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Minutes of a Town of Riverhead Board meeting held by the town board of the Town of Riverhead at Town hall, 200 Howell Avenue, Riverhead, New York on Tuesday, July 1, 2008 at 2:00 p.m.

PRESENT:

Philip Cardinale, Supervisor
James Wooten, Councilman
Timothy Buckley, Councilman
John Dunleavy, Councilman

ALSO PRESENT:

Barbara Grattan, Town Clerk
Dan McCormack, Town Attorney

ABSENT:

Barbara Blass, Councilwoman
Dawn Thomas, Town Attorney

Supervisor Cardinale: "Okay. This is your Supervisor speaking.

This is the beginning of the July 1st meeting of the town board preliminary to the 4th of July among other things.

We have a special guest so we're going to say the Pledge of Allegiance and be led by Harriet Haas our special guest in this Pledge of Allegiance and then she's going to sing for us a patriotic song or two. So, Harriet, would you lead us in the Pledge?"

(At this time, the Pledge of Allegiance was recited, led by Harriet Haas).

Supervisor Cardinale: "And we have her able assistant helping her with the microphone and we have Harriet Haas— for many years, I believed Harriet to be the beloved spouse of Mason who is here, aren't you, Mason? I'm kidding— Mason, is she related? Is Harriet related to you as our assessor? Way back, huh? So there is no spousal connection. What are you going to sing? First, let's put that thing on— on the side— perhaps we should stand because we would assist you in that way."

Harriet Haas: "Can everybody hear me now? Okay. Should I face this— how do I face the camera? Oh, you face this camera, oh.

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Oh, you face that camera. Right. Good day everybody, have a nice meeting."

(At this time, Ms. Haas sang)

Harriet Haas: "Thank you, thank you."

Supervisor Cardinale: "Thank you very much, Harriet, that was beautiful. Hey, Harriet, can you come back for some more on a future occasion? Good. Labor Day, you come back. Thank you, you have a very beautiful voice, honestly, you do. And you have an able assistant with the suspenders there. So, thank you."

We are— we have a couple of things to do. One is the approval of the minutes of the June 17th meeting. Would someone offer them and someone second?"

Councilman Dunleavy: "I move the minutes."

Councilwoman Buckley: "Second."

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

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

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

REPORTS:

Receiver of Taxes	Utility collections report for January, 2008 - total collected \$452,624.72
Total tax collection:	\$112,877,660.72
Sewer District	Discharge monitoring report for May, 2008
Police Department	Monthly report for May, 2008
Town Clerk	Monthly report for June, 2008 total collected: \$10,255.05

APPLICATIONS

Special permit

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Timothy Hill Children's Ranch
expansion of pre-existing, non-conforming use

Theodora Cohen
convert existing storage building to single family residence

Beacon Wireless Management
n/s of N. Wading River Road, construct monopole; affix utility
wireless telecommunications antennas

South Bay Recreation Inc. -
recreation sports camp featuring lacrosse and soccer

Fireworks permit Vail-Leavitt Music Hall - July 20

Riverhead Business Improvement District - July 5th

Parade permit
L.I. Antique Power Assoc. - July 5 & 6 - Hallockville Museum

CORRESPONDENCE:

none

Barbara Grattan: "That concludes Reports, Applications and
Correspondence."

Supervisor Cardinale: "Well, thank you."

Barbara Grattan: "There is no Correspondence."

Supervisor Cardinale: "That's a help. The public hearings
are scheduled for-- seven in number beginning at 2:05. I would like
to note that Barbara may join us a little late. She's coming back
from Rhode Island with her daughter she brought to a college
orientation.

And I would also like to note that Resolution #563 I'm
going to ask the board to table and I believe they will. That was a
hearing in regard to a sewer expansion and improvement which is
absolutely necessary because if it isn't done, sewage is supposed to
back up in people's basements so the issue is not whether it's going
to get done but who's paying for it.

I have asked-- after the hearing I asked Mr. Ehlers and Mr.
Russo our engineer and our attorney respectively, and Mr. Reichel--
is he here-- I spoke to him earlier, to get me some law and facts--
and the board, some law and facts as to why this was not a full
district charge. And I know there are some people that are
concerned about this because I am and I've seen letters that
indicate similar concern, and the board has also indicated some
question.

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So we're not going to act on that until we have all the facts. I've spoken to Jody Giglio of the Business Alliance, she's expressed her views, I've gotten a couple letters."

(Inaudible comment)

Supervisor Cardinale: "No. I don't want to waste your afternoon but I told Jody if in fact we felt it was justified that it be a part district charge, that we would alert her to she could return with those that wish to comment.

This is a- like the restaurant definitions, this was staff driven by our engineer and our lawyer who placed it in the map and plan but we are now asking the same questions you are whether it is appropriate so, yes, you don't have to stay because I'll give you an opportunity to speak at the next meeting if we move forward.

I would also- I'd like to start the - I'd like to ask the board members if they have any announcements or anything that they'd like to say from their committees and otherwise and if they do, please do and if they don't, I'd like to start with the 2:05 hearing for the special use permit of Larry's Lighthouse Marina."

Public hearing opened: 2:22 p.m.

(Public hearing for the special use permit of Larry's Lighthouse Marina to expand a pre-existing non-conforming marina use upon property located at Meeting House Creek Road, Aquebogue)

Supervisor Cardinale: "It's 2:23, we can begin that hearing. Is the applicant here? Bob?"

Thanks, Jody, I'll be in touch with you. All right, thank you."

Robert Kozakiewicz: "Good afternoon, Mr. Supervisor, Town Board Members. Robert F. Kozakiewicz with offices at 431 Griffing Avenue, Riverhead, New York, attorney for the applicant, Larry's Lighthouse Marina.

I've just for the record handed up the green receipt cards of certified mailing, one envelope which was returned as undeliverable, and nine documents which (inaudible).

I could talk louder, too, that's not a problem but nine documents entitled consent to special permit wherein individuals who were mailed the green receipts indicated that they were not opposed to the application."

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Supervisor Cardinale: "Thanks, stop you for a moment. Dan McCormack is our town attorney today because Dawn Thomas together with our director of planning and our CDA director and our outside counsel, Frank Isler, are on a road trip to Albany to lobby for good things for our town at EPCAL. However, you, do you have a feeling that you want to do something now? We've done this--for 20 years we've forgotten to swear people in for special permits, didn't we? Don't we have to swear you in? We've got to swear him in even though he's an attorney."

Robert Kozakiewicz: "Let me go back to square one- "

Supervisor Cardinale: "Particularly because he's an attorney you've got to swear him in."

Robert Kozakiewicz: "Twice."

Supervisor Cardinale: "Yeah, twice, and a former supervisor, three times."

Robert Kozakiewicz: "Three times."

Dan McCormack: "Raise your right hand, please. Do you swear to tell the truth about this application (inaudible)?"

Robert Kozakiewicz: "I do."

Supervisor Cardinale: "All right. Go ahead, Bob."

Robert Kozakiewicz: "All right, so let me start over. Bob Kozakiewicz, 431 Griffing Avenue for the applicant. Handed up the green receipt cards in conformance with the town code as far as the certified mailings as well as an envelope that was one of the undeliverables and a document labeled consent to special permit which is receipt from neighboring landowners indicating that they were not opposed to the application.

In the consent, I had the building I think at 14,500 square feet, that's the existing building, to be replaced by a new metal storage building of 23,200. I think I may have been mistaken in that document. I'd like to point that out in the beginning because in 1998 by Resolution 675, the board approved a similar application for Alexander T. Galasso (phonetic) as agent for DiMarco Galasso Inc. who is the owner of the premises.

It gets very confusing. You kind of need a chalkboard to follow all the players but DiMarco Galasso Inc. (phonetic) owns the property in question which is 0600-86-2-17.3. Larry's Lighthouse Marina, Inc. runs the marina and Alexander D. Galasso is the principal of both of the entities and he's the individual who signed the special permit.

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In any event, the point I was looking to make is by that 1998 Resolution it approved site plans that were submitted for the demolition of a building measuring 16,149 square feet and at that time the replacement of a building measuring 24,900 square feet and that was approved. We're revisiting that 1998 approval to replace that 16,149 square foot building with a new building measuring as I said earlier 23,200 square feet."

Supervisor Cardinale: "Where does the 249 come in?"

Robert Kozakiewicz: "That was the old application. It was a larger building that was being proposed in '98."

Supervisor Cardinale: "And they gave you a 17- 16,000- "

Robert Kozakiewicz: "Right. Was what exists there currently. And I think I've been mistakenly referring to it as 14,000."

Supervisor Cardinale: "Right."

Robert Kozakiewicz: "And for simplicity, the three buildings on the property running from south to north for storage of boats only are buildings A, B & C, C being the most northerly of the three and that's the one that we're talking about, replacement of building C."

Supervisor Cardinale: "The special permit- I don't have my director of planning here, the special permit approved in 1998 was not for- "

Robert Kozakiewicz: "Well, at that time, we didn't use special permit, we do now because of the 2004 zoning which zoned this property Residential B-80 and the residential B-80 no longer allows for the use of marina. So we're a non-conforming use and we need a special permit by virtue of the fact that we're expanding or extending a prior non-conforming use."

Supervisor Cardinale: "What was the mechanism by which you got the 16,000?"

Robert Kozakiewicz: "The- it was a site plan resolution."

Supervisor Cardinale: "Oh, a site plan."

Robert Kozakiewicz: "A site plan and there was also at the same time a ZBA application which approved the application back in 1998."

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There is— we are required to make a zoning board of appeals application at this time. As we noted to the board when we met with you at work session, the application has been submitted. It will be likely heard August 14th. The relief according to planning director Rick Hanley is twofold. We will need front yard relief and we will need impervious surface coverage.

The front yard relief, you know, we're looking for 10 feet off of the front yard, i.e. Meeting House Creek Road, and the impervious surface as set forth in the site plan, we are looking for impervious surface coverage of 61.1%. The zoning because it is a residential zoning district only allows for 15%. If we were in a commercial zone, of course, which we think would be the more appropriate in light of the fact of the use, it would be 60%."

Supervisor Cardinale: "That may happen."

Robert Kozakiewicz: "Well, we hope it will as part of the local waterfront plan but we understand that that's been in the works for a while and it may be in the works for quite some time yet before it actually gets approved and I did have that discussion with Councilwoman Barbara Blass to see where the LWRP is and the advice back is it's not going to be in a timely enough fashion for us to take advantage of it in this point in time.

So as I said we're here for a special permit. We know that we need to go to the zoning board of appeals and we have made that application.

The— I guess there's some questions. The current building that we're looking to replace just so you have a sense of dimensions, as I already noted the size, the height from grade to ridge is 26.3 feet— 26 feet 3 inches and I'm going to hand up to you some pictures of that building as well as the building that's being proposed or a picture of what's being proposed.

The replacement building will be 30 feet 2 inches in height and so it's going to be an increase of about four feet, just slightly less than four feet.

The building that we're looking to replace or to put in building C, it would be similar to the building that's currently at location building B and I would like to, when I finish up, hand up these photographs so you see what's being proposed.

We feel that the application is appropriate, that we meet the criteria of the special permit language in the code, and that there is adequate parking. We had this discussion at the work session. We do show a site plan that meets and exceeds the parking requirements as described in the zoning ordinance. In fact, we are

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required to have 92- let's say 93 stalls since we rounded up and we are providing 101 stalls.

We are also proposing as part of the application to deal with the impervious surface coverage, removal of existing asphalt which would be on the westerly side of the building and replacing that with stone blend, and I'm sure that if any questions come up with respect to the calculations concerning the impervious surface coverage, they can be addressed by Doug Adams of Young & Young who is in the audience as is Alex Galasso. So if there's any questions that come up with respect to the operation itself, we can address them.

The applicant is coming to you because of two main reasons with respect to this building, one, its age. The structure was built in the '70's I believe if I have the dates right, around 1974, so it's starting to show signs of wear and tear and its useful life is starting to come to an end. And, two, also to address the operational aspect.

The way the building is laid out, albeit farther from Meeting House Creek Road, it requires the removal and the storage of boats in the building by Meeting House Creek Road. In other words, the actual staff or the staff have to go out onto Meeting House Creek Road in order to remove boats from the water, get them onto the yard and get them into the storage building. It's just not a safe operation and, therefore, we are looking to alleviate a safety issue and also to upgrade a building that's got some age on it.

I know that in one of the discussions that I had with the applicant, we've shown on the site plan plantings or evergreens which are to be synonymous with or similar to what exists there now. I did hear from one of the neighbors who is concerned- he's across the street- concerned about trying to soften the appearance of this building.

I believe the applicant is amenable to planting taller evergreens and plantings that will provide a better screening if so desired by this board.

At this time, unless there's any other questions, I would like to hand up the pictures and I'll certainly if there's any questions from the audience respond to them."

Councilman Dunleavy: "I just have one question. What color is this building going to be?"

Robert Kozakiewicz: "The- my understanding is that they're all going to be painted similar color which will be gray. Correct? Light gray."

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Councilman Dunleavy: "Okay, thank you."

Supervisor Cardinale: "What's the footprint of the building?"

Robert Kozakiewicz: "The new building-- the building that's proposed?"

Supervisor Cardinale: "Yes. The new building and the old building."

Robert Kozakiewicz: "The old building is 16,000-- let me just go off the old resolution and, well, the existing is 16,149-- "

Supervisor Cardinale: "Right."

Robert Kozakiewicz: "-- square feet, that's 16,149. The new one is 23,200."

Supervisor Cardinale: "Do you have the-- that's the square footage."

Robert Kozakiewicz: "Correct."

Supervisor Cardinale: "I'm looking for the footprint. Is there a different footprint?"

Robert Kozakiewicz: "Yes, there is. The footprint will be one closer to the road. It's going to be 10 feet from Meetinghouse Creek Road. And the existing building has a jog-- this is going to be a more rectangular building. It's on the site plan. I have it with me."

Supervisor Cardinale: "All right. Thanks."

Robert Kozakiewicz: "I mean it should be on file with the board. I don't have an easel or a podium set up. I can do that if you wish."

Supervisor Cardinale: "No, that's fine. I'll take a look."

Robert Kozakiewicz: "Okay."

(Inaudible comment)

Robert Kozakiewicz: "There's two pages, six photos."

Dan McCormack: "And what's depicted in each?"

Robert Kozakiewicz: "The first page is the existing building C and there's four separate photographs of that structure. The last one also includes a bit of building C-- building B and the second set

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of photographs consists of two and they are designed to show the replacement building which will be similar to building B."

Dan McCormack: "Thank you very much."

Supervisor Cardinale: "Thank you, Harriet. We'll see you Labor Day. You, too."

Okay, I'd like to invite comment from the public in regard to this in effect expansion of a pre-existing non-conforming use. Yes, please come up."

John Deschamps: "Good afternoon. My name is John Deschamps (phonetic). I live directly-- "

Councilman Dunleavy: "Could you pull the microphone down, please?"

John Deschamps: "Sure, sorry. My name is John Deschamps. I live directly across from the proposal."

Supervisor Cardinale: "We have to swear him in, too, don't we? Yeah, he's going to swear you in."

Dan McCormack: "Could you kindly spell your last name, please?"

John Deschamps: "D-E-S-C-H-A-M as in Mary-P as in Peter-S as in salad."

Dan McCormack: "Raise your right hand. Do you swear to tell the truth with regards to your testimony (inaudible)?"

John Deschamps: "I do. I've a statement I would like to read before the board. I'm not sure if I have a time limit and I was wondering if the board would indulge me to read the entire statement, I will try to be brief. It's about four pages."

Supervisor Cardinale: "Uh-- "

John Deschamps: "And I have copies for the board if they would like?"

Supervisor Cardinale: "Yeah, I'd like to get a copy and go ahead, try to keep it to five but it's not hard and fast. So if you'd like to read it in, read it in."

John Deschamps: "My name is John Deschamps. I live at 254 Meeting House Creek Road together with my wife and two children. My home, which incidentally I purchased from the applicant, and is in

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fact his former residence, is directly across the street from the proposed building expansion.

I am, therefore, perhaps most directly impacted by the sheer size and scale of the proposed building expansion, and stand to lose much with regard to my property's value, desirability, resale potential and continued enjoyment. I am currently in the process of obtaining a new appraisal study to assess the economic impact this special permit application, if approved, will have on my real property value.

Although my standing to comment on this proposal is obvious, it is not just me who would be impacted. On the contrary, it is every town resident and tourist who uses Meeting House Creek and Peconic Bay Boulevard together for what they have jointly become, a scenic bypass of Route 25.

Though imperfect, there is currently at least a mixed scenic vista of building, yachts, surface water and tree lines towards the opposite shore of Meeting House Creek in the area of the proposed new, expanded building. Approval of this proposal would completely seal off this vista behind a 280 foot long curtain of steel 14 feet closer to Meeting House Creek Road, some degree higher which I now understand is four feet higher although the existing roof line is articulate and varied and— where was I— and 84 feet longer than what currently exists.

This not only would completely eliminate what vista remains to the west-northwest of my property, but represents an additional 84 feet of scenic vista lost to everyone traveling along Meeting House Creek Road.

In general terms, this proposal would, in its current form, significantly intensify the industrial look and feel that the site projects onto the surrounding residentially improved RB-80 district; raises drainage concerns in an area already prone to road ponding, flooding and tidal overflows; and would increase shadowing on surrounding properties, causing a net loss of natural ambient sunlight that might negatively impact landscaping, turf areas and energy costs.

To take a quote out of the town of Riverhead's comprehensive plan:

Riverhead is a community in many ways defined by its proximity to significant water features. Access to and views of the water are important in determining and maintaining the town's overall quality of life. Public access to and views of water currently exist at certain points throughout Riverhead. The town should work to

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increase public access to and views of water even further. Chapter 5, Goal 5-2: Maintain and increase waterfront access and views.

I could not agree more, but are they just so many empty words of an outdated planning document gathering dust in a town hall closet? I would hope not given the fairly contemporary 2003/2004 revision dates of the town's comprehensive plan and underlying zoning.

As a former planner myself, I have experience assessing land use impacts, including proposals such as the one before this board. While I am currently a network and systems administrator and department head of computer services for the Huntington Public Library, I have a Master's degree in Urban and Regional Planning.

Between 1987 and 1995, I was employed by the town of Southampton and charged with reviewing commercial developments proposals (site plans), change of zone requests, special exception uses and ZBA referrals in my capacity as planner and, later, as senior environmental planner, I worked with and was mentored by Wayne Bruyn, now one of the most prominent land use attorneys in the town of Southampton, back when he was a planner and later as deputy town attorney.

While it has been a while since I left the profession, I would hope that this board would hear my concerns with an open mind, particularly since I am not here to simply say no - not in my backyard (or in this case - front yard), but to offer as a last resort what I hope would be received as reasonable, less objectionable alternatives that I believe still accomplishes the applicant's legitimate business objectives.

I say the word "legitimate" with vigor, because I recognize, respect and support the applicant's continued right to operate his business.

As I mentioned to the applicant's attorney when I contacted him last week, in an apparently fruitless effort to establish a dialogue, I did not wish to be a fly in the applicant's ointment. I thought that calling Mr. Kozakiewicz was the neighborly thing to do, rather than attempt to blindside the applicant and this board with my objections here. I received no return calls.

Unfortunately, I believe the value of my home, the very place where the applicant and his wife raised their own family, is now under threat. It is all that I have, which compels me to be here today.

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In my assessment, the applicant's current proposal is, at a minimum, inconsistent with Section 108-133.3 items A and C, and Section 108-133.5 items B, H and R of the town code, specifically:

1. Section 108-133.3 (A) provides that the applicant shall demonstrate that the specially permitted use will be in harmony with the appropriate and orderly development of the district in which it is located.

The overwhelmingly predominant surrounding land use adjacent to the subject property is single family residential, whereas the marina use was made non-conforming by actions of this board pursuant to its own comprehensive plan and subsequent zoning amendments.

While I recognize that the applicant has every right to his lawfully existing structures, uses and operation, it does not follow that an increase in the degree and intensity of non-conforming use on the subject property - in this case, over 7,000 square feet of industrial building expansion - would be in harmony with and appropriate to the underlying RB-80 residential zoning and surrounding residential properties.

This is recognized elsewhere in the code. Section 108-51(E) for example provides that a lawfully pre-existing non-conforming building or structure or a building or structure which lawfully exists on a non-conforming lot may be enlarged, altered, reconstructed or repaired provided that the degree of nonconformity is not thereby increased.

For the purposes of this subsection, an increase in the degree of nonconformity shall include any increase in the amount of a non-conforming building's or structure's gross floor area which is located within a required setback area, or an increase in any portion of a building or structure located above the maximum height permitted. In this case, all of the proposed building expansion is within the 65 foot required front yard setback.

2. Section 108-133.3(C) - provides that this board find "... the application shall demonstrate that operations in connection with any special use will not be more objectionable to nearby properties than would be the operations of any permitted use not requiring a special permit."

The applicant proposes to expand his indoor boat storage operations by over 7,000 square feet via a new 23,200 square foot, 30 foot high industrial metal storage building having 280 feet of frontage situated 10 feet off Meeting House Creek Road.

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How is this not more objectionable than the one to possibly two single family homes that might be permitted under current zoning if appropriate setback and area relief was obtained?

And I have five points.

3. Section 133.5(B) provides that this board find that "... the plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof." At 62.5% the amount of impervious surface area on the subject property is already over four times the 15% limitation imposed by the town of Riverhead's schedule of dimensional regulations for residential districts, and is over 10% more than the 50% maximum impervious surface area allowed by the DC-2 waterfront district - the closest commercial district I could find compatible with the existing marina use.

Indeed, even the most cursory glance of the aerial photos and site plans indicate that the applicant already enjoys considerable, reasonable use of his property well over the maximum development potential of the underlying residential zoning as well as the closest compatible commercial district.

The applicant's own EAF Part I left blank the question of maximum development potential under current zoning, and is therefore incomplete. Nevertheless, the very fact that this proposal also requires variances (minimally, setback relief) strongly argues against this sufficient, appropriate and adequate plot area test.

Yet, despite the proposed 7,000 square foot building expansion and clear increase in total lot coverage by main and accessory buildings, the proposed site plan does indicate a slight 1.4% decrease in impervious surface area due to the proposed resurfacing of an existing asphalt parking area with aggregate stone blend.

However, in this case, it is inappropriate to equate grade level resurfacing of an existing parking area, in a different location on the property, as a direct 1 for 1 comparative offset to the impacts associated with a 7,000 square foot + increase in building area - an increase resulting in a 23,200 square feet, 30 foot tall metal building situated on the easterly side of the property just 10 feet off Meeting House Creek Road.

This proposal will intensify a non-conforming use via the building expansion and the conversion of out of door grade level boat storage to climate protected indoor boat storage. Indoor boat storage is clearly a different, higher value use requiring significantly more capital improvement than simply a graded, level surface area.

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4. Section 108-133.5(H) provides that this board should ensure that "... adequate buffer yards, landscaping, walls, fences and screening are provided where necessary to protect adjacent properties and land uses."

Current landscaping on the subject property along Meeting House Creek Road consists of a five to six foot high evergreen hedge topped with razor wire. The plans as currently submitted propose an evergreen hedge to match existing.

While this may be sufficient for the outdoor boat yard areas, it should be self-evident that such a hedge against the backdrop of a 30 foot high industrial looking metal building 14 feet closer to Meeting House Creek Road will do comparatively little to soften its intrusion on surrounding residential properties, nor would it provide much in the way of noise abatement from the din of passing vehicular traffic echoing off the building's hard metal surface area.

The importance of sufficient buffering and screening is noted elsewhere in the code. For example, Section 108-114(A) requires that there shall be a productive planting strip or buffer, not less than 10 feet in width, along any lot line abutting a residential district or use. No structure, storage or parking or other uses shall be permitted within this strip or buffer.

Said buffer or strip will be planted with evergreens or similar vegetation which when planted shall be at least six feet tall and when mature shall be maintained at a height of not less than eight feet, so as to provide an effective natural screen between districts.

5. Section 108-133.5(R) provides that this board should ensure "... that the intensity of the proposed specially permitted use is justified in light of similar uses within the zoning district. It has already been noted that the existing improvements on the property already exceed the impervious surface area limitation of the underlying RB-80 zone by 400%, and, in fact, for comparison purposes, exceeds the more generous impervious surface limitations of a DC-2 business district by over 10%.

It has also been noted that the predominate surrounding land use is single family residential. It should be further noted that many of the lots along Meeting House Creek Road are ½ acre and, therefore, non-conforming with respect to lot size.

To give an idea of scale, the footprint of the proposed building would by itself completely envelop many of the residentially improved properties in the area.

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In summary, I believe that this proposal, in its current form, would be in direct conflict with the above stated provisions, together with the town's presumed intent when it rezoned the applicant's property to an RB-80 two acre residential zone four years ago.

People make real estate purchasing decisions in part with reliance on existing and proposed zoning codes. Here I would simply ask that this board uphold its own zoning. Not long ago this board determined that it would be in the town's best interest to make the existing use of the subject property non-conforming, presumably to permanently prohibit the very type of use intensification and building expansion proposed here today.

When we purchased the property back in 2003, we accepted the surrounding environment for what it was and made a determination that it was something we could live with. While we were in contract to purchase, the 1998 site plan approval (issued by this board back when the present use was presumably conforming) was never disclosed by either the applicant or his real estate agent.

It never crossed our minds that the existing structures across the street, already quite massive, could ever be expanding in the manner proposed before you now. Certainly such an expansion could not be permitted after the zoning changes of 2004.

To my mind this course of events raises two questions about the prior 1998 site plan approval and the subsequent inaction on same: six years passed before the rezoning to implement these plans - why the inaction then and why the resurrection of this proposal now?

I am not sure, but I do know of one circumstance that had changed over the intervening period - the applicant has since disposed of the one property that stands to be the most significantly and adversely impacted by this proposal - the home that was formerly his and now is mine.

Local lore also suggests that one of the arguments used in the past to support the approval of either the existing building or the proposed 1998 expansion (I am uncertain as to which) was that the applicant and primary injured party were one in the same.

I am still researching the records to see if this claim has any veracity, but it is a moot point at least for the applicant now that he enjoys a completely unobstructed water view from the opposite side of the creek.

I urge this board to deny the application, for all the reasons I have brought to your attention today. In the event the board is inclined to grant some relief to the application, however, let me

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suggest some alternative footprint proposals, which I have attached hereto.

These proposals, I believe, would allow the applicant to accomplish most if not all of his business objectives, while showing more consideration and sensitivity to surrounding homeowners and to the general public traveling down Meeting House Creek Road.

I implore this board to fully consider them, together with the points raised above, when making your determination should the applicant obtain the necessary variances and you still find merit with some variant of this proposal.

A key feature to any alternative is that an adequate, permanent evergreen landscape buffer be installed along the entire frontage of whatever building might eventually be approved - landscaping that when planted is not less than six feet in height, and which will be allowed to quickly grow substantially higher- preferably 10 feet or more when fully mature given the utilitarian, industrial type of building anticipated.

I would also ask this board to consider building color and site lighting as well. The white/light grey color of the large sliding doors on the existing structure is much less intrusive than the blue grey color of other buildings on the site.

Finally, I ask that no site lighting be allowed to project off site or cause glare onto surrounding properties, and no signage be permitted on the new buildings frontage on Meeting House Creek Road.

Thank you for indulging me and allowing me to express all my concerns."

Supervisor Cardinale: "Thank you. We'd like to take a copy of that for the record. I'd like to invite any other comment from the public. Yes, please come up."

Eleanor Schorer: "Hi, I'm Eleanor Schorer (phonetic). I live in Jamesport. I drive down that road, oh- "

At this time, Ms. Schorer was sworn)

Eleanor Schorer: "I do. I drive down that road about four times a day. I consider it to be the most beautiful road in this area. You can see the water from it and see the farms. It's really a very special place in this area.

I came from southern California where development was done without any regard to maintaining beautiful natural vistas like

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orange groves or— and the result was a place that's very ugly and soulless and I would not like to see that happen here.

I think that that marina is already probably the ugliest thing around there so if they did expand it, it would be nice if they followed some of those proposals that he made about bigger screen, not the bright blue color, not quite as close to the road, just stuff like that.

I don't think that I'm the only one that drives by there and appreciates it not being further made uglier. So, anyway, that's all I have to say. I just think it's a quality of life issue to enjoy natural beauty and not just be like everywhere else in America where there's just another Meineke or hot dog stand or something. It's a very special place. That's all."

Supervisor Cardinale: "Thank you. Any other comment from the public? If there's no other verbal comment, I'm going to leave this open until a week from Friday at 4:30 p.m. I guess that would be the 11th for any written comment.

And, Bob, you want to make the last verbal?"

Robert Kozakiewicz: "If I could. I just want— some of the individuals who are here with me indicate I might have not been 100% clear in my comments with respect to the 1998 approval. So I want to make sure I am.

The building that exists, the 16,000 plus or minus square foot building was not the building that was approved in 1998. It was a 24,000 square foot building that wasn't built. Just to be clear. I think that was a question, whether the building that's there now was the 1998— was the product or the result of the 1998 approval.

I want to recognize Mr. Deschamps' comments because he did call me. I didn't have an answer which is why I didn't call him back. I'm sorry if he felt it was a fruitless call because I appreciated the fact that he called me and I like to keep the chain of communication open so I hope he takes that response to heart and I do want to keep the conversation open because I know that some of the comments he's made are comments we've heard.

We do want to do something in the form of planting that's appropriate. I had the discussion with my client. We feel there is a way to better screen the building.

The existing building, of course, because of the driveway, can't be screened so that area will now be able to be screened so there is (inaudible) aspect of this application in light of the fact that access will be from the other side.

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So we are amenable to a grey color as opposed to a blue so that it's not as hard on the eyes. We are amenable to a greater buffer and screening to address the concerns. As far as the comments, and I haven't seen Mr. Deschamps' letter so I'll get a copy of it.

I don't believe the comment with respect to 108-51E are- unless they're just being shown as some comparison are in fact appropriate because I think those apply to special permit criteria or the rebuilding of a building as opposed to the application that's before you.

I know that we need to go for a zoning board of appeals hearing so the bottom line is this board will not be able to make a determination until we go to the zoning board. I'll have a chance to have further discussions with Mr. Deschamps. I hope I'm pronouncing his name correctly, when we make that application. I've indicated the application has been submitted. We anticipate an August 14th day. And I will, in fact, take the opportunity to respond in writing, provide this board with the 1998 approval and anything else in support of the application.

Thank you."

Supervisor Cardinale: "Site plan approval is for a 24,000 foot building?"

Robert Kozakiewicz: "The site plan approval in 1998 and, again, I'll give you the number, was 675, was adopted on August 4th, 1998. And it was for construction of a building measuring 24,900 square feet on the property. That's correct."

Supervisor Cardinale: "That's the building-- that you sought the building permit and obtained was the 16?"

Robert Kozakiewicz: "The 16 was built in 1974 or thereabouts so that existed- it was there."

Supervisor Cardinale: "Okay. So how long is the site plan good for?"

Robert Kozakiewicz: "Three years."

Supervisor Cardinale: "Is that it? So that's why you're back. Otherwise, you could have built it as of right through 2001."

Robert Kozakiewicz: "Yes."

Supervisor Cardinale: "Okay."

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Robert Kozakiewicz: "And I think there might have been some paperwork followed up but due to financial reasons at the time, to answer the question was one of the reasons why it wasn't done at the time. There was a bond requirement as part of site plan approval and the applicant who had just purchased the business was not in a position to move forward at that time."

Supervisor Cardinale: "Thank you."

Robert Kozakiewicz: "Thank you."

Supervisor Cardinale: "Okay, this is closed for verbal testimony, opened for written through 4:30 on the 11th of July."

Public hearing closed: 2:58 p.m.
Left open for written comment for
10 days to July 11, 2008 at 4:30 p.m.

Supervisor Cardinale: "We have a second, third, fourth, fifth, sixth and seventh hearing and we'll move to those, 2:10 p.m. special use permit of Jane Wanat."

Public hearing opened: 2:58 p.m.

Special use permit of Jane Wanat to expand a non-conforming residence use on property located on West Main Street, Riverhead."

Supervisor Cardinale: "Is the applicant here? Jane, you want to come on up?"

Jane Wanat: "My name is Jane Marie Wanat- W-A-N-A-T."

(At this time, Ms. Wanat was sworn)

Jane Wanat: "Yes, I do."

Supervisor Cardinale: "Go right ahead."

Jane Wanat: "Okay. My name is Jane Marie Wanat. I'm seeking a special permit for the expansion of a pre-existing non-conforming use. I'm replacing a trailer with a modular home.

The increase is 200 square feet. It's on a 21 acre parcel. It was adopted on May 21st. The zoning board of appeals approved it on June 12th so we do have a variance in place."

Supervisor Cardinale: "I know- and we spoke at the board work session and one of the reasons we do that is to give the public an

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opportunity at this session rather than being dominated by our questions. So I have no questions, I don't know if the board has. I'll invite the public up to see if they have any question. It seems relatively uncontroversial.

In fact, I think we contemplated that we might try to do some legislation which should make it unnecessary for you to go through this special permit.

We have it on our calendar already, yes.

Okay. So for those reason I don't expect controversy, I don't see it. I'll leave it open anyway for written testimony through July 11th at 3:30 p.m. And we'll take it up at our July 15th meeting and, hopefully, get that resolved at that meeting. And you'll be notified shortly thereafter. You can check with the clerk on the 16th."

Jane Wanat: "Okay, thank you."

Supervisor Cardinale: "Thank you. All right, that is the second hearing."

Public hearing closed: 3:00 p.m.
Left open for written comment for
10 days to July 11, 2008

Public hearing opened: 3:00 p.m.

Supervisor Cardinale: "And we move now to the third hearing, it being two minutes of three, for consideration of a change of zone petition of Peconic Holdings LLC. I think that's Jim DeLuca and Pete Danowski as representatives, architect and attorney for the applicant. Peter."

Peter Danowski: "Ms. Wanat was very fast."

Supervisor Cardinale: "Yes. She was. It was pretty straightforward."

Peter Danowski: "Pete Danowski representing Peconic Holdings and Peconic Ironworks. It is a change of zone not a special permit but if you wish to swear me in, I'm more than happy to do so."

(At this time, Mr. Danowski was sworn)

Peter Danowski: "I do."

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Supervisor Cardinale: "Good move there, Dan. We are dealing with Pete. Swearing him in. Go ahead."

Peter Danowski: "Historically this board is somewhat aware of this application. For the sake of the members of the public that are here, my client began a site plan application over a year ago at a time when he then discovered that the town in 2004 had changed the zoning on his property from industrial A to destination retail.

This is along the industrial corridor along Kroemer Avenue. And, in fact, the change of zone which was part of the master plan revisions, changed the zoning on his parcel but all the parcels adjacent to him and heading toward the river, toward New York State Route 25 retained the industrial A zoning.

When we met with the town board concerning that issue at a work session, Mr. Hanley was brought in and an inquiry was made of him to research why looking at Kroemer Avenue and all the industrial uses, the town chose in their planning process to recommend changing the zoning to destination retail.

Mr. Hanley ultimately came back and made a report to the town and ultimately that report was also given to the planning board that the thought process was that the corner lot on Route 58 where Carl's Equipment is located, the thought was that eventually that should be a destination retail center which could house a building of 10,000 square feet.

When Mr. Hanley took a second look at that parcel, he determined that there was another parcel behind the Carl's Equipment building, not my client's property, and there was more than sufficient room on those two parcels to accommodate that desire of the town.

Therefore, the recommendation of planning staff and now the planning board is to recommend approval of my request to change the zoning back to industrial A.

When we were at the last work session meeting of the town board as well, and two work sessions, one in September and more recent one in March, the question was also raised, well, there's another parcel relatively small with an existing industrial use and building next door, you might consider incorporating that lot in the change of zone as well, the recommendation from the planning staff and the planning board is to include that lot in the change of zone as well.

So to accommodate a local businessman who has been operating on site who wishes to expand his building, perhaps build a new building and demolish the old, I would ask for support of the change of zone application."

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Supervisor Cardinale: "Thank you. The one that they're advising that--first of all, this is on your application, isn't it?"

Peter Danowski: "That is."

Supervisor Cardinale: "But maybe on our own, we could extend it- "

Peter Danowski: "That is correct and that is the recommendation."

Supervisor Cardinale: "Are you sure you want to do this in view of the big bucks and the big box zoning?"

Peter Danowski: "I'm absolutely sure I want to do it and you raise that same question because we are backed up by Riverhead Raceway, high tension wires of LIPA, then Riverhead Raceway. They have whatever restrictions they have on their property but we have certainly considered that and where would we move to. We have an operating business that's successful in an existing structure. We need to expand and we want to stay in the town of Riverhead. So it's something that- "

Supervisor Cardinale: "Great. I hear they've got a few pieces of industrial up at EPCAL."

Peter Danowski: "I understand."

Supervisor Cardinale: "Okay. Any other comment from the public? If not, I'm going to keep it open until Friday, a week, the 11th at 3:30- 4:30 for written comment. We'll consider it at the 15th meeting."

Peter Danowski: "Thank you."

Supervisor Cardinale: "And I thank you for your presentation."

Public hearing closed: 3:05 p.m.
Left open for written comment for
10 days to July 11, 2008 at 4:30 p.m.

Public hearing opened: 3:05 p.m.

Supervisor Cardinale: "The next is the 2:20 hearing and this is at 3:05 we concluded that hearing. The next is the 2:20 hearing

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which is for consideration of a local law to repeal Article XXV entitled Recreational District in Chapter 108.

This is a bit of housekeeping that didn't get done when we did the new zoning, having been the intent to have done it at that time.

It repeals the floating recreational zone. Because we determined during that period not to have floating zones but only mapped zones. Because floating zones have this tendency to float over the property of your friends and not others. So for that reason, we are looking to repeal this to get it off the books.

Any- not your friends, actually friends of the board. Any comment on this proposal to repeal that? Again, I'll leave it open if there's no verbal comment, for written comment at- up to 4:30 close of business on the 11th of July. It is 3:07."

Public hearing closed: 3:07 p.m.
Left open for 10 days for written
comment to July 11, 2008 at 4:30 p.m.

Public hearing opened: 3:07 p.m.

Supervisor Cardinale: "And we move on to the 2:25 hearing for consideration of a proposed local law to amend Chapter 101 entitled Vehicles and Traffic. This one you have it there? There are two for this - on vehicle and traffic. I believe this one is for a stop sign, a very badly needed one as a matter of fact.

If you've ever been out there, at Grumman Blvd. as it reaches River Road, is that what it's called there? And- "

Councilman Dunleavy: "No. This is Burman."

Supervisor Cardinale: "Yeah, I know. Is Grumman Blvd. the interior road?"

Councilman Dunleavy: "It's the exterior road."

Supervisor Cardinale: "It's the exterior road. It's called River Road further up, but Grumman Blvd. and what's the road coming out? Burman Blvd. and Grumman Blvd. It's as you exit on the south from the EPCAL new entrance and people blow through there and are liable to kill somebody if we don't put a stop sign there.

Anybody think that's a bad idea? Anybody want to comment in any fashion?

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If not, I will leave it open for written comment in case you get an inspiration until 4:30 on the 11th of July and move to the next hearing."

Public hearing closed: 3:08 p.m.
Left open for written comment for
10 days to July 11, 2008 at 4:30 p.m.

Public hearing opened: 3:08 p.m.

Supervisor Cardinale: "Which is the 2:30 p.m. which is for the consideration of a local law to amend Chapter 101 entitled vehicles & traffic, Article III traffic regulations. And that is to enunciate where you cannot make a left turn on- can't make a right on the red. Cannot, right?"

Councilman Dunleavy: "You can. Now you cannot."

Supervisor Cardinale: "Right. Oh, you are going to make it can. Can I see that if you have it. I'll tell you the intersections- "

Councilman Dunleavy: "Oh, no, you can't. You can't make a right turn on right."

Supervisor Cardinale: "Okay, you've got it in front of you, right?"

Councilman Dunleavy: "I've got it in front of me."

Supervisor Cardinale: "Tell them what intersections you will not be able to make a right on red if we pass this."

Councilman Dunleavy: "Northville Tpke and Middle Road, you won't be able to make one off of Northville Tpke. onto Middle Road. And when you're on Middle Road, you won't be able to make a right turn onto Northville Tpke. In both directions."

Supervisor Cardinale: "Any other ones?"

Councilman Dunleavy: "That's it."

Supervisor Cardinale: "Okay, that's it. That was recommended I guess through the highway safety committee but what do they know? What do you want to say? Anybody out there that wants to comment?"

Councilman Wooten: "That's a good intersection to have that there."

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Supervisor Cardinale: "Yeah. So that's what the highway safety did and the board is going to consider it. If there's no comment, you can mull it over and let me know what you think in writing up to the 4:30 on the July 11th date. And that is now 3:08."

Public hearing closed: 3:08 p.m.
Left open for written comment for
10 days to July 11, 2008 at 4:30 p.m.

Public hearing opened: 3:08 p.m.

Supervisor Cardinale: "And we are at the 2:35 hearing for consideration of a proposed local law to amend Chapter 95 entitled Taxation, exemption for cold war veterans. And Laverne is going to present what we are considering."

Laverne Tennenberg: "Good afternoon. Laverne Tennenberg, assessor for the town of Riverhead.

The state recently passed Chapter 6 of the laws of 2008 which makes technical amendments to a fairly new exemption for cold war veterans.

The amendments to the existing law include the following:

The elimination of the 365 days minimum length of service;

The elimination of the requirement of having the cold war recognition certificate;

And the elimination of the annual re-filing of an application.

The law also adds language that clarifies that a veteran cannot receive both a war time and a peace time exemption.

The purpose of the public hearing today is to make the town's local law conform to state law."

Supervisor Cardinale: "Thank you. Is there any public comment on this? If not, again, we'll leave it open for written comment up to the 11th— July 11th at 4:30 p.m. Consider all of these on the July 15th meeting for passage."

Councilman Dunleavy: "I think Sal- "

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Supervisor Cardinale: "Sal, would you like to comment?
Please come up. Yes."

Sal Mastropolo: "One of those eliminations was the
elimination of the need to refile annually?"

Supervisor Cardinale: "Correct."

Sal Mastropolo: "And what process is in place if the
individual passes away to drop the- "

Supervisor Cardinale: "That's a good question. Laverne, how
would that situation be handled?"

Laverne Tennenberg: "Just like any other exemption. If the
person is the only owner of the property, the exemption ceases to
exist and it's prorated back on the next year's tax bill. If
there's a surviving spouse, the exemption stays with the surviving-
unremarried surviving spouse."

Supervisor Cardinale: "And you pick it up when there's a
transfer?"

Laverne Tennenberg: "Or when we find out about the death.
Either one."

Supervisor Cardinale: "Okay. All right, thank you. If
there's no further question, again, I've left it open for written
through the 11th of July, Friday, at 4:30 p.m."

Public hearing closed: 3:10 p.m.
Left open for written comment for
10 days to July 11, 2008 at 4:30 p.m.

Supervisor Cardinale: "That concludes the seven hearings we
have scheduled. We have a series of resolutions, as usual,
scheduled. One CDA resolution and let's see, 560 to- about 47 or 48
of the other town board resolutions.

Is there anyone that would like to make a comment? Yes, Sal,
come up and anyone else who would like to make a comment, please
follow."

Sal Mastropolo: "Sal Mastropolo, Calverton."

Dan McCormack: "Would you raise your right hand, please."

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Supervisor Cardinale: "You don't have to swear him in. In fact, don't do it because he's just helping us out. He does all our proofreading which is improving us."

Sal Mastropolo: "Resolution 562. You need a date."

Supervisor Cardinale: "Yes, 562 did you say?"

Sal Mastropolo: "Yeah. 563 as well."

Supervisor Cardinale: "562 is the-- we're going to table it anyway but we do need a date on it, okay."

Sal Mastropolo: "563, you need a date."

Supervisor Cardinale: "Okay. 563 is the other one we're going to table. Okay."

Sal Mastropolo: "568."

Supervisor Cardinale: "Right."

Sal Mastropolo: "In the last be it further resolved, you want to forward a copy of the resolution not the resolution."

Supervisor Cardinale: "Yes, thank you. A copy of this. Barbara can make that. If we make them now we don't have to mention it's to be amended. Yes, go ahead."

Sal Mastropolo: "Resolution 600."

Supervisor Cardinale: "Right."

Sal Mastropolo: "Is there a limit on the duration of a Chapter 90 application?"

Supervisor Cardinale: "Yeah. This is-- yes, eight weeks and that's what we're giving them here, but this is kind of stretching until we figure out, sometime before we all die, how to handle the special situations. We have a statute being considered, a Chapter 90 annual permit for situations like Martha Clara where they have a continuing series of events but while we're getting ready to put that on for hearing, we can go only eight weeks at a time."

Sal Mastropolo: "I hope that if you pass legislation to go to an annual permit, you're going to raise the fee accordingly."

Supervisor Cardinale: "Oh, yeah. We'll definitely do that."

Sal Mastropolo: "Okay. 607."

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Supervisor Cardinale: "Yes."

Sal Mastropolo: "There's no mention of a fee paid or waived."

Supervisor Cardinale: "Vail Leavitt, would you indicate, Barbara, it's waived as a not for profit."

Sal Mastropolo: "Okay, but that should be in there, right?"

Supervisor Cardinale: "Yes."

Sal Mastropolo: "608, the same comment. No mention of a fee paid or waived."

Supervisor Cardinale: "Same thing, too, Barbara. Fee waiver. That's another one we're mulling still."

You've heard that story many times. We think that- we are told by our attorneys that you can't waive fees and yet when we go over to the county to get our permits, they waive fees. So, it's who goes first."

Sal Mastropolo: "610. Correct the date on it."

Supervisor Cardinale: "Okay. July 1st, all day long."

Sal Mastropolo: "611, correct the date."

Supervisor Cardinale: "Okay. Thank you."

Sal Mastropolo: "614. My first question is shouldn't the applicant for a Chapter 90 application be a non profit organization?"

Supervisor Cardinale: "They don't have to be but if they are a profit making operation, they have to pay a fee. They do not, however, we are passing a statute, it's being considered for a public hearing I think at the next meeting, that would permit us to charge for police services in that event as well. Right now we can only charge a Chapter 90 fee."

So if we have to give overtime to a profit making event, there's a statute that Anne Marie Prudenti just drafted which will be going to hearing which will permit us to charge back our costs associated with that because if they're going to make money, why should the public lose money."

Sal Mastropolo: "Okay, well, my question here is I mean Marie Tooker is not a non-profit organization."

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Supervisor Cardinale: "Clearly not."

Sal Mastropolo: "And she's the applicant so how could you waive the fee?"

Supervisor Cardinale: "Well, let's think about that. Do you remember this one, Barbara?"

Councilman Dunleavy: "She may be a not for profit."

Supervisor Cardinale: "Abyss Farms?"

Barbara Grattan: "I don't remember."

Supervisor Cardinale: "She'll check that."

Councilman Dunleavy: "It's a foundation."

Supervisor Cardinale: "Abyss Farms is I think that foundation for the veterans. Remember, that she's got that concept going. I believe it is a not for profit. That's why it's waived but we'll verify."

Sal Mastropolo: "Okay. The next question is does the town get an accounting from the sponsor relative to the revenues and costs?"

Supervisor Cardinale: "No, which is something else we discussed in work session. On a not for profit, we don't charge a fee and we don't have anything to do with it and, therefore, good luck, we hope they do well for their cause."

On a profit making entity, when we determine what fee to charge we thought about basing it upon a, you know, how much they are— what their revenues are but I think the board after the hearing will make that decision, but I think they're going— they're probably going to go to a straight flat fee because it's just easier to administer if they charge a fee. Rather than charge a percentage of revenues or a percentage of gross. Certainly you don't want to charge a percentage of the net because you never get there, it's so difficult."

Sal Mastropolo: "On this particular one, okay. I mean there's going to be booths, they're going to be selling stuff."

Supervisor Cardinale: "Yes."

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Sal Mastropolo: "And I'm sure all the profits from the various booths are not going to go to the non-profit, the Long Island Cares. I mean it's very shady grey."

Supervisor Cardinale: "Yeah. I hope that's not accurate. We're being told that this is being run by a not for profit or we wouldn't have waived the fees. But certainly we could tighten this up and we are looking at it."

Sal Mastropolo: "Well, that's why I asked the question about the revenue and the costs. I mean if there was an accounting made to the town, then you can determine whether it's truly- all the profit from all of the endeavors going on within the fence, go to Long Island Cares."

Councilman Dunleavy: "They're not."

Sal Mastropolo: "They're not?"

Councilman Dunleavy: "What usually happens, they'll charge a booth \$200 to come set up and then you bring your wares and then the booth makes the money and you've got the \$200 for the rental of that section. Is that correct?"

Supervisor Cardinale: "Yeah, the section fee goes to the not for profit. But there's additional profits that- we don't capture that, we don't know that but if it's- and we've never asked that. But if- and we probably never will. Even if it's a not for profit running it overtly the whole thing, I mean even if it's a profit entity running it overtly, particularly on private property, all we would be entitled to is a Chapter 90 fee reflective of the costs associated with the review and a charge back under the new statute of police and sanitation services. That's all we would legally be entitled to as advised by our attorney who talks, even though he's quite today, Dan, he talks a lot when he's in work session."

Sal Mastropolo: "Okay. Those are my questions."

Supervisor Cardinale: "Thank you. Dan, your advice has been impeccable, although non-existent. But you had an easy meeting so far."

Anybody have any comments? Jody?"

Jody Giglano: "Yes, please. Good afternoon. I was just hoping that with regard to the restaurant definitions and also with resolution #563, that if the board does redraft the restaurant definitions and also what you discover after looking into the adoption of Resolution #563, if you could please forward a copy of that to the Riverhead Business Alliance."

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Supervisor Cardinale: "Sure."

Jody Giglano: "At Riverheadba.org."

Supervisor Cardinale: "Riverhead- "

Jody Giglano: "Ba.org."

Supervisor Cardinale: "Ba.org, BA- "

Jody Giglano: "Yes."

Supervisor Cardinale: "Like in Bachelor of Arts. Oh, Business Alliance.org. Yeah, I will do that on both and- "

Jody Giglano: "So that we can be-- have comment at the work session with."

Supervisor Cardinale: "The restaurant definitions, once we go over them in work session before it goes to a hearing, we need to send to them and also the justification that it's going be obtained by Ehlers, from Ehlers and Russo and Reichel regarding the park district charge back they'd like to evaluate."

Jody Giglano: "And also if they could please- if you could please give us some information about the parking behind the stores on Main Street that will be allocated towards the courts or for the courts?"

Supervisor Cardinale: "Yeah, that's easy enough to do. In fact, there's going to be a- Testa is working on that now so if you catch him before I do, I'll authorize him to give that to you."

We're going to have a resolution that lays out the whole parking plan probably on July 15th."

Jody Giglano: "Okay."

Supervisor Cardinale: "And we'll get that to you."

Jody Giglano: "Great."

Supervisor Cardinale: "Okay. That allows us now to move- the CDA director, Barbara, is up in Albany, so would you call- I'm going to adjourn the town board meeting for a moment."

Meeting adjourned: 3:20 p.m.

Meeting reopened: 3:21 p.m.

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Supervisor Cardinale: "And reopen the town board meeting and numbers 560 through 617. Barbara, would you begin?"

Resolution #560

Councilman Dunleavy: "Wading River Creek rock jetty capital project budget adoption. So moved."

Councilman Buckley: "And seconded."

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

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

Supervisor Cardinale: "Yes. And this is the study only and I think everyone, even everybody in Wading River agrees we should do the study and we'll decide what we're going to do.

Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #561

Councilman Buckley: "Water district capital project repainting plant 9 and storage tank budget adjustment. So moved."

Councilman Wooten: "Seconded."

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

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

Supervisor Cardinale: "Yes. And on the earlier one, Barbara, the Wading River creek project for those in Wading River, the proposal to raise the parking area was rejected by the DEC because I can't make it up— because the loggerhead turtles which don't live there, would have difficulty getting up out of the water if we did that. Accordingly your cars will again be under water this summer. Yeah.

I think one of the best line was after we spent a lot of money there and were unable to get a higher base for that parking lot because of the DEC, somebody gave me a letter saying congratulations you've done it all now, Phil. We've got a parking lot that's under water and a creek you can't get out of because it's (inaudible) in. So that was unfortunate. We're improving. Yes, go ahead, please."

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Barbara Grattan: "The resolution is adopted."

Resolution #562 and #563

Councilman Wooten: "This is-- move to table. Is this the one about the increase and improvement of facilities of the Riverhead Sewer District. Move to table."

Supervisor Cardinale: "562, and I think-- "

Councilman Dunleavy: "Can we do 563 at the same time?"

Supervisor Cardinale: "563, the same motion. Jim, that's the same matter. All right we have a motion for 562 and 563, may I have a second?"

Councilman Dunleavy: "I second it."

Supervisor Cardinale: "Moved and seconded for 562 and 563 to table for further consideration. Vote please."

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The resolutions are tabled."

Resolution #564

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

Councilman Wooten: "Seconded."

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

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

Resolution #565

Councilman Wooten: "Recreation budget adjustment. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #566

7/01/2008

Councilman Dunleavy: "USDA Housing Preservation grant budget adoption. So moved."

Councilman Buckley: "And seconded."

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

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

Resolution #567

Councilman Buckley: "Establishment of a bank account. So moved."

Councilman Wooten: "Seconded."

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

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

Councilman Dunleavy: "Yes. And this is-- we'll get more interest on our money during the year with opening a money market account. So I vote yes."

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

Resolution #568

Councilman Wooten: "Appoints a summer recreation program leader Level III to the Riverhead recreation department, Jenelle Spatarella. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #569

Councilman Dunleavy: "Appoints student intern to the Riverhead water district. So moved."

Councilman Buckley: "Seconded."

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

7/01/2008

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

Resolution #570

Councilman Buckley: "Appoints a law intern to the town attorney's office. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #571

Councilman Wooten: "Appoints a seasonal recreation specialist art instructor, Michele Milligan, to the Riverhead recreation department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #572

Councilman Dunleavy: "Appoints a seasonal recreation specialist culinary instructor to the Riverhead recreation department. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #573

Councilman Buckley: "Appoints seasonal recreation aides to the Riverhead recreation department. So moved."

Councilman Wooten: "I'll second it."

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

7/01/2008

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

Resolution #574

Councilman Wooten: "Again appoints a seasonal recreation aide to the Riverhead recreation department. So moved."

Councilman : "And seconded."

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

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

Resolution #574

Councilman Wooten: "Appoints a seasonal recreation aide to the Riverhead recreation department. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #575

Councilman Dunleavy: "Appoints a seasonal recreation specialist sports instructor to the Riverhead recreation department. So moved."

Councilman Buckley: "Seconded."

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

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

Supervisor Cardinale: "Somebody tell the recreation department that there's such a thing as a list, we could put them all on one. Okay, go ahead."

Barbara Grattan: "It would be a lot easier."

Supervisor Cardinale: "I'll mention that to Ray. He's developing."

7/01/2008

Resolution #576

Councilman Buckley: "Appoints a member of the community to the traffic safety committee. So moved."

Councilman Wooten: "Seconded."

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

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

Supervisor Cardinale: "Yes. Is this the first civilian on this committee?"

Councilman Dunleavy: "Yes, it is. She comes to every meeting."

Supervisor Cardinale: "Antoinette?"

Councilman Dunleavy: "Antoinette."

Supervisor Cardinale: "God bless her."

Councilman Dunleavy: "Carbone."

Supervisor Cardinale: "Yes. We'd like her on the anti committee but you grabbed her for the safety. Our loss. I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #577

Councilman Wooten: "Just when we thought we were done.

Appoints a seasonal recreation specialist outdoor recreation to the Riverhead recreation department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #578

Councilman Dunleavy: "Ratifies the appointment of a summer program leader to the Riverhead recreation department. So moved."

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Councilman Buckley: "Seconded."

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

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

Resolution #579

Councilman Buckley: "Ratifies the appointment of a summer recreation aide to the Riverhead recreation department. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #580

Councilman Wooten: "It ratifies the provisional appointment of a temporary payroll supervisor in the accounting department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #581

Councilman Dunleavy: "Accepts the resignation of a part time court officer. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #582

Councilman Buckley: "582, authorizes the town clerk to publish and post a help wanted advertisement for a part time court officer. So moved."

Councilman Wooten: "Seconded."

7/01/2008

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

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

Resolution #583

Councilman Wooten: "Appoints a seasonal traffic control officer in the police department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #584

Councilman Dunleavy: "Ratifies the appointment of a park attendant II level I to the Riverhead recreation department. So moved."

Councilman Buckley: "And seconded."

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

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

Resolution #585

Councilman Buckley: "Adopts a local law amending Chapter 108 entitled Zoning of the Riverhead town code, Section 108-314, Uses - downtown center 5: Residential DC-5 zoning use district. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #586

Councilman Buckley: "Adopts a local law for the addition of a new Chapter 8 entitled zero tolerance zones of the Riverhead town code. So moved."

7/01/2008

Councilman Dunleavy: "And seconded."

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

The Vote: "Wooten, yes; Buckley."

Councilman Buckley: "I just have a few comments. I'd like to thank my colleagues for their support or anticipated support of this resolution. And also thank both the town attorney's office, especially Dawn Thomas, and the police department for their assistance in formulating this plan.

I've always believed that the first priority of any level of government whether it be federal or state, county or town is to provide for the security of its citizens and while statistics may indicate that Main Street is not as dangerous as many believe, there are many of our residents, many of our visitors, and many of our business owners who have come to me not just recently but throughout the years and have indicated that they feel insecure in the downtown area.

This plan addresses that concern and while in a perfect world there would be zero tolerance for all quality of life offenses in every neighborhood, that just is not realistic and would be doomed to fail.

Here we have what I believe is a workable plan in a small but highly important area that we all want to see revitalized. I don't sit here today and claim, however, that this zero tolerance zone is the silver bullet that will cure all of our ills on Main Street but I truly believe that it is one tool that we can use to take proactive steps in revitalizing our downtown.

Just last Thursday, I had in my office a Main Street business owner begging me to address the issue of the people who urinate in the alley next to his pizzeria and those who harass and solicit his customers as they leave from the restaurant's back entrance. His daughters work the evening hours and he is terrified when they have to walk to their car after closing the store. He went so far as to tell me that should things continue the way they are, he's closing up shop.

By supporting this resolution we affirm that we will no longer tolerate the climate that this business owner, his workers and customers have had to deal with for the years past.

By supporting this resolution we affirm that we stand with the law abiding citizens and business owners of Main Street in an effort to see downtown through these tough times and into a promising future.

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So I vote yes."

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

Supervisor Cardinale: "Yeah, I agree with what Councilman Buckley said. I also am hopeful that this will be of help. However, in order to- zero tolerance really means that we're doubling the penalties in this district for alcohol, bicycle, dog, graffiti, loitering, noise control and littering offenses, quality of life offenses under which we have some control with the town.

We've got to have a cop there to issue the ticket. And then you've got to have a judge who will double the fine, not from ten to twenty dollars but from 250 to \$500 to make the point. So I'm hopeful that we'll have the judiciary support I expect to.

I also will do everything I can with the assistance of my board to get more cops out there watching.

So I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #587

Councilman Dunleavy: "Awards bid generator ATS replacement, contract No. RDSD 08-02 Riverhead sewer district. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #588

Councilman Buckley: "Authorizes preparation of map and plan for Riverhead sewer district Re total maximum daily load. So moved."

Councilman Wooten: "Second."

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

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

Resolution #589

7/01/2008

Councilman Wooten: "Accepts 100% site plan security of NF Management, Inc. So moved."

Councilman Dunleavy: "And seconded."

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

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

Supervisor Cardinale: "This is the Peconic Avenue project which has been pending for some time, 5,000 square feet of retail and about 2,000 of restaurant, a total of 5,000- 2,000 and 3,000 and I'm delighted to see it open. It's Ray Dickoff's (phonetic) project. This will- he'll pull the permit he told me in the next week and I wish him well.

I vote yes."

Councilman Wooten: "Me, too."

Barbara Grattan: "The resolution is adopted."

Resolution #590

Councilman Dunleavy: "Authorizes the release of security of Splish Splash at Adventureland, Inc. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #591

Councilman Buckley: "Authorizes the release of security for J. Petrocelli Contracting Inc., Stop and Shop. So moved."

Councilman Wooten: "I'll second."

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

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

7/01/2008

Resolution #592

Councilman Wooten: "Authorizes the supervisor to execute as agreement with Long Island Productions Inc. d/b/a the Training Network to provide workplace safety, compliance, education and training video tapes. So moved."

Councilman Dunleavy: "And seconded."

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

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

Supervisor Cardinale: "Yes. This is the beginning, the first steps in a management training and other training program for our management help staff. So I'm hopeful that it will be the first of many steps. I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #593

Councilman Dunleavy: "Authorizes the town clerk to publish and post public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, Business CR zoning use district, rural neighborhood business. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #594

Councilman Buckley: "Ratifies Resolution #552 of 2008 authorizes town clerk to publish and post a public notice of public hearing to consider a proposed local law for an amendment to Chapter 95 entitled Taxation of the Riverhead town code exemption for cold war veterans. So moved."

Councilman Wooten: "I'll second."

Supervisor Cardinale: "Moved and seconded. This is the hearing we just had and it corrects the day, ratifies the fact that we had to get it in earlier than we said. So may be have a vote?"

7/01/2008

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

Resolution #595

Councilman Wooten: "It ratifies Resolution 558 adopted at the June 17, 2008 town board meeting which authorizes the town clerk to publish and post public notice to consider a local law to amend Chapter 18 entitled Code of Ethics of the Riverhead town code. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #596

Councilman Dunleavy: "Authorize the town clerk to publish and post notice to consider the purchase of a parcel located in the town of Riverhead formerly known as Hubbard Duck Farm, owner North Fork Knolls I, LP, and the county is going to go 50/50 with us. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #597

Councilman Buckley: "Accepts offer of gift from the Family Garden. So moved."

Supervisor Cardinale: "Second, please."

Councilman Wooten: "Seconded."

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

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

Resolution #598

7/01/2008

Councilman Wooten: "Approves Chapter 90 application of Martha Clara Vineyards LLC, for their craft, beer and wine festival. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #599

Councilman Dunleavy: "Approves Chapter 90 application of Martha Clara Vineyards LLC, Sounds on Sound Music Festival, July 26 and 27, 2008. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #600

Councilman Buckley: "Approves Chapter 90 application of Martha Clara Vineyards LLC, July 20, 2008 through September 14, 2008. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #601

Councilman Wooten: "It approves the extension of security of subdivision entitled Country Trails, road and drainage improvements. So moved."

Councilman Dunleavy: "And seconded."

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

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

7/01/2008

Resolution #602

Councilman Dunleavy: "Amends resolution #544 of 2008 approves application of Peconic Bay Medical Center for a family festival. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #603

Councilman Buckley: "Approves the application for fireworks permit of Riverhead Raceway for July 5th. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #604

Councilman Wooten: "Approves the application for fireworks permit of Riverhead Raceway for August 23, 2008. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #605

Councilman Dunleavy: "Approves the application for fireworks permit of Jamesport Fire Department. So moved."

Councilman Buckley: "Seconded."

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

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

Supervisor Cardinale: "Yes. And before we move off the fireworks, July 4th is coming as of Friday."

7/01/2008

I know we have a Wading River fireworks at 9:00 p.m. on July 6th— oh, this says 6th, is that right? Okay, it's the 5th. That's what I wanted to make sure. What's the BID time for those that are watching? So, Saturday, July 5th downtown at Grangibel Park. Okay, let's not keep that a secret. And July 5th at 10:15 at the Wading River site of East Wind and the racetrack is 9:00 on the 5th. So we have three fireworks displays on the 5th, Saturday, in Riverhead. Wading River at East Wind, downtown and then what was the other one— and the raceway. The raceway, downtown and Wading River. One at 10:00 at Wading River; the other ones I believe are at nine. Okay. So let's get that— Bill, would you get that on our website in case people would actually look at it and maybe on Channel 22?

I vote yes to whatever we're voting for."

Barbara Grattan: "The resolution is adopted."

Supervisor Cardinale: "Nothing important, I'm sure. Another fireworks display."

Resolution #606

Councilman Buckley: "606, Barbara? Approves the application for fireworks permit of Newton Carnivals, Peconic Bay Medical Center for a family festival. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #607

Councilman Wooten: "Approves the application for fireworks permit of Vail Leavitt Music Hall, blues festival, July 20, 2008. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded. This is July 20th blues festival associated— the fireworks are associated with the blues festival on the 20th. May we have a vote?"

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

7/01/2008

Supervisor Cardinale: "And apparently there's a fourth fireworks display which we passed, 606, which is Wading River, the Zumas property there at 10:15."

Councilman Dunleavy: "That's the Peconic Bay."

Supervisor Cardinale: "What about East Wind?"

Councilman Dunleavy: "No. This is the East Wind property. It's on 25A, just west of the medical office buildings."

Supervisor Cardinale: "Okay, that's July- okay, July 5th at approximately 10:15 p.m. and Sunday at approximately the same time. How nice of them, two- "

Councilman Buckley: "I think that should be a rain date."

Supervisor Cardinale: "You're right. So it's going to be a rain date, yeah, Saturday at 10:15 in Wading River or a rain date of Sunday. Okay. Go ahead, Barbara."

Resolution #608

Councilman Dunleavy: "Approves the application for fireworks permit of Riverhead Business Improvement District, July 5, 2008 at this is at 9:00 p.m. and a- the movie- the Bee Movie will be shown after it. So moved."

Councilman Buckley: "And seconded."

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

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

Resolution #609

Councilman Buckley: "Amends Resolution #454 of 2008, authorizes the supervisor to execute a license agreement with Southampton Oyster Company to allow the installation of Floating Upweller Systems (FLUPSY) in East creek. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #610

7/01/2008

Councilman Wooten: "Authorizes Dunn Engineering Associates PC to proceed with traffic signal warrant analysis for the intersection of Mill Road and Middle Road. So moved."

Councilman Dunleavy: "And seconded."

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

Resolution #611

Councilman Dunleavy: "Awards bid on Komatsu WB-156 backhoe or equal. So moved."

Councilman Buckley: "And seconded."

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

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

Resolution #612

Councilman Buckley: "Amends Resolution #274 of 2008 authorizes the supervisor to execute a license agreement with AEROS Cultured Oyster Company to allow the installation of floating upweller systems (FLUPSY) in East Creek. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #613

Councilman Wooten: "It's an order calling a public hearing lease agreement with Verizon Wireless Route 58 tank, Riverhead Water District. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #614

7/01/2008

Councilman Dunleavy: "Approves the Chapter 90 application of Marie Tooker - Abbess Farm (USA Music Festival of 2008) which will be held on July 26 and July 27th. So moved."

Councilman Buckley: "And seconded."

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

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

Resolution #615

Councilman Buckley: "Awards Bid for calcium hypochlorite tablets. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #616

Councilman Wooten: "Awards bid for water service materials for use in the Riverhead Water District. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #617

Councilman Dunleavy: "So moved to pay bills."

Councilwoman Wooten: "Second."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes. The bills are paid."

Supervisor Cardinale: "That completes the resolutions. I'd like to open for comment from the public on any subject that you'd like to comment on within our purview would be nice."

7/01/2008

If there's any comment, we'll take it. If there isn't any comment, we'll take off and get back to work and get some work done.

Here comes my administrative assistant probably looking to get me to do some work. We will be back in session on Thursday at 10:00 for an open work session and we look forward to seeing you all there and thank you for coming. And have a Happy 4th of July weekend."

Meeting adjourned: 3:45 p.m.