

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, March 4, 2008 at 2:00 p.m.

PRESENT:

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

ALSO PRESENT:

Barbara Grattan,	Town Clerk
Dawn Thomas,	Town Attorney

Absent:

John Dunleavy,	Councilman
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Supervisor Cardinale: "Yes. This is the March 4th Town Board meeting and we'd like to begin with the Pledge of Allegiance and ask our special counsel, Phil Siegel, to lead us."

(At this time, the Pledge of Allegiance was recited, led by Phil Siegel)

Supervisor Cardinale: "Okay. We have no honors to bestow today for anything so we can get right into the approval of the minutes of February 20th. Somebody offer them and second, please."

Councilman Wooten: "So moved."

Councilman Buckley: "Second."

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

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

Supervisor Cardinale: "Reports, please."

REPORTS:

Receiver of Taxes

Total collection to date:
\$59,476,550.19

Utility collections for
February, 2008 - total
collected: \$273,903.37

Town Clerk	Monthly report for February, 2008 - total collected: \$7,402.07
Building Department	Monthly report for January, 2008 - total collected: \$130,791.00
Jamesport Fire District	Annual financial report for 2007
Sewer District	Discharge monitoring report for January, 2008

APPLICATIONS:

Special events	East End Olds Club - Aug. 9 car show and swap meet
Jamesport Firemen's Assoc.	July 7 to 12 - annual carnival fundraiser
Special permit	Omnipoint Communications Inc 1770 West Main Street public utility wireless telecommunications facility

Barbara Grattan: "Under Correspondence, none."

Supervisor Cardinale: "Good. Any announcements from the board members?"

Councilwoman Blass: "I have one, Mr. Supervisor. I'd like to enter into the record the annual report for the seed clam program for the year 2007. I'm happy to report that we achieved our 24th consecutive year of successfully culturing hard clams in East Creek. We distributed 220,000 adolescent seed claims in the vicinity of Miamogue Lagoon."

And I'd also like to publicly acknowledge and thank Karen Rivera (phonetic) from the Aeros Oyster Company (phonetic) who donated 35,000 oyster seeds which we also distributed for growth throughout the Jamesport Miamogue Lagoon area."

Supervisor Cardinale: "Thank you."

Councilwoman Blass: "Thank you."

Supervisor Cardinale: "Any other announcements? If not, we'd like— we've been really good about public hearings, Barbara. We had said we wanted to have no more than six. Well last time I think we had two and this time we have one. So we do have one public hearing today on the proposed renovation, construction and/or siting of the Riverhead range, golf professional shop, miniature golf course and golf cart barn at the Indian Island Golf Course.

We have Phil Siegel, our special counsel, that's going to present that."

Public hearing opened: 2:15 p.m.

Supervisor Cardinale: "And it is 2:15 so the hearing scheduled for 2:05 is now open."

Phil Siegel: "Good afternoon, Mr. Supervisor and members of the town board. Thank you very much.

My name is Phil Siegel with the law office of Smith, Finkelstein, Lundberg, Isler and Yakaboski, special counsel to the town board in connection with the proposed renovation/construction and/or siting of the driving range, pro shop, miniature golf course and golf cart barn at the Suffolk County Indian Island Golf Course located on Riverside Drive in the town of Riverhead.

Specifically the following projects are currently underway and/or being proposed.

Number 1 - replacement of the roof on the cart barn and/or a new cart barn.

Number 2- remodeled practice facility and construction of overhangs at the driving range.

Number 3 - construction of permanent target greens at the driving range.

Number 4 - installation of a loudspeaker at the facility.

Number 5 - installation of asphalt cart path throughout the facility.

Number 6 - installation of netting on areas of the golf course and driving range.

Number 7 - landscaping/hardscaping with pathways, hardwood trees, shrubs and annual/perennial flowers at the facility.

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Number 8 - installation of a permanent driving ball dispensing machine with counter and shelter.

Number 9 - installation/maintenance/repair of heating systems, sprinkler systems and cesspools.

Number 10 - expansion of hours of operation of the driving range facility until 10:00 p.m. and the pro shop including expansion of lighting.

Number 11 - operation of a golf school.

Number 12 - expansion of the existing pro shop with additional bathroom.

Number 13 - construction of a miniature golf course.

Number 14 - the purchase, dumping, excavating and grading of imported fill at the facility.

At this time, I'd like to enter into the record documents that support that statement, the first being the RFP put out by the county; the second being a letter sent to the town by Jack McGowan dated January 29, 2008; the third being a page printed off the web site of the Indian Island Park; and the fourth being a letter published on the Indian Island Park web site by Steve Fetter (phonetic)."

Supervisor Cardinale: "The clerk will take those."

Phil Siegel: "Specifically today we're here to determine whether the county must comply with the Riverhead town code when it undertakes these projects.

In order to make that determination, the courts and the New York State Department of State have told us to conduct a hearing. For making the ultimate determination, we are to consider numerous factors in connection with the overall project.

This process is commonly referred to as a determination pursuant to the Monroe test. The factors to be considered include, number 1, the nature and scope of the instrumentality seeking immunity.

Number 2 - the encroaching government's legislative grant of authority.

Number 3 - the kind of function or land use involved.

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Number 4 - the effect local land use regulation would have upon the enterprise concerned.

Number 5 - alternative locations for the facility in less restrictive zoning areas.

Number 6 - the impact upon legitimate local interests.

Number 7- alternative methods of providing the proposed improvement.

Number 8 - the extent of the public interest to be served by the improvements.

Number 9 - inter-governmental participation in the project development process and an opportunity to be heard.

At this time, we'd like to enter into the record the James A. Coon (phonetic) local government technical series which is a pamphlet promulgated by the New York State Department of State.

According to the decision in the matter of *County of Monroe* issued by the Court of Appeals, in the absence of an expression of contrary legislative intent by the State, the encroaching governmental entity, in this case the County of Suffolk, is subject to the zoning requirements of the host governmental unit, in this case, the town of Riverhead.

It does not appear to be any expression or any intent by the legislature to exempt the county from the town's local code in connection with this project and hence we go forward with the evaluation of the factors to consider in whether the county should be exempt or not.

We'd like to call Leroy Barnes to testify in this matter. And I'd ask the board to please swear the witness in."

Supervisor Cardinale: "Okay, come forward, please. Would you raise your right hand? Do you promise to state the truth, the whole truth and nothing but the truth in your testimony you are about to give?"

Leroy Barnes: "I do."

Supervisor Cardinale: "Thank you."

Phil Siegel: "Mr. Barnes, can you tell us your full name and your present position with the town of Riverhead?"

Leroy Barnes: "My name is Leroy E. Barnes. I am the building department administrator for the town of Riverhead. I am the senior building inspector on the civil service classification and I've been employed by the town in that capacity since 1987- '97, excuse me."

Phil Siegel: "And are you familiar with the construction projects described earlier at the Indian Island Golf Course located on Riverside Drive in the town of Riverhead?"

Leroy Barnes: "Yes, I am."

Phil Siegel: "And when was the last time you were at the site?"

Leroy Barnes: "Last week."

Phil Siegel: "Did you observe any construction at the site last week?"

Leroy Barnes: "Yes. I observed a significant amount of excavation along the driving range. On the far side of the parking lot near the river, I also observed construction within the pro shop."

Phil Siegel: "Prior to the commencement of this construction and excavation, did the county of Suffolk reach out to you or your office at any time?"

Leroy Barnes: "No, they did not."

Phil Siegel: "And prior to the commencement of construction, did anyone reach out to you or your office regarding these projects?"

Leroy Barnes: "Yes. I received a letter from a Jack McGowan who is a concessionaire there."

Phil Siegel: "And is that the letter that was previously presented to the board dated January 29, 2008?"

Leroy Barnes: "Yes."

Phil Siegel: "Can you tell us what zoning district the Indian Island county facility lies?"

Leroy Barnes: "Yes. It lies within the TRC district, that's the town's resort campus district pursuant to the Riverhead town code."

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Phil Siegel: "Is a golf course a permitted use in that district?"

Leroy Barnes: "No. It is not a permitted use. In fact, it is a prohibited use within that district."

Phil Siegel: "Is the county golf course a pre-existing non-conforming use?"

Leroy Barnes: "Yes. And such use as a use may only be extended by a special permit of the town board."

Phil Siegel: "Would the importation, dumping and grading of fill at the site require an excavation permit from the town of Riverhead pursuant to Chapter 62 of the town code?"

Leroy Barnes: "Yes."

Phil Siegel: "And did the county of Suffolk or anyone obtain such a permit prior to commencing the excavation that you witnessed at the site?"

Leroy Barnes: "No."

Phil Siegel: "Would the importation, dumping, excavation and grading of fill at the facility require site plan review prior to the commencement of such facility- such activity?"

Leroy Barnes: "Yes, it would."

Phil Siegel: "And did the county of Suffolk or anyone obtain site plan review of this activity prior to the commencement of the excavation?"

Leroy Barnes: "No."

Phil Siegel: "Would the construction projects described earlier require building permits and site plan review pursuant to the town code prior to the commencement?"

Leroy Barnes: "Yes."

Phil Siegel: "And would the construction of a miniature golf course be more appropriate in an alternative site within the town of Riverhead?"

Leroy Barnes: "Yes, it would be in a zoning district that allows it."

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Phil Siegel: "If the county or its agents made proper application for a building permit from your office, would the town inspect the site?"

Leroy Barnes: "Yes, we would. We would need to inspect to ensure the protection of health, safety and welfare of the public."

Phil Siegel: "And upon completion of the work to your department's satisfaction, would you typically issue a certificate of occupancy?"

Leroy Barnes: "Yes. Provided all requirements of any authority having concurrent jurisdiction over the project were met as well."

Phil Siegel: "Is the scope of the work earlier described in close proximity to the Peconic Estuary?"

Leroy Barnes: "Yes. And so we would need to make sure that the town of Riverhead's conservation advisory council, the New York State DEC, had the opportunity to review the plans and to make sure those agencies either approved of the work being performed or waived their jurisdiction or determined that the work was not within their respective jurisdictions."

Phil Siegel: "Did you issue a stop work order at the facility last week?"

Leroy Barnes: "Yes. I signed the stop work order on February 29th."

Phil Siegel: "Is this a copy of the order?"

Leroy Barnes: "Yes, it is."

Phil Siegel: "We submit this copy of the order into the record at this time."

Thank you, Mr. Barnes."

Leroy Barnes: "Thank you."

Supervisor Cardinale: "Do you have anything else, Mr. Siegel?"

Phil Siegel: "Yes, please. At this time, we'd like to call Rick Hanley to testify in this matter. Would you please swear in this witness?"

Supervisor Cardinale: "Yes, come on up, please. Would you raise your right hand? Do you swear to tell the truth, the whole truth and nothing but the truth in your testimony you are about to give?"

Rick Hanley: "I do."

Supervisor Cardinale: "Go ahead, please."

Phil Siegel: "Would you please tell us your full name and present position?"

Rick Hanley: "Richard W. Hanley, Planning Director, town of Riverhead."

Phil Siegel: "Mr. Hanley, you heard the testimony of Mr. Barnes. Correct?"

Rick Hanley: "Yes, I did."

Phil Siegel: "Do you concur with that testimony?"

Rick Hanley: "I do on all points."

Phil Siegel: "Can you tell us about the town of Riverhead's master plan?"

Rick Hanley: "In November of 2003, the town board adopted a comprehensive master plan which was a revision to the previous plan which was adopted in 1973."

Phil Siegel: "And this master plan was ultimately adopted by the town board. Correct?"

Rick Hanley: "In November, 2003, yes."

Phil Siegel: "After the master plan was adopted, the town of Riverhead zoning code was amended to conform to and implement the plan. Is that correct?"

Rick Hanley: "That is correct."

Phil Siegel: "And can you tell us about the creation of the TRC district?"

Rick Hanley: "Yes. The purpose and intent of the tourism resort campus district is to provide opportunities for overnight accommodations and recreational amenities in a campus setting with significant open space preserves."

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Phil Siegel: "And can you tell us why golf course are prohibited in the TRC zoning district?"

Rick Hanley: "Yes. The TRC district regulates properties which are large parcels which lie within the Peconic Estuary and the intent was to minimize contamination of the estuary with respect to the use of land as golf courses."

Phil Siegel: "And was it also- was the prohibition also implemented to preserve the scenic view of the Peconic Estuary along the Peconic River corridor?"

Rick Hanley: "Yes. Both views and contamination."

Phil Siegel: "Are you familiar with the Indian Island county golf course facility?"

Rick Hanley: "I am."

Phil Siegel: "And did you hear the list of proposed projects to be undertaken at the facility that was recited before?"

Rick Hanley: "Yes. I saw a letter that was I think sent to the town board by the planning board chairman."

Phil Siegel: "Would site plan review be required by town code in connection with the Indian Island projects?"

Rick Hanley: "Yes."

Phil Siegel: "For what reasons would site plan review be required? If you could explain the review process as it relates to these projects."

Rick Hanley: "Simply put, site plan review in the town of Riverhead is for all industrial and commercial improvements. The intent of the review process is to ensure that the plan itself conforms with all the parameters of the particular zoning ordinance in which the land exists as well as to mitigate any adverse impacts associated with the improvement relative to traffic and other considerations."

Phil Siegel: "And during the site plan review process then the planning board and/or planning department would have the ability to mitigate the adverse impacts of the projects and they relate to traffic, safety and environmental concerns?"

Rick Hanley: "Yes."

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Phil Siegel: "As well as concerns that might be identified in the state environmental quality review act?"

Rick Hanley: "Yes. We do SEQRA reports for each and every site plan in the town and the intent of both SEQRA and site plan review is to mitigate potential impacts to the environment."

Phil Siegel: "Would any other permits be required in connection with the enumerated projects?"

Rick Hanley: "Well, I do not have any data yet as far as a plan. However, the New York State DEC regulates land within 300 feet of a tidal wetland. It's possible that this area is within 300 feet of a tidal wetland as well as the town of Riverhead conservation advisory council who also regulate improvements within tidal wetland areas."

Phil Siegel: "Pursuant to town code, would building permits be required for the projects?"

Rick Hanley: "Yes."

Phil Siegel: "And would excavation permits be required for the projects?"

Rick Hanley: "There would be an excavation permit required for any importation or exportation of material."

Phil Siegel: "And would such a permit ensure that the soil being imported is not contaminated?"

Rick Hanley: "Yes. As part of the importation permit, there would be some testing protocol with respect to the soil, where it came from and on site testing as well."

Phil Siegel: "To date, has anyone from the county of Suffolk or its agent made an application for site plan review to the planning department in connection with the proposed projects?"

Rick Hanley: "No."

Phil Siegel: "To date, have you been contact by the county of its agent in any respect in connection with the proposed project?"

Rick Hanley: "No."

Phil Siegel: "As described, would the enumerated projects require a special permit from the town board?"

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Rick Hanley: "I believe that the TRC district prohibits golf courses. It's an existing golf course and I would consider some of the improvements that I've seen, an expansion of that use whether it's miniature golf or expansion of a building, so I would think it would require to have a special permit to allow for an expansion of a non-conforming."

Phil Siegel: "And can you please elaborate on the extra review that comes with a special permit as opposed to a permitted use?"

Rick Hanley: "Special permit review would start with an application to the town clerk. My staff would perform the SEQRA report. There might be a referral to the Riverhead planning board for an appearance."

At that point, the town board if they felt that it was an appropriate special permit, would schedule a hearing. I believe that this special permit in this case would have to be referred to the Suffolk County Planning Commission because of its location. And prior to all of that— subsequent to all of that an approval could be made."

Phil Siegel: "We heard that some of the projects proposed include outdoor lighting, fencing and netting. Would those particular projects be studied and mitigated pursuant to site plan review?"

Rick Hanley: "Yes. All those improvements would be— respect to site plan review."

Phil Siegel: "And what about the traffic issues and the potential for increased traffic along that road?"

Rick Hanley: "Typically the planning board would review a traffic study provided by the applicant, whether it be on a public highway town of Riverhead or on a county highway."

Phil Siegel: "And environmental concerns as well, those would be addressed in site plan review?"

Rick Hanley: "Yes. And the SEQRA process as well."

Phil Siegel: "Does the town of Riverhead have a policy requiring municipal projects within the town to comply with town code?"

Rick Hanley: "Yes."

Phil Siegel: "And are they required in that— in those instances to make application for site plan review?"

Rick Hanley: "Yes."

Phil Siegel: "Can you give us some examples where municipalities have come in for site plan review?"

Rick Hanley: "There was a substation constructed by LIPA in Jamesport. There is an approved substation on Edwards Avenue for LIPA. I believe we looked at a site plan for the burn building for the Riverhead Fire District. I believe there was a site plan for the new firehouse on Roanoke Avenue. So there's a whole litany of applications for site plan for municipal improvements."

Phil Siegel: "What about the Riverhead water district? Do they typically make site plan application if they are making a project in the town?"

Rick Hanley: "Yes."

Phil Siegel: "And what about the town itself? If a municipal building or a cell tower for example is proposed. Does the town make site plan application?"

Rick Hanley: "We have a pending cell tower at the EPCAL site and that will require both a special permit as well as a site plan."

Phil Siegel: "And there was a gas station recently constructed also within the Indian Island county park. Have we obtained— as the county made site plan application in connection with the gas station?"

Rick Hanley: (Inaudible)

Phil Siegel: "Are you aware of any application?"

Rick Hanley: "I don't think so."

Phil Siegel: "Have we tried to obtain compliance to the best of your knowledge?"

Rick Hanley: "Yes."

Phil Siegel: "At this— thank you, Mr. Hanley."

Rick Hanley: "Pleasure."

Phil Siegel: "At this time, I'd like to submit a letter signed by the chairman of the planning board, Richard O'Dea, with respect to this hearing dated March 4, 2008, and a letter from the conservation advisory council signed by Shawn McCabe, chairman, in connection with this project, also dated March 4, 2008."

And, finally, we respectfully request the town board to hold this hearing open for written comments for one week.

Thank you."

Supervisor Cardinale: "Thank you. Just before you go, could you— before I ask the public whether they wish to make a comment on this hearing. The purpose of this— you read in the Monroe criteria earlier in the hearing. Did you not?"

Phil Siegel: "That's correct, sir."

Supervisor Cardinale: "And it is my understanding that the purpose of the hearing is to get before the town board information relevant to the determination as to whether in the balancing of that criteria the county should or should not be required to comply with our ordinances. Is that correct?"

Phil Siegel: "That's correct."

Supervisor Cardinale: "Okay. So within that context, we'd like to take any public testimony and I'd like to invite the public up now."

Phil Siegel: "And if I might just add this hearing is not to determine on the merits of the project, only as to whether in implementing the project whether the county should comply with the town code."

Supervisor Cardinale: "So for my sake if you have it handy and for those coming up if anybody does, what are the criteria then that we are to consider knowing now what the project entails and the rest of the testimony we've heard, what is the criteria we must consider as to whether — in making a determination as to whether the municipality coming in, namely the county, must or must not comply with our ordinances."

Phil Siegel: "Well, as I read them all off before but some of them— the more significant criteria that can be weighed today would be the kind of function or land use involved. The effect that the local land use regulation would have upon the enterprise concerned. Alternative locations for the facility in less restrictive zoning areas. The impact upon legitimate local interests. Alternative methods of providing the proposed improvements. The extent of the public interest to be served by the improvements, and inter-governmental participation in the project development process, and opportunity to be heard. I read them, almost all of them."

Supervisor Cardinale: "Okay. And, again, the understanding I have is that this is to consider whether to assert under Monroe that the county must or need not respectively make application for a special permit, excavation permit, site plan, building permit, CAC consideration.

Now, the DEC issue which is the state entity, obviously this golf course goes down to the river. The DEC component, we don't have anything to do with, we can't wait for them."

Phil Siegel: "That's correct. That's correct."

Supervisor Cardinale: "And we can't insist upon compliance for them so they have to deal with the DEC in their own way."

Phil Siegel: "I will say that it would be our building department's position, I believe and Mr. Barnes can confirm this, that we will not issue a certificate of compliance unless we receive some sort of permit or waiver from the DEC since they have concurrent jurisdiction. So we would require something from the DEC.

In addition, just going back to what you had said earlier, we're not here to determine— "

Supervisor Cardinale: "The project. Only whether or not we're going to impose or not impose our ordinances on— but let us assume for purposes of my understanding. Let us assume that we waived— we said no, under Monroe our judgment is— they don't have to comply with any of this stuff. They still have to comply with the DEC."

Phil Siegel: "I would respectfully suggest that they do. But — and I can't tell them what to do. I would like to just clarify though that the law is clear that presumptively the county must comply with our code. This hearing is to determine whether the county is immune. So they have the burden."

Supervisor Cardinale: "Whether under the Monroe balancing test, the county is immune from compliance."

Phil Siegel: "That is correct."

Supervisor Cardinale: "Thank you. Yes."

Councilwoman Blass: "May I ask a question, Mr. Siegel? It's kind of more of a fundamental question I guess. I'm aware that the town has the ability to expand a non-conforming use through the special permit process and I'm also aware that his is not just a

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typical non-conforming use. It's actually a prohibited use in the zoning use district.

Does our special permit procedure allow us to expand a prohibited use?"

Phil Siegel: "That's a good question which I'm probably not prepared to answer standing here today. However, although it's a prohibited use it is a prior non-conforming- it's a pre-existing non-conforming use."

Councilwoman Blass: "Right."

Phil Siegel: "So I'm not sure that there is an answer to that until the town board decides that it wants to weigh in and interpret its own code."

Councilwoman Blass: "Okay, thank you."

Supervisor Cardinale: "Okay. Is there any member of the public here who would like to comment in any fashion on this? If so, please come up. If not, I will hold this open as requested for one week 'til Friday- I'm sorry, 'til Tuesday, close of business next week which is the 11th.

If there's nothing further, I'll close it for verbal- did you want to make a verbal comment? Please do. All right, there's one other verbal comment from the public and I will keep it open after this comment for written comment until the 11th at 4:30 p.m."

Russ Moran: "Thank you, Mr. Supervisor. Actually it's really a clarification that I'm asking. Was anyone from the county attorney's office or county parks department notified of today's hearing? I know they are aware of the issues going on. I'm just wondering if there's anyone here from the county."

Supervisor Cardinale: "The meeting was publicly noticed. I do know that. Whether they were given a separate invitation, I don't think they were. Were they?"

Barbara Grattan: "Could you just state your name for the record, please?"

Russ Moran: "Yes, my name is Russ Moran, Sr. My son and I- "

Supervisor Cardinale: "It was publicly noticed. Phil, can you address whether they- you're aware- "

Phil Siegel: "Yes, Mr. Supervisor, the town clerk was directed to send a letter to both the county attorney, Christine

Mulafy (phonetic), and the deputy town attorney, John Petrowski (phonetic), who's been involved in a similar issue. In addition, immediately prior to the hearing today, I did speak with the county attorney. He was aware of the hearing today."

Supervisor Cardinale: "Good. Thank you."

Russ Moran: "Thank you very much."

Supervisor Cardinale: "Thank you. Okay. With that, it's open— it's closed for verbal testimony at 2:42 and we're keeping it open for written 'til 4:30 on the 11th."

That is the conclusion of the hearing for the day."

Public hearing closed: 2:42 p.m.

Left open for 10 days for written
comment to March 11, 2008 at 4:30

Supervisor Cardinale: "We have about 40 resolutions. We would like to take comment on anybody that wants to comment upon any of those resolutions now. If they wish, please come up. Otherwise, we will consider the resolutions and then take general comment."

Councilwoman Blass: "We also have one resolution coming off the floor, Mr. Supervisor, that I think you're aware of."

Supervisor Cardinale: "Yes. There is a Resolution #175 and we split that resolution into two because we only have four board members and this will allow three of them to vote on both 175 and the added resolution which is the same as 175."

Okay, so if there's anybody that has comment, please come up. Otherwise let's consider these resolutions and then take open comment."

Resolution #165

Councilwoman Blass: "Changes the status of a computer graphics mapping specialist in the town engineer's office. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #166

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

Councilman Wooten: "Seconded."

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

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

Resolution #167

Councilman Wooten: "It approves the transfer of a Maintenance Mechanic II to the Street Lighting Division of the town engineer's office. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #168

Councilwoman Blass: "Authorizes the Supervisor to amend Laurie Zaneski, the deputy tax receiver's salary, to include a stipend to cover duties performed in the tax receiver's office. So moved."

Councilman Buckley: "And seconded."

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

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

Resolution #169

Councilman Buckley: "Corrects 2008 salary resolution. So moved."

Councilman Wooten: "And seconded."

Supervisor Cardinale: "Moved and seconded. This is simply to factor in that this is a leap year, technical correction. Moved and seconded. Vote please."

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

Resolution #170

Councilman Wooten: "It appoints a senior assessment clerk. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #171

Councilwoman Blass: "Authorizes the town clerk to publish and post a help wanted advertisement for traffic control officers. So moved."

Councilman Buckley: "And seconded."

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

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

Resolution #172

Councilman Buckley: "Accepts the retirement of a Maintenance Mechanic III. So moved."

Councilman Wooten: "And seconded."

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

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

Councilwoman Blass: "Yes. And thank you to Chet for his many years of service."

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

Supervisor Cardinale: "Yes. And, again, thank you."

Barbara Grattan: "The resolution is adopted."

Resolution #173

Councilman Wooten: "Accepts the resignation of Ralph Alba a public safety dispatcher. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #174

Councilwoman Blass: "This is a resolution whereby the town of Riverhead approves the defense and indemnification for Philip cardinale, David Hegermiller, PO Michael Mowdy and Lt. Richard Boden for all purposes. So moved."

Councilman Buckley: "And seconded."

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

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

Supervisor Cardinale: "Abstain, since I'm named in it."

Barbara Grattan: "The resolution is adopted."

Resolution #175

Councilman Buckley: "It's a resolution that approves the defense and indemnification for Philip Cardinale, Barbara Blass, George Bartunek, Rose Sanders, Dawn C. Thomas and Leroy E. Barnes, Jr. for all purposes. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #176

Councilman Wooten: "Adopts a local law amending Chapter 108 entitled Zoning of the Riverhead town code. I move to table this."

Councilman Buckley: "I seconded it."

Supervisor Cardinale: "Moved and seconded to table. Vote please, for tabling."

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

Resolution #177

Councilwoman Blass: "Mr. Sueprvisor, I move to table 177 in that it was contingent upon the adoption of Resolution 176. Motion to table."

Councilman Buckley: "Seconded."

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

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

Resolution #178

Councilman Buckley: "Determines significance of action on special permits of Historic Village of Jamesport. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #179

Councilman Wooten: "Awards bid for disposal of demolition and construction debris. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #180

Councilwoman Blass: "Awards bid for disposal of municipal solid waste. So moved."

Councilman Buckley: "And seconded."

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

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

Resolution #181

Councilman Buckley: "Awards bid for the removal of hazardous household products. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #182

Councilman Wooten: "Authorizes Milliman to conduct GASB 45 actuarial services for the town of Riverhead. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #183

Councilwoman Blass: "This is an authorization to publish advertisement for propane for the town of Riverhead. So moved."

Councilman Buckley: "And seconded."

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

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

Resolution #184

Councilman Buckley: "Authorization to publish advertisement for work clothes for the town of Riverhead. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #185

Councilman Wooten: "Authorizes to publish advertisement for food and meat products for the town of Riverhead. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #186

Councilwoman Blass: "Authorization to publish advertisement for janitorial supplies for the Town of Riverhead. So moved."

Councilman Buckley: "And seconded."

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

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

Resolution #187

Councilman Buckley: "Authorization to publish advertisement for sporting goods for the town of Riverhead. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #188

Councilman Wooten: "Authorization to publish advertisement for paint for the town of Riverhead. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #189

Councilwoman Blass: "Adopts a local law to amend Chapter 64 entitled Fire Prevention of the Riverhead town code. So moved."

Councilman Buckley: "And seconded."

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

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

Resolution #190

Councilman Buckley: "Authorizes Albrecht, Viggiano, Zureck & Company P.C. to conduct annual audit of the records of the town of Riverhead. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #191

Councilman Wooten: "Authorizes the release of letter of credit for Crystal Harbor Development, Inc.. So moved."

Councilwoman Blass: "And seconded."

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

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

Councilwoman Blass: "Yes. Just a comment. We were going to try to put tax map numbers here so we could more readily identify- "

Supervisor Cardinale: "Yes. Rick, do you know where Crystal Harbor Development is? We had asked about-- would you-- could you just let us know before we vote on it?"

Councilwoman Blass: "Well, I'm sure the authorization is appropriate. I just wanted to-- "

Supervisor Cardinale: "Okay. Then in the future, would you ask that they-- who does these, you? Okay. Then I'll ask Dawn to put the tax map-- "

Councilwoman Blass: "Okay, thank you. That was a yes."

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

Resolution #192

Councilman Wooten: "Adopts a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead town code, I believe it is the green sign behind the stores on Roanoke. So moved."

Councilwoman Blass: "And seconded."

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

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

Councilwoman Blass: "Always yes for the green zone."

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

Resolution #193

Councilwoman Blass: "Amends Resolution #88 approving fee schedule of the Raynor Group P.E. & LS PLLC. So moved."

Councilman Buckley: "And seconded."

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

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

Resolution #194

Councilman Buckley: "Authorizes the release of a letter of credit of Shoreline Development Corporation in connection with the subdivision entitled Finn's Landing. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #195

Councilman Wooten: "Authorizes publication of display ad regarding the attendance at Suffolk County Police Academy for part time police officers. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #196

Councilwoman Blass: "Authorizes the town clerk to publish and post notice to bidders for water service materials. So moved."

Councilman Buckley: "And seconded."

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

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

Resolution #197

Councilman Buckley: "Extends the bid contract for quick lube maintenance for the Riverhead Water District. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #198

Councilman Wooten: "Authorizes Dunn Engineering Associates PC to proceed with Cranberry Street preliminary drainage and investigation. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #199

Councilwoman Blass: "It's an authorization to publish advertisement for recreation department brochure for the town of Riverhead. So moved."

Councilman Buckley: "And seconded."

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

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

Resolution #200

Councilman Buckley: "Authorizes the Supervisor to execute a grant agreement with New York State Office of Parks, Recreation and Historic Preservation for funds to support the Calverton Park Recreational Trail. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #201

Councilwoman Blass: "Rejects bid for East Creek Marina improvement plan - Phase I and authorizes the town clerk to repost and republish notice to bidders. So moved."

Councilman Wooten: "I'll second."

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

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

Resolution #202

Councilman Wooten: "It ratifies the terms and conditions of employment for Christine Hubbs. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #203

Councilman Buckley: "Motion to pay bills. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #204

Councilman Buckley: "Approves the defense and indemnification for Philip Cardinale for all purposes. So moved."

Councilman Wooten: "Seconded."

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

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

Barbara Grattan: "That concludes the resolutions."

Supervisor Cardinale: "Okay, that concludes our resolutions. We'd like to take general comment. I know, Sandra, come on up. Anybody else who'd like to make comment, just come right on up behind her."

Sandra Mott: "Good afternoon. Sandra Mott, Riverhead. One, I want to thank you all as well as the former council people who contributed to Jenny's healthcare several meetings ago. It came to a total of \$30.83 and since every penny counted, she really appreciate it. She' is a good home now. Thank you."

Supervisor Cardinale: "Great."

Sandra Mott: "I have a few things. One is in regard to the light at Glenwood entrance and 58."

Supervisor Cardinale: "Hold on a second. Leroy. Good, great, because he may have information we may not have on that."

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Sandra Mott: "Okay. One, I'm glad to see it's there. Two, it's not yet on and I was wondering at what point it will be activated. Do we know?"

Supervisor Cardinale: "Do you, Leroy?"

Leroy Barnes: "They run test patterns and they have to get through all that before they allow it to work."

Supervisor Cardinale: "Right. Would they— the only reason we opened it up, allowed the opening, was because the county said that they advised that we do it."

Leroy Barnes: "(inaudible) and the traffic pattern because they actually implement it."

Supervisor Cardinale: "Okay."

Sandra Mott: "Do we have any idea as to how long it's going to be?"

Leroy Barnes: "They haven't told us that."

Supervisor Cardinale: "Okay. They did say eight weeks originally but that's— "

Leroy Barnes: "All the infrastructure is there. The light is ready to go. (Inaudible)."

Sandra Mott: "Okay. I'm curious to know because actually it's becoming more dangerous because they keep— "

Leroy Barnes: "You can call public works because it's a county road."

Sandra Mott: "No, I'm not going to call."

Supervisor Cardinale: "I'll call. I will call the department of public works. They did promise us eight weeks. I want to follow up on that."

Sandra Mott: "I remember you saying that the last time I was here."

Supervisor Cardinale: "Thanks, Leroy, we still love you."

Sandra Mott: "Okay. Now that that main entry to Glenwood has become so active, has that been turned over to the town as a town road?"

Supervisor Cardinale: "The entrance to Glenwood that is adjacent to the- "

Sandra Mott: "Yeah. Where the light has been put in place and has not been activated yet. It's an in and out road. And then they have the side entrance to PC Richards."

Supervisor Cardinale: "Anne Marie Prudenti would- you're talking about the entrance where the light is, right?"

Sandra Mott: "Right."

Supervisor Cardinale: "Okay. Anne Marie Prudenti would know for sure but I believe not. I believe what happened is PC Richards through the planning department when they did that site plan, granted an easement over that road but it's still a private road."

Sandra Mott: "Okay. Because now since there is that entry from PC Richards and since there is an entrance from what was Ford and now is Toyota, there's like a crossing over because as you're entering into Glenwood, not know that these side access roads are there. Could- some of those yellow backed signs, you know, they are triangular shaped, triangular and then has a straight line and then (inaudible). Can we have a couple of those on either side of the roadway because at least people would then know to expect cars coming at you."

Supervisor Cardinale: "As you're coming down the Glenwood entrance, there's access from both sides."

Sandra Mott: "Yes."

Supervisor Cardinale: "And you want to have some sort of warning to people that- "

Sandra Mott: "That it's happening."

Supervisor Cardinale: "Okay. Yes."

Sandra Mott: "I'd appreciate that."

Supervisor Cardinale: "You've got it? The chief is here. The police chief is right here, so he knows. Because he'll be able to implement and I won't."

Sandra Mott: "Okay. Thank you. Let's see. My other- another concern on that side of the roadway is I read in the February 27 edition of the Suffolk Life and I talked to Mr. Russell to make sure that I wasn't misunderstanding his article about the- your last meeting I believe it was, says will cell tower occupy

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hotel and a lady named Patricia Holland, a member of the Northville Beach Civic Association, asked about the status of the cell tower that is now being proposed to be installed at the Holiday Inn Express on County Road 58.

And then so on, it says about the hotel filed a site plan with the planning board requesting it and you said, however, Cardinale said that there would not be a cell tower but an antenna and you referred it back to the planning board and the planning board referred it back to you and there is no way, you're quoted, this is your quote, that there is no way we could have entertained quote unquote a site plan approval because the application was for a cell tower not an antenna.

Then it goes on, members of Holland's civic group who live in close proximity to the hotel, told her that they are unable to get cell phone reception. They were happy— quote unquote, they were happy if this would go through she said. Quote, they're also glad the antenna would be located in an industrial rather than a residential section.

Well, excuse me. Northville Turnpike is up off of Sound Avenue, is it not, closer to Hallockville than to Glenwood Village."

Supervisor Cardinale: "Right."

Sandra Mott: "Well, she may not know, if she went down this road we were just discussing with the light, there's 500 homes there. We are a residential community. We don't need any cell tower hovering over us.

I left a few messages on a few of your machines. My understanding through Mr. Russell, it's Mr. Dunleavy is the overseer of this particular task and we don't need a cell tower. We have enough issues around there, between the electromagnetic fields. In fact, the wetlands are right there, that were tried to, almost obliterated by Mr. Oxman's attempt but they're still there and which you are fighting in court to protect.

The fact that many of the houses are basically metal boxes and many of the seniors have pacemakers. We do not need a cell tower.

If this lady, Miss Holland, is so anxious to have her cell phone usage, I recommend the following notation. Because I thought that on one of the golf courses, I don't know if it is Red Creek or there's another one up there— is it Red Creek?"

Councilwoman Blass: "Cherry Creek."

Sandra Mott: "I beg your pardon. You went through all this hoorah about putting up one that had a beautiful flagpole appearance and so on. That's Northville. We are Glenwood. We are not Northville Civic. Now if she wants her cell phone towers to have even more coverage, put it on another golf course, put it on Hallockville which is a not for profit and would need the income from the— they rent the land, correct? They pay some rental fee for the utilization of the space for the tower, right? Somebody is getting paid something."

Supervisor Cardinale: "They lease the space."

Sandra Mott: "Whatever. Or put it at that fire department training center that's over there. That's Northville. We are not Northville. Now we may be on industrial property based on your code, but we are a residential community and we have about a thousand votes."

Supervisor Cardinale: "Okay."

Sandra Mott: "So my concern is that can we forget about that location? All I heard that Holiday Inn wanted to do is add a pool which they should have done in their original game plan with you rather than after the fact routine, telling you that they're going to lose money because they're not going to have a pool. Like, excuse me. When did you ever go on vacation where a hotel or motel didn't have a pool? Even the cheapest motels have pools."

And suddenly they're figuring out they need a pool, a new pool. Put it inside. Put one of those domes. I will be happy if in this town you put everything under a dome as far as I'm concerned. As long as we don't have to contend with it.

But we do not need a tower because they, Holiday Express, will be getting some sort of benefit from it and we as citizens and voters are not going to get that kind of benefit.

All right. I think that's it on that.

My other concern was the town hall location. I was listening. Have you made any determination as to where you're placing it yet?"

Supervisor Cardinale: "No. We discussed it but we're down— I think we're down to three possible locations which are Ostrander Avenue which is four acres where the old Riverhead Building Supply was; the Riverhead fire district building and its environs, you know, the old fire hall; and Main Street as part of a revitalized Apollo project."

Sandra Mott: "I think that's a very good location, the last one."

Supervisor Cardinale: "The Main Street location?"

Sandra Mott: "Yeah, I think simply because you're worrying about, you know, people accessing the shops and redevelopment. I think Mr. Buckley is right pushing that location. I think that's a very good location.

I'll give you a suggestion as another location. The old farm machinery building on Route 58. That's a very large squared off piece right there, easy access in, out— Rolle Brothers, I beg your pardon, as a consideration. Because when you get scrunched up into like these other small areas, you know, you're not going to have— like you said, you wanted everything all encompassing in one building. So it would be easy access.

I think some of the other locations, the Riverhead, Ostrander, and the other ones are not that great.

And, of course, I'm going to conclude with my all important issue. Have we moved any further in regard to the animal shelter? I heard you discussing it very early on in this year's term about the fact that you're considering which is what we discussed many, many years ago, outside contractors overseeing the facility. Has that moved forward as yet?"

Supervisor Cardinale: "Jim is working hard on that."

Councilman Wooten: "Actually we've had a very good week. Actually we've got some opinions— "

Sandra Mott: "You've got money, maybe? That would be a very good week."

Councilman Wooten: "Well, we'll certainly take whatever you have, Sandra, that's for sure. We've got an opinion piece that we just got off the internet. We called up Ag and Markets, the New York State Attorney there and we just faxed some opinions to him. So we're making great strides."

Sandra Mott: "Yeah, well, I'm great striding after my 15th year here and we still don't have anything and promises and they're not happening. And I know for a fact that I've been told it takes two years, three years, five years, seven years, etc. But are you going to wait until the EPCAL developers actually turn over the money to you that they promised for the facility? Is that what we're waiting on?"

Councilman Wooten: "No. Well, maybe but that's not what— the town right now is working with the legality of trying to privatize a portion of a town owned facility and how we can go about making that

happen. Eventually, yes, there probably will be a new shelter purchased or built somewhere, whether that's done privately or publicly. But for now we want to work with what we have."

Sandra Mott: "But what you have stinks in a nutshell and you know, and everybody owns up to it and everybody tells me maybe not on the record but there are people here, right here, who have told me that it's long overdue."

Councilman Wooten: "You're preaching to the choir. We all agree of what has to be done. It's just trying to do it the right way."

Sandra Mott: "Not only is it dangerous and it was supposed to be out of there before the reclamation began and that didn't happen either. But I know that consideration has been made to put it at EPCAL. Can I tell you how bad an idea that is? That is an extremely bad idea. That's come up more than once."

Because you will not have the pregnant cats and dogs actually get to the gate. They will be thrown over and if you thought you had a problem just in some communities and neighborhood, you will have more than a problem. It will be an uncontrollable problem to the point where you're going to be making drastic decisions about putting out poison, bringing in shooters, etc. etc. It is an absolutely ridiculous idea to consider putting it in an isolated location.

They do it now up on Youngs Avenue which is a pretty well traversed road and they tie them to the— even though it's against the law and that should be emphasized, abandonment is against the law and, you know, you can go to jail and be fined for it.

But it's an absolutely ridiculous location over there. It's a very nice thought for them to say oh, we'll put it adjacent to our facility. I don't really think the kind of people that are coming to their expensive facility will want to really be dealing with barking and so on and so forth.

I need you to consider, reconsider the water district property that Gary and when Mark Kwasna was the highway superintendent sat on either side of me and suggested on Osborne Avenue north of Agway, water district property that's already free that's underutilized, will never be utilized for anything and is more than ample to place your facility.

If you're looking for land, that's your land. If you're looking to build it, trying doing it like Habitat for Humanity. A lot of people have offered a lot of services to me and I have no authority. I think you need to go and reach out to the same kind of

people that I had signed, almost 400 person petition a number of years ago before you two gentlemen were in office.

I'm rehashing the past because I don't know how much of it you know. Unfortunately I know too much but it has to be all inclusive and it has to be no kill and if you don't even want to do it on water district property, what you need to do is then go over to Mr. Cohen, Dr. Cohen at the Riverhead Animal Hospital, because I've understood that that's been on the market for a while, and if you—because that's the location. You've got it up, you've got it there and they've already done major refurbishing over there.

And there it is. And then you just have the— you know, like you said, you just have to work with how to do it as a contracting. And you're reducing your issues. You've got the location. You've got the facilities. And there you have it. And you will actually have a facility without a big hoorah. It could be all inclusive. And it's more than ample inside. And— plus, you'd have more people volunteering and doing things.

There are a lot of people that want to help. They come in and tell me but I can't do anything except come here and remind you periodically. So my periodic, you know, please do something, you know, I mean really.

Sooner than later would be appreciated. And I'm only going to do one last thing because I thought you would appreciate this. This is from Boston University's commencement speaker who is Major General Gail Paulick (phonetic). She was actually one of the leading people in the military.

Quote - It is not the critic who counts, not the man who points out how the strong stumbled or where the doer of deeds could have done them better. The credit belongs to the one who is actually in the arena, whose face is marred by dust and sweat and blood, who strives valiantly, who errs and comes short again and again, who knows the great enthusiasm, the great devotion and spends himself in a worthy cause. Who, at best, knows in the end the triumph of high achievement. And who at worst, if she fails, at least fails while daring greatly so that her place shall never be with those cold and timid souls who know neither victory nor defeat.

And you can put he or she where she indicated she or he. All I can say to you is I've given everybody more than the benefit of the doubt on a number of issues. You've come through on some but this animal situation is just— must come under control. And I was wondering, Mr. Wooten, if you had a chance to review that CD from Best Friends."

Councilman Wooten: "I did."

Sandra Mott: "You did? Have you been able to share it with the board perhaps?"

Councilman Wooten: "I haven't but I certainly- "

Sandra Mott: "I would appreciate it if you did."

Councilman Wooten: "Okay."

Sandra Mott: "Because they are the organization who- does not have you have to reinvent the wheel. They must be invited in and I know some local groups feel antagonistic towards them but they shouldn't. They're well established; they know what they're doing. They're the ones who oversaw the rescue and retrieval and care of the little ones from Katrina.

So all I can say to you is please utilize, you don't have to reinvent the wheel. There's a lot of us here who want to help you and as I said to you more in private as well as to Phil and everybody else publicly, we want to do something but we want to be sure that it's going to be specific and it's going to happen.

Because advisory committees as I hear you're going to have with the resort development, they are only advisory. Please don't let them go down the same path many other advisory groups have gone to work their heart and soul out and actually believe that something is going to happen and then have nothing happen. You know. That's why I read that passage to you. Take care."

Councilman Wooten: "Thank you."

Supervisor Cardinale: "Thank you. If there's no other comment, we'll end this meeting and we look forward to seeing you 10 to 1 o'clock in the open session. Did you have- okay, the meeting is adjourned and we will see you at the Thursday work session, 10 to 1."

Meeting adjourned: 3:14 p.m.