and get a little more information before we release? How much is it, sixteen grand? To make sure that we know- because I was not at the work session as you know so I don't have any idea so if the rest of you are

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in a quandry as well, we're a fine group, nobody knows what they're doing, so why don't we have a motion to table. Is this time sensitive? Okay. You want to table or are you comfortable?"

Councilwoman Blass: "Well- "

Councilwoman Sanders: "If we have enough to support it, I don't know."

Supervisor Cardinale: "We're- what this is saying is they've posted a letter of credit for 16,3 at a certain site. Sharon Klos our permits coordinator determined that construction has been completed but we don't apparently know what the construction was, to her satisfaction and a CO issued.

Be it resolved that the town hereby authorizes the release of the letter of credit for \$16,000 and change. That's it. So the question I have is they got a CO, right, here, and, therefore, letters of credit are generally released. So I don't have anything dramatic except what the heck do they do here? What did they do that they finished? Okay."

Councilman Densieski: "They called it a trades shop."

Supervisor Cardinale: "And anything extraordinary about that? If not, we can go right ahead. They built the building, they got the CO, but before they built it they had to put up the letter of credit and now we're putting it back.

So unless I'm missing something, this is pretty routine. We know what site it was on so let's go. Unless somebody has any other- "

Councilwoman Blass: "It was moved and seconded."

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

The Vote: "Bartunek, yes; Sanders, no."

Supervisor Cardinale: "Tell us why. Come on."

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

Supervisor Cardinale: "Am I missing something here (inaudible) Florida. Hey, you know what I can do? I wanted to table it in the first place, right?"

Councilwoman Blass: "Actually, Phil, you were on the board when the original site plan for this site was approved. So you should be more familiar than most."

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Supervisor Cardinale: "Well, I certainly don't remember it. I don't remember lunch yesterday much less 19- 2001. I'm going to abstain which means, therefore, that we have to consider it at the next work session so we don't- we get more information. Thank you."

Barbara Grattan: "And that tax map number was 600-99-1-3. Correct?"

Supervisor Cardinale: "You've got it."

Councilwoman Blass: "That's correct."

Supervisor Cardinale: "Thank you. Now I remember it."

Councilman Bartunek: "Too late, too late."

Resolution #1189

Councilman Densieski: "Accepts offer of sale of development rights for Herbert Hulse. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded."

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

Resolution #1190

Councilwoman Blass: "Accepts the offer of sale of development rights for Bruce Schroeher. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #1191

Councilwoman Sanders: "Authorizes the town clerk to publish and post notice to consider the purchase of development rights of a parcel located in the town of Riverhead purported owner, Mr. Donahue, for approximately 21 acres. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #1192

Councilman Bartunek: "Incorporation of certain roads into the town of Riverhead Highway system pursuant to New York State Highway Law Section 189 Highways By Use. So moved."

Councilwoman Blass: "And seconded."

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

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

Supervisor Cardinale: "I point out before voting that this includes Laurel Court in Wading River and Zdunko Lane in Riverhead. Now our own road, Zdunko Lane. It's a moment I think to cherish. I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1193

Councilwoman Blass: "Sets a public hearing pursuant to Article 12 of the New York State town law to declare certain premises as not required for the purposes of the Riverhead Water District and authorizing the sale and transfer thereof by public auction. So moved."

Councilwoman Sanders: "And seconded."

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

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

Councilwoman Blass: "Yes. We do need the Schedule A as referenced earlier."

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

Resolution #1194

Councilwoman Sanders: "Adopts a local law amending Chapter 107 of the Riverhead town code entitled Tidal and Freshwater Wetlands, Section 107-4. So moved."

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Councilman Densieski: "Second the motion."

Councilwoman Blass: "Excuse me, George, was there discussion?"

Councilman Bartunek: "Discussion."

Councilwoman Blass: "Discussion."

Supervisor Cardinale: "Yes, go right ahead."

Councilman Bartunek: "Before our meeting, I was taking a look at 107 and I think we need to consider this a little further. There are some other inconsistencies between Chapter 107 and 47 on what we're trying to do. So I'm going to make a motion we withdraw this, Resolution 94."

Supervisor Cardinale: "Motion to withdraw."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded for withdrawal of the motion for the time being for further study. May we have a vote, please?"

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

Resolution #1195

Councilman Densieski: "Authorizes the town clerk to publish and post a local notice for a local law to consider amendments to Chapter 47 entitled Bays and Creeks of the Riverhead town code. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Do we have a similar concern on this one, George?"

Councilman Bartunek: "No, no."

Supervisor Cardinale: "You like this one?"

Councilman Bartunek: "I hope so."

Supervisor Cardinale: "Okay. This one is ready to rumble. Okay, moved and seconded. Vote please."

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

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Supervisor Cardinale: "I want to thank you for your hard work on this, George."

Councilman Bartunek: "Well, we'll see."

Supervisor Cardinale: "And I want to refer all complaints to George."

Barbara Grattan: "The next four resolutions on the first page has to be changed from December 29<sup>th</sup> to January 5<sup>th</sup> newspaper."

Supervisor Cardinale: "This is- okay. That's on 1190- "

Barbara Grattan: "6-97-98- and 99. It's got to be in the January 5<sup>th</sup> paper, not the 29<sup>th</sup>."

Supervisor Cardinale: "Okay. January- very good."

Resolution #1196

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

Councilman Densieski: "Second the motion."

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

The Vote: "Bartunek, yes; Sanders."

Councilwoman Sanders: "Yes, as amended."

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

Councilman Densieski: "I'll vote yes for the public hearing."

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

Resolution #1197

Councilman Densieski: "Authorizes the town clerk to publish and post public notice for public hearing regarding a local law to amend Chapter 108 zoning of the Riverhead town code. So moved."

Councilman Bartunek: "We need a little revision, a little discussion on this. Barbara and I looked this over before the meeting. #10 on the second page where it says it's crossing out on the ground floor, that should be included, that shouldn't be deleted."

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Supervisor Cardinale: "Okay."

Councilman Bartunek: "Okay. That's an amendment."

Councilwoman Blass: "So we want to remove the strike through."

Councilman Bartunek: "Remove the strike through and I would second this as amended."

Councilwoman Blass: "So that should not be deleted, on the ground floor should not be deleted."

Councilman Bartunek: "Real estate, professional offices except for veterinary offices on the ground floor."

Supervisor Cardinale: "Very good."

Councilman Bartunek: "And all offices on upper floors. Any kind of offices would be allowed- "

Supervisor Cardinale: "Right."

Councilman Bartunek: "-- on the upper stories."

Supervisor Cardinale: "Okay. With that correct, can we have a vote?"

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

Resolution #1198

Councilman Bartunek: "Authorizes the town clerk to publish and post public notice for public hearing regarding a local law to amend Chapter 108 zoning of the Riverhead town code. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #1199

Councilwoman Sanders: "Authorizes town clerk to publish and post public notice for public hearing regarding a local law to amend Chapter 48 beaches and recreation centers of the Riverhead town code as amended. So moved."

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Councilwoman Blass: "And seconded."

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

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

Resolution #1200

Councilwoman Blass: "Adopts fees for sign permits pursuant to Chapter 108-56 of the town of Riverhead sign code. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1201

Councilman Densieski: Awards bid for street lighting and traffic signal maintenance and repair parts. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #1202

Councilwoman Sanders: "Authorizes the town supervisor to execute a change order for George Young community center floor replacement. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #1203

Councilman Bartunek: "I get the long one here. Ratifies the submission by the town of Riverhead Community Development Department of an application to the Department of State Quality Communities

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Program (2006) for environmental protection funds to support Riverhead downtown development consensus initiative. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1204

Councilwoman Blass: "Grants the Place for Learning, Inc. an exemption from real property taxes for the 2000 year assessment roll. So moved."

Councilwoman Sanders: "And seconded."

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

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

Supervisor Cardinale: "Yeah. As I indicated earlier, I believe it not to be a good policy to allow the recapture of the year in which a purchase is made by a not-for-profit. However, the special legislation had been cleared by a previous Supervisor and Board and I think it would be insulting to Senator LaValle who worked hard to obtain it to vote other than yes on this particular application.

I vote yes."

Barbara Grattan: "That resolution is adopted."

Resolution #1205

Councilwoman Sanders: "Authorizes the Supervisor to execute a lease agreement for the Armory Drill Hall. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #1206

Councilman Bartunek: "Approves rates from Dvirka & Bartilucci Consulting Engineers. So moved."

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Councilman Densieski: "Second the motion."

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

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

Councilwoman Blass: "Yes. I'm just looking at-- these rates only took us to July of this year? I'm sorry, there's a second one. Yes."

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

Resolution #1207

Councilman Densieski: "Approves the rates from Milone & Macbroom Consulting Engineers. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1208

Councilwoman Blass: "Appoints engineering consultants. So moved. This is Araiys Design."

Supervisor Cardinale: "Just before we complete that-- there had been a question on Milone & Macbroom Consulting. Is Jack here? Jack, Rose had asked these are the 2005 rate schedule. Was that a miss that we didn't have a rate schedule in the file and why are we doing it now?"

Jack Hansen: "Those are the fish passage experts."

Supervisor Cardinale: "But don't we need a 2006-- "

Jack Hansen: "Honor that rate (inaudible)."

Supervisor Cardinale: "So then we hope-- we expect it to be the 2006. Okay. Thank you."

Jack Hansen: "Even though they're going to go in 2006 and do work, they're going to honor the 2005-- "

Councilwoman Sanders: "They're going to hold the 2005 rates?"

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Jack Hansen: "Right."

Councilwoman Sanders: "Very good."

Supervisor Cardinale: "Thank you."

Councilman Bartunek: "Nice people."

Supervisor Cardinale: "Yes. That's 1207, we voted on that, right? We're now considering 1208. It was moved and- "

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Now it is seconded. May we have a vote on appointing engineering consultants?"

Barbara Grattan: "On 1208?"

Supervisor Cardinale: "Yeah."

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

Resolution #1209

Councilwoman Sanders: "Approves the application for fireworks permit of Vail Leavitt Music Hall for First Night in Riverhead. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #1210

Councilman Bartunek: "Authorizes the Supervisor to execute change order for Connecticut Avenue culvert replacement project. So moved."

Councilwoman Blass: "And seconded."

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

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

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Resolution #1211

Councilwoman Blass: "Authorizes the Supervisor to execute an agreement between the Town of Riverhead and Queues Development, Inc. also know as QED. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1212

Councilman Densieski: "Herbert Hulse farmland development rights capital project budget adoption. So moved."

Councilwoman Sanders: "And seconded."

Councilman Bartunek: "Second."

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

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

Resolution #1213

Councilman Bartunek: "Bruce Schroeder farmland development rights capital project budget adoption. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Was this clarified to your satisfaction?"

Councilwoman Blass: "They were both corrected. Yes. Thank you."

Supervisor Cardinale: "Okay. Moved and seconded. And I have the old ones."

The Vote: "Bartunek, yes; Sanders, yes."

Supervisor Cardinale: "This is the 1213, right? Does anyone have the-- "

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(Some inaudible discussion among the Board members)

Supervisor Cardinale: "Okay. I just want to look at the new one. Okay. Yeah, unfortunately though that's about right. Okay. I vote- am I voting?"

Barbara Grattan: "No. Sanders and now we have Blass."

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

Resolution #1214

Councilwoman Sanders: "Authorization to junk fixed assets. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1215

Councilwoman Blass: "Appoints maintenance mechanic II in the water department. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #1216

Councilman Bartunek: "Authorizes the retention of law firm of Jaspán Schlesinger Hoffman to commence litigation. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1217

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Councilman Densieski: "Appoints member to the recreation advisory committee. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Bartunek."

Councilwoman Sanders: "Discussion."

Supervisor Cardinale: "Yes."

Councilwoman Sanders: "I just need- I would like clarification. I don't know who prepared Resolution 1218, but I need to understand what the difference is in the Resolved on 1218 is not on the Resolved on 1217. And I just need- I don't know who prepared the resolution so maybe who prepared it could explain while keeping the required quorum to conduct the business of the committee of five members- "

Supervisor Cardinale: "That's a good question."

Councilwoman Sanders: "-- so who did prepare the resolution and can they please explain why there's a difference?"

Supervisor Cardinale: "Who prepared these? Is it Peggy? Take a look at- look at 1217 and 1218. Look at the first Resolve clause. They should be consistent. I see no particular reason- we're having a vote on adding two members to the Rec Committee and the language- do you have it in front of you?"

Chris Kent: "No, I don't. I prepared the one that names Rose Sanders. The other one was prepared by- "

Supervisor Cardinale: "Okay. The Resolve clause in question, Chris, reads on the one prepared by Susan (inaudible) that the Riverhead Town Board hereby appoints Robert Danowski as the ninth member of the Recreation Advisory Committee for a term of no longer than two years.

The other says Resolve that the Riverhead Town Board hereby appoints Rose Sanders as a member of the Recreation Advisory Committee for a term of no longer than two years while keeping the required quorum to conduct business five.

Okay. What that was about was this. Now I get it. That if we are to add both members which is what I am recommending to this board because I'd like to utilize the talents of both members and these are advisory committees, we don't want to run into the problem that John

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was addressing previously that if you have an even number, he asked, this quorum goes up to six. So we're saying we want the quorum on this committee to be five and we want 10 members to be able to- if five of them are present, you can have a meeting."

Councilwoman Blass: "Does that mean five also would only carry- I mean how could five be- "

Chris Kent: "No. The majority of those- the majority- "

Supervisor Cardinale: "The majority of those present carries. So if you have five, you need three, if you have six- "

Councilwoman Blass: "But if you have 10, then- "

Supervisor Cardinale: "If you have 10 present, you need six."

Councilwoman Blass: "You need six."

Chris Kent: "If you have 10 present, it's snowing in July."

Councilwoman Blass: "Okay."

Supervisor Cardinale: "Yeah, it's very unusual. Okay. With that clarification, I'd like to have 17- and moved and seconded has been. I'd like to have a vote on 17."

The Vote: "Bartunek."

Councilman Bartunek: "Yeah. No matter how we vote on this, somebody is going to be mad at us. So I think what we decided to do is we're going to pass a couple resolutions here where everybody's going to be mad at us."

Supervisor Cardinale: "Yeah, right."

Councilman Bartunek: "So, yes. I vote yes."

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

Resolution #1218

Councilman Densieski: "Appoints members to the Recreation Advisory Committee. So moved."

Councilman Bartunek: "And seconded."

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

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The Vote: "Bartunek, yes; Sanders."

Councilwoman Sanders: "I'm going to abstain but before I do I know it's sometimes inappropriate to make comments on particular members of a committee or their participation but-- and to step up and misstate some information is also inappropriate."

So for the record, I've served on the recreation-- honorably served on the recreation committee for over 13 years, five years as the chairperson. And I believe if you are making a decision based on one's experience, that my experience would certainly surpass any member currently sitting on the Recreation Advisory Committee.

So to stand up and misquote and misstate and misrepresent some of the facts, I find unfortunate.

I think that I will serve as I have always served on the Recreation Advisory Committee under different administrations over the years and have done so with never the fanfare that the Recreation Advisory Committee has received within the last couple of years.

I find it interesting and, again, inappropriate for accusations to be made about personal agendas when the facts are incorrect. If I am supported, I will, again, gladly participate. I've been very dedicated to the committee. I am a member in good standing. My attendance is next to none and I would hope that I would continue to participate on that committee in the same way.

But I do abstain."

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

Councilwoman Blass: "I enthusiastically support this appointment not because Rose Sanders is my friend, but because she has served well and deserves to continue to serve and I think the community benefits from that participation."

My vote is yes."

The Vote (Cont'd.): "Densieski, no."

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

Supervisor Cardinale: "I want to say welcome to Robert Danowski and welcome back to Rose Sanders. I want to thank you all for your service. This is an advisory committee. We appreciate the time and effort everybody spends and I'm impressed by your efforts and I vote yes."

Barbara Grattan: "The resolution is adopted."

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Resolution #1219

Councilman Bartunek: "Appoints a marriage officer. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1220

Councilwoman Blass: "Ratifies the attendance of the fire marshal at a meeting. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1221

Councilman Densieski: "Accepts the resignation of a detention attendant. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #1222

Councilman Densieski: "Authorizes the donation of a Town of Riverhead highway vehicle bulldozer #58 to the Long Island Antique Power Association. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1223

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Councilman Bartunek: "Resolution of support and concurrence with the Suffolk County/Town of Riverhead Empire zone (formerly Economic Development Zone) regionally significant project application. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I haven't voted for the other times that they've moved zone to other towns. The difference this time is they're not taking any of our zone. They're putting in new zone."

But what we should have here attached in my opinion is an agreement between the Town of Huntington telling us how much they're going to pass us, obviously the county is going to pay their share, and we should be enforcing the other payments. We have other towns that haven't paid us.

I think what the state should be doing is concentrating on putting economic development toward our zone instead of creating zones all over the place and making sure Gabreski, Huntington, Babylon, Southampton get theirs.

So I'm going to be consistent and vote no."

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

Supervisor Cardinale: "I am interested in what my colleague just said. He correctly states this is a regionally significant project which has no impact on the 1280 acres within the zone anyway. But I appreciate the comment that yeah they should be paying something. So I'll look into that, Ed. I vote yes."

Councilman Densieski: "Thank you."

Barbara Grattan: "The resolution is adopted."

Resolution #1224

Councilwoman Blass: "Ratifies the submission of a grant application to the Suffolk County Youth Bureau. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #1225

Councilwoman Sanders: "Authorizes the town clerk to publish and post a public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code for definition of professional offices. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #1226

Councilman Bartunek: "Authorizes 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 business center zoning use district accessory uses. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1227

Councilwoman Blass: "Authorizes the town clerk to publish and post a public notice to consider a local law to amend Chapter 108 entitled zoning of the Riverhead town code. This is the CRC zoning use district amending accessory uses. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1228

Councilman Densieski: "Authorizes the town clerk to publish and post public notice to consider a local law to amend Chapter 108

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entitled Zoning of the Riverhead town code. The destination retail DRC zoning use district for accessory uses. So moved."

Councilman Bartunek: "And seconded."

Councilwoman Blass: "Discussion."

Supervisor Cardinale: "Yes, go ahead."

Councilwoman Blass: "Mr. Supervisor, if you recall, I had asked that this resolution be amended to also include a third permitted use that was car dealerships."

Supervisor Cardinale: "Right."

Councilwoman Blass: "And the amendment was going to be letter A.3 car dealerships as a permitted use."

Supervisor Cardinale: "Yes, I do recall that and it just didn't- doesn't show up, so let's add it. I believe this is adjacent to one as I recall. Can you show the clerk the- that would be adding A.3."

Councilwoman Blass: "It's a third permitted use."

Supervisor Cardinale: "Car dealerships. Car dealerships. Okay, so above the word- the letter B is A and then car dealerships."

Councilwoman Blass: "That was contemplated in the original plan but not adopted in the zoning."

Supervisor Cardinale: "Okay. With that change, can we have a vote?"

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

#### Resolution #1229

Councilman Bartunek: "Authorizes 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 shopping center zoning use district accessory uses. So moved."

Councilwoman Blass: "And seconded."

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

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

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Resolution #1230

Councilwoman Blass: "Authorizes the town clerk to publish and post a public notice of a public hearing to consider a proposed local law to amend Chapter 52 entitled Building Construction of the Riverhead town code, Section 52-10C. So moved."

Supervisor Cardinale: "There's a change here?"

Councilman Bartunek: "Yeah. Do you want to- "

Supervisor Cardinale: "Yeah, that was- and who's seconding this? Rose?"

Councilwoman Sanders: "Seconded."

Supervisor Cardinale: "Moved and seconded. I'd like to discuss it just for a second. On the- after the word pay on D-2- "

Councilwoman Sanders: "Fourth line?"

Supervisor Cardinale: "Yeah, fourth line. We wanted to add nunc pro tunc which means now for then which makes clear the fact that if it is changed to a non-agricultural use, we expect the full payment to be made now for what should have been paid at the point they got the discounted fee. So I thought- that's what I think we added earlier. Okay, so with that change after the word pay, can we have a vote?"

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

Resolution #1231

Barbara Grattan: "Resolution #1231 to pay bills."

Councilman Densieski: "So moved."

Supervisor Cardinale: "Second please."

Councilwoman Sanders: "Second."

Councilman Bartunek: "I'll second that."

Supervisor Cardinale: "Yeah. Moved and second to pay bills. Vote please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The bills are paid."

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Supervisor Cardinale: "We have an add- one item off of the floor that came in at 12:30 from Rick Hanley, way to go, Rick, which we have been waiting for for three weeks, way to go, Rick, authorizing the town clerk to publish and post notice of public hearing for a draft environmental impact statement Headriver LLC, i.e., better known as Wal-Mart which hearing would be on the 11<sup>th</sup> of January at 3:00 p.m.

Do you have that, Barbara?"

Barbara Grattan: "No, I don't."

Supervisor Cardinale: "Here it is if you need it."

Barbara Grattan: "Thank you very much."

Supervisor Cardinale: "Okay. That's- I guess you guys didn't get these? Okay, good. So with that, can we have that numbered."

Resolution #1232

Councilwoman Sanders: "Authorizes- 1232, Barbara, I'm sorry. Authorizes the town clerk to publish and post notice of a public hearing for a draft environmental impact statement for Headriver LLC. So moved."

Councilwoman Blass: "And seconded."

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

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

Supervisor Cardinale: "I- that concludes I believe the resolutions before the Board. I'd like to take public comment in general on any matter within the purview of the Board. So if anyone has some, would you please come up. Sal, why don't you come up.

While you're coming up, I'd like to make a public comment to the board so I don't forget it. 1206, 1207 and 1208 which approved the rates for Dvirka & Bartilucci, Milone and Macbroom and Araiys Design, our engineers. In passing through it, I noticed that the rates do differ by about \$50 for principals and thereafter between those firms.

In the legal profession, we have a rack rate that our attorneys- it was \$150 which is quite low, and we recently moved it to \$165. It strikes me that we ought to do the same thing with engineers because those three firms go from- for example, principals go from 205 to 165 in rate. I think they would still work for us if we set the rack rate somewhat lower. So I'd like to explore that at the work session.

Yes, Sal."

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Sal Mastropolo: "On 1197 when I questioned it about the veterinary offices on the ground floor?"

Supervisor Cardinale: "Yes."

Sal Mastropolo: "The rationale was that you didn't want animals brought into Main Street, Riverhead. Right?"

Supervisor Cardinale: "Yes. One of them is that. Yes."

Sal Mastropolo: "Well, the way you left- the way you accepted the resolution, you did not eliminate veterinary offices on the upper floors so you're still going to have the animals on Main Street. So the way you have it written, you better fix it."

Supervisor Cardinale: "Yeah, you're right. Good."

Sal Mastropolo: "Okay?"

Supervisor Cardinale: "So if you missed that- yeah, because- did we preclude all professional- "

Sal Mastropolo: "You have all offices on upper stories. Which means if I'm a veterinarian and I want to put an office there- "

Dawn Thomas: (Inaudible)

Sal Mastropolo: "That's not the way it's written here. It says- so it excludes them on upper floors?"

Dawn Thomas: (Inaudible)

Sal Mastropolo: "Okay."

Supervisor Cardinale: "Thank you for that."

Sal Mastropolo: "Another thing. I got my Christmas presents in the mail yesterday, my tax bills. But even more important is we got greetings from Cablevision. There was an insert with the bill and the bill is going up again. Okay? About 10%. Okay? So those of you out there watching this, make sure you look at your Cablevision because it's going up effective January 1<sup>st</sup>, basic is going up to \$16.00 and change from \$14.76 or \$14.68 plus tax.

And last but not least, about a year ago, I brought up the problem about one of my neighbor farmers, all the water dumps out from his farm out onto Sound Avenue and it runs across the front of Gregory Way and it goes down to the sump that's about maybe a thousand or so feet east of there. We haven't seen the fix yet, okay, and we had all

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those rains last week, okay, and then we had the cold weather, and the intersection of Gregory Way and Sound Avenue was frozen. The town had to come out and salt and sand the intersection.

I'm just wondering when we're going to fix that problem. That farm continues to dump all the water out onto Sound Avenue, okay. Somebody even went to the trouble of putting a little four inch PVC, okay, covered by dirt so the water can come out without washing out the dirt, okay.

I thought the proposal- there was a resolution to take like some 10 feet, okay, of the farmland so that you can put a half a culvert so that the water would stay there."

Supervisor Cardinale: "Yeah. Kenny, could you come up for a second? Sal is discussing Gregory Way and Sound Avenue, the drainage issue. Are you familiar with it?"

Ken Testa: "No, I am not."

Supervisor Cardinale: "Okay. Could you get familiar with it because- "

Ken Testa: (Inaudible)

Supervisor Cardinale: "That's what he's asking, that we take a look at that and if it needs solving, let's try to solve it. It's not our problem. It's not water from the road causing drainage issues. It's water from a farm field causing drainage issues on our road. So both you and Mark Kwasna maybe could look at that. All right? Could you make sure he knows what he's looking at? Tell him. Thank you. Yes."

Leroy Barnes: "Phil. I just thought I'd mention I talked to Mark Kwasna about that about three weeks ago- "

Supervisor Cardinale: "Good."

Leroy Barnes: "And it's in his schedule to do."

Supervisor Cardinale: "Okay. Sal, Leroy knows about it. It is in Mark Kwasna's schedule to work on that."

Sal Mastropolo: "Okay."

Supervisor Cardinale: "Thank you, Leroy. Thanks. Did- let's see, Rolf has and then yourself, so let's go ladies first and then Rolf. All right, go right ahead."

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Kathleen Grodski: "Kathleen Grodski, and I want to thank you for appointing Robert Danowski and I want to clarify a few things. I stand by everything I said before when I spoke and the reason why I was asking Barbara to vote for Bob and look at what he had in front of you was the fact that I assumed there was only one position there because that's what your resolution had said prior. There was only seven to nine members. Whereas, Rose was on the committee prior and I have no objection for anybody else going on one of these committees but you had a resolution saying so many and you specifically changed this one. It's just laughable to me at this point because why? Now this to me opens up all the other committees. You know what? Maybe there's some other people in this town that would like to be on some of those other committees."

Supervisor Cardinale: "And we invite them."

Kathleen Grodski: "You invite them all?"

Supervisor Cardinale: "Oh, yeah, it could be seven to 11. Seven to 13. What we want is as much input as possible."

Kathleen Grodski: "This resolution is just garbage then."

Supervisor Cardinale: "On that point, I don't feel strongly that it has to be 7, 8, 9, 10, 11 or 12."

Kathleen Grodski: "I thought that's why you adopted these resolutions. I just want to clarify the fact."

Councilwoman Blass: "The fact is, Kathy, it's not- "

Kathleen Grodski: "Two more people, that's wonderful."

Councilwoman Blass: "Sure."

Kathleen Grodski: "Absolutely wonderful."

Councilwoman Blass: "But you indicated that it was my resolution and I didn't have anything to do with- "

Kathleen Grodski: "No, I did not."

Councilwoman Blass: "You just said your resolution, so I- "

Kathleen Grodski: "I'm speaking to the board- "

Councilwoman Blass: "Well, you used my name. That's the only reason- "

Kathleen Grodski: "Well, I was speaking to you about-- prior to that. I'm sorry."

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Councilwoman Blass: "Okay."

Kathleen Grodski: "I'll clarify myself."

Councilwoman Blass: "Sure."

Kathleen Grodski: "(inaudible) is a resolution. Okay. So basically this resolution means nothing to the fact of towards members. So shouldn't that be voted on and changed to the fact that it is open to as many members that would like to join."

Supervisor Cardinale: "Yeah, it just was. If you look at the- "

Kathleen Grodski: "No, that was I believe specifically said for the rec committee to add one more person to make (inaudible) open to- I mean I think you really should open it up and let people know that there is more chairs available in all the committees because there are a lot of people out there that maybe could bring something to everyone of these committee, myself included."

Supervisor Cardinale: "The more the merrier from my perspective."

Kathleen Grodski: "Absolutely, I agree."

Supervisor Cardinale: "I anyone wishes to join an advisory committee, an unpaid- an unpaid advisory committee and work free for the town knowing that when you give us the advice we may very well disregard it because you're advisory and we actually have to make the judgment, I invite them to come to me and I would be glad to amend the number from seven to nine to nine to 11 or whatever is necessary."

Kathleen Grodski: "The only other thing is as the vote-wise goes, how do you work Robert's rules?"

Supervisor Cardinale: "As a vote-wise?"

Kathleen Grodski: "Yes. You know, where you take a vote in a committee, it's the majority of members."

Supervisor Cardinale: "No. Actually it's the majority of those members present."

Kathleen Grodski: "Those members present- "

Supervisor Cardinale: "Yeah."

Kathleen Grodski: "-- all the committees. Thank you very much. Have a great holiday."

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Supervisor Cardinale: "As long as you have at least half of the members. That's the quorum."

Kathleen Grodski: "Okay, thank you."

Supervisor Cardinale: "Thanks. Any other comment? Yes, Rolf."

Rolf Koesling: "Rolf Koesling, Wading River. I also got my greetings from the town and I opened it up and I noticed one thing. Our refuse, our garbage collection went up \$123.50, a 45% increase."

Supervisor Cardinale: "Yes. That's correct. Forty-two actually."

Rolf Koesling: "Forty- and did they get the contract for the whole five districts or just for one or two?"

Supervisor Cardinale: "They got it for all six. There was a double- we bid twice to make sure we got the best price possible. Fortunately for us we got bids, fortunately for us there were two bids. The people that did our work previously which was Waste Management did not get the high bid. It was Maggio. That's the- the bad news is because of gas prices, they indicated, that is Waste, that it would have to go up considerably. They weren't even the winning bid. But Maggio's did go up 40% or 42%."

The good news is if there is any on that particular line, is that this is a five year contract and over the next four years after this year, it is not permitted to be raised by- the rate cannot go up more than 3%. So you know you'll have stability for five years but- yes, it's- I think it went from, oh, I had it before, from 286 to 410 or something like that."

Rolf Koesling: "They can't raise the rates but like LIPA, can they make a surcharge?"

Supervisor Cardinale: "No surcharges either. Yeah. They have to produce during that period. Thank you."

Rolf Koesling: "Okay. I was always happy with Waste Management, they always treated me good, they always took everything away. And I find what- a lot of problems were, is the residents themselves, not the carter. Because I go around and I see people throw everything in, throw around, they don't recycle. I think they're the biggest problem, the residents."

Supervisor Cardinale: "You've got to memorize the schedule. Right."

Rolf Koesling: "Thank you."

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Supervisor Cardinale: "Thank you. Marty."

Martin Sendlewski: "Hi, Martin Sendlewski. I'm a member of the parking committee. We had a meeting last week— I mean last month, and we have another meeting tomorrow with the parking advisory committee."

Supervisor Cardinale: "Yes."

Martin Sendlewski: "First off, what we'd like to do is we'd like to note that in no way do we question the job that Young & Young's done. We think they've done a great job with the work that's happening along the riverfront. They designed a very nice road along the riverfront."

Our committee though questions the appropriateness of the roadway. In looking at the plans, in looking at what's going on down there, what's happening is the construction of a road. When you look at the plans, the roadway between the parking lot and the riverfront is the same dimension, has the same line striping, double yellow line, white lines on the side, as Roanoke Avenue from the circle to Pulaski Street. It's going to separate the parking lot from the riverfront.

So you have instead of a parking lot and a riverfront, you have a parking lot, a road similar to let's say Roanoke Avenue, and then the riverfront.

What we did as a committee, we worked on some thoughts. Dave Cullen was in briefly at the last meeting and we came up with an alternate solution that you have in front of you in color.

Basically what it does is it separates the bike path from the roadway which pushed the paving further away from the riverfront. The orange line that you see which is the bike path is currently the south line of the roadway, exactly— as a matter of fact, you can see the original roadway, Young & Young's drawing, under this and we copied it light, then we colored it in.

The south edge of the bike path on this plan is the south edge of the current road that's planned. So if you look at the amount of changes, they're minimal in terms of the revisions being made but these revisions will gain 30 parking spaces for the waterfront."

Supervisor Cardinale: "You have two maps, Marty. Which is—"

Martin Sendlewski: "There's page one and page two."

Supervisor Cardinale: "Are they— does one show the proposed and one show your revision?"

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Martin Sendlewski: "No, no. Page one is the parking lot behind let's say the Boardwalk."

Supervisor Cardinale: "Okay, it's an extension of it."

Martin Sendlewski: "Right. Page two is the one behind Sears."

Supervisor Cardinale: "Okay. I understand."

Martin Sendlewski: "What happens is in doing this, the concerns that the committee has— our concern isn't about the roadway. As a committee, our concern is about parking. The town currently has a number it uses on the records of \$15,000 a car for parking space. The 30 cars that this will add represents a half a million dollars in parking.

Not only will it represent that, but the fact that there's less paving by about 12,000 feet, there's less curbing, would result in potentially up to \$50,000 in credits on the current project. So we're talking about a savings of anywhere from \$500,000 to \$600,000 when you talk about credits and the value of the parking that would be gained.

Now we've talked to the engineering office. Our committee has a meeting tomorrow. Young & Young is going to be at the meeting as well as engineering and we're going to be at the work session on Thursday. This is not something that's too late for us to achieve. None of the curbs have been staked out, they haven't been installed, it's a minor change in terms of curb locations. It's a big improvement in terms of the waterfront and it will gain us over half a million dollars in parking at no cost to the taxpayers downtown.

Just recently you had indicated that the town board makes the judgment with committees, so we don't get to make the decision, you do. The judgment you're going to make is whether you want to improve the waterfront, save the half a million dollars in parking, and possibly save money on the current contract. I can be done. It's not too late.

We're going to have a meeting tomorrow. We'll be at the work session Thursday and we hope for your consideration."

Supervisor Cardinale: "Thank you, Marty. I'm looking forward to hearing more."

Councilwoman Blass: "May I just comment?"

Supervisor Cardinale: "Yes."

Councilwoman Blass: "When we talk about we have the opportunity to make a decision, I think the decision was made not once but twice

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already so I'm a little confused as to why when a board does make a decision it gets evaluated not once, twice, but three times after we've already committed monies, had the engineering companies on board with a particular direction that the town board took and we have now an advisory committee that is— is Young & Young actually being paid again tomorrow to come? Are they charging us more time to revisit a plan that they have revised more than once based upon input from this committee?

I'm a little concerned as to when a project ends. When is the direction that a board has taken that has been started to be implemented through contracts and engineering design, when do we— everybody talks about why we never finish anything. We're in the process of moving forward on a plan that was revised more than once by this board and now the parking advisory committee is coming back and asking us to revisit it again. So I'm just a little concerned about that."

Martin Sendlewski: "Well we had asked this originally— "

Councilwoman Blass: "Yes, I know. And we had already voted on it twice."

Martin Sendlewski: "The answer is, is without the bricks and mortar being built, we can correct the mistake."

Councilwoman Blass: "You view it as a mistake. Maybe there are those of us who do not view it as a mistake."

Martin Sendlewski: "There may be but everybody that I speak to that understands what's going on down there now, knows at Roanoke Avenue, 30 feet, double yellow, is going to be between the parking lot and the waterfront and with the current rate of \$15,000 a car, that's the number that was used about the dumpsters about a month ago, 30 cars is a half a million bucks. If you— you don't think it's a mistake to lose a half a million dollars in parking, I'm dumbfounded. If that's the case, quite frankly, then I'm going to not waste my time being on the committee anymore along with probably a lot of other people."

Councilwoman Blass: "So is it the committee basically dictates to the town board what is— "

Martin Sendlewski: "No."

Councilwoman Blass: "Okay. So I'm confused— "

Martin Sendlewski: "Barbara, I'm asking you to look at your decision."

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Councilwoman Blass: "We looked at it and in fact we looked at it more than once and the engineer that we hired was gracious enough to donate services the second and third time it had been revised. I don't know that he's willing to do that again. Have you asked him?"

My point is when does a project continue on its path? I don't-- "

Martin Sendlewski: "If there's a potential to get a credit on materials on the current project of \$50,000, I'm sure that will cover any additional engineering costs. We'll never recover half a million dollars in parking--"

Councilwoman Blass: "We'll never finish anything."

Supervisor Cardinale: "Okay. Let me-- is this a new plan--"

Martin Sendlewski: "And there are five members on this committee so we're asking this board as the parking committee to make this judgment again and if you're in favor of a road instead of a half million dollars in parking being saved and a better waterfront and possibly a credit from the current contractor and you consider that to be the judgment that the town board makes, then so be it. We're only asking."

Supervisor Cardinale: "I understand that. Both-- I think it is appropriate for the board to always try to look at as much information as possible. On the other hand please convey to Mister-- to Howie that he can charge all he would like for the meeting, but he's not going to get paid. So if he wants to-- because we haven't authorized that expenditure."

Martin Sendlewski: "Well, I know that he's going to be here Thursday-- "

Supervisor Cardinale: "Okay."

Martin Sendlewski: "-- at the work session regardless about some other items. So-- "

Supervisor Cardinale: "Good. I don't want to see any more bills on this. The other question I want to ask you, Marty, is this. Is this a plan that we've seen before or is it a variation of a plan that we've seen before?"

Martin Sendlewski: "It's really a-- when we had the plan previously when we discussed this going back I don't know, about six or nine months ago. We didn't have the final plan. This is the actual engineered plan that's being currently built."

Supervisor Cardinale: "Okay. So it's essentially what we saw but it's engineered now so we can see-- "

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Martin Sendlewski: "Right."

Supervisor Cardinale: "Well, certainly- "

Martin Sendlewski: (Inaudible)

Supervisor Cardinale: "-- I understand Barbara's position and I understand your position. I have no objection to looking at it. I think it's good to look at it again. Ed and I did a lot of work after the board did their first rendition and the reality is you need three votes to proceed. The three votes we got was on the plan that's being built. If there's three votes to change, there's three votes to change. We'll look at it. But make sure that the surveyor knows that I don't want to see extra bills on this because that is a legitimate point because we don't have three votes to allow that."

Martin Sendlewski: "Members of this board who are business owners and property owners downtown, quite frankly, at our meeting tomorrow, I'll pass the hat and we'll pay Howie out of our own pockets. I'll give him cash- "

Supervisor Cardinale: "He'll probably waive it. He's a nice guy."

Martin Sendlewski: "-- to pay for him. We'll all do that. The committee will pay."

Supervisor Cardinale: "Yeah, all right. If you feel strongly, I'll be glad to listen to what you're saying but there is a balancing and I understand your point that losing parking is not good. But there is a balancing. So let's take a look at it one more time as long as it doesn't cost us."

Martin Sendlewski: "The only thing I'll add is that there are only two people- there are only two people that I know of that agree with the plan as it's currently being built. Okay? Everybody else I talk to says they're building a road that's like Roanoke Avenue between the parking lot and the waterfront? I don't know if anybody else- "

Supervisor Cardinale: "How big is the current road, Marty? How wide?"

Martin Sendlewski: "There isn't a road there. It's a parking lot."

Supervisor Cardinale: "Whatever that thing is."

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Martin Sendlewski: "It's a 24 foot aisle with parking stalls off the aisle."

Supervisor Cardinale: "But the current road we- you know, the one we usually ride on before the whole thing happened- "

Martin Sendlewski: "That's probably 24 plus the parking stalls, standard parking lot."

Supervisor Cardinale: "So this would be like six feet wider, this thing they're building."

Martin Sendlewski: "This is a road. Correct. There's no parking off of it. It's a double yellow line, white lines on the side with a bike path, curbs, no parking. It's a road between the parking lot and the waterfront."

Supervisor Cardinale: "Okay. Let's take a look at it. Monday we're going to be in session only from about 9:30 to noon so let's try to get it in there."

Martin Sendlewski: "Okay, thanks. We're not trying to make the project endless. We just- "

Supervisor Cardinale: "I'm sorry, Thursday, we're only going to be in session from 9:30 to noon."

Martin Sendlewski: "Our charge is parking. And we can save a half a million dollars in parking and if the town board doesn't want to save a half a million dollars in parking, fine. But we don't want to pay for it later on when you get it somewhere else."

Councilwoman Blass: "Mr. Sendlewski, as long as you're on the parking committee and I've been asking I don't know how many times for an evaluation of the current capacity of the parking district, the number of stalls that are currently assigned or can be absorbed by the current uses in the downtown district, we've never had that kind of inventory done to our satisfaction."

And with all of the new uses that are being interjected in downtown, perhaps the committee could collectively assist the town in coming up with parking analysis as long as it is-- you are the committee for the parking district committee, we've been asking for that kind of work to be done. Maybe the committee could investigate that on our behalf."

Martin Sendlewski: "I think we certainly will also. We are- we do have one project we looked at where we can add by restriping and reconfiguring the parking lot behind Woolworth and the theater area. We can add 30 spots there by reconfiguring that. That's a plan that

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we're developing to bring. And it shouldn't be a half a million dollars because it's an existing parking lot and we're going to change islands and striping.

So those are the types of things we're doing. We don't have a number but we know 30 more is better than 30 less. I know when we're doing an evaluation, we're not going to say, oh, you need 60 less parking spaces downtown. It's going to say you need a lot more. Every one that we can keep we think is going to be a benefit long term. So, thank you."

Councilwoman Blass: "Thank you."

Supervisor Cardinale: "Do you know what time you'd like to come in on Thursday?"

Martin Sendlewski: "I think there's something scheduled, I'm not exactly sure what time it is. But we're meeting tomorrow at 4:00."

Supervisor Cardinale: "Good. I want to make sure you don't have to wait, because if you're paying, I want to be nice to you."

Martin Sendlewski: "No, no. Thursday he's coming on your bill already."

Supervisor Cardinale: "Oh, you're trying to piggyback."

Martin Sendlewski: "Yeah, the aquarium, so."

Supervisor Cardinale: "All right. Okay. Any other comment here? Oh, Mark. Okay, come on up."

Mark Houraney: "Hi. Mark Houraney."

Supervisor Cardinale: "Yes."

Mark Houraney: "Phil, the meeting before the election I asked you about the ethics complaints and I know Peggy said to me that she was following up on it and I haven't heard anything and it's been a year since I filed the first ethics complaint and I'd like to know, you know, what's happening and, you know, is it going to be enforced any of these ethic complaints?"

Supervisor Cardinale: "Well, we, again, we—the committee itself, I guess in a sense they do report to us. On the other hand I understood that they had written back to you."

Mark Houraney: "No, I have received nothing."

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Supervisor Cardinale: "Because I asked that question a few weeks- "

Mark Houraney: "Write back and tell me to go jump in the river or something but, you know, just to ignore everything- "

Supervisor Cardinale: "Yeah, exactly. It's not right. Yeah."

Mark Houraney: "-- is wrong."

Supervisor Cardinale: "I- Peggy is not in the room but when we finish the meeting, I'll tell her to ask for a response to be made because that's inappropriate not to respond."

Mark Houraney: "Thanks."

Supervisor Cardinale: "Thank you. Any other comment from the public? If not, it being 4:30, we'll end the meeting. We're going to have another meeting on the 28<sup>th</sup>, the final meeting of the year at 2:00 p.m."

Meeting adjourned: 4:30 p.m.