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Minutes of a Special Town Board Meeting held by the Town Board of the Town of Riverhead at Riverhead Town Hall, Howell Avenue, Riverhead, New York on Wednesday, December 28, 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
Melissa Giguere,	Deputy Town Clerk
Mary Hartill, Esq.,	Town Attorney

Supervisor Cardinale called the meeting to order.

Supervisor Cardinale: "-- last meeting of the year, if we're lucky. I see Cablevision is here; we're already doing well.

I'd like to begin with the Pledge of Allegiance which, Richard, maybe you could join us or lead us in."

(At this time, the Pledge of Allegiance was recited, led by Richard Wines)

Supervisor Cardinale: "Before getting started with the meeting itself, I'd like to go into the conference area and make a presentation.

Rose said she'd prefer to stand over here on the table as we present here with this ungodly reminder-- no that's after the meeting, standing on the table. Again.

I am-- as the last meeting of the year, we are going to present you with this seal of the town to commemorate your service of the last four years to this august town. I wanted to say a few words of appreciation for your efforts, thankfulness for your service to the town, particularly because you actually defeated me in 2001 for the position you've held for the last four years.

I had thought of a lot of things to ask a few people of what would be most pertinent. Barbara wouldn't tell me because she wants to make a few comments, but I think I will leave it that you have been over the two years that I've served on the board, the most independent spirited, sometimes confrontational, but always thoughtful member of

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the board and I want to thank you. As I put in the little card that you'll receive for always putting the interests of Riverhead first even though as things turned out it was at some considerable personal expense. But I really appreciate your efforts and your doing that, so that is a (inaudible)."

(Applause)

Councilwoman Blass: "We've done a lot together over the last 47 years but clearly these last four years have been the most challenging at times, difficult at times, exciting and funny. We've had some very (inaudible).

But clearly on a more serious note, I did want to tell you that—and I know many members of the community share with me when I tell you that you have raised the standard and have earned the respect of some of the people in this community because of your professionalism, your integrity, and your courage in the performance of your duties as a councilwoman.

And as you leave elected office at least for now anyway, I hope you leave with your head held high because you really have touched the lives of many people in this community and your actions have indeed improved the health of our community in very many ways.

It's been an honor to have served with you and I'm very proud to call you my friend."

(Applause)

Councilwoman Sanders: "And if I may just take a moment, I know you all have a lot of things to do. I want to wish you all a very happy and healthy new year and although I may not be sitting from that side stating my opinion, I plan very much on sitting on that side stating my opinion. So even though you won't be looking at me from that view, you'll be looking for me at a different view.

I plan to remain very active. My life is here, I'd like to stay here, enjoy the rest of my retirement years here in the community and I want to finish what I started. You never know what the future can bring.

I want to thank you all from the bottom of my heart for all the support and encouragement that I have received in many different ways. I appreciate it. I've made a lot of wonderful friends along the way and this may only be the beginning. And I thank you again from the bottom of my heart."

(Applause)

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Councilwoman Sanders: "(inaudible) but for the most part, I think we've done a wonderful job together and thank you for that. Thank you."

(Applause)

Supervisor Cardinale: "Absolutely. You get to keep that as well and use it as a weapon or- in whatever other manner you'd like."

Councilman Bartunek: (Inaudible)

Supervisor Cardinale: "I can see, at the prospect of- oh, yes, Ed is in tears it was just pointed out. But he also points out he has a cold. So don't read any meaning into that."

I would like to begin by wishing everybody a happy new year which is right on the script if you open the front page of your program and we just spoke about Councilwoman Sanders and what more can one say? She speaks for herself. Very often, very effectively.

We'd like to begin the meeting by approval of the minutes of the December 20th meeting. Can I have a motion to approve and a second, please."

Councilman Densieski: "So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Can we have a vote on the approval of the 20th minutes?"

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

Supervisor Cardinale: "Do we have any Reports, Barbara?"

Barbara Grattan: "Sure."

REPORTS:

Receiver of Taxes
Total collections to
date:
\$2,956,328.48

Barbara Grattan: "That concludes Reports."

Supervisor Cardinale: "Applications, please."

APPLICATIONS:

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Special permit
Alla Ballreich - 30 Elton
St.

Barbara Grattan: "That concludes Applications."

Supervisor Cardinale: "And I see we have no Correspondence. People are apparently otherwise engaged during the Christmas and the New Year period which is frankly refreshing."

And public hearings. We have one on the consideration- and an important one on the consideration of the creation of the proposed Riverhead downtown historic district. This is actually I think an extra hearing that we wanted to have to make sure the public was aware of the proposal.

Richard Wines is here and I'd like perhaps to have the hearing opened at 2:17."

Public Hearing opened: 2:17 p.m.

Supervisor Cardinale: "And, Richard, maybe you could make some introductory comment if you care to and then I'll take comment from any other member of the public who wants to talk about the proposal to create a Riverhead downtown historic district pursuant to a proposed map."

Chris, do you know how to amend this input or whatever the heck we're doing?"

Councilwoman Blass: "I think we need to be turned on just a little bit because- thank you."

Supervisor Cardinale: "Richard, tell us what this hearing is about."

Richard Wines: "Thank you, Phil. As you know, this is the hearing to- for the town board to review the historic district that the Landmarks Preservation Commission has proposed for downtown."

We have already held one public hearing that was noticed to the public and noticed to all individuals owning property within or near the district and the Commission has as a result of that hearing approved the downtown district.

So under the town code, the town board has the right to review any- the town board has the right to review any creations of either individual landmarks or historic districts by the Commission and I'm most grateful the town board wants to do so. So that's what today's hearing is all about.

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As you know, we on the Commission and a number of the Commission members are here this afternoon, think that an historic district will do wonderful things for downtown and we think it will be an important part of your, the town board's efforts, to revitalize the area.

Downtown merchants we think will benefit because the district will help attract customers. We think homeowners in the district will benefit because districts tend to make the areas nicer neighborhoods. We think that property owners in the district will benefit because historic districts tend to increase values. We think that owners of commercial properties in particular can benefit because the historic district can help make available federal restoration tax credits.

And perhaps most important, we think that all the citizens of Riverhead will benefit because a district can help preserve a town's essential character, can restore its sense of place, and it can make downtown Riverhead a more attractive place to live, to shop, to work, and to do business.

And for all of these reasons, the Landmarks Preservation Commission has been working on this district for more than three years now and I'm happy to say that during that time we've met repeatedly with the town board, we've met with the BID, we've met with the Chamber, we've met with a lot of other community groups. We've given tours, we've mounted a photo exhibit, we've published a booklet of walking and driving tours of downtown.

The local newspapers have been very helpful and published dozens of articles and photographs on the subject.

Throughout this process, we've marveled at the support and encouragement that we've received from all sides. We've gotten a lot of great input from everybody. It's really great to be in a town where all the members of the town board are staunchly in favor of preservation. Thank you very much, all of you.

It's great to be in a community that cares so much about its past, so thank you very much all of you.

As you know, as part of this approval process, we've notified everybody and we held our hearing on October 24th and it was great to have a nice turnout and to get some good input from the public at that. There were several things— I'm pleased that everybody was supportive of the concept of an historic district within the boundaries that we proposed.

But some good points were brought up by members of the public at that hearing. And in particular three things that I want to mention tonight because these are things that I think we need to deal with.

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None of them are about the district itself. They're all about the implementation of the district.

The first of these is the question of guidelines and I think here several people questioned whether the guidelines, whether there should be stronger guidelines than what's in our code. But our code already is fairly clear. It says that alterations, repairs, additions and so forth have to be consistent with the materials and styles of the particular architectural period of the said building, structure is characteristic.

And we think that's enough to go on although certainly we wouldn't mind having slightly clearer standards and we've already forwarded to members of the town board language that's very simple. It's only like three sentences that East Hampton and Greenport and Southampton and other surrounding villages already have and it's in the state's model code. We think that would help.

And the Commission has also met and we're committed to preparing informal guidelines. This is what other historic districts have done. After the district is established, the members of the Commission there prepared little booklets that give you kind of guidance. It's not laws, not legislation, it's not part of the code. You don't want any more code. But just informal guidelines to help people do the right thing with their historic structures.

So that's what we're committed to doing on that front.

The second concern that was brought up and I think this is a very legitimate concern, anyone working in downtown, building in downtown, architects or whatever, they want to make sure that they don't have to go through any additional hoops and we want to do the same thing. We don't want to stand in the way of people who want to do good development in downtown. And we certainly don't want to have anyone go through an extra set of hearings or anything like that.

And so short term what we're going to do is we're going to work directly with the ARB and make sure that we do any reviews where we have joint jurisdiction, we'll do them jointly so there's no extra step that anyone will be required to jump through.

Longer term, what we're— after we understand better what the issues might be, we're going to propose to the town board whatever steps seem necessary to make sure that the procedures are straightforward and there's just a single review. I think it's important that we don't make live any more difficult for anyone trying to do good things downtown.

And then the last issue, Marty, I think you brought this up and that is our code is a little bit unclear. Our code's kind of old

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fashioned, probably needs some updating. But whether or not the Commission is advisory to the town board or actually has the final say on what happens if anyone comes to us with a proposal that we don't like.

And we read the beginning of Chapter 73. It says very clearly that we're advisory to the town board and we're committed to that status. Later in the code it's a little bit less clear but we read the introduction as being the important part. So that's what we're going to do. We're advisory to the town board.

Anyway, we think all of these districts can— these issues can best be dealt with once the district is in place. We've worked a long time to get to this point, we think now it's important to move forward so we can actually get the benefits of the district and if there are some things we need to take care of to make it a little smoother, we're committed to doing that.

So with that I don't want to say any more. Certainly we welcome any comments, questions and are prepared to answer any if that's appropriate. And, again, I just want to thank everybody here for all of your support and encouragement in making this— in getting this this close to happening. Thank you very much."

Supervisor Cardinale: "Thank you. Okay. Is there anyone in the audience who would like to make a comment? Yes, please come up. Just give your name to the clerk before you speak."

Eva Growning: "Good afternoon everyone. My name is Eva Growning, I'm an architect with the American Institute of Architects, the newly formed Peconic chapter here on the east end of Long Island.

I'm here today because of the efforts that we want to be extending to the town of Riverhead and in terms of facilitating preservation guidelines for the village of Riverhead. I've been involved with preservation for over 20 years. I'm one of the Commissioners on the east end and I'm also the Chair of the Preservation Committee for the American Institute of Architects.

Our— the American Institute of Architects has another committee called the Planning Committee and as a part of that— I'm also a member of that committee, we have already been extending efforts and discussing ways that we can formulate guidelines that meet your needs. Riverhead is a valuable, vital community and has so much to offer and so to put together a fabric that works for everybody, pedestrians, the commercial aspects, residential aspects, parklands, the riverfront. All these things are very essential and each of them are unique and the way they mesh together is very important in terms of what exists already and what will happen to your future.

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So we are very happy to be working with you on this effort and if there is any questions or anything you'd like to suggest to us, we're open for all kinds of discussion. Thank you."

Supervisor Cardinale: "Thank you. Thank you. Is there any other individual who'd like to make a comment? Marty."

Martin Sendlewski: "Hi, Marty Sendlewski. Does everybody on the board have a copy of Chapter 73 with them?"

Supervisor Cardinale: "Not at the dais here."

Martin Sendlewski: "Okay. That's what the code is that's being, you know, utilized, to be adopted. I think it would be good to refer to a copy during the hearing."

Councilwoman Blass: "Thanks, Marty."

Martin Sendlewski: "I think it's important that you have copies because I think from a lot of property owners' standpoint, I think the meeting isn't so much about public awareness today as it is town board awareness.

What I mean by that is that the code that you have in front of you is the current code with regard to historic preservation. If you look at it, the code was originally adopted in 1975. The last revision was in '88. That revision had to do with a quorum as far as a vote. So you're looking at a code that's 30 years old and is being utilized to adopt a district that encompasses the majority of downtown and surrounding areas.

I'm not necessarily against what the Historic Preservation Commission or Committee is looking to do. But I have a lot of problems with the process and I think the cart is generally in front of the horse in this case and I'll explain how that is the case.

If you look at the code and there are additional copies here, I'll put them on the table if anybody from the public wants them. If you look at the code, if you go through it and you look at what's happening here today, there are so many instances within this code that are potential real problems once the district is adopted.

What I mean by that is a lot of things and I'm not going to try and take too much time, but I think it's really important to go through them.

First off is the purpose and the policy of the code, the very first thing on the first page. It refers to, you know, places of historical significance where there's been important events, etc. That's sort of the first sentence which is really warm and fuzzy. You

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know, it's a historic part of town, it's really cute, it does have significance, and those are all good things.

When you go into B, it talks about the conservation protection and preservation of these areas. Now it also talks about being in harmony with the master plan. Now this was written in '77. Right out of the box there may be a lot of conflicts with the historic district, what their guidelines are and what's going to happen relative to the newly adopted master plan.

So I don't think without taking a look at this code in conjunction with the new master plan and the zoning downtown and having a clear understanding of how this is going to affect the zoning, it's really important that that happen, I think, right out of the box. And right now if you just adopt a district without looking at its impact on the zoning, I think we're going to have problems down the road in terms of getting projects approved.

Secondly, what I mean by that about the problems with getting approvals is that we've been to a number of meetings that were presented by the historic commission and they were very good, very informative. I think the— we have terrific members on that commission. But there is a mixed message. And part of the mixed message is that the commission isn't looking to impose hardships on property owners if they want to do something that's going to improve the area.

But on the flip side of the coin, I know that there is a feeling and not necessarily with the whole board, but it's been mentioned that, you know, the code has to have teeth, whatever the guidelines are. If they don't have something they can really hang their hat on, then they're really not going to have any authority. So what's going to happen is once this code gets adopted, we're going to have to live with it and as I go through this part of the code, you're going to see some of the concerns.

The historic district itself is a pretty wide net. It encompasses a lot of properties and a lot of buildings. One question I have about what a historic district is. What is a historic district? Is it an actual district? Is it going to be taxable in the future? Are we going to see now a historic district tax the same way we see a BID tax and a parking district tax in the future?

Is it a taxable district that has to be filed with the State Comptroller's office? Are there legal things that have to happen in order for this to become a district? You know, if it's considered a district and it takes on this type of a meaning, that has a lot further implications than, you know, paint colors and siding types.

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If you go on through the second- third page of the code or fourth page, I'm sorry, it talks about, for example, once you adopt a historic district, it defines a historic district map. Now and here it says the map is going to be prepared and maintained by the building department. This is 1977 legislation. I don't think the building department maintains maps and is responsible for the map. It's a small point but yet we're adopting legislation of a district and yet the code as it's written has conflicts in it. The cart's before the horse. There's a lot of conflict in this code once you adopt this district.

As soon as you adopt this, you're saying the building department is going to be the one to prepare and maintain the map. I don't think that's the case so, therefore, shouldn't this code be revised prior to this being adopted?

The next item is Article 3 of the code which is on page 4.1. It talks about the Landmarks Preservation Commission. Now the term commission is not defined in the town code. If you look in the dictionary it talks about commissions being a government agency having administrative, legislative, or judicial powers. Is this a commission that has authority or is it an advisory board similar to let's say, you know, the Parking Advisory Council, the Rec Committee.

Should this be adopted- or should this code be adopted or district be adopted while you have the term commission? Is it really a commission? I don't think it is. I think it's a committee because it goes on to say that they'll act in an advisory capacity to the town board. So, you know, it's splitting hairs, but you're really doing something that's going to affect a tremendous amount of property and development downtown.

If it's a commission and they're going to have authority and power, let's know that without any ambiguity prior to adopting a district.

The- I know in a November 8th memo to the town board from the committee, their clarification that they wrote to the board says that although parts of Chapter 73 are vaguely worded as the commission authority and is not up to the standards of the current model code, we intend to follow the clear spirit and intent in the beginning of 73-3 that the commission is an advisory party.

Now that's nice as a promise, it's nice as saying, well, you know, we're going to do this. We know the code doesn't say we're going to do that but we're just going to be advisory and we're going to be, you know, we're not going to impose too many restrictions or we're not going to impose too many hardships on people.

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But that's not what the code says. When you look at the code and go through all the sections of the code, once a district's adopted, they're not advisory to the town because the town board has no authority over a district once a district's adopted. It then is strictly under the guidance of this commission, okay, in direct conjunction with the building department prior to issuance of building permits.

That's a real big issue. I mean the commission can say it's not our intent. We're going to follow the spirit of being advisory. Well, if that's the case, I think a lot of property owners would prefer that this board revise this code to read that it's advisory all the way through and to set up these guidelines prior to adopting the code."

Supervisor Cardinale: "Marty, if you look at page- when the creation, 73-3- "

Marty Sendlewski: "Right."

Supervisor Cardinale: "There is hereby created a Landmarks Preservation Commission. A Landmarks Preservation Commission which should act as an advisory body to the town board, shall consist of seven members and shall be appointed by the town board on the recommendation of Riverhead Town Preservation and Landmarks Society. So doesn't that make very clear that this is an advisory body?"

Marty Sendlewski: "No. And the reason- "

Supervisor Cardinale: "Tell me why."

Marty Sendlewski: "-- the reason it doesn't is that when you go through Article 4 it does. When you go through this hearing and you're looking at adopting this district, the board does have the authority. Okay? They're advisory through Article 4.

Once you get into Article 5, once the district has been adopted, the town board isn't even mentioned in Article 5 and beyond and that's the permits and the regulation section of this code. Once- you have the right as a town board to either adopt or not adopt this district or any building therefor as a historic landmark.

However, once that landmark or district is adopted, you're out of the picture. The code says so and I'll continue to go through it and you'll see exactly why, which is why a lot of people have concerns. If we're going to adopt this, it's going to have a real big effect on downtown immediately.

If you go to the next part which talks about the powers and the duties and that talks about what the board can do, one of the things

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it says under Article B is it says it will have the power to retain consultants. However, if any funds are expended, that the town board has authority over that. And that's fine.

If there are funds extended, is it going to be applied again to the tax bills of the people that own properties within the district or is it going to come out of the general town tax fund? For the property owners, we need to know that. Because it would seem to me that people who live in other parts of town are going to say why should I pay for a consultant for downtown. I don't own a property down there. Which means the entire burden is going to fall on us as property owners regarding any expenditures. That has to be defined prior to adopting a district.

If you go to page 6, this is, Phil, the issue that you're talking about. It has to do- I mean Article 4, I'm sorry, talks about designation of landmarks. Okay. Now, this article is for designation of landmarks. A lot- there are a lot of issues that come to question here.

First item under A, and I'll read it. It says any person may request a designation of a landmark, landmark site or historic district by submitting an application, etc., etc. Does that mean that if I have an adjacent property that submits an application to do something to that property, me, as any person, I can submit a request to make that site historic to block my neighbor's development? Because that's what the verbage says. Any person may request a designation of a landmark.

Then it says the Landmarks Commission can also initiate a landmark. So right now it's wide open. If you want to designate- I mean if you don't, quite frankly, the way this is written, if somebody wanted to designate a farm adjacent to their property as a historic landmark or historic area because it's got old barns and it's been in a farming family for a hundred years, and somebody is proposing a subdivision, you know what? I would go to this chapter of the code as any person and I'd file, you know, to have it designated as a historic landmark and, therefore, they won't be able to subdivide or get building permits. That's what this says when you read it- "

Councilwoman Sanders: "Excuse me, Marty. I'm sorry. But in the designation of landmarks in Section B, it clearly says that in the event the commission receives an application that it should be given to the commission, to the owners of the parcel. Notice shall also be given to the owners of- "

Marty Sendlewski: "No. That- the commission will give the owner of the parcel notice that it's being considered."

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Councilwoman Sanders: "Right. And then it says that said owner or owners shall have the right to confer with the commission prior to final action by the commission on the application- "

Marty Sendlewski: "Absolutely. I'm not arguing that. What I'm saying is anybody in the town of Riverhead can submit an application to designate any parcel or any person's residence or property as a historic district according to this code. I mean it may not get passed, I doubt that it would but what I'm saying is the way it's written now you're looking at 77's- 1977- 1975 legislation and you're adopting a district that encompasses a big portion of downtown.

You know, quite frankly before this happened, I didn't even- I've never even read this section of the code until about six months ago and then I went through it and read it and now that this is happening, this type of legislation- and it's not anything that has to do with this board or whatever. It's just old. It's old and it needs to be updated before you take action. Because if it's not there are implications that are going to affect a lot of property owners.

The next item that you talk about is under Article 4, all has to do with the designation of locations. How they're designated and how they're mapped as historic areas. When you get to the bottom of page 8 of the code, which is Article 73-8, when you get to the bottom of that page, that's when you've now defined either a building or a district which is what you're doing here as historic. We've just gotten through that section of the code.

Now go to the next page after this district or a site has been considered and adopted as a historic site or historic district and now you get into Article 5 which says regulation of building construction and it says that no building will be altered, etc., etc., except in compliance with the requirements set forth in this Article.

You go further down in to 73-10. It says the Landmarks Commission shall review all plans for the moving, exterior construction, alteration or repair, landscaping or demolition of places, sites, structures, buildings designated as landmarks or landmark sites and all places, sites, structures or buildings wholly or partly within the boundaries of the historic district.

Basically what that says once you get into Article 5, is that the Historic Commission rules. I mean it's- there's no ambiguity in that in this part of the code.

Under sub item 1, it shall be the duty of the Landmarks Preservation Commission to review such plans before a building permit for the proposed activity is granted by the building department. Period. It doesn't say the town board can override, doesn't need your approval. The Historic Commission will have full and complete power

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over any building permit in the historic district without exception when you read this code.

So if you adopt this district, this is what's going to get adopted.

It goes on there on the review process, if you go into item 3, A through C, they talk about the architectural value, the aesthetics, etc. so there's a lot of subjective items that come into play here so you have to understand that it's going to be the subjective opinion of this Commission that will govern what does and does not get built within this district without exception.

And if you can find anywhere under Article 5, anywhere under Article 5, that's why I'm glad I brought a copy so the board has it. Because I think you need this information. You read through Article 5, there's nothing in here that says that anybody has an authority to overrule the Historic Commission and that they must grant an approval prior to any building permit being issued.

In fact, if you go back, one of the previous sections says, going back under Article 4 on 73-8, the second half of the first paragraph. I shall read the first paragraph- the first sentence. Upon receipt of notice that the Landmarks Preservation Commission is considering a place, site, structure or building for designation as a landmark or landmark site or as part of a historic district, the building department and town clerk shall not issue any permit for the demolition, alteration or improvement of said place, site, structure or building nor shall there be any alternations, repairs or additions regardless of whether a building permit is required to buildings or structures located wholly or partly within the boundaries of a proposed historic district.

You adopt this district essentially you now have immediately a moratorium on anything downtown. Now I know the Commission doesn't intend that and I'm not saying that they do. I'm not trying to say it's the intent of the Commission to have authority over all permits and to, you know, oversee all of this stuff. But that's what the code says. This is what the code says. I mean, read it. It's right here in black and white. The code says that that's the case.

Now when you go back to the comments in the memo to the town board, the Commission says look, it's our intent to be advisory. Terrific. You've got to change the code though because if other members come on the Commission and this code isn't changed and they decide you know what, we're not really going to be advisory because the code says we're not advisory when it comes to the building permits, that's when you're going to have a problem.

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I'm not saying that's going to be the case but the way the code is written now, it could certainly be the case.

And if you think the building department is going to issue any permits without an approval when the code says that an approval is required for a permit, think again. Because I deal with the building department all the time and they will not issue any permits without the approval of the Commission in accordance with Article 5.

Some of the other issues here in regard to procedures for plans. One thing caught my eye and that is, well, the memo said that there's no intent, you know, in imposing additional hardship or additional time on property owners. If you go under 73-10E-1 which is on page 10, it says plans shall be submitted showing the structure or building in question and also giving its relation to adjacent structures or buildings and construction, alteration, repair, moving or demolition sought to be accomplished.

So I don't think it's the intent of this board to mandate this, okay. But when you read it, what it says is that if a homeowner wants to put an addition on the side of their house, the Commission can require that homeowner to show-- not only submit a set of building plans for their house but also they want to see how it relates to the properties next door either by including that on the survey which is an additional fee, possibly by submitting photographs or elevations of adjacent buildings. I don't think that's their intent. As a matter of fact, I'm almost sure it's not their intent. But it's what the code says. This is what the code says.

Lastly, when you go into 73-10 items 6-- actually two sixes in a row for some reason, the numbers are mixed up. It says the Landmarks Preservation Commission shall approve, modify and approve or disapprove such plans within 60 days. So at the most, at the most it will add 60 days to the process once a plan goes to the building department. Because when you submit your house plan to the building department or any other plan, the building department is going to take it, they're going to put it in a drawer, they're going to send a copy to the Historic Commission.

They're going to have 60 days to review it and turn it around and get back. So there's definitely going to be a delay whether it's not 60 days but if it's two weeks, four weeks, it's going to be another part of the process. It doesn't just go in conjunction with the ARB. The ARB only applies to commercial applications. There are a lot of private residences that are encompassed in this district. It will apply to the private residents plans.

And, lastly, number 6 item it says-- it says that the building department shall, not may, it says the building department shall not grant a building permit until such time as an application has been

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approved by the Landmarks Preservation Commission or 60 days has elapsed from the date the application is received by the Commission.

Not trying to knock what the board— what the Commission's doing. I'm not against the Commission or even the intent of trying to preserve and promote downtown. But I think going back to what you said about the public information, I think this meeting is more about the board's information. Because you're the ones that have to make a decision as to whether or not this district gets adopted.

How and when you do that, I'm not sure what the process is. But at some point a resolution is going to be before you to vote on this. If you vote on this district prior to changing this code, right out of the box, the town— the building department can deny any building permit within the district in accordance with the code. And they won't issue any new building permits because the code says the Commission's approval must be had. They shall not issue a building permit. I don't think that's the intent of this Commission.

One thing that concerns me is that when the members of the Commission themselves, you know, write a memo that says that it's not up to standards of current model code, then how can you adopt a district without the code being cleaned up first? If this is going to happen, property owners need to know whether or not the Commission is going to have the authority because right now when you adopt this they're going to say what does and doesn't get built downtown.

Because their approval is required before any building permit will be issued and I don't think that's their intent. I hope it's not. And I don't think it's the board's intent. But I don't think you can adopt this without considering those issues.

Thank you."

Supervisor Cardinale: "Thank you. Well, you've certainly given us some food for thought. The— we'll have legal and the code revision committee take a look at the code and I'd like to look at some current model codes as well. However, I think part of your analysis is not accurate because I think 73— or the major point— because 73.3 which creates the Commission says they are creating it to act as an advisory body. That is throughout the code what the function of this committee is so that if, for example, there was a review and a determination to appeal the review, it would simply be coming to the town board. So I think that's already in the code. But I certainly do think that this code could use some work.

Is there any other comment? Yes, please come up."

Lori Downs: "Hi, Lori Downs. I'm glad he read everything that he read because basically my question is I'm on Pulaski Street and the

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other side of Pulaski Street, Washington Avenue and that, are all inside the district. What does it mean to me being across the street, to my house, if I want to do something being that I'm across the street."

Supervisor Cardinale: "Are you in the district?"

Lori Downs: "Not according to this. I'm right next to the cemetery. That was another question. Why isn't the cemetery which has a lot of our history in it not part of the- "

Supervisor Cardinale: "If you're not in the district, you're not affected by the proposed district regulation. But I want to also point out that there's a map and the public ought to take a good hard look at the map because that map is also not written in stone. That's a suggestion, I guess, from the Landmark Commission, as an appropriate historic district. It could be one could argue for maps, too."

Lori Downs: "Because when I looked at it, like Hallock Street. I was under the impression that Hallock Street and those homes from Pulaski Street back were older and the street itself was older than Washington Avenue that goes into Lincoln."

Supervisor Cardinale: "Maybe Richard, you could give us a brief description after she's finished with her comment on what led the Commission to recommend this particular mapped area."

Lori Downs: "All right. So it doesn't mean anything that the people across the street, if I go to do something, with what he just read has nothing to say?"

Supervisor Cardinale: "If you're not in the district, you won't be affected. And incidentally one of the things that is not made clear which should be is we're talking about exterior only. We're not- that's the only jurisdiction- and demolition. Exterior and if you had a demolition permit or if you wanted to change the exterior, that's what the Commission would be reviewing."

Lori Downs: "Okay. I thank you."

Supervisor Cardinale: "Yes, Richard, why don't you indicate what factors you took into consideration in suggesting the district you're suggesting."

Richard Wines: "Sure. Thanks by the way, too. And others have asked why we're not including that area into the rest of Polishtown and quite frankly the main reason we didn't. We agree that that area certainly qualifies as an historic district. I talked to a number of people that live in that area and the consensus seemed to be that it would make more sense to have a separate Polishtown historic district

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at some point and we would certainly support that because we think there's a lot of great historic buildings there.

And I'd like to also comment on one thing Marty said and that is, Marty, I hope you're right that the historic district will have a big impact on downtown. I really appreciate that comment. Thanks."

Supervisor Cardinale: "Any other comment from members of the public who wish to comment? If not, I'll keep this open 'til- for I guess- through the end of next week which is if my arithmetic is right, second, third, fourth, fifth, sixth- January 6th, is that the end of next week, for written comment if anybody wants to submit. And I appreciate the comments we received. And I call the hearing, verbal testimony closed at 2:57."

Public Hearing closed: 2:57 p.m.
Left open for written comment to
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Councilwoman Blass: "Can I just make a quick comment. I don't know if we had a chance to put the frequently asked questions on the web. I know we talked about it and frankly most of my questions were answered by this list of question and answers. So it might be helpful to members of the public as well if you think it's still appropriate to do that. I think it would be a good link to have these on there for individuals to see."

Richard Wines: "I'd be happy to do that, Barbara, and there is by the way on the town's website already an electronic version of a little pamphlet we put together about the why and how of preservation of landmarks in Riverhead. So thank you."

Supervisor Cardinale: "And you'll put- if you will talk to Dave Cullen in my office, we'll get that on the most frequently asked questions as well."

Okay. That's the only hearing scheduled for this meeting so the next phase is to take comment on any of the resolutions. We have two from the CDA and I guess we have about 34 or so- no, actually more, more like 44 or 45 town board. This was supposed to be just a few resolutions meeting. It didn't turn out that way. It being the year end, everybody got their resolutions in at the last moment.

And any comment on any of the resolutions we are about to consider for review? Yes, please come up, Jim."

Jim Flood: "Jim Flood, Aquebogue. I was watching the town board work session because pretty much I have no life and I watched I

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guess it was the town board work session that you were absent, Phil, and there seemed to be a general consensus with at least a four head nod that the domestic registry vote would be revisited with another public hearing.

And I believe that there was some solid thoughts about that and one of them is that we really hadn't had it— we did have a public hearing on it but it was in August of 2004. I think there were some additional changes to the law in between that time and the fact that it's being brought up in a week that most people don't really know what's going on, it's kind of like a zero news week. It really didn't get much of a play in the newspaper and it is a pretty— it is a pretty big vote in the town.

I'm not going to get into the moral issues of this or any of that other stuff but I think Barbara has brought up the fact that she's been fairly concerned about the future monetary implications and where it goes not only as far as town employees go but private employees in the town. There's just a ton of issues that I think the public would appreciate another bite at the apple at this deal.

And the fact that I don't believe there's that many people here that knew about it. I don't think the town knew that this was going to get a vote so I believe that it just doesn't look right that it's being voted on at the last week and the last meeting of the year.

And I would respectfully ask the board to reconsider the fact and have another public hearing on this matter. Thank you very much."

Supervisor Cardinale: "I think— thank you for your comment. I think there are two issues. One is whether we should have another public hearing which generally I'm in favor of. And then another issue which is whether we should defer the vote with or without another public hearing. I will— I know it's on the agenda hanging for some time. I want the board to have the opportunity to vote if they wish to. If they wish to table, certainly I will consider that too. But I need— when we reach that I need a motion if that is what the board's will is.

There were some spirited public hearings, I think several, in August and September of 2004. In fact, at one point, I thought two ministers were going to duke it out so I'm not sure how much I want to revisit that.

But in any event, any other comment on any of the considered resolutions? Yes, Sal."

Sal Mastropolo: "Sal Mastropolo, Calverton. There's a whole bunch of resolutions in here for budget adjustments."

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Supervisor Cardinale: "Yes."

Sal Mastropolo: "And last year we went through the same thing and I commented that by doing this, what you're doing is you're putting the money in the departments that are going to spend it but what you do is you take away the ability to look at the final budget and determine which departments do not know how to budget properly and which ones do. And I'd like to- I hope that even though you're making all these budget changes, we have implemented some kind of a procedure where the departments can determine how accurate their budgeting is."

You said last year, you know, that you would ask the department managers to keep track of this. Have we put anything in place that says, you know, we can determine how accurate the budgeting is in the particular departments?"

Supervisor Cardinale: "Yeah. We had the very discussion you're suggesting about noon and yeah there is- for example, we're doing adjustments to balance at the end of the year and every time you see the money is coming out of the appropriated fund balance, that means somebody is over budget. So we have a track of who is over budget and what for and I was becoming somewhat apoplectic for example about overtime in several departments. So we will be having a department head meeting devoted almost exclusively to that Tuesday of next week, 9:00."

Sal Mastropolo: "Okay. 1258, you establish an account in the name of the town of Riverhead RESTORE but there's nothing in the resolution that says what RESTORE stands for. I would think you should spell it out."

Supervisor Cardinale: "Yeah. I asked that question, too. That is a grant that we are creating an account to receive. Does anyone have any further information on the RESTORE grant?"

Councilman Bartunek: "I asked Andrea about that. I can't tell you what RESTORE stands for, Sal, but it's an account for home improvements for elderly citizens. The amount of the account is \$40,000 and I guess, Andrea, it's a grant money that the town is getting and the town has got to establish- "

Supervisor Cardinale: "We're creating that account to spend out of that for improvements to the homes of elderly who are either income qualified or otherwise. I'm not sure what the program is."

Sal Mastropolo: "Okay. 1259. I know this came up at public hearing and I'd just like to make one statement. The town is spending \$305,000 extra to benefit private enterprise, okay. This came up at the public hearing. The appraisal came in at 70 and you're spending 75- "

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Supervisor Cardinale: "That's correct."

Sal Mastropolo: "-- and there's 61 acres."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "And let's face it, the bottom line is private enterprise is going to benefit because the town is spending an extra \$305,000 to buy the development rights on this piece of property."

Supervisor Cardinale: "Right. Yes. We're paying five over."

Councilwoman Blass: "Actually, well, there's a flip side to that argument though and that is that, excuse me, if that property was developed for single family residences we would all be paying dearly for the cost of delivery of services to that property."

Sal Mastropolo: "That's true. But there's also another option. The other option is that possibly the school district might be interested in that 61 acres. Not that I support a new high school but that would be a nice piece of property for a new school, particularly since it's a sod farm and a lot of the infrastructure is there for fields. But I'll let it go at that."

1265, I don't know Mr. Sokoloski. My only question is I notice that he lives in Northvale, New Jersey, and I'm just wondering why we're reappointing a member to the Architectural Review Board who lives in New Jersey. Does he have a vested interest in Riverhead? Is he a landowner in Riverhead?"

Supervisor Cardinale: "That's a good question. The reason we're reappointing him I think, or considering reappointing him is because he's an architect and is willing for work for a thousand dollars a year. But I believe he has a summer home out here. Do you know- he has a home in Jamesport?"

Councilman Bartunek: "He's also the Chairman of the board. He's done a very good job- "

Sal Mastropolo: "It just seems strange that somebody in New Jersey who's here, you know, a couple months a year, is on our Architectural Review Board and if you do go with this historic district, they're going to be even more involved and is he going to be able to spend the time that he should be spending."

Supervisor Cardinale: "Yeah, he does show up to all the meetings which makes me wonder how come he's (inaudible) actually. But he may live out here now but I will check- I think it's worth

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inquiring if anybody knows. Chris, maybe you can find out before we vote."

Sal Mastropolo: "1268. Okay, John J. Raynor has forwarded the 2005 rate schedule but there's nothing on here that says whether that rate schedule is for 2006. I mean is that the reason why he forwarded the schedule and is that going to be the schedule for next year?"

Supervisor Cardinale: "We have to approve a schedule before we can pay for the already completed '05 work. That's why that's here. I'm not that- I'm going to pass a new schedules I hope early in '06 because you remember we talked about standard rates. These rate schedules vary between \$200 an hour for principals to \$120 and I need to have a standard rate as I have with lawyers. So we're going to pass new rate schedules for '06 for all of our professionals."

Sal Mastropolo: "Okay. 1272. My first question is what was the original term of the tax exemption, okay. I mean this was a project that started in 1981 so that's 25 years already that they've been getting a tax exemption and pilot agreement."

Supervisor Cardinale: "Forty years."

Sal Mastropolo: "Forty years?"

Supervisor Cardinale: "And it's got 15 left. Yeah. I didn't sign it but that was it."

Sal Mastropolo: "And we're going to pass it on to the new owners?"

Supervisor Cardinale: "Yeah. Now there is a story behind that. We looked at not being- we'd like not to do that but in order to make the case you have to show that they didn't- that they made more than six percent on their investment and their certified financials show us they actually lost money every year. So we can't- we cannot, although I'd like very much to, renegotiate the agreement."

Sal Mastropolo: "They lost money every year but they stayed in it for 25 years and they found the sucker to buy it in a losing situation. Something's not kosher there."

Supervisor Cardinale: "I can tell you what that is, too. When they lost money, they received tax credits against other income so it's very hard to determine real return because they get these tax credits that they can use on this loss against other income at double or whatever the advantage is. So we talked about this. We're going to probably approve these but I'm not- I'm about as unhappy about it as you are."

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Sal Mastropolo: "Okay. It just seems like the taxpayers of Riverhead are supporting or subsidizing somebody else's profits."

Supervisor Cardinale: "Well one of the issues is whether the IDA should be used for residential at all and that we have indicated to the IDA in the future we would be very hesitant to use the IDA for commercial- for other than commercial projects."

Sal Mastropolo: "Okay. 1274, just a comment on the Now Therefore Be it Resolved. There's nothing annexed hereto. I don't know if there should be something."

Supervisor Cardinale: "12- "

Sal Mastropolo: "1274."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "Okay. It's sign the license agreement with Suffolk Cement Products but there's nothing annexed to the resolution and I don't know if there should be."

Supervisor Cardinale: "The agreement should be and she has it, yeah."

Sal Mastropolo: "Okay. All right, there was nothing in the package. Thank you."

Supervisor Cardinale: "Thank you very much. Any other comment from any member of the public? If not, we'll consider the resolutions and then take general comment. We have, Andrea, if you come forth, I'd like to adjourn the meeting at 3:10 of the town board."

Meeting adjourned: 3:10 p.m.

Meeting reopened: 3:11 p.m.

Supervisor Cardinale: "I'm going to- now 3:11, I'm going to reopen the meeting of the town board to consider resolutions beginning with 1233. Barbara. Or Melissa. Melissa has- Barbara has transformed into Melissa. And this is Mary Hartell our town attorney for today. Go ahead, Melissa."

Melissa Giguere: (Inaudible)

Councilwoman Blass: "Except for one resolution that we are pulling out (inaudible)."

Melissa Giguere: "Do you want to table that first?"

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Supervisor Cardinale: "Yeah. Which one is the one that's going to get withdrawn?"

Councilwoman Blass: "1235."

Supervisor Cardinale: "Okay. Would somebody pull that and motion to withdraw it? 1235."

Councilwoman Blass: "Motion to table 1235."

Councilman Bartunek: "I'll second that."

Supervisor Cardinale: "Okay, moved and seconded to withdraw for further consideration by the board."

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

Councilman Densieski: "I'm trying to figure out why we're removing this."

Supervisor Cardinale: "Well, because there was a request for discussion at the work session tomorrow in regard to it."

Councilman Densieski: "Oh, okay, thank you."

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

Supervisor Cardinale: "Thank you. Okay, now the other ones, 1233 and I think there's a list, could somebody move those budget adjustments?"

Resolutions #1233 to 1257

Councilwoman Blass: "I'll make a motion to move Resolutions 1233 to 1257. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Moved and seconded. May we have a vote on the budget resolutions between 1233 and 1257."

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

Supervisor Cardinale: "Okay, we're at 1258."

Resolution #1258

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Councilman Bartunek: "Establishment of bank account for RESTORE. So moved."

Councilwoman Sanders: "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 #1259

Councilwoman Sanders: "Accepts the offer of sale of development rights Shirley Edwards. 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 #1260

Councilman Densieski: "Accepts 5% performance bond of New Cingular Wireless PCS, LLC. 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 #1261

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

Councilwoman Blass: "And seconded."

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

The Vote: "Bartunek, yes; Sanders, no; Blass, abstain; Densieski, yes; Cardinale."

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Supervisor Cardinale: "Yeah, I'm going to vote yes. This is not one of our finest hours but I think we have to release the bond of credit. So yes."

Melissa Giguere: "The resolution is adopted."

Resolution #1262

Councilwoman Blass: "Authorizes the release of security posted for Mill Pond Commons. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Moved and seconded. Comment. I spoke with- we had asked that these be held over. We had spoken to counsel demanding their release. I spoke to the condo association. There is no road bond on this because it's an early '90's subdivision. We got smart later in the '90's. They're CO bonds or site plan bonds.

I spoke to Sharon Klos just before the meeting. She's reviewed the concerns of the- of the occupants and as they listed them, and she indicates that would not affect her decision to issue the CO's and she's not inclined to revoke any. They seem to be minor items. So fortunately or unfortunately we should proceed.

So that's- I think it's 1262, 1263, 1264. So if somebody could move them all."

Resolutions #1262, 1263, 1264

Councilwoman Blass: "I'll reconsider and move them all as a block, 1262, 63, 64 releasing bonds for Mill Pond Commons. So moved."

Councilman Densieski: "Second."

Councilwoman Sanders: "And seconded."

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

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

Resolution #1265

Supervisor Cardinale: "Chris, do you- before we move this, do you have information- "

Chris Kent: "I found some information about Roy. He's the Chairman of the ARB. He's been a member of the ARB since its inception. He lives in both New Jersey and Wading River and he has

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his office in New York City. So he has dual residence. He's here at least six months out of the year and he hasn't missed a meeting in years. So- "

Supervisor Cardinale: "Yeah, I know he's very devoted. Thank you. Okay, George, go right ahead."

Councilman Bartunek: "Okay. Reappoints member Roy Sokoloski to the Architectural Review Board. 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 #1266

Councilwoman Blass: "Authorizes the town clerk to publish and post a help wanted ad for a pump out boat personnel. 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 #1267

Councilwoman Sanders: "Extends the contract with Arthur J. Gallagher & Co. Vericlaim and Triad Group. 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 #1268

Councilman Densieski: "Approves rates from John J. Raynor Consulting Engineers. So moved."

Councilwoman Blass: "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 #1269

Councilwoman Blass: "Establishes time and dates of regular meetings for the town board for the year 2006. 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 #1270

Councilwoman Sanders: "Authorizes town clerk to publish and post a notice of public meetings schedule for the Open Space Committee for the year 2006. 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 #1271

Councilman Bartunek: "Awards bid for diesel fuel. 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 #1272

Councilman Densieski: "Approving the conveyance by Halandia Associates Riverhead LP to The D&F Group-Doctor's Path project. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Again, I did speak with- Frank Isler being out, I spoke with counsel Gaer Betts. I also

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spoke with Mr. Ehlers who is counsel to the IDA and the— despite the concerns that Sal has and I share it does not look like we are in a position to do anything but live with the last years of that agreement. Okay, so vote— it's moved, do we have a second? And now I'd like a vote."

The Vote: "Bartunek, yes; Sanders, abstain; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."
Resolution #1273

Councilwoman Blass: "Authorizes the town attorney to order an appraisal for property located on Riverside Drive formerly known as the River Club in connection with the acquisition of said parcel. 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 #1274

Councilwoman Sanders: "Authorizes the Supervisor to sign a license agreement with Suffolk Cement Products, Inc. in conjunction with the landfill reclamation project. 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 #1275

Councilman Bartunek: "Supports an application to the New York State DEC for street tree grant funding. 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 #1276

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Councilwoman Blass: "Mr. Supervisor in light of the comments earlier today and the fact that at least four members of the board did indicate that we desire to have another public hearing, I'd like to table this resolution and ask that at our January 3rd meeting we publish a notice to call for a second public hearing on the matter."

Supervisor Cardinale: "Okay. So we have a motion to table."

Councilwoman Sanders: "Second."

Councilman Densieski: "I would second."

Supervisor Cardinale: "All right moved and seconded to table. Vote please."

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

Resolution #1277

Councilman Densieski: "Adopts a local law amending Chapter 108 of the Riverhead town code entitled Zoning for the Economic Development Zone. So moved."

Councilman Bartunek: "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."

Supervisor Cardinale: "Is there a resolution to pay bills?"

Melissa Giguere: "Yes, there is."

Resolution #1278

Melissa Giguere: "Resolution 1278 to pay bills."

Councilman Densieski: "So moved."

Councilman Bartunek: "Second."

Supervisor Cardinale: "Moved and seconded to pay the bills. Vote please."

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

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Supervisor Cardinale: "All right. That completes the resolutions. We'd like to take any comment that the public cares to state. Angela, come on up, with regard to any matter within our purview."

Angela DeVito: "Angela DeVito. I'm here actually wearing two hats today. The first is on behalf of the Jamesport-South Jamesport Civic Association. I'd like to thank the board for their work in this past year. I think it's made Riverhead a much better place to live and be a part of. And also to wish you a Happy New Year, health and prosperity in 2006."

In wearing my second hat as Chair for the Animal Shelter Advisory Committee, Rose, I'd like to ask you to come down. I think everybody—I speak loud enough, most of you can hear me.

Rose Sanders was the real driving force in creating a much better environment in the town of Riverhead with regard to how we care for animals that come into our animal shelter. She also provided for members of the committee (inaudible). We tend to be a very vocal group, sometimes taking a lot of tangents, not sticking to our agenda and not really watching everything that we should be keeping (inaudible). And for that we are eternally grateful to you (inaudible). And from our four footed friends (inaudible)."

Supervisor Cardinale: "Thank you, Angela. Is there any— any other comment, Marty, and then— "

(Some inaudible comments)

Marty Sendlewski: "Good afternoon. Martin Sendlewski. I'm here representing the parking liaison group. At the work session on Thursday, I passed forward two recommendations from the board. I think the first one is pretty cut and dry and that is we're asking that for this year if the town board could authorize Howie Young's office to start engineering the 1st Street parking lot. We came up with a plan that by reconfiguring the 1st Street parking lot islands, we can gain about 49 parking spaces so I think that's a really good thing to do since we're in such need of parking downtown. I think everybody has a copy of this, I have extras if you need it. I just gave a copy to Howie too as a courtesy."

Also the second item that we had forwarded to the board at the work session Thursday, was another recommendation by the committee. Just what had happened is after the last town board meeting when we requested to revisit the Peconic River parking lot, we did have our meeting that following Wednesday. Howie was gracious to come down along with Ken Testa. We reviewed it. It seemed that there was an issue with regard to the location of the bike path in the roadway as far as the State is concerned.

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Through some- being somewhat persistent and calling the State, the committee did get through to Dave Glass who I believe is the gentleman that's mostly or partly in charge of this project. Mr. Glass indicated that they didn't have to approve an amendment to the bike path, that the town board was the lead agency and it would be a town board decision.

With that being the case, I faxed a copy of the district's - the committee's notes to the- to Mr. Glass along with a confirmation of our phone call confirming our conversation that in fact he said there was no approval required from the State to make a change. I called him back, he did receive this. He confirmed that he had it. He was going to look it over and we would be in contact again and the committee hasn't been in contact with him. He's out this week but will be back in- actually I think he's going to be back in tomorrow. The committee has been on top of this.

We were hoping that at the next project meeting and maybe you- I see Howie's here and he's not here on our request by the way."

Supervisor Cardinale: "I'm comforted to hear that."

Marty Sendlewski: "You may want to ask his comment."

Supervisor Cardinale: "Ours either."

Marty Sendlewski: "We were wondering if at the next project meeting with the State representatives there is any members from the parking committee which are under the direction of this board, would have the authority to go to the meeting and to further pursue this. This will be the last time we bring it up. It's in your hands unless you would ask us to intercede. So it's sort of a last ditch effort to try to do this.

I just did want to add one comment. At our meeting on Wednesday, we reviewed the current layout of the parking district, the one that's currently under construction and the plan that we were hoping to amend. In reviewing it, there's at least 80, it's probably closer to 90 parking spaces that are being omitted in conjunction with the current plan. We reviewed the current parking layout and what was proposed, we counted every spot. Some of the spots shown on the existing layout have since been removed and some of them don't conform as standard but they're still there and they are used. It's about 90 that are going to be eliminated. We're hoping to save about a third of that.

So like I said, it's the last time you're going to hear from our committee on it unless the board were to authorize members of the committee on your behalf to go to one of these meetings and see if

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there's anything that can happen, I don't know if Howie has anything to add to that, but that's our request. Thank you."

Supervisor Cardinale: "Thank you, Marty. We will be discussing I think this tomorrow at the work session. After you gave me the maps, I didn't have an opportunity to meet with the board and we'll be meeting them tomorrow.

Any other comment from the public? Molly."

Molly Roach: "Molly Roach from Riverhead. About 18 or 19 months ago I came here and our school budget had been defeated and I asked you to use your influence to get people to vote for it and I told you how it was a bare-bare boned budget and how they-the school board was a prudent school board. And you may have helped because the school budget passed with a comfortable margin. And at the next meeting the school board granted every administrator a raise that was not budgeted. So I wanted to apologize for that request.

And I wanted to- I know that when the school boards were set up by the State that there was a distinct separation between the town and the school board and the intent of that was to keep the school boards pure and voluntary and not political and it hasn't worked. And the taxpayers are getting fleeced in Riverhead by the school. And unfortunately the kids are also getting fleeced.

And I'll give you an example of this. Since that time, incidentally after six months of the new Superintendent being here, he was- his contract was redone and he was given an additional- he was given an additional two or three years so that he runs now for five years, the longest he's ever been in any district in New York State.

But we have hired in the past- the school board has hired unbudgeted items, has at least procured them. In the last school year starting in July a security firm. We already have security. You know about \$200,000 for 200 surveillance cameras to see our teachers and students in every pose and we have Pat (inaudible) who is a consultant to teachers in math. We have somebody named Sarah Ford who is a consultant in reading to teachers, not to kids, to kids. And we have somebody named Mr. Ranucci (phonetic) who is a retired school principal. We've set unbudgeted \$30,000 apart for him so that he can develop our principals. Now our principals all make over \$100,000 a year. You think they would have been hatched at this point but they aren't apparently.

All of these services go to- they go to consultants. Let's face it. The teaching- the learning hasn't improved to that extent. Incidentally we have in Riverhead a high percentage of college entrants and you continually hear that. And schools in New York State are often judged that way. What you don't hear is that we have an

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extremely high college return and a low— not low but pretty low— there's not a college completion. We have kids who come back from college in two weeks. We had one this month, you know, that can't make it. They're not prepared. So the one statistic doesn't tell you a lot.

We also have an extremely drop out. I guess everybody knows that. But I want to give you the difference between this money spent on consultants and what happens to kids.

I went with a parent who makes about \$21,000 a year and has two kids and is a single parent to the school to ask for special help for this kid. It had already been determined that a hard working little girl, a freshman, that she needed this extra help and this is what she was told. Go to Huntington Learning Center, you know, I mean, give me a break. Huntington Learning Center costs about \$200 for an appraisal; \$50.00 an hour for tutoring and is not completely well thought of by all teachers. I mean why can't we have Pat (inaudible) help my little girl? That's what I wanted to ask.

But I have down here attendance. I don't know what that means. But, oh, I know what that means. The pity of it is that this is 70% of your taxpayer's bill and nobody comes to board meetings except me and Sal and a few others.

And so my request is first within whatever constraints you have, please find some way to influence the school board to use the money prudently and to use it to educate children. And the other thing is to encourage people to go to the school board, encourage the taxpayers. They're up here always talking to you about thirty cents and fifty cents and 70% of their taxes goes to the school.

So Happy New Year and thank you very much."

Supervisor Cardinale: "Thank you, Molly. I do encourage people to go to the board meetings for the school board and they are on channel 22 each week, I think it's Wednesday nights and Monday nights and Saturday mornings. But I'd like to see more people get involved and you're right, that's a big chunk of your tax bill."

Molly Roach: "Thank you very much."

Supervisor Cardinale: "Thank you. Any other comment by any of the public? If not, I'll adjourn the meeting but not before first saying thank you again to Rose for her four years of service above (inaudible), and for your putting the interests of Riverhead first. And, John, we look forward to greeting you at the inauguration and seeing you up here working on January 3rd. Thank you.

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Yes, do we have a- any further comment? If not, we'll call the meeting adjourned at- Hal, did you have a comment? Come up and make your final comment and we will then retire to our offices. And in some instances to the Cooperidge."

Hal Lindstrom: "Hal Lindstrom, Calverton. I would just like to make a comment about Mr. Densieski's business relationship with a confessed felon Mike Chilowski (phonetic). I feel this was a deliberate attempt to mislead the people of Riverhead into thinking this type of behavior is acceptable. If this partnership was not uncovered, Mr. Densieski would have gone forward with his plan to work with a confessed felon who has admitted to bribing a town official.

We have to ask ourselves is this someone we want to represent us in town hall? I feel he has lost his credibility and should step down as Councilman. Being an elected official is a matter of trust and when you violate that trust you give up that right to represent the people of Riverhead. And this was a clear violation of trust. Thank you."

Supervisor Cardinale: "Is there any- "

Councilman Densieski: "Yeah, I'd like to respond. I've spent my whole life in this town working hard, being a good businessman. I have years of accomplishments, pages of accomplishments and volunteerism in this town and I'm getting tired of being criticized by people like you who do nothing for anybody but criticize people like me who do.

Yes, I am human and I made a mistake and I owned up to it. But I didn't do anything wrong and I'm not taking any more crap from people like you."

Hal Lindstrom: "Well, that- you know it's really an insult to the people of Riverhead's intelligence when you say that you did it to feed your family. Do you rob a bank to feed your family?"

Councilman Densieski: "No. I opened legal businesses, not robbed banks."

Hal Lindstrom: "Well, what was your- "

Councilman Densieski: "None of your business. That's what it was."

Hal Lindstrom: "I feel the public has a right to know. What was your intent by going into business with a known- with a confessed felon?"

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Councilman Densieski: "I don't have to answer any of your questions and if you think you're going to sit there and try to make me look bad and make yourself look- that's not happening."

Hal Lindstrom: "You made yourself look bad."

Councilman Densieski: "No I didn't. No I didn't. I opened a legal business- "

Hal Lindstrom: "You went into business with Mr. Chilowski."

Councilman Densieski: "That was my personal choice, nothing illegal. What's your point?"

Councilman Bartunek: "Could we wish everybody a Happy New Year?"

Hal Lindstrom: "I'm saying, the people who voted for you put their trust in you and faith in you and you betrayed them."

Councilman Densieski: "I've never let them down and I've never betrayed my oath of office."

Hal Lindstrom: "You did. You betrayed- "

Councilman Densieski: "No, I did not, you are a liar, sir."

Hal Lindstrom: "You betrayed the people of this town. You should step down."

Councilman Densieski: "You are a liar, sir."

Supervisor Cardinale: "All right- "

Councilman Densieski: "And I'll be right outside if you want to discuss it further."

Supervisor Cardinale: "I would like to adjourn the meeting, it being almost a quarter of four and wish everyone a Happy New Year and shall we all come back with a new beginning on January 3rd. Thank you."

Meeting adjourned: 3:38 p.m.