

2/07/2006 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, February 7, 2006 at 7:00 p.m.

Present:

Philip Cardinale,	Supervisor
Edward Densieski,	Councilman
George Bartunek,	Councilman
Barbara Blass,	Councilwoman
John Dunleavy,	Councilman

Also Present:

Melissa Giguere,	Deputy Town Clerk
Dawn Thomas, Esq.,	Town Attorney

Absent:

Barbara Grattan,	Town Clerk
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Supervisor Cardinale called the meeting to order.

Supervisor Cardinale: "Okay. We'd like to begin- what is it- the February 7th meeting of the town board with the Pledge of Allegiance. Maybe, John, as the new editor of the News Review, please lead us."

(The Pledge of Allegiance was recited, led by John Steffans.)

Supervisor Cardinale: "So we have a new town clerk today because the old one is on vacation. I'm sure- yeah, I better say the other one, thank you, Barbara. The other one is on vacation, the regular. Could we approve perhaps the minutes of the town board meeting. Can I have a motion to approve the January 17th- "

Councilman Densieski: "Motion to approve the minutes."

Councilman Bartunek: "I'll second that."

Supervisor Cardinale: "Okay. That's January 17th and the special meeting of January 26th. Can we have a vote to approve those minutes?"

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

Supervisor Cardinale: "Okay. Could you tell us the Reports, please?"

REPORTS:

Receiver of Taxes
Utility collections
report for
January, 2006, total collected
\$331,529.94

Annual utility collection
report for 2005

Total tax collections to date
Total collected \$53,027,664.22

Town Clerk
Monthly report for
January,
2006, total collected
\$13,165.29

Annual statistics report for
2005

Juvenile Aid Bureau
Annual report for 2005

Police Department
Monthly report for
December,
2005

Sewer District
Scavenger waste influent
gallorage report for 2005

Industrial Development
Budget for fiscal year
2006

Agency

Supervisor Cardinale: "Thank you. Would you tell us now about the applications received in the last two weeks."

APPLICATIONS:

Change of Zone
Ruth S. Worm - 333 Elton
St.
seeking professional overlay

Special events
Cooley's Anemia
Foundation
Sept. 30th 7am to 5 pm bike-a-
thon, 4 mile walk

Vail Leavitt - July 8 & 9 live
musical entertainment

Wading River Civic Assoc. -
May 7 Duck Pond events

Railroad Museum of LI - Sept.
29, 30, Oct. 1 - several
events
Aug. 26 & 27 - railroad
festival

Site Plans
941 Northville Turnpike -
convert existing single family
dwelling to real estate office

Raymond Mancuso - 153 Maple
Ave. - residential rentals

Stop and Shop S/W/C corner
Old Country Road & Mill Road

Riverhead Foundation - ex-
pansion (x-ray and operating
room)

Culinary Arts Riverhead LLC -
construct a 2 story building

Jorge A. Reilly, MD - N/E
corner Roanoke Ave. & Hallock
St., doctor's office

Supervisor Cardinale: "Great. Okay. So the Culinary Arts
actually has submitted a site plan. How nice.

I guess the next thing we've got to talk about is correspondence.
So carry on."

CORRESPONDENCE:

L.K. McLean Associates
petition to extend the
water
district to include lots 1
through 4 for subdivision of
the lands of Ann McQuade

Foxwood Village
Homeowners Re the
Hazeltine property
Association
zoned for commercial
development

Lawrence Rehm
Re EPCAL zone change

Greg Fischer
Re demand for immediate
rejection of the application
from EEDA for 94 Southfield
Road, Calverton

Supervisor Cardinale: "You did that very well. Okay. We have hearings tonight but for some reason which escapes me, they don't start until 7:35 p.m. It's really weird. But that being the case, the opportunity presents itself- and not having any awards to give people or proclamations, the opportunity presents itself to take comment on the resolutions for the next few minutes.

So we have- which- we have a series of resolutions beginning I think with No. 97 which in my own opinion are remarkably banal, but if you can find something to comment about, this is the time. I knew you could do it, Marty. Which resolution are you commenting on?"

Martin Sendlewski: "I'm commenting on Resolution #112."

Supervisor Cardinale: "Okay."

Martin Sendlewski: "Which is for- classifies action, declares lead agency and determines significance of action site plan of Raymond Castronovo."

Supervisor Cardinale: "Yes, go right ahead."

Martin Sendlewski: "I would like to request that the town board table this resolution pending a meeting with myself and the owner of the property. I'm the architect for the project. We would like that resolution to be tabled.

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One of the reasons- I'll give you a brief summary as to why I make that request.

Initially the project is for a new mix use project located downtown in the DC-1 zone. DC-1 zone in the downtown area has been going somewhat of a rebirth- a little slow, trying to get started. There have been other projects approved prior to this application, one being 209 East Avenue, that's a multi-use building with residential units, a five story building. There's an application approved and the construction for (inaudible) Strebel (phonetic) which is also a mixed-use building located behind the diner in the Peconic River parking lot.

Both of those approvals pre-date the application for the Zenith organization which is Mr. Castronovo's organization.

On March 9th of last year, the application was submitted and was noted into the agenda at the town board meeting of March 14th. After such time, we received comments from Mr. Hall, some general comments from the Planning Department with regards to the environmental review. We also on May 2nd received comments from Planning, pretty typical stuff having to do with lighting, drainage. The comments did note that it complied with the newly adopted zoning. And we also received comments from the fire marshal.

After that, on or about May 11th, we started our review with the Architectural Review Board with the town of Riverhead. The ARB meetings normally take about two or three meetings to complete their review, especially on a project like this. So due to the fact that they only meet one night a month, we took about three months to go through the ARB process.

During that time, on July 25th of this past year, there was an additional application submitted for downtown by Riverhead Properties. Their project included three applications for mixed use projects including offices, retail, and residential units. On October 18th, a relatively short time after their application, they received a declaration that they were a Type I action per Resolution 1022.

In that resolution, I also happen to be the architect for Riverhead Properties on those applications. In that resolution, you requested that Riverhead Properties review the impact of their projects, which were substantial, in conjunction with a project submitted by Mr. Jeffrey Rimland, who I understand sought a variance to go six levels since withdrew that. I don't have the particulars on his application, I don't know the particulars of it. But I know it was substantial, similar to Riverhead Properties.

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I don't particularly agree with the town board grouping an applicant with another applicant for a number of reasons. As you know in the SEQRA process, the town board doesn't have the luxury of doing the environmental review. They only have that luxury if the applicant allows them. Which means you have two separate applicants that have to agree on consultants, fees, etc. to complete that review. Therefore, if one of the owners doesn't participate, the other owner could be held up indefinitely, essentially held hostage.

But that being what it is, I understand the town board's motion to consider those projects significant. The reason I do is I understand that and the reason that I don't agree with that in the case of the Zenith Organization is as follows. The Riverhead Properties, again, I won't include Rimland's application, Riverhead Properties applications included the Woolworth site, 112,169 square feet. The Swezey site, 140,565 square feet. The Sears site, 202,505 square feet. That amounts to 455,239 square feet. I could understand your point— they're big projects, they're similar, same ownership, request, you know, an environmental study.

On the other hand, Mr. Castronovo, a local businessman, a local property owner, requests to build a building that's 14,900 square feet. That's 3.27% of the size of the Riverhead Properties applications not including the Rimland application. So to consider Mr. Castronovo's application to be similar to that application is completely without foundation.

In addition to that, the Woolworth site included 96 residential units. The Swezey site included 116. The Sears site included 165. That's a total of 377 residential units, again excluding Mr. Rimland's site which I think from the press I recall it was somewhere around 60. But just with the 377 on the Riverhead Properties application alone, you're comparing them and you're asking Mr. Castronovo to join in with that group in terms of an environmental study when his project consists of nine units. That's 2.38% of the amount of units pending in those four applications.

The Riverhead Properties application was deemed a Type I. Therefore an environmental review is required. In the resolution that's out in the hallway, the Zenith project is considered an unlisted action, that's included in the resolution and a coordinated review is not required in accordance with the resolution that is out in the hallway, No. 112.

So with that being said, I don't think that these applications are similar at all and I definitely disagree with them being grouped together. Subsequent to the 25th, we received our sewer approval letter from the town of Riverhead. I know sewer was a big issue and water usage with regard to the other applications.

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I'll read a correspondence from Mike Reichel. Revised plans dated August 15, 2004 submitted by Martin F. Sendlewski AIA, have been reviewed and approved by the Riverhead sewer district. I think that's a far cry from the letter we expect to get regarding the Riverhead Properties and the Rimland application.

We also received a water availability letter on the 25th of August and then at that same time on August 16th, something fairly interesting happened which I think is relative to what's happening here. There was a Resolution No. 831. It was the first site plan approved in the APZ, the newly adopted zoning for the APZ. It was for the Diliberto Winery. A review of that application raised a question of a number of people on the board with regard to whether or not it should be approved without looking at some other factors. As a matter of fact, when the resolution was up for approval, Councilman Bartunek had requested that that resolution for approval of the project be tabled due to these factors and due to wanting to look at the APZ.

At that meeting, on August 16th, Supervisor Cardinale indicated that you could not do that or that he did not want to do that. We have a copy of that town board meeting on file and on tape and it says— Mr. Cardinale said we cannot hold up an approval of an application based on pending issues if it complies with the adopted zoning. So, Mr. Cardinale, you set forth a precedent with regard to not holding back an application when it complies with zoning as part of that resolution in conjunction with the newly adopted zoning and it was the first application that would have approved under that.

On November 15th, we met with the planning staff again. They told us we had two things to do which was to add some test hole information on the site plan. We had to correct the datum. We had to use USGS datum instead of a reference datum. We completed that and submitted the final site plan on November 28th.

On December 8th, we were requested by the Planning Department to pay the fee in full deeming the application complete. And then after that, the following week on December 13th, another interesting thing happened. There was an approval of a project for downtown Riverhead called Viva Art (phonetic). Very nice project, I happen to be the architect for that project. That also includes residential units downtown. That was approved December 8, 2005, approximately two months ago.

On January 16th we sent a letter of request to Planning requesting a resolution be made for approval since everything had been submitted. And on January 31st we met with the Planning staff right here at this table at a Planning work session on a Tuesday morning and after review of some other applications, I brought up the Zenith application and I said where do we stand with Zenith and I was told you're done, come down Thursday for the work session that will be

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before the town board, they'll initial the site plan. The resolution is ready, it's all set, come down, you're done.

We came down here on last Thursday. We were before the board, it wasn't on the agenda. After reviewing some other projects I asked what happened to Zenith? We were told it's done, the resolution is ready. Why isn't it on here? At which point Mr. Hanley said, well, come outside, we have to talk to you. Mr. Hanley indicated to us that the resolution was pulled by the town board and that the town board determined that it was similar in nature to the Riverhead Properties and the Rimland applications, which I think the facts show that it's not, and, therefore, you're grouped in this local business person, a local property owner with a large scale project, okay.

Again, per the SEQRA process the town doesn't have the authority to do the study unless the owners give their consent. I know for a fact that Mr. Castronovo is not willing to do that. That puts him in a position where he has to deal with large property owners, large scale projects, not similar to his project, and without an agreement between the properties, those applications can sit for years without this gentleman getting his approval which he, I think he deserves after going through a year of doing everything the town said in conjunction with the newly adopted master plan."

Supervisor Cardinale: "Marty, maybe I can save us a little time here. I received a letter, I think the whole board did from Bob Kozakiewicz, former Supervisor- "

Marty Sendlewski: "I'm not done though. I'd rather finish."

Supervisor Cardinale: "Well, you may be done because you're asking us to table it. I don't have an objection to tabling it and this is probably something that we should be talking about in work session as was suggested in Mr. Kozakiewicz's letter. He indicates that the resolution should not be considered- not previously considered at a work session, and he's right. That was one of the principles that I tried to implement here.

I don't know what you're talking about because I never heard of the Zenith project so you can go on all night but it won't help me unless I get further data from my Planning Director, which I can't get right now but I do not think we should be working on this resolution tonight. I do think you make some very good points but I want to get all these veterans into the hearing so if you could wrap it up."

Martin Sendlewski: "Okay. I will wrap it up with one last item. First I gave you a copy of the correspondence about Westbury and they talk about the make over of Westbury in the village and how the residential unit really helped the business applications.

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And lastly I just want to finish one thing and this is from last week's News Review and it had to do with downtown. And I'm just going to read the last paragraph and I'm done.

It says at the opening of the meeting, Mr. Cardinale said downtown looks exactly the same as it did 50 years ago and he echoed a recent News Review editorial urging the town to just do it. In terms of redeveloping downtown, quote, I thought we were at the stage where having studied this for six years through the master plan, we are now asking developers to implement. If we are now at a stage where we are asking that the master plan be redone, it really sets us back.

So with that being said, I hope you will reconsider. It seems like you will be. We would like to come down and meet with the board if you do reconsider this— the resolution tonight and not vote on it. We'd like to meet with the board in conjunction with the Planning staff, review the application at which time we feel that you will find in conjunction with the history of downtown, similar projects and similar actions of this board, Mr. Castronovo's project should get approved so that he can proceed with construction which he is anxiously waiting to do.

Thank you."

Supervisor Cardinale: "Thank you, Marty. Okay, it's getting there. We've got six minutes before I can open up the hearing, on resolutions. Please come up. That way we will move along and we will be able to move to our resolutions after our hearings. And then to general comment which is always fun."

Raymond Castronovo: "Good evening."

Supervisor Cardinale: "Yes."

Raymond Castronovo: "Raymond Castronovo, Zenith Corporation. How are you?"

Supervisor Cardinale: "How are you?"

Raymond Castronovo: "I'll make this quick."

Supervisor Cardinale: "Sure."

Raymond Castronovo: "I'm just going to read a couple items I wrote down and I'll be on my way."

Supervisor Cardinale: "Okay."

Raymond Castronovo: "I'm here to express some severe disappointments. After a year of hard time and work, the day I should

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get a resolution for my approval, I get taken off the calendar without any notification. I find this unfair and that after this long period of time, I'm grouped along with others that I have no relationship whatsoever. Not even a comment until Mr. Sendlewski said something. Now that's not very caring about your fellow towns-person trying to make improvements.

I've done everything (inaudible) requested, I can't even get one notification. I'm doing everything to comply with the rules and regulations of the town. My cost today over the last year is some \$41,000 architectural engineering fees. And the town tells me the day I was expecting a resolution for approval, that I'm on hold for some unknown reason. The town would not even let us look at the file for possibly maybe something they did not want us to see.

I spoke with my financial institution. They said if I don't make a commitment within a month, that they're going to increase the percentage rate 2½%. Over a 30 year lifetime, it's going to cost me an extra \$100,000.

We're not doing anything out of the zoning or the code, just because someone decided to change their mind about something.

Now I've been talking to some local residents about this because I'm very concerned about downtown, mainly the people who live within walking distance. I've asked their level of comfort and they've asked me, what type of people will rent these apartments, I asked. First I indicated they're not going to be inexpensive. I already have feedback from one professional person who wants to rent two apartments on the fifth floor for himself, two apartments.

The second is, my mother, she sold her house in Canarsi because she's 77 years old and can't keep it. She's now living with my— with her cousin. She was very excited about coming to live in Riverhead in one of my apartments. Now she has nowhere to turn.

I want this neighborhood to be the best possible. The level of comfort for the majority has not been very good. A gentleman said to me should there be a police officer on every corner? I said absolutely not. So I told him how growing up in Canarsi and East New York was one mile away, how when people stuck together we organize and a woman and child could walk and get ice cream, window shop, when there was no policeman on every corner. It was an organized community. Italians, African-Americans, Jewish, Irish, we stuck together in a safe neighborhood. And I said to these people, you have to organize.

When I get my site plan today, I'll meet and I'll show you how to organize and before you know it, there will be hundreds of us. Success is right in front of your eyes and now it seems like it's in

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denial. How long will it take? How far are others you are grouping with me into their process? And how long will this go on?

This past Friday I stood in front of the movie theater. It was a depressing sight. I counted 17 vacant stores. It was desolate and dreary. It was about 9:30 at night and the only people that walked by me were some undesirables that made me feel very uncomfortable.

Something needs to be done. Something needs to be done now, not in six months. Let's move forward. I'm here to help. Thank you."

Supervisor Cardinale: "Thank you. Okay. I- I'm glad to hear what I heard because it will affect our action on the resolution I think. I am concerned about the facts. I'd like to look into them. I'm concerned about the fact that I agree with Marty about everything he said and that's depressing. I'm concerned that the town board is attributed as having taken the resolution off the agenda. I never knew it was on the agenda and generally speaking I know what the town board is doing. And I'm concerned that we're considering a resolution that was not at the work session. So for those reasons, I'm urging the board to table it.

We have four more minutes for comments on the resolutions. This is a really big resolution, Bob."

Robert Kozakiewicz: "I just wanted to add a couple comments."

Supervisor Cardinale: "As the judge often told me, don't argue with success here."

Robert Kozakiewicz: "And that was exactly where I was going. As once Judge Gowan said to me, son, how many objections did you need to sustain? How many have you sustained? I said thank you, Judge, no further questions."

Supervisor Cardinale: "Yeah."

Robert Kozakiewicz: "I just want to hand up a copy of the letter that I gave you earlier by fax. I'm glad to hear that you are considering tabling it because for the reasons stated in the letter I think it's the wrong thing for the board to do.

When we talk about downtown, we talk about new businesses, we talk about bringing more people, we talk about mixed uses, we talk about walkability, we're talking about life. We want downtown to be alive. We want it to come back. We want it to be revitalized. We want it to be a rebirth, a downtown that we can all be proud of. And you have an opportunity here with this project.

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He's done everything that the master plan asked him to do. He tailored his application accordingly and it's there waiting for you to take action on it.

What do you want from downtown? Do you want it to survive, thrive, have new life, new vibrance? I think the answers to that are similar. You absolutely do. And to take this project, take an applicant who's ready to take a step forward in that direction, is doing the exact opposite. You're not accepting an application, you're not cradling this application, you're not bringing it to life, you're not just doing it as you were quoted as saying last week. Instead you are pushing the application down, you're standing on his neck, you're keeping it from becoming a reality. I would ask you not to do that.

I'm not going to belabor it because I can see that there is a sense to table this resolution. From a procedural standpoint, as you pointed out it wasn't part of the work session discussion so saying that I hope you will table it, allow the application and his architect to come here at the very next work session, explain it to you.

What are we really talking about? A five story building where a two story building presently exists. Does that require an environmental impact statement? Table it and let him move forward."

Supervisor Cardinale: "Thank you. And we made it to the 7:35 starting time. So could you call, please, the first public hearing?"

Public hearing opened: 7:35 p.m.

Melissa Giguere: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on February 7, 2006, at 7:35 p.m. regarding the proposed local law to amend Chapter 95 of the Code- Taxation Article VII- Exemption for Gold Star Parents."

Supervisor Cardinale: "Okay. This is the 7:35 hearing as just announced. Could you summarize perhaps, Dawn, what we're considering here or maybe Laverne can better do so because she knows it intimately."

Laverne Tennenberg: "State legislation was recently changed to increase the caps that are imposed on the alternative veteran exemption. You might be confused by the heading of the Gold Star Parent. I believe that that has to stay only because that's the name of the article that we had adopted in 2002, a local law, Gold Star Parent being a parent of a child who died in the line of duty even though the parent may or may not be a veteran. So maybe at a later time we can change the title of the- or create a new article but I think it has to stay. I'm just trying to clarify that for the people in the audience.

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The state allows for different caps going from \$27,000 for a non-combat veteran to \$30, all the way up to \$36 and if we're in a \$36,000 of full value, and because we're in a high appreciation market, you can go all the way up to \$54,000 a full value.

Similar increases were allowed for combat and disabled veterans. These caps have to be equalized by the equalization rate as it changes every year and what's been happening is that the exemption amount has been eroding over time and the veterans have actually been losing tax dollar savings whereas most other exemptions are more constant and any increase in the tax rate would also increase their tax savings.

So the opportunity is here for you tonight to chose any one of I think it's nine different options to allow the veterans to reap higher tax savings."

Supervisor Cardinale: "I have another question."

Laverne Tennenberg: "Sure."

Supervisor Cardinale: "The- from what I understand what you said in the work session and what you said now is that the equalization rate is eroding proportionally the value of the exemption."

Laverne Tennenberg: "Correct."

Supervisor Cardinale: "The equalization rate- how long is this legislation- how long has this exemption been in existence in its current form?"

Laverne Tennenberg: "This new legislation?"

Supervisor Cardinale: "No. The present exemption. How many years?"

Laverne Tennenberg: "I don't know. Probably '97 or '96, somewhere."

Supervisor Cardinale: "Okay. Say- and what was our equalization rate in '97?"

Laverne Tennenberg: "'97 it was 31.67%"

Supervisor Cardinale: "And what is it now?"

Laverne Tennenberg: "13.05."

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Supervisor Cardinale: "And if we were to grant the highest— so effectively we're inflation indexing this. If we were to grant the highest permissible increase, how— what would it do with— in regard to the present amount of exemption? How much would it raise it?"

Laverne Tennenberg: "A non-combat veteran would go from \$3,524 of exempt value up to \$7,047."

Supervisor Cardinale: "So about double. Well, since they've lost about triple or nearly triple, if we raised it to about double they'd still not be back to where they were before."

Laverne Tennenberg: "The exempt amount would not be as much but the actual tax savings would be higher than what it was in '97 only because the tax rate has increased for those last--"

Supervisor Cardinale: "Have you done those— to get them back to where they belong— where they were supposed to be before they were eroded by inflation and equalization rates decline, do you— can you give us any guidance on that?"

Laverne Tennenberg: "Column H or column I is about where you need to get back to where you were in 1997."

Supervisor Cardinale: "Thank you."

Laverne Tennenberg: "You're welcome."

Supervisor Cardinale: "Okay. Can we take public comment?"

Melissa Giguere: "Mr. Supervisor, before we— I have a letter from County legislator Romaine he wanted to be read into the record."

Supervisor Cardinale: "Okay. Before you comment, Legislator Romaine had a letter that he wished read in."

Melissa Giguere: "Dear Supervisor Cardinale and Town Board Members: I have been approached by a number of Riverhead residents who are concerned about the veteran's exemption on local property taxes.

As the equalization rate for property assessment purposes has dropped precipitously in the last few years and current market values capped, the veteran's tax exemption has been severely eroded. To correct this problem, the New York State Legislature passed an amendment to give veterans some relief on their taxes for 2007 and beyond. The amendment allows towns nine possible options for establishing new rates.

In light of the history of a rapidly declining equalization rate in Riverhead Town along with market value caps, I would urge that you

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and members of the Town Board consider adopting option number 9 to allow the greatest benefit for those who served their country.

Thank you for your consideration.

Sincerely, Edward P. Romaine, County Legislator, 1st District."

Supervisor Cardinale: "Thank you very much. You read it so well. Please- Gene."

Gene McSherry: "Gene McSherry, Veterans of Foreign Wars and Combined Veterans representative. I met with Ed Romaine last week and in conjunction with that particular letter that you just read, that was generated with a consultation between myself and Ed Romaine concerning all the issues because he was not totally aware of this particular piece of paper and all the issues of the declining of the tax rate for the veterans.

He agreed with me after going through and establishing everything on this piece of paper which Laverne very (inaudible) gave us a good look at and we're recommending I only based on pure mathematics right now. And the pure mathematics you explained was very simple. We have eroded so far down the road since 1997 that even doing I, and based on that factor but the equalization rate is probably still going to be dropping as years go by, this particular \$7,000 is going to start to erode itself based on the fact that there is no stop gape measure-ability to stop this thing unless they do something to change this particular equalization rate to basically stop the whole erosion.

So figuratively speaking, this thing is going to continue to drop consistently every single year after it's approved unless there's something stopping it. So that's why we are asking you, the Town Board, to pick I because we feel that it should be for the veterans based on the fact that all the years before they've been losing all this money and because let me tell you if you're a soldier and you've been out in the field- I've talked to people from Iraq, from Afghanistan, I've talked to people from Korea, World War II, and so on and so forth, and I really and truly believe unless you walk a mile in a soldier's shoes, you really don't know physically or mentally how he is. And I really and truly believe the veterans in the Town of Riverhead, whether it be World War II veterans or Iraqi veterans or anybody in between deserve something and I think the town, I believe you people will do the right thing for the veterans of this town.

Thank you very much. And I also want to- Larry Judd wants to- from the American Legion would like to come and say a few words, too. Thank you."

Supervisor Cardinale: "Thank you. Larry."

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Larry Judd: "Larry Judd, Commander of American Legion Post 273 which is located right here on Hubbard Avenue in Riverhead. I could probably stand here for an hour and bore you with what the veterans don't get but right now I submitted a petition to Councilman Dunleavy this morning which I am going to read now.

This is on behalf of all of our officers and our key personnel of the American Legion post.

To Phil Cardinale, Supervisor, and the Town Board. We are petitioning you to adopt a law regarding Chapter 256 application 719 Veterans Local Limits bill, blah, blah, blah, which authorizes the municipality to raise the caps on the alternative veterans exemption require tax bills to display the full value represented by each exemption. This would be a great benefit to all the veterans owning property in the Town of Riverhead. So we urge you to adopt this law to the fullest extent. Signed by the members of the American Legion Post 273, Riverhead, New York.

Thank you."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Larry, Gene, what is I? Ours are not lettered? When you refer to I, which one are you referring to?"

Gene McSherry: "I is \$54,000 and if you look down below, the total will be \$7,000 (inaudible). And then below that you see a set of numbers below that and that's exactly- those lines there, the bottom lines show you exactly- "

Councilman Dunleavy: "No, ours don't have that."

Gene McSherry: (Inaudible)

Councilman Dunleavy: "Thank you."

Gene McSherry: "I'd like you to look at 1997, you see that number over there, then jump down see (inaudible) and then lower yourself down and look at that line (inaudible) and when you see that number then jump back up to '97 again and you'll see that it's \$1,500 less right out the gate from I starting out. We're \$1,500 less than we were in '97. And based on the fact that there's more people in the town, there's more industry in the town than there was in '97, there's probably more tax revenue coming into the building than there was in '97 but yet their rate was higher by \$1,500 more than it is now today and it's going to go down because there's no way of stopping that equalization rate unless they go to 100% evaluation or something like that.

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I know and I talked to Albany myself, I was there with Mister (inaudible), and he also said that there's not much probability of trying to stop the equalization rate unless they do something to stop it. So far there's nobody offering anything to do that. So that numbers you're looking at there are going to be minus numbers as you go down the row. If you do nothing at all in three years, the veterans exemption will be down to about zero as you look at it. Because you'll see some figures in there in between with some years, there's a large amount of drop in between.

There was two years where you see a considerable amount of drop based on the fact that the equalization rate jumped up at a larger percentage and that dropped our exemptions right then and there and it's been going down. Actually it's going down from the beginning. There's two places there you'll see two years there where there was a tremendous amount of difference in the drop. That's only because the equalization rate changed by two percentage points back (inaudible).

That two percent that you have there you'll see the two percent drops in those two years and then look underneath and see that equalization rate and then look at the drop at the exact- actual exemption, all right, bear that in mind because that as you go along you get to 2006 and now you go to 2007 and so on and so forth, those particular numbers if you do nothing- if you do the math, I think in about three years, you're going to see somewhere close to about maybe zero or pretty close to it.

So if we don't do something now and we have to do it by March 1st, we're basically between a rock and a hard place."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Paul Leszczynski: "Good evening. Paul Leszczynski, Aquebogue, member of American Legion Post 273. I want to thank all my colleagues here for trying to explain all this exemption to everyone. Most of you have the paperwork. It- I would like to put it into dollars and cents.

The veterans exemption only applies to the town, county and highway taxes as opposed to the STAR exemption, the senior exemption, the enhanced STAR exemption, etc., etc. which also applies to the school tax portion which as all of us know is the basis of our tax base. It's anywhere from 65 to 70% of our taxes, the school. The vets exemption is the other 30, 35%.

In dollars and cents, you're talking- right now we're average of \$200 off per household for a veteran. If you were to double that,

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that would be \$400 and then it starts to erode down from there and that it will do unless there's other measures taken.

Please consider this in lieu of the veterans that served our country. Thank you."

Supervisor Cardinale: "Thank you. Any other comment in regard to this hearing which commenced at 7:35? I appreciate your coming out and your comment. We'll be discussing it at the work session and we'll make a- we'll have a resolution I'm sure for the next town board meeting which is two weeks from tomorrow at 7:00 p.m.

It is now 7:48 and I'd like to close this hearing."

Public hearing closed: 7:48 p.m.

Public hearing opened: 7:49 p.m.

Supervisor Cardinale: "And call the second hearing which is scheduled for this evening which is the proposed local law to amend Chapter 95 of the code-taxation-persons with disabilities and limited incomes exemptions. Could you tell me, Laverne, the essence of what this is considering, this hearing?"

Laverne Tennenberg: "Okay, for housekeeping purposes, this has nothing to do with persons with disabilities and limited incomes. So could you strike that from the notice? Is it a typo?"

Supervisor Cardinale: "It's a typo with disabilities with limited income and so forth--"

Laverne Tennenberg: "Correct. Article VIII is for exemption for volunteer firefighters and volunteer ambulance workers. That is correct. That just popped in there somehow."

Supervisor Cardinale: "This says the proposed local law to amend Chapter 95 of the code. That's incorrect?"

Laverne Tennenberg: "Chapter 95 of the code says exemption for volunteer firefighters and ambulance workers, Article VIII. This is just a typo. It should be stricken."

Supervisor Cardinale: "Oh, I see."

Laverne Tennenberg: "When you adopt- it has nothing to do with this exemption."

Supervisor Cardinale: "Okay, so- "

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Laverne Tennenberg: "If you would like to see your town code, I have it here."

Supervisor Cardinale: "Yeah, please. And I'd like to know what this is about."

Laverne Tennenberg: "Okay. Currently the town permits a 10% straight exemption for volunteer firefighters and ambulance workers as long as they meet the criteria. It has to be their primary residence, minimum of five years of active service.

This law that was changed during last year's session, puts a new chapter, a new section of the law to allow for the unremarried surviving spouse- "

Supervisor Cardinale: "Oh, yeah, I remember this one."

Laverne Tennenberg: "-- to retain the exemption if the volunteer firefighter or ambulance worker was killed in the line of duty. And that's all this is doing, is allowing the unmarried surviving spouse, a widow or widower, to continue the exemption."

Supervisor Cardinale: "The- the notice, was it properly placed in the paper for this--"

Laverne Tennenberg: "Yes, it was. I have a copy- "

Supervisor Cardinale: "So that the type you alluded to is- "

Laverne Tennenberg: "Is also in the paper."

Supervisor Cardinale: "So is that a proper notice, is my next question. Maybe- the text was right but it was just the caption, okay, so it is a proper notice. But I'm concerned because- I'm not disappointed but I'm concerned that the volunteer firemen aren't here which suggests that the caption diverted them because it didn't say what it was about. It said it's about people with disabilities and limited income."

Laverne Tennenberg: "I think you're going to find that- "

Supervisor Cardinale: "Do we have to pass this by- "

Laverne Tennenberg: "Yes. By March 1st."

Supervisor Cardinale: "So we have to pass it by the first. So we'll be doing no service- "

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Laverne Tennenberg: "I don't think you're going to see much of an impact on this because you'd have to have somebody killed in the line of duty- "

Supervisor Cardinale: "It applies to so few people."

Laverne Tennenberg: "Correct."

Supervisor Cardinale: "Okay. I understand. So your point is that it may not be that they didn't see it. It may be that it just doesn't apply to very many. Okay."

Anybody have a comment on whether a surviving widow of a person killed in duty for the ambulance or fire corps should continue to receive an exemption? Probably the last thing on that person's mind I'm sure anyway.

If not, having opened this at 8:48- 7:48, I'd like to close it at 7:52 and Peggy- where are you Peggy- are you here- would you make sure that we have these at the work session if not Thursday then the following Thursday because we have to consider them at the meeting of February 23rd, is that it- 23rd, okay."

Public hearing closed: 7:52 p.m.

Public hearing opened: 7:52 p.m.

Supervisor Cardinale: "The third hearing for this evening is scheduled to begin at 7:45, it now being whatever, 7:52, is for a proposed, I think, for a proposed local law to amend Chapter 108 of the code, this one's right, Article XX-subdivision regulations, Section 108-97 major subdivision A. Procedure. What is this about?"

Dawn Thomas: "This proposed amendment would change- currently when we do a major subdivision approval, our bonding requirements demand that a developer post a bond for a two year period and that they would be entitled to a one year extension only."

Supervisor Cardinale: "Oh, yeah, I remember this one."

Dawn Thomas: "The practical reality of our subdivision experience shows that three years maximum is an insufficient time within which to complete the improvements in a subdivision most of the time. So the proposed amendment would allow a two year- a bond for two years with two year extensions of that term in at the discretion of the town board for each approval requiring a \$2,000 fee and that the town board would have control thereafter of how often a bond for subdivision improvements is extended. And it would give us- it's more in line with the way things really work."

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Supervisor Cardinale: "Would it require the town board to issue the initial two year extension- "

Dawn Thomas: "Yes."

Supervisor Cardinale: "But then after that it would be discretionary?"

Dawn Thomas: "Yes. It's- actually each extension would be discretionary."

Supervisor Cardinale: "Even the first one?"

Dawn Thomas: "Yes."

Supervisor Cardinale: "So, okay, so it allows us to extend it for two years and then another two years if the case is made."

Dawn Thomas: "Right. Because right now if we were to- the practical problem is that if we were to- at the end of the third year call the bond, it's not a position we want to be in, taking a road that's- where the development isn't moving forward."

Supervisor Cardinale: "So if you give them an extension, you technically don't have the authority for it and this would give you the authority."

Dawn Thomas: "Correct."

Supervisor Cardinale: "Okay, I get the picture. Anyone wish to comment in regard to this proposed change in the law concerning subdivision bonds? If you do not have any comment, that's okay, I will close this hearing at 7:49 and watch the clock tick to 7:50 so I can do the last hearing."

Public hearing closed: 7:49 p.m.

Public hearing opened: 7:50 p.m.

Supervisor Cardinale: "I think from this position, it looks like it's 7:50 so I'm going to open the hearing for a proposed local law to amend Chapter 14 of the code-Community Preservation, Article regarding acquisition of use of open spaces, parks and park preserves under Section 14-40 open space park preserve committee. Can you tell me what this is considering, please, Dawn?"

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Dawn Thomas: "This proposed amendment to Chapter 14 would increase the open space park committee membership from five to seven and stagger the terms, well, it's got staggered two year terms including four representatives from the community at large, one representative from the recreation committee, the conservation advisory council and the planning board. So it changes the constitution of the open space park preserve committee."

Supervisor Cardinale: "Fine. I would ask a question before I call for public comment. We have five and I understood that and we're going to go to seven. Could you just repeat the requirements of where those five have to come from and how it's changed?"

Dawn Thomas: "Currently we have four representatives- well, I'm just trying to figure out what the change was."

Supervisor Cardinale: "Can you do it? Barbara has memorized this."

Councilwoman Blass: "What- there are currently three representatives from the community at large, one representative each from recreation committee and the conservation advisory council, and it's going from currently five to seven, so it was suggested that one individual from- an additional individual come from the community at large and we add a representative from the planning board. That was the suggestion- "

Supervisor Cardinale: "From the actual board?"

Councilwoman Blass: "That was the suggestion of the open space committee."

Supervisor Cardinale: "You guys don't have enough to do?"

Councilwoman Blass: "Well, it is a suggestion and we welcome suggestions."

Supervisor Cardinale: "Did anybody ask the planning board if they wanted to be on?"

Councilwoman Blass: "I think Mr. O'Dea was aware that this was being considered."

Supervisor Cardinale: "Okay. He wants to do it, God bless him. This is an unpaid committee."

Councilwoman Blass: "I didn't say that. I said he was aware that this was being considered."

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Supervisor Cardinale: "Okay. Okay, so that's what the change is. If anyone has any comment, we'd be glad to take it. If not, we'd be glad not to take it. It being 8- what the heck is it- 8:57 and a half- I would- I know 7:57 and a half, I would like to close this public hearing, it being the last public hearing of an exciting four."

Public hearing closed: 7:57 p.m.

Supervisor Cardinale: "We will then proceed to take comment at eight- this is now 8:58- 7:58, I will proceed to take comment on any of the resolutions that anyone wants to comment about and absent that comment, we'll review the resolutions and then take general comment."

So, if there's no comment on the resolutions other than what we've heard earlier, why don't we consider the resolutions and then we'll take general comment. These are pretty uninspired incidentally, I've reviewed them. So I can understand why you wouldn't have comment. Go right ahead."

Resolution #97

Councilman Dunleavy: "Budget adjustment from the appropriate fund balance to the veterans service repair maintenance account. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #98

Councilman Bartunek: "Calverton Sewer District budget adjustment. So moved."

Councilman Densieski: "Second the motion."

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

The Vote: "Dunleavy, aye, yes; Bartunek, yes."

Supervisor Cardinale: "Aye, what is this?"

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

Resolution #99

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Councilman Densieski: "Town of Riverhead Best Western lateral sewer extension budget adoption. So moved."

Councilman Dunleavy: "Seconded."

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

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

Supervisor Cardinale: "John is just returning from vacation."

Councilwoman Blass: "It must have been a cruise. Were you on a cruise?"

Councilman Dunleavy: "I was."

Supervisor Cardinale: "I'm going to vote yes but you know, I noticed some old minutes where in the first resolution of the year they determined whether the correct answer was aye or yes, no or nay. That was actually a resolution some of the older boards— so maybe we should get into that, decide what we're saying. Just say whatever you want."

Councilwoman Blass: "Thumbs up, thumbs down."

Melissa Giguere: "The resolution is adopted."

Resolution #100

Councilman Dunleavy: "Budget adjustment. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #101

Councilwoman Blass: "This is an order calling a public hearing for the Riverhead Water District lateral water main extension Gateway East Subdivision on Doctor's Path. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #102

Councilman Bartunek: "Order calling for a public hearing extension #83 for the Riverhead Water District at Stoneleigh woods. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #103

Councilman Densieski: "Authorizes the Supervisor to execute a change order for the Elton Street sewage pump station reconstruction contract G Riverhead Sewer District. So moved."

Councilman Dunleavy: "Second."

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

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

Resolution #104

Councilman Dunleavy: "Approves site plan of Calverton Links LTD. So moved."

Councilman Densieski: "I'll second it."

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

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

Resolution #105

Melissa Giguere: "Resolution #105, Councilwoman- Councilman Bartunek."

Supervisor Cardinale: "Did we skip one?"

(Some inaudible discussion among the Board members)

Supervisor Cardinale: "No, I don't think we did but George- "

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Councilwoman Blass: "Approves the site plan of Riverhead Building Supply— oh, no, I don't have that one."

Councilman Bartunek: "Approves the site plan of Riverhead Building Supply Corp. So moved."

Councilwoman Blass: "And seconded."

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

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

Councilwoman Blass: "Yes. Could I just make a comment though. When we approve site plans that have gone to the ARB and they have approved them, I think we should reference the fact that the ARB has approved them in the body of the— "

Supervisor Cardinale: "Yeah, we should do that. And you're absolutely right."

Councilwoman Blass: "-- I mean, not to hold these up but we should reference the action of the ARB."

Supervisor Cardinale: "Rick, would you— that will make sure— you'll know that you didn't forget to send it over there. Thank you."

Councilwoman Blass: "Thank you. My vote is yes."

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

Resolution #106

Councilwoman Blass: "This approves the site plan of Best Western Hotel and I would reference also that I'm assuming they've received ARB approval and I would just put that into the record. Yes. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #107

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Councilman Densieski: "Approves plan of the Big E Farm Inc. for agricultural worker housing permit. So moved."

Councilman Bartunek: "And seconded."

Councilwoman Blass: "Slight amendment, please."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "We take great pains not to call these site plans, these agricultural housing- "

Supervisor Cardinale: "Yes."

Councilwoman Blass: "-- worker housing permit applications."

Supervisor Cardinale: "Right."

Councilwoman Blass: "So in the first Resolve, we should delete the word site- "

Supervisor Cardinale: "Okay."

Councilwoman Blass: "-- and just call them plans."

Supervisor Cardinale: "Okay."

Councilwoman Blass: "They are not site plans."

Supervisor Cardinale: "So the word site is deleted at the first line of the first Resolved."

Councilwoman Blass: "Actually the last two lines."

Supervisor Cardinale: "And the last two lines, too."

Councilwoman Blass: "Well they talk about a survey and plan, that's accurate in the first line. But the second to last line site plan and the last line."

Supervisor Cardinale: "How about this Resolve, the first one, the first Resolve? You're on the second."

Councilwoman Blass: "I'm sorry."

Supervisor Cardinale: "So you want it taken out of the first one?"

Councilwoman Blass: "You're right. Out of all of them."

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Supervisor Cardinale: "And also in the second- "

Councilwoman Blass: "That's correct. That's correct. I apologize. Yes. With that amendment, I vote yes."

Supervisor Cardinale: "You have to call it, right?"

Councilwoman Blass: "You didn't call it."

Supervisor Cardinale: "Okay. She's trying to trick you. Okay. What we lack in substance we make up in style. Would you please call the vote?"

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

Resolution #108

Councilman Bartunek: "Grants special use permit petition of Jamesport Realty Captain Hawkins House country inn. So moved."

Councilman Dunleavy: "Second."

Supervisor Cardinale: "Moved and seconded. Did we make the correction that was supposed to?"

Councilwoman Blass: "Yes. With reference to additional- yes, we did."

Supervisor Cardinale: "Oh, here it is. Yeah. Okay. Okay, so that amendment having been made that we discussed at work session, I don't know where we are in the vote. Probably the town clerk doesn't either."

Councilwoman Blass: "Actually we need to change the date on the resolution also. We did? Okay."

Supervisor Cardinale: "So with that correction, would you call the vote?"

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

Councilwoman Blass: "Excuse me, Melissa. We have one further amendment date, the November date as well. Okay, thank you."

Resolution #109

Councilman Dunleavy: "Classifies action and declares lead agency and refers special permit petition of Baiting Hollow club

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Wulforst Farms LLC to the Planning Board. And this is reference a clubhouse for a golf course. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Did you have opportunity- you were going to discuss with Planning whether we have this in the most logical format, the SEQRA. Did we do that?"

Councilwoman Blass: "Yes."

Supervisor Cardinale: "And you're satisfied?"

Councilwoman Blass: "Yes."

Supervisor Cardinale: "Okay."

Councilwoman Blass: "And we spoke with counsel as well."

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

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

Resolution #110

Councilwoman Blass: "Oh, yes. Before I make the motion, we have some date corrections on this resolution as well, the date at the top and the date- two dates in the notices. They're all- did you- "

(Some inaudible discussion)

Supervisor Cardinale: "110? February 7, 2006."

Councilwoman Blass: "I have 2005."

Supervisor Cardinale: "Yeah."

Councilman Bartunek: "I have 2006."

Supervisor Cardinale: "Oh they corrected it. That's why. Anything else they want to correct?"

What are we going to do with 110? You want to call this in the amended format with the proper date?"

Councilwoman Blass: "And we need a tax map number correction on it as well- 600-119-2-14."

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Supervisor Cardinale: "Yeah, you didn't correct that one. You just have- you have an open tax map number- 600- we know it's in Riverhead. Tell us where. Thank God Sal isn't here. He would be very offended."

Councilwoman Blass: "Dash 119 dash 2 dash 14."

Melissa Giguere: "Thank you."

Supervisor Cardinale: "He proofs this for us. Okay. Any other corrections? Okay. With that, can we have a vote?"

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

Councilman Bartunek: "I don't think we moved it and seconded it."

Supervisor Cardinale: "Who was supposed to move that? I'll tell you- "

Councilwoman Blass: "Authorizes the town clerk to publish and post a notice of a public hearing for a special use permit of George Nunnaro for Prest-O-Peconic. So moved."

Councilman Densieski: "And seconded."

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

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted as amended."

Resolution #111

Councilman Densieski: "Authorizes the town clerk to publish and post a notice of public hearing for a special permit petition of the 1998 Peconic, LLC. So moved."

Councilman Dunleavy: "Second."

Supervisor Cardinale: "Moved and- "

Councilman Dunleavy: "This is for a gas station convenience store and car wash on- in Calverton."

Councilwoman Blass: "A comment, please."

Supervisor Cardinale: "Yes."

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Councilwoman Blass: "We've got the date in the corner, the dates on the second page are wrong. I hate— the square footage is incorrect and it's the wrong zoning use district. It's not 108-45B, that section was deleted."

Supervisor Cardinale: "But other than that, Rick, you've got everything right."

Councilwoman Blass: "It's 108— it's 108-274B, the zoning use, the reference in the section. And Middle Country Road needs a typo correction. I'm sorry."

Supervisor Cardinale: "No. I'm glad you did. So we've got all that correction made and now we can consider it. Which means you have to call the vote."

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes, on the corrections."

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

Resolution #112

Councilman Dunleavy: "This— I'd like to table this one. I'll call it and then I'll request that it be tabled."

Classified action and declares lead agency and determines significance of action on site plan of Raymond Castronovo Zenith Building. And I would like to table this resolution."

Councilman Bartunek: "I will second the motion to table."

Supervisor Cardinale: "Motion to tabled seconded. Can we have a vote on tabling."

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

Resolution #113

Councilman Bartunek: "Accepts a 5% performance bond of Sons Riverhead LLC, Sports Authority Development. So moved."

Councilwoman Blass: "And seconded."

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

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

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Resolution #114

Councilwoman Blass: "This authorizes the release of a bond of 23 West Second Street Assoc. LLC, Twomey, Latham, Shea and Kelly. So moved."

Councilman Dunleavy: "Second."

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

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

Resolution #115

Councilman Dunleavy: "Authorize release of performance bond for Maidstone Landing LLC. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #116

Councilman Densieski: "Authorizes the release of a performance bond for Maidstone Landing LLC. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #117

Councilwoman Blass: "This approves the Chapter 90 application of Cooley's Anemia Foundation, Inc. So moved."

Councilman Dunleavy: "Second."

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

The Vote: "Dunleavy, yes; Bartunek."

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Councilman Bartunek: "Discussion on this one. I was— I left a message with Laura this afternoon that maybe we should add another Resolve here that they should provide a dumpster for the clean up of their garbage. I know that the American Diabetes, when they had their bike-a-thon down in the park, there was a tremendous amount of garbage generated."

Supervisor Cardinale: "Yeah. That's a good idea because I remember that was a mess last year."

Councilman Bartunek: "They, you know it's not a big deal but I think it should be provided."

Councilman Densieski: "I think you're right, George."

Supervisor Cardinale: "Yeah. Be it Resolved that the town determines— what the heck— Cooley's Anemia, Resolved that— we're approving the Chapter 90 application."

(Inaudible discussion among the Board members)

Supervisor Cardinale: "Where are you suggesting, in the second Resolve?"

Councilman Bartunek: "You don't want to add a Resolve on?"

Supervisor Cardinale: "Yeah, we do. We want to know where you'd like to add it."

Councilwoman Blass: "You could add it in the first one where it says for the purpose of setting up a staging area including a dumpster to be held— "

Councilman Bartunek: "Is that good enough? Will that do it, Dawn?"

Dawn Thomas: (Inaudible comment)

Supervisor Cardinale: "Where would you propose putting it?"

Dawn Thomas: (Inaudible comment)

Supervisor Cardinale: "Fine. Could you read into and then give to Melissa the language?"

Dawn Thomas: "Resolved that the applicant shall be required to provide a dumpster and removal thereof— a dumpster prior to the commencement of the event and removal of the (inaudible)."

Councilman Densieski: "That nails it."

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Supervisor Cardinale: "How big you want it? I know dumpsters can get different prices."

Councilman Bartunek: "Ten? Ten is a small one."

Supervisor Cardinale: "Okay, very good. So with that addition suggested by George, can we have consideration of the resolution?"

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes, with the amendment."

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

Resolution #118

Councilman Dunleavy: "Approves Chapter 90 application of Railroad Museum of Long Island. So moved."

Councilman Densieski: "Second the motion."

Councilwoman Blass: "Just a comment. I'm wondering if we should make that a regular requirement. Should we add that into this one as well?"

Supervisor Cardinale: "When it's on our public property, yeah."

Councilman Bartunek: "They take care of it, Barbara."

Councilwoman Blass: "They do take care of it?"

Councilman Bartunek: "Oh, yeah. The Railroad Museum."

Supervisor Cardinale: "Well, first of all this is on their property."

Councilwoman Blass: "Okay."

Supervisor Cardinale: "But if it's on public property, I think we should do that."

Councilwoman Blass: "Thank you."

Supervisor Cardinale: "So, we're going to consider 118."

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

Resolution #119

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Councilman Densieski: "Approves the Chapter 90 application of the Railroad Museum of Long Island for the Hobo Homecoming 2006. Have you seen the railroad station lately? So moved."

Councilman Bartunek: "Seconded."

Supervisor Cardinale: "Okay."

Councilman Bartunek: "Can you get all dressed up for that?"

Supervisor Cardinale: "That's great."

Councilman Bartunek: "Ride the rail."

Supervisor Cardinale: "I guess we're going to have to call this one, too, Melissa."

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

Resolution #120

Councilman Bartunek: "Adopts a local law amending Chapter 48 entitled Beaches and Recreation centers of the Riverhead Town Code. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #121

Councilwoman Blass: "This adopts a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, Chapter 108-290 Village Center VC Zoning Use District. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #122

2/07/2006 minutes

Councilman Bartunek: "Adopts a local law amending Chapter 108 entitled Zoning of the Riverhead town code, Section 108-298 Downtown Center 1, Main Street DC-1 Zoning Use District. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #123

Councilman Densieski: "Discussion."

Supervisor Cardinale: "Yes."

Councilman Densieski: "I don't know- I guess this is some question whether this is time sensitive or not. We didn't get to discuss it in work session. I don't know what' going to- what Young & Young is going to be charging us for the- "

Supervisor Cardinale: "We did find that out but I'm not sure if we're going to do it either. I don't know if it is time sensitive. Eisler prepared it. I had just seen it myself- "

Councilman Densieski: "Yeah. I tried to get a hold of Frank today and I couldn't get a hold of him. But I don't know what the parameters of the bid is being put together. I don't know if the board- I know I didn't have any input. I'm just wondering, you know, if we should vote this today or know what we're voting on."

Supervisor Cardinale: "I don't think there's any- the only- the only- the significance of this resolution is a telegraphing of our fortitude and firmness to Mr. Grimes. We can do this next- two weeks from now after discussing it again."

Councilman Densieski: "That would be great."

Supervisor Cardinale: "I don't have a problem with- I think he gets the point just by our considering it. So let's pass it on the 23rd after some discussion."

Councilman Densieski: "Okay, thank you."

Councilwoman Blass: "I do hope we follow through with it though because it is something that we need to do."

Supervisor Cardinale: "Oh yeah, we're going to have to follow through. I don't think there's any doubt about that."

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Councilwoman Blass: "Okay."

Councilman Densieski: (Inaudible)

Supervisor Cardinale: "Barbara is alluding to the fact that she had spoken to (inaudible) and told him that we were going to— we are fully committed to what we said I guess it was in November about the asphalt plant."

Councilman Densieski: "Yes. Right. I definitely agree with you, do something, but we have to know what we're doing."

Supervisor Cardinale: "Okay."

Councilman Densieski: "With that said, I'd like to make a motion to table Resolution #123. So moved."

Councilman Dunleavy: "Second."

Supervisor Cardinale: "Moved and second to table for further consideration at Thursday's work session."

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

Resolution #124

Councilman Dunleavy: "Authorizes the Supervisor to execute contract of agreement. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #125

Councilman Densieski: "Approves stipulation of settlement. So moved."

Councilman Bartunek: "Seconded."

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

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

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Resolution #126

Councilman Bartunek: "Approves a request for a military leave of absence. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #127

Councilwoman Blass: "Authorizes the Supervisor to execute an agreement with the Nature Conservancy for piping plover management. So moved."

Councilman Dunleavy: "Second."

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

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

Resolution #128

Councilman Dunleavy: "Authorize the Supervisor to enter into a contract. So moved."

Councilman Bartunek: "And seconded."

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

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

Councilman Densieski: "Phil- "

Supervisor Cardinale: "Yes."

Councilman Densieski: "-- from what I understand, we're receiving grant money. Is that clear?"

Supervisor Cardinale: "Yeah, that's true- that's correct. This is- we're getting 82 of the million and one for this."

Councilman Densieski: "Yes."

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

Resolution #129

Councilwoman Blass: "This resolution appoints- reappoints members to the Riverhead Landmarks Preservation Commission. Mr. Wines, Mr. Jochamin and Mr. Taldone (phonetic). So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #130

Councilman Bartunek: "Appoints a part time assistant leader to the skatepark to the Riverhead Recreation Department. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #131

Councilman Densieski: "Sets salaries of various recreation employees for the year 2006. So moved."

Councilman Dunleavy: "Second."

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

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

Resolution #132

Councilman Dunleavy: "Sets salaries for part time personnel recreation position and summer personnel salaries for 2006 for the Recreation Department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #133, #134, #135

Councilwoman Blass: "If there's no objection, I'd like to move 133, 134 and 135. They are all authorizing the Fire Marshal in attend a seminar, Bruce Johnson and/or Dave (inaudible). So moved."

Supervisor Cardinale: "That's a great idea. I mean not that they go but that we do it together."

Councilman Bartunek: "And I will second that.."

Supervisor Cardinale: "Yes. Okay, moved and seconded. Okay, good."

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

Supervisor Cardinale: "Yes, I think they should be well educated and occasionally be in town hall, too."

Melissa Giguere: "The resolutions are adopted."

Resolution #136

Councilman Dunleavy: "Authorize attendance at the Government Finance Officer's Association National Training Seminar. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. This is Mr. Hansen. Vote please."

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

Resolution #137

Councilwoman Blass: "Authorizes attendance of one public safety dispatcher to attend the communications training officer seminar. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Now that we have the chief here, Chief, in regard to this— this is the public safety dispatcher, \$1,300, four nights. Is the wealth of information to be

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achieved valuable? You recommend this? You have the money in your budget? Of course, it's January. Okay."

Councilwoman Blass: "He just got a new contract."

Supervisor Cardinale: "Okay. Yeah. We passed your contract. We amended it down a little bit but— okay, then 137 then we should consider at the police chief's behest."

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

Resolution #138

Councilman Bartunek: "Authorize attendance of individuals associated with drug court to attend 2 day conference under justice assistance grant. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded now."

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes. This is all paid by a grant."

Supervisor Cardinale: "That's correct."

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

Supervisor Cardinale: "Yes. We did this before— this substitutes a name for a person who could not attend."

Melissa Giguere: "The resolution is adopted."

Resolution #139

Councilman Densieski: "Authorizes the attendance at the 66th annual conference and business expo. So moved."

Councilman Dunleavy: "Second."

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

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

Councilwoman Blass: "Yes. Can we correct the title, please, conference."

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Supervisor Cardinale: "The 66th annual conference. Is this a recreation thing?"

Councilman Densieski: "Yes, it is."

Supervisor Cardinale: "Are you just job hunting? Is this something to do with recreation? You wouldn't know it from the title. It says it's an annual conference and business expo. Oh, okay, put the word recreation in there so we don't look like we're sending you off to hunt for a new job. Okay. Recreation conference and business expo."

Councilwoman Blass: "Yes."

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

Resolution #140

Councilman Dunleavy: "Authorizes real estate appraiser with attached rates. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #141

Councilwoman Blass: "Amends Resolution #69 authorizing the Empire Referee fee schedule for Police Athletic League programs for the year 2006. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. What are we amending, anybody know?"

Councilman Bartunek: "I was just going to ask."

Councilwoman Blass: "I think it was the- let me see- "

Supervisor Cardinale: "Amending- we're amending Resolution #69 which is so long- which was so long ago, I don't remember it, authorizing umpire fees. Are we enhancing- "

Councilman Dunleavy: "That's PAL. Chief, do you know about the fees for the PAL program?"

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(Inaudible comment)

Supervisor Cardinale: "Oh, so we're amending it to adjust it to the county recommendations. All right. Fine. Okay, with that said, can we have a call of the vote?"

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."
Resolution #142

Councilman Bartunek: "Sets the fee for skate park replacement membership cards for the Riverhead Recreation Department. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #143

Councilman Densieski: "Ratifies the authorization of the town clerk to publish and post a public notice to consider the purchase of development rights of a parcel located in the town of Riverhead purported owner Edward W. Harbes, III. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #144

Councilman Bartunek: "Want me to read it? It says offers support to New York State Legislature for enforcement of the provisions of the 2% transfer tax on real estate transactions. So moved."

Councilman Dunleavy: "Second."

Supervisor Cardinale: "Moved by Bartunek and seconded by Dunleavy. Can we have a vote?"

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

Resolution #145

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Councilman Bartunek: "Authorization to publish advertisement for janitorial supplies. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #146

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

Councilman Dunleavy: "Second."

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

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

Resolution #147

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

Councilman Bartunek: "And seconded."

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

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

Resolution #148

Melissa Giguere: "Resolution #148 pays bills. Councilman Densieski."

Councilman Densieski: "So moved."

Supervisor Cardinale: "Moved and-- "

Councilwoman Blass: "Seconded."

Supervisor Cardinale: "-- seconded now. Vote please."

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

Supervisor Cardinale: "You've done so well. When is Barbara returning?"

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Melissa Giguere: "Ten days."

Supervisor Cardinale: "Does this mean that you are not going to be here for the next meeting?"

Melissa Giguere: "Nope."

Supervisor Cardinale: "Imagine our grief. But you'll be here for the work session?"

Melissa Giguere: "Yes, I will."

Supervisor Cardinale: "Nice. Okay, we are now at the stage where we could all go home or alternatively the public could comment on any matter of interest to it within our purview. So that if there is public comment, on any such issue, now is the time. Yes, John."

John Griffin: "It must be some kind of record you guys are done by 8:30."

Supervisor Cardinale: "Yeah, this is good. I knew you weren't going to let that happen. Go right ahead."

John Griffin: "I just want to take a few moments to talk about the proposed group home at 94 South View in the Manors."

Supervisor Cardinale: "Right."

John Griffin: "And how we, the residents of the community and the town board got into this position. Notification was sent to the Supervisor- "

(At this time, the CD ended)

Additional speakers:

Greg Fisher
Angela DeVito
Bob Hohart

Meeting adjourned: 8:55 p.m.