

11/8/2006 minutes

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Wednesday, November 8, 2006, at 2:00 p.m.

Present:

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

Also Present:

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

Supervisor Cardinale called the meeting to order and the Pledge of Allegiance was recited.

Supervisor Cardinale: "Okay, this is the November 8th town board meeting, delayed from Election Day to today, 2:00 p.m. I'd like to begin the meeting with the Pledge of Allegiance. How about, Vince, lead us."

(At this time, the Pledge of Allegiance was recited, led by Vince Tria)

Supervisor Cardinale: "I'd like to begin with the approval of the minutes of the town board meeting of October 17th and the special board meetings of October 23rd and the 26th, and the scoping hearing of October 25th. We've been busy beavers here. Can I have a motion please to accept those minutes?"

Councilman Densieski: "So moved."

Councilman Bartunek: "And seconded."

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

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

Barbara Grattan: "The minutes are approved."

Supervisor Cardinale: "Okay, Reports, Barbara."

REPORTS:

Sewer District
Discharge monitoring
report
for September

Police Department
Monthly reports for
August and
September, 2006

Bid Reports
Kiosk Interactive
Computer
Terminal - one bid was
received - opened 10-20

Bid Reports
Junk and abandoned
vehicles -
opened on 11/6/06 - 3 bids

Bid Reports
Junk and abandoned mopeds
and
motorcycles - opened 11/6/06
3 bids

Bid Reports
Grinding of concrete and
masonry debris grinding at
Highway Maintenance Facility
opened 11/6/06 - 3 bids
received

Barbara Grattan: "That concludes Reports."

Supervisor Cardinale: "Okay. Applications, please."

APPLICATIONS:

Parade Permit
Riverhead Lions Club -
Dec. 3
2006 - santa arrives in
Riverhead

Parade Permit
Sunshine Acres - April to
Oct.
dressage horse show

Special permit
Raymond and Rowina Janis
- re
zoning property to previous CR
Zoning district

Barbara Grattan: "That concludes Applications."

Supervisor Cardinale: "Correspondence, please."

CORRESPONDENCE:

Jeffrey and Christine
McKay Removal from the
proposal of
Christine & Scott Zahra
being in the historical
Christopher Doroski
landmark

Stefan Amraly
Rules and regulations for
the
use of the runway at
Calverton Airpark

Barbara Grattan: "That concludes Correspondence."

Supervisor Cardinale: "Thank you. Are there any announcements or committee reports from members of the Board?"

Councilwoman Blass: "One announcement if I could make, Mr. Supervisor."

I just wanted to commend publicly the Blue Waves varsity football team who completed their regular season last Friday night undefeated and they are going to the playoffs and these young men represented our town very well, not only with their skill, but their discipline and their sportsmanship and we should be very, very proud of them.

And I wish them luck. The- we have home team advantage. They will be playing on Saturday against East Islip. Go Blue Waves."

Supervisor Cardinale: "Great. Thank you. And I think your son is a member, right?"

Councilwoman Blass: "Yes, he is."

Supervisor Cardinale: "And Chris and my deputy's, Chris Kent's son is a member, and it's 1:00 p.m. Is that correct?"

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Councilwoman Blass: "I believe so."

Supervisor Cardinale: "On Saturday, 1:00 p.m. at our town field school field at Pulaski Street. So try to get there if you can. Beautiful weather is anticipated."

Okay. The— the hearings for today are, if not, fascinating at least numerous, from 2:00 p.m. to 2:40, so we should get started."

Public hearing opened: 2:10 p.m.

Supervisor Cardinale: "It being 2:10, with the hearing that is scheduled for 2:00 p.m. for consideration of the adoption of the 2007 annual budget— 2007 annual budget for the town of Riverhead. And I would like to call for public comment on that budget which was filed on October 31st. Yes, sir, please come up."

Eric Brown: "Better?"

Supervisor Cardinale: "Great."

Eric Brown: "Good afternoon, Mr. Supervisor, Members of the Town Board, Madam Clerk, my name is Eric Brown. I serve with Nina Stewart as co-counsel to the Riverhead Housing Development Corporation that manages the Section 8 programs for the town of Riverhead. I am joined today by three of the board members of that organization, Ms. Ann Jackson, Ms. Amanda Jane Brown, and Mr. Donald Rice and the board has asked if I might be permitted to read a letter into the record. It does pertain to the budget you are currently considering."

Supervisor Cardinale: "Sure."

Eric Brown: "Thank you very much."

Dear Town Board Member:

Over the past two years, the board of directors of the Riverhead Housing Development Corporation representing the RHDC in its capacity as an instrumentality of the town of Riverhead, has repeatedly requested your assistance in helping RHDC address its mandate to serve the low and moderate income residents of the town.

The RHDC board has asked that Riverhead town government provide assistance not in the form of additional budget appropriations but rather by providing in kind support to the agency. Such in kind support would include the town's waiver of the reimbursement of health insurance payments for RHDC's 2 person full time staff.

We have also requested that the town once again agree, as it had in past years, to absorb the cost of RHDC's phone service and we have

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asked that, as an instrumentality of the town, the RHDC be included as a covered agency under the town's auditing contract.

While our requests have been respectfully received by the town officials to whom they have been addressed, the RHDC board has yet to receive a definitive answer from town officials in this regard.

The RHDC board appears before you today because we, as a board, are committed to ensuring that our request for assistance be given formal consideration. In that regard we wish to go on record here today and formally ask that the town board look favorably upon our two year quest to obtain in kind contribution from the town so that we may better meet the town's mandate to provide the highest possible level of service to our clients and your constituents.

Town board members should be aware that the RHDC provides basic rental assistance to a population of approximately 200 town residents--excuse me, 200 town households, 93% of whom are low to moderate income senior citizens and/or persons with disabilities.

These are some of the most economically disadvantaged citizens in our community and although office of Housing and Urban Development continues to provide subsidy payments to the individual private landlords who participate in our program, HUD has also made significant cuts in the funding that it once provided to assist agencies such as the RHDC in administering the rental programs that assist this most vulnerable population.

As the cost of living has increased, program support has decreased. RHDC currently has a waiting list of over 300 applicants who are residents of Riverhead town and who meet the basic economic criteria for participation in the RHDC program. Unfortunately, without the provision of the types of in kind assistance we have described above, RHDC's ability to address this need is seriously compromised.

In 1978 the Riverhead town board specifically created the RHDC as an instrumentality of Riverhead town. The RHDC program is overseen by an uncompensated all volunteer board comprised of community residents who are committed to helping Riverhead's citizens' access decent, safe and affordable housing.

As an instrumentality of the town, the RHDC is requesting no more assistance than would reasonably be expected by any other entity specifically created by the town to deliver services to the town's residents.

As RHDC board members, we feel that our request is both necessary and reasonable. The provision of this assistance will help ensure that the RHDC program remains effective, that office operations are

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adequate and that staffing and recruitment of future employees is not made unnecessarily difficult.

We have had several meetings with town board members and staff, over the last two years, and have complied with all requests for information and documentation. In April, we met with the town attorney to continue our pursuit of in kind support and to that end, once again submitted requested financial statements to the town.

In August, as a supplement to the negotiation, we offered to provide additional housing related services in coordination with the town's community development department. We have been told by town staff that the type of assistance that is being requested, does not need to be included in the budget process.

As RHDC board members, we do not know whether our request needs to be made as part of the budgeting process. However, we do know that this issue has been lingering for over two years and so we come before you today to reiterate the need and ask for your timely consideration of this request.

We intend to continue to pursue this issue and to work with each of you to ensure that this critical issue is fully addressed.

As you consider and discuss budgetary issues today, please keep our request in mind and help us to help you serve your most vulnerable constituents.

We look forward with highest hopes to your response in this regard.

Thank you."

Barbara Grattan: "Eric, can I have a copy of that, please?"

Eric Brown: "Absolutely. I have plenty."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Thank you. Kenny- thank you for the presentation."

Ken Labota: "Good afternoon, Members of the Board. I'm Ken Labota (phonetic) from Aquebogue.

Is this the right time for me to talk to you about your proposed raises?"

Supervisor Cardinale: "Yes."

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Ken Labota: "Okay. I have no problem with that. Originally when you people and the people before you came, got on the town board, it was as a part time position and you are making approximately \$35,000 a year right now.

But when I come in and out of town hall and also different things I'm involved with around town, I see you people all over the place, whether it's during the daytime or evening or even on weekends. And when you look at a \$20,000 increase a year, that's only \$100,000 for five of you. When you look at the cost of the overall budget, that \$100,000 is pocket change.

I think you deserve it and I hope you get it."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Yes, sir, please come up, and then the young lady right behind you."

Harry Carver: "Harry Carver, Robinson Parkway, Riverhead. And, this, I'm addressing the proposed 26.5% increase in salaries."

Supervisor Cardinale: "Thank you."

Harry Carver: "What I'm about to say has nothing to do with politics. It's all about ethics. As a sitting governing body, to vote themselves a generous pay raise or any pay raise for that matter, although legal under present law, is what I consider highly unethical.

In other words, in layman's terms, it's like- kind of like dirty pool.

The United States constitution 27th amendment and the New York State constitution Article 3, state and I'll paraphrase this, compensation cannot be increased or diminished during the governing body's present term.

I wish I had a job that I could just vote myself a raise. Not that I'm against a raise. You certainly might deserve a raise. But I have a hard time determining how the job rates a raise if I don't even know what the job it. I asked for a job description, I don't know what it was before or what it is now.

You all understood what the salary was before you ran. In fact, some of you blocked your party's endorsement of one of the sitting incumbents. You fought like cats and dogs for the job at \$35,000. And now you're asking for a raise.

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You say according to the News Review that the job has turned into a full time job and, in fact, 60 hours a week. Does that include appearing at photo ops and networking and (inaudible)? Certainly you don't expect the taxpayers to pay for that.

Again, I asked for a job description. No one in the town hall was able to come up with one at the time. If there is one, I'd like to have a copy of it so I can compare it to what the duties were five years ago as to what they are now.

Mr. Densieski said that— and stated in the newspaper, and I'm quoting the newspaper, that it dissuades qualified residents from— the salary dissuades qualified residents from running. I'd like to determine what the qualifications— what is required to be a Councilman because there is no job description.

Mr. Dunleavy says that the board's responsibilities include the supervision of the water and sewer districts. That's what the News Review quoted anyway. If the board runs the water and sewer districts, then what do the superintendents do? Why are we paying them a salary?

I thought that the board was just a governing body. That is not an added task. It's always been that way.

I do have a question I'd like to— maybe you can answer this question for me here. Why is it that Mr. Bartunek and Miss Blass make less than Mr. Dunleavy and Mr. Densieski? That's what was quoted in the paper."

Councilman Bartunek: "We don't just— we don't put the time that they do, that's all."

Councilwoman Blass: "Ouch."

Harry Carver: "What is it? Is there an answer?"

Supervisor Cardinale: "The statutory salaries, one of the raises was declined by Mrs. Blass and by Mr. Bartunek. So that's why them make the differential of about \$1,500 less."

Harry Carver: "So what we're looking at is because a Councilman has refused to accept a raise at some time in the past, not these two particular people, sometime in the past, that now you're all trying to catch up because people were nice and decided not to take the raises before. That's what that boils down to, I guess.

In summary, I'd just like to submit to the board that you set a policy for salary increases for this governing body similar to that which is good enough for the United States legislature, is's the

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constitution of the United States and the New York State constitutional provisions.

Not that I am trying to short anybody a raise, but it's certainly a blast with 26.5 to just go out and just vote yourself a 26.5 raise without an ethical study and doing something to straighten this whole scene out next time so that you're not voting yourself a raise every year. It should be— it should apply to people who sit— who get elected in the future. That's my suggestion.

I thank you. If you have any comments, I'd appreciate them."

Supervisor Cardinale: "Thank you. On your central point, I will comment that I believe that's a valid point, that a respected disinterested third party panel ought to study this issue and come up with recommendations.

One of the concerns of the board is that, and we've asked the Ethics Board to do that, they declined. The board has then asked for an accumulation of material from the town attorney and the town financial director but I think that a respected disinterested third party panel, there's no substitute for as you indicated.

Yes."

Roberta Morrisey: "My name is Roberta Morrisey. I'm a town employee as well as a resident of the town. I'm here on my lunch hour.

I have a couple of questions in reference to the raises. Does the town pay your health insurance?"

Supervisor Cardinale: "Yes."

Roberta Morrisey: "Is there any contribution by any of the council people?"

Supervisor Cardinale: "There is no contribution that— for us or for the employees as a matter of fact."

Roberta Morrisey: "On health insurance?"

Supervisor Cardinale: "That's correct."

Roberta Morrisey: "There is contribution for some employees for a certain period of time."

Supervisor Cardinale: "Yeah."

Roberta Morrisey: "Okay. Then after a certain period of time I believe— completed nine years, or eight years, you get sick time?"

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Supervisor Cardinale: "No."

Roberta Morrisey: "Vacation days?"

Supervisor Cardinale: "No."

Roberta Morrisey: "Okay. I'm here because as certainly as a taxpayer I see how hard you work and I do believe that you are entitled to a raise. However, as a town employee, while I do agree that you're entitled to a raise, I believe that the standard 5% cost of living increase across the board for the last, I believe 1975 was mentioned, from that date— is a little bit high only because the civil service employees have to my knowledge or at least as long as I've been working here, and that's just over 10 years, have never received a 5% cost of living increase.

Generally, it's always negotiated that we receive approximately 3%. That's generally not for a whole year time period. It's usually broken off. This contract is in nine months and then the last three months of the year.

I think that it ultimately comes down to where you decide to give you 5%, I certainly hope that when our contract comes up, that town employees also receive a 5% cost of living increase because I'm a resident of this town, I'm a homeowner, I pay taxes. I pay school taxes. My job requires that I live here and I love living here. But if I can't afford to live here that's going to create a problem for me in the future.

So I would just ask, I'm not diminishing what you do and the amount of time that you put in. I certainly ask that whatever you consider to give yourselves that it's fair and appropriate and that all the rest of the town employees be served as well. Thank you."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Just a clarification, George. The ascertaining of the increase that is being proposed— and I should point out incidentally that the reason the increase is proposed is that you must propose it in order to be eligible to consider it but it doesn't necessarily mean that the board is going to pick these numbers. It's just the highest number that you could select is the number that is put in the advertisement for this hearing. But it doesn't necessarily mean that it is going to be that number.

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But when you ascertain the increase of \$10,000, George, you indicated that you had taken cost of living. You didn't indicate 5%, did you?"

Councilman Bartunek: "No."

Supervisor Cardinale: "So I don't know where the 5% figure came from but could you describe how you came to the \$45,000 figure from the 35?"

Councilman Bartunek: "I think the value of the dollars is probably about five times less than what it was in 1975, we looked back at the numbers, Barbara, in 1975, I think is where we started from. And based upon that, if we took into account inflation over the last 30 years or whatever it is, the town board would be justified just keeping up with inflation, not in any wage increases or salary increases or anything like that, would be \$44,600- "

Supervisor Cardinale: "So your calculation was based upon the cost of living from the \$8,000 or whatever it was in '75--"

Councilman Bartunek: "\$8,800."

Supervisor Cardinale: "\$8,800-- to have the same earning power in 2006 at the cost of living increase alone."

Councilman Bartunek: "Yes, yes."

Supervisor Cardinale: "And I would point out that it wasn't 5% as indicated. You didn't just take a blanket 5%."

Councilman Bartunek: "That's correct."

Supervisor Cardinale: "I would also point out something that I've learned, the cost- in the employee contracts, the cost of living increase is negotiated but there is also stipends that go in addition to the cost of living. So I just wanted to clarify that point."

Any other further comment? Yes, come up, Matt."

Matt Hattoff: "Matt Hattoff. I just have a couple of questions. Is the salary for the captain of the police department still in the budget?"

Supervisor Cardinale: "Yes."

Matt Hattoff: "And jobs that we're not filling in transferring employees, we are following civil service law on that- "

Supervisor Cardinale: "Yes."

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Matt Hattoff: "-- as far as (inaudible)."

Supervisor Cardinale: "There are-- yes, we are, to answer your question."

Matt Hattoff: "Because if we're transferring employees, that means we're not filling spots that were vacated-- or jobs that were vacated by other employees. Are we using those jobs to offset salary increases for the town board?"

Supervisor Cardinale: "Are you talking about one of the resolutions that's on today?"

Matt Hattoff: "I heard something about a transfer-- "

Supervisor Cardinale: "We are transferring-- my understanding is and I've spoken to the-- it's not directly related to the budget to answer your question."

The-- it's not directly related to the budget, the transfer. But the transfer of an ACT, that would be an account clerk typist, from one department, I believe in this instance is was the recreation department over to planning where we need one, as I understand it, it's prerogative of the board under the contract, I discussed that with Mr. Zuckerman, our counsel, and that we are in compliance with all of the requirements.

But if we can't transfer ACT's from one department to the other when we need them, I would think that that would make-- "

Matt Hattoff: "Well, that's not-- not that this is the time to speak about that-- "

Supervisor Cardinale: "Yeah, and I'd be glad to talk to you about that but I did check that."

Matt Hattoff: "There's nothing saying you can't transfer an ACT from one desk to another to do the same work as an account clerk typist."

Supervisor Cardinale: "Right."

Matt Hattoff: "There are laws in civil service as far as seniority is concerned and who gets moved and how they get moved and I-- you might be taking a senior person that's not willing to move and moving them."

Supervisor Cardinale: "Right. And I-- this is not directly, again, I would like to discuss this with you, I know what you're talking about. It's one of the resolutions that's on."

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One- when I spoke with our counsel on that and if we're wrong, I'd like to know about it. He has indicated that if we need a senior person in another department, we can- we do not have to move the one with less seniority. We can move a senior person from one department- because she's very able to another department where we need a very able person."

Matt Hattoff: "Okay."

Supervisor Cardinale: "All right. But we can talk more about this, I'd be glad to."

Matt Hattoff: "Not that I was going there now. As long as we're not eliminating positions, I would hope that you all vote yes for these salary increases because they are definitely well earned."

And by all means, please don't abstain, vote yes and vote yes with pride. And take the raises. Thank you."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Did we have- next comment, anyone who would like to comment."

Sean Walter: "Sean Walter. I come to you as the Chairman of the Riverhead Conservative Party and normally I don't think the Conservative Party would come out in favor of your raises but I don't see them as necessarily a bad thing."

I think George Bartunek spoke eloquently about really all this is is keeping you up to date where you should have been should other town board members done what they should have done which is give you cost of living increases.

And I just, you know, there is no job description and you know what you do from being in charge of the police department, the chief of police as the town supervisor, not the chief, but the captain, to the water district, the sewer district, the planning- you know, all the different aspects of what you do. And I'm not going to go into that.

The issue is this, qualified candidate. The Conservative Party sits down every two years and we look for qualified candidates. And you know the problem is that when you're paying these people \$35,000 and \$84,000 a year, there's very few people that can afford to step away from their full time jobs and take over a position like this.

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And everyone of you have screened with the Conservative Party on more than one occasion and I think that it really is incumbent upon the board and it's incumbent upon the people of Riverhead that if they want to have the qualified leadership— they want people to step away from whatever they do for a living, you've got to pay them a decent wage.

And when you look back and figure out that in 1975 they made \$8,800 and their earning potential hasn't kept pace with that \$8,800 to today's date, fewer and fewer people come forward to screen.

In fact, the Republican party and I think the Democrats do this as well, they advertise in the newspaper to get people to come run for town board and that's really the issue where the rubber meets the road. I see a lot of professionals in this audience and yet maybe one or two of you maybe came to my office and screened to run for one of these positions and I'll be you one of the number one reasons is you can't go away from your full time job and work for \$35,000 a year or the supervisor to work for \$84,000 a year. It's just not feasible.

If you want quality, you have to pay for it. So the Conservative Party supports this. I hope you give it to yourselves and I hope you take the raises because all you're really doing is what should have been done from day one when you first started the job and took the cost of living increases as every civil service member has taken from the inception of civil service to today's date.

So good luck with that."

Supervisor Cardinale: "Thank you. Next comment, please. If there is any other comment on this particular public hearing. Yes, sir."

Hal Lindstrom: "Hal Lindstrom, Calverton. I want to know where the revenue is coming from to support these raises? Is there a sale at the EPCAL?"

Supervisor Cardinale: "The— I think— I understand your question. The revenue in effect for this and any other expenditure such as the North Fork Housing request and any other request that follows this in the public hearing would have to come from the tax levy because I think we have like a \$33 or \$35,000,000 budget and our tax levy is something like \$24 or \$24,000,000, so this would add another— actually is not 100, it would be more like 60, to that levy, \$60,000."

Hal Lindstrom: "Right. I feel that at this time, it's really not justified to take this type of raise, 26% raise, and I know it's been said that you haven't taken a raise in some time. But I think if

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it was phased in over time, say 3 to 5%, I don't think anybody would have any problem with that.

But at this time, with the issues that we have, like I said no sales from the Grumman property, no revenue coming in from that, we have the landfill looming in the future and that's right around the corner, and we don't even know what the cost of that is. And I don't think we paid off the \$40,000,000 bond that was bonded for that. Is that paid off now?"

Supervisor Cardinale: "No. We're paying- we're in the process of doing so but it is not paid off. We have debt service on that and other as you know debt."

Hal Lindstrom: "We're still paying on that?"

Supervisor Cardinale: "Sure."

Hal Lindstrom: "Right. I think the board should be looking at ways to cut taxes, not increase taxes. Our taxes are the highest in the country and any kind of a raise or hiring of new people, you know. I think the raise should go before the public. If there is a consensus sent out, some kind of a form to the public and they feel that it's justified and you deserve a raise, that's fine. But for the board to vote on the raise themselves, you know, it doesn't seem logical.

I mean, in the public sector when a company gives a raise, they evaluate their employee whether to give them a raise or not. The employee does not vote to get their raise. Thank you."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Okay, I want to- please come forward and do that and then somebody will follow him."

Harry Carver: "You stated that you had asked the Ethics Committee to review this subject and they refused. Is there any particular reason for that?"

Supervisor Cardinale: "Yeah, they declined. They thought it- the town attorney, Ann Marie Prudenti, Deputy town attorney, had asked and they, I think- correct me if I'm wrong, Ann Marie, their basic reason was that they wanted to limit their involvement as ethical review and this was a little off of that and we wanted to use them- we wanted to use them because they're respected within the community and they said yeah, and we're going to be well respected by avoiding

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getting involved in this basically. We'll continue to be well respected."

Harry Carver: "And one other question I have, not a question, just a comment. Everyone is trying to use this thing- is to get qualified people and someone to leave their job to come to this job. It's very difficult because of the salary. However, anyone who's trying to bring up a family today in this day and age, is not going to leave their job for a period of two to four years. There's no guarantee in this job. You guys know that. You can be in- okay. So I think that's even more of a driver than the salary. Thank you."

Supervisor Cardinale: "Thank you. Yes, come forward, sir."

Jack MacIntyre: "Jack MacIntyre, Calverton. Good afternoon."

Supervisor Cardinale: "Good afternoon."

Jack MacIntyre: "I read the articles in the paper and so forth and I just moved to the town probably five years ago, and it was incredible to me that the town board who handles multi-million dollars of contracts, of investigation of evaluation, is making \$35,000 a year."

It's just- so I did a little search on my computer and I came up with in 1999 Huntington town council was making \$45,000, that's eight- seven, eight years ago. Brookhaven town, in 1998, was making \$52,000 for each council person. In 2006 Babylon town, each person is making \$52,900.

Now people talk about they should be rated- you're not in a position to be rated. You are the managers of the town, you are the people who are going to or not going to do the job. You come in to the job because you want to help everyone, you want to help the town. People have to understand that.

You deserve a good salary, a decent salary. I personally think \$45,000 is not enough, bring yourselves up to \$53,000 which is equivalent to everyone else. What you're talking about, somebody mentioned \$40,000,000 landfill. You are the people responsible for that. And you're talking about giving these people, or keeping them at \$35,000 a year. It doesn't- it just doesn't wash. I'm sorry, but do you have figures for the latest- what your equivalent people are making in different townships in Suffolk County?"

Supervisor Cardinale: "Yes. We had hoped the Ethics Committee would do that but when they declined, Ann Marie, do you have those? All right. If I could let everyone else comment and then I'll have Ann Marie come up at the end and read into the record what she has found."

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Jack MacIntyre: "Okay. I'm kind of finished right now. Thank you."

Supervisor Cardinale: "Thank you. Is there any— yes, please come up Sal."

Sal Mastropolo: "Sal Mastropolo, Calverton. A lot of the speakers brought up some interesting points about the salaries and you're probably right in the salary that the job demands. However, you should be measured based upon your accomplishments as well."

We haven't had a town-wide reassessment and we're due one, so fiscally you're irresponsible in that area, all of you as a board. Okay?

I look at the budget and I listened to some of the work sessions and I hear about hiring traffic control officers for Main Street. Okay? Is that in the budget? And if so, why can't the town— the beat cop on Main Street write tickets? Okay? Or are we so narrow in our job descriptions, that the town— that the town cop can't write a ticket on Main Street?

We have a Supervisor, okay? We're paying your salary. We elected you. You brought in Trina; you brought in Chris Kent, you have a secretary. All of that comes under quote the Supervisor's office. Okay? It's probably around \$200,000 a year if you look at the total salary. Okay?

There's so many different things. Does the budget include a salary for the superintendent of sanitation? Okay? We're paying big bucks to a guy who used to run a landfill, who no longer runs a landfill. We have a fiasco with the dump. Where was he when the acreage was estimated for recapping? That should have been part of his responsibility. Okay? Have we looked at him and said, hey, he should be held responsible for the reclamation fiasco? I mean there's so many different things.

Your salary is low, I agree. You all ran for the job knowing what the salary was. Okay? Cost of living I don't have a problem with. It just seems ridiculous to take 25 and a half percent given the position that the town is in right now financially."

Supervisor Cardinale: "Thank you, Sal."

Sal Mastropolo: "You're welcome."

Councilman Dunleavy: "Can I just answer Sal one question?"

Supervisor Cardinale: "Sure."

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Councilman Dunleavy: "Sal, the traffic control officer. That's for the entire town, not just Main Street, and they're only part time positions. That's to help the handicapped people when they're trying to find a handicapped spot and there's people parked in the handicapped spots in the shopping centers that the handicapped person can't park in or parked in the fire zones in the shopping center, when someone has to walk around a car to get into the store. So it's not just for Main Street; it's for the entire town, mostly County Road 58 where all our shopping centers are."

Sal Mastropolo: "Why can't the beat cop do that as well?"

Councilman Dunleavy: "Because we don't have enough."

Sal Mastropolo: "Why do I need a cop riding down a farm road, okay, when the activity is on 58, 25 and Main Street? I don't need him riding up and down between Roanoke Avenue where it's farm on both sides. Okay? Put the town cops where the problems are, okay, where the handicapped spots are, okay. Let him roll in and out of the shopping centers, okay, and write tickets."

Supervisor Cardinale: "Thank you."

Councilman Bartunek: "Could I make one more, Sal, one more comment if you don't mind."

Somebody mentioned what the town board people make in Brookhaven which I think is around 52,5 or \$53,000 or something like that. Just the-

Sal Mastropolo: "Are they full time positions, George?"

(Inaudible comment)

Councilman Bartunek: "And on top of that, they-- each one of them has an assistant which I'll bet they all make more money, the assistants make more money than we do. Everyone of them has got an assistant."

Councilman Dunleavy: "They have two assistants."

Sal Mastropolo: "Okay. But are they full time positions? My understanding was that town council people in Riverhead are not full time positions."

Councilman Bartunek: "Maybe that's what's in writing somewhere, Sal, but I'll tell you it's not part time anymore. You can come in here any time of the day and you're going to find us, Sal, honestly. It's not part time."

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Sal Mastropolo: "There was also something on the work session about a town board coordinator, okay, a new position."

Councilman Bartunek: "No."

Councilwoman Blass: "That's a position- "

Supervisor Cardinale: "There was some suggestion, Sal, that Sue would move to another position. That's not happening in any event but it's- it would have been to refill her position not to create a new one."

Sal Mastropolo: "Okay."

Supervisor Cardinale: "Any other comments in regard to this? If not, would you come up, Ann Marie, and read into the record what you would like to and then perhaps-- you want to speak, Joan? Come on up, and then the final speaker will be Ann Marie."

Joan Griffin: "Good afternoon, Joan Griffin, Baiting Hollow. I just have a couple of statements to make. In the private world where we work out there, there's management and non-management which is elected officials and employees which comes down to salaried employees and non-salaried employees.

As a retired manager from the phone company, my hours were increased from 35 hours to 40 hours one year, you know, for the balance of the term I worked. We didn't get a pay raise for that. We actually took a pay cut when the hours went up to 40 hours a week.

We're on committees also that take up our time outside of work. We don't get stipends or pay increases for that. We also don't get overtime. If you can't accomplish your job in 40 hours, you're asked to do your job in whatever hours it takes. If it takes you 60 hours, it takes you 60 hours. Yes, we brought materials home to work on, to read the new technologies going on because you can't do everything at work because of interruptions that happen with the phone, with the mail, people coming in and out of your office.

So yes we did take work home, periodicals, learning materials, educational stuff, nothing that concerns any of our customers that if it was stolen would make an indent on personal lives. So we had to educate ourselves at work and at home.

Raises, I can understand raises, the COLA raises, I believe COLA is 3.8 this year, cost of living."

Supervisor Cardinale: "That's correct."

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Joan Griffin: "I can understand getting the COLA raise and up to 2% raises, that's how the phone company worked it with their management and non-management. You got cost of living and a certain percent more, nothing more, nothing less than that."

I understand the council gave a part of their job to the planning board to do instead of the town board doing it."

Supervisor Cardinale: "We're considering that. That hasn't been done yet. We're having a public hearing I think on that in the next few weeks."

Joan Griffin: "Okay. So you're getting rid of part of your jobs in another department and I understand your getting raises to supplement the extra work you're taking in. And that's fine. But you're losing work and asking for a raise."

I understand that you do work hard, that you do do a lot of committee work. The job is part time but maybe it should be made full time. Maybe a referendum should be out there or just declare the job full time and start everybody at \$50,000 and take it from there."

I also understand that- I'm sorry, I lost my train of thought, that I know the first resolution this year was for salary increases and Mr. Dunleavy was just elected and went into office January 1st and here it is January 17th and he voted himself a raise. I just don't get it. You ran on a certain platform, you knew the salaries, and you're asking for raises 17 days into your term."

If you're going to vote for a raise, like the gentleman earlier said, it's in the constitution, you can vote for it, but it's for the next person getting it, you know, into the position. And the people that are coming after you, why should they be starting at these- whether good, bad or indifferent salaries, why aren't they going back to the base salary?"

In the phone company, when somebody left a position because they got transferred, promoted or whatever the reason, the person filling their job started out, if it was a new higher, at the base pay."

Thank you very much."

Supervisor Cardinale: "Thank you. And I'd like- I'd like to move forward because we have seven more hearings, but I don't want to cut anybody off. So I thought the next and last would be Ann Marie, but if there's another comment, please make that."

Sal Mastropolo: "Would you leave it open for written comment for a week?"

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Supervisor Cardinale: "Yes, I will."

Sal Mastropolo: "Thank you."

Supervisor Cardinale: "And, Madelyn, if you want to comment as an employee, come on up, or as a public minded citizen, whatever way you're making it."

Madelyn Sendlewski: "Madelyn Sendlewski. I'm a resident of the town of Riverhead as well as serving this town as an elected official in the capacity of town assessor."

I just wanted to state, maybe just give you some factual information, that when you're basing a salary increase for a council member or a supervisor, it's very difficult to compare it to other towns.

Somebody mentioned Brookhaven and the salaries in Brookhaven. I would like to say to you that Brookhaven has 186,000 parcels. Another town that was mentioned had 70,000 parcels. We have 16,200 parcels. So it's really not a fair comp if you want to look at it that way.

I also wanted to take a moment to comment that we have several, several non-supervisory, non-managerial employees. The highest one that I know of is at \$84,000 a year. These are clerical positions. \$78,000, \$65,000, \$61,000. We will talk on this further tomorrow I hope.

What I want to say though is that I think basically a raise given to any employee is based on merit, job productivity and what you're doing for myself and the townspeople in the town of Riverhead and I feel in my heart that you are doing your best.

I think you deserve the raises. I hope you take them and I hope also that you remember what I stated about other raises at this time tomorrow.

Thank you."

Supervisor Cardinale: "Thank you. Ann Marie, please come up and indicate what you—the results of whatever research you've done."

Ann Marie Prudenti: "Supervisor, Members of the Board and the public. I've been asked to research the salaries of municipalities on the east end. These salaries are for 2006 and please note as far as the budgets, they are approximate budgets."

For the town of Brookhaven, the supervisor earns \$107,500. The town council members of which there are six, earn \$64,850. The total

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budget for the town of Brookhaven and, again, this is 2006, is \$150,000,000.

The town of East Hampton, 2006, the supervisor earned \$89,340.00. The town council, there are four, earned \$55,837.00. The total budget is \$31,000,000 for the town of East Hampton in 2006.

The town of Southampton, the supervisor earned \$101,950. Town council, \$55,000. Total budget, \$20,000,000.

The town of Southold, the supervisor earned \$85,905. The town council members earned \$30,000 and the total budget was \$22,000,000.

Our total budget is approximately \$33,000,000.

Supervisor Cardinale: "Thank you. All right. I'd like to leave this open, this hearing, for further written comment for- through one week from today which will be November 15th and I would encourage people to comment as they see fit.

We will have to make a decision on the final budget not later than November 20th. The next town board meeting is November 21st, so we'll probably have to have a special to make our final decision on the budget.

I thank everyone for participating and thank you, Ann Marie."

Public hearing left open for written
comment to November 15, 2006

Public hearing opened: 2:55 p.m.

Supervisor Cardinale: "I'd like to move to the 2:05 hearing which is for the consideration of a proposed local law to amend Chapter 108 allowance for inclusion of regionally significant projects.

Would you introduce that, please, Dawn? Tell us what the essence of this is. And I'd like to take comment from anyone that has a comment to make."

Dawn Thomas: "Yes. This is a proposed local law which would amend Chapter 108 Section 207 of the Riverhead town code to include in our empire zone program two regionally significant projects."

Councilman Dunleavy: "They can't hear you."

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Dawn Thomas: "Okay, is it on? This would amend our town code to include two regionally significant projects in the town- in the empire zone program which is in Chapter 108-207 of the town code.

The regionally significant projects are to be considered are Telephonics Corporation located at 789 Park Avenue, Huntington, New York, and US Web, Inc. located at 780 Park Avenue, Huntington, New York."

Supervisor Cardinale: "Okay. If there is any public comment on this, I'd like to take it now. It's 2:55, the hearing is open.

This, I think, is a technical requirement to have this hearing so I can appreciate why there might not be comment. If there is not, I'd like to note that the hearing is concluded at 2:56."

Public hearing closed: 2:56 p.m.

Supervisor Cardinale: "And move to the next scheduled for 2:10."

Councilwoman Blass: "Before you do that, I think Dawn--"

Dawn Thomas: "Time requirements mandate that we adopt this resolution today so I have an off the floor- "

Supervisor Cardinale: "Thank you. I'm being advised that we would be anticipating the adoption of this technical resolution today to accommodate the EDZ I guess it is."

Dawn Thomas: "Yes."

Supervisor Cardinale: "And so as I would usually keep it open I cannot do that so I would like to close the public hearing both for written and verbal comment at this time, it being 2:56."

Public hearing closed: 2:56 p.m.

Public hearing opened: 2:56 p.m.

Supervisor Cardinale: "And move to the next hearing which is scheduled for 2:10 p.m. which is for the consideration of a proposed local law to amend Chapter 108, handicapped permit fees. Could you tell us the essence of what this is about?"

Dawn Thomas: "Sure, just give me one second."

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Supervisor Cardinale: "Oh, yeah, Ed is on the handicapped committee as liaison for the town board. Please take it, Ed."

Councilman Densieski: "Thank you. This was brought up by the handicapped committee and Leroy Barnes, the building department, and Dawn from the town attorney's office and it's a reduction in fee for people that want to put handicapped ramps and other associated handicapped facilities on their residence."

Supervisor Cardinale: "Okay. I remember discussing this at work session. Okay, so this is an accommodation to the handicapped for ramps and related material-related improvements that are necessitated by their handicap."

Any public comment in regard to this I will take now. If there is no public comment, I will note that fact and indicate, it was held, the hearing today at 3:56- 2:56 and concluded at 2:57."

Public hearing closed: 2:57 p.m.

Public hearing opened: 2:57 p.m.

Supervisor Cardinale: "And move to the scheduled hearing scheduled for 2:15. It now being as noted 2:57, we will begin the hearing for the extension of the water district to be known as Extension 71 Country Trail Subdivision."

And I'm noting now from my notes that this is going to be rescheduled- is that correct? It indicates that the expert for the engineering firm is not available so we're going- I think what I'm going to do is open this hearing and I don't know if I can adjourn it and save them the trouble of rescheduling."

Dawn Thomas: "Unless people are here or they watch, they don't get notice of the adjourned date--"

Supervisor Cardinale: "Okay, so you think then it better to just reschedule it- re-note it. Okay, so we're going to withdraw this hearing as if it were not on the schedule and it will be rescheduled with proper notice hereafter."

Supervisor Cardinale: "The 2:20 hearing- it being 2:58 is available for calling and we're going to call it."

Public hearing opened: 2:58 p.m.

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Supervisor Cardinale: "This is for the development of the town of Riverhead's community block grant applications for fiscal year 2007.

And I believe we have a certain number of individuals here that are going to make applications to the board for the use of these funds or for the allocation of these funds.

So I'd like to invite those comments now. Would you please come up."

Jim Cahill: "Good afternoon. My name is Jim Cahill and I am the president of the Bread and More Soup Kitchen.

I'd like to thank the town board and Andrea Lohneiss the director of Community Development, for their time this afternoon as well as their ongoing support of our effort to feed the hungry here in Riverhead.

Bread and More was founded back in 1990 by a group of concerned citizens and members of the First Congregational Church of Riverhead. Initially only lunch was served one day a week and within the first year, the meal was changed to a Wednesday evening meal and an agreement was reached to become an affiliate of the Interfaith Nutrition Network.

In October, 1997, Bread and More Inn added a Monday night dinner and in September, 2003, we added Thursday evening. So we are now serving dinner three nights a week from 5:30 to 6:30 at the First Congregational Church.

Last year we served over 15,000 meals and this year to date we have served over 17,000 meals. I am sure you are all aware how difficult it is for many of our neighbors to manage in this difficult economy. Bread and More provides a free, nutritious hot dinner to anyone in need. The hungry people who come to dinner are men and women, families with children and infants. They are the elderly and frail. Some are migrant workers and some are mentally or physically handicapped. Others are temporarily unable to make ends meet.

And all who come for dinner are served with no questions asked. All our guests are in need of the food we provide and they are grateful for the help they receive. For some this is their only hot meal of the day.

I would like to suggest to the board members that they might stop by the soup kitchen some evening and lend a hand in order to see who are the people that are in need here in our town.

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Bread and More is an all volunteer organization. No one is paid for their services nor is any member reimbursed for expenses. None of what we could do could happen with our more than 50 volunteers. We have already been informed by the county Executive, he has slated zero funding in his 2007 budget for Bread and More.

As you consider the 2007 allotments for the Community Development Block grant, we hope you will continue to be as generous and supportive as you have been in the past and help us make up some of the shortfall I just mentioned.

As you can see, the numbers of hungry people are increasing and the amount of other grant funding available to feed them is decreasing.

As we enter the 17th year of service to those who are hungry, we have become more dependent on Community Development Block grant funding. Without this funding, Bread and More could be faced with a difficult decision of having to reduce the amount or quality of food we prepare for our guests or even consider closing on one of the evenings we currently serve dinner.

Your generosity greatly helps us provide a steady source of food and hope for the men, women and children who are in need in the town of Riverhead.

On behalf of our guests and volunteers, thank you for taking the time this afternoon to listen to my plea and I hope Bread and More will receive a positive response from the board."

Supervisor Cardinale: "Thank you. Could you tell us what the funding was this year from the town?"

Jim Cahill: "Thirty six hundred dollars."

Supervisor Cardinale: "And I want to point out, Jim, that I noticed that not only Bread and More which I know is doing very good things downtown, but other organizations were cut by the county and I did write to Mr. Levy and asked him to restore these funds and they're going through the same process as you know we are now between the tentative and the final budget so I'll do my best to- "

Jim Cahill: "He cut almost \$6,000,000- "

Supervisor Cardinale: "I know he did, yeah."

Jim Cahill: "-- to balance his budget."

Supervisor Cardinale: "Yeah."

Jim Cahill: "It's unlikely we're going to see it back."

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Supervisor Cardinale: "Well, hope springs eternal as they say."

Jim Cahill: Yes."

Supervisor Cardinale: "Thank you."

Jim Cahill: "As it is this afternoon."

Supervisor Cardinale: "Andrea, would you come forth— Andrea, I wanted to have you speak before the applicants, but, I wanted you to tell them what you can about the constraints under which we receive this federal grant money, what portion of it is available to the applicants and how that relates to last year."

Andrea Lohneiss: "Okay, Andrea Lohneiss, Community Development Director."

The town of Riverhead is the recipient of federal funds from the Department of Housing and Community Development under the community development block grant program. Eligible projects include public service programs, public facilities and housing rehabilitation.

In the public services category, total amount of funds allocated may not exceed 15% of the total anticipated grant funds of \$165,000 or \$24,750.

This year for the first time we have been notified that no grant may be made for less than \$5,000 in this category. Therefore, of the 10 public service agencies funded in 2006, and I believe they're all here today, only four will be able to funded in 2007.

I would suggest also that we would accept requests until perhaps next Friday, the 17th in order for the town board to consider all requests before the deadline of December 1st."

Supervisor Cardinale: "So what— how does 24,750 allocatable this year compare to— "

Andrea Lohneiss: "Last year it was about a thousand dollars more in that category."

Supervisor Cardinale: "So that's what I recall, 26 last year which we could divvy up as we saw appropriate to acknowledge the good work of at least 10 groups. Now we're constrained by the federal rules to now allow any less than 5,000 to any one group. So if I tossed in another 250, could we give 5,000 to give groups?"

Andrea Lohneiss: "You could do that. Yes."

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Supervisor Cardinale: "All right, well let's do that. So that's the reality. And is there anything else you wanted to say?"

Andrea Lohneiss: "No."

Supervisor Cardinale: "Could we have the next applicant, please? Thank you. If you get it up here, I'll grab it and we'll have it when you get up to the microphone. Thank you, Shirley. Yes, please come forth."

Zona Stroy: "Good afternoon. I'm Zona Stroy and I'm here with Open Arms Care Center with Shirley Coverdale who is handling the project Care Side. I'll give you just a second to get those."

Supervisor Cardinale: "Thank you."

Zona Stroy: "I'd like to just read into the record our cover letter and then we'll cover some things in the attached pages."

Dear Councilmembers: Open Arms Care Center in collaboration with Project C.A.R.E. which stands for Community Access to Riverhead E-health, is seeking a community development grant from the town of Riverhead in the amount of \$6,000 for the 2007 fiscal year. If approved, this funding request will help our agencies to continue providing vital services to working poor, indigent families and senior citizens in the Riverhead community.

For several years, Open Arms Care Center has operated an emergency food pantry and a soup kitchen which have provided nearly 13,000 meals annually to Riverhead's neediest citizens. Project C.A.R.E. is a collaborative community health initiative of the First Baptist Church of Riverhead, Stony Brook University, United Comprehensive Care clinic, the Peconic Bay Medical Center and the Federation of Organizations.

Since January, 2006, project C.A.R.E. has provided free health screenings to homebound seniors, food pantry and soup kitchen clients, and seniors who frequent Riverhead town's senior nutrition site.

In the face of proposed budget cuts at the county level, your support is crucial to the achievement of our vision. With your assistance and working together, our agencies will be able to continue to reach out to our community's most fragile and neediest families.

Toward this end, we are submitting the attached proposal which provides more in depth information on our specific programs as well as budget information which shows how the requested funds will be utilized.

We appreciate your consideration of our request and look forward to your support."

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Supervisor Cardinale: "Thank you."

Zorna Stroy: "What's attached is just a cover sheet that says we'll be talking about the food pantry, the soup kitchen, and project C.A.R.E. Because the food pantry and the soup kitchen were funded separately last year from project C.A.R.E., we thought it made sense since we operate next store to one another and since Open Arms initial mission was not only the food pantry and the soup kitchen, but advocacy and screening-- health screening were to put them together in this proposal for this year.

The page that follows just outlines some of the history of First Baptist and community outreach over the last years in Riverhead.

So without saying much about the soup kitchen except that it operates daily Monday through Friday for lunch for nutritious meals. It operates at the same location as Bread and More and we pay rent there to run the soup kitchen for lunch.

The food pantry is housed at First Baptist Church and the space there is given to us by the church so we work closely with Jim Cahill and the First Congregation Church to just make sure that we cover the basics for feeding Riverhead's neediest citizens.

So I won't say any more about the food pantry and the soup kitchen except to say the last page, Exhibit 1, outlines the number of people that have been served this year and some additional demographics about that community."

Supervisor Cardinale: "Thank you."

Zona Stroy: "So if you have any questions about the pantry or the soup kitchen, I'd be happy to answer them. I'm a relatively new chair but I think I pretty well figured out what we're doing now."

Councilman Bartunek: "Barbara, did you have a question?"

Councilwoman Blass: "Yes. I'm curious about something. In that you operate out of that same location, do you collaborate on food purchases?"

Zona Stroy: "No, we haven't so far."

Councilwoman Blass: "Do the rules allow you to do that? No?"

Zona Stroy: "I don't know that there are any rules that would keep us from doing that. I know that Jim gets funding from the-- is it Interfaith-- and I don't know their rules. We get most of our funding from donations and from food banks. So there may be an opportunity."

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Councilwoman Blass: "Usually there's- "

Zona Stroy: "There may be some opportunity there that we may need to- "

Councilwoman Blass: "I was just inquiring. Thank you."

Zona Stroy: "Okay, if you don't have any other questions on the food pantry, on the soup kitchen, I'd just like Mrs. Coverdale to spend a few minutes of project C.A.R.E. because that's the newest initiative and perhaps we haven't given you as much detail on that in the past."

Shirley Coverdale: "My name is Shirley Coverdale and I'm the director of project C.A.R.E. Good afternoon Council members, thank you for this opportunity to spend a few moments giving you information about this project which has been operating over the last year or so.

It is a collaborative effort as has been stated between First Baptist Church, Stony Brook University School of Medical Technology and Management, United Comprehensive Care Clinic, Peconic Bay Medical Center formerly known as Central Suffolk Hospital, and the Federation of Organizations.

That's a lot of people coming together to provide cutting edge medical technology in a community setting. It's a fact that there are health disparities which primarily affect the minority community and those who are economically disadvantaged. And what this project does is make available to our most fragile citizens including senior citizens at the town's senior nutrition site in Aquebogue free health screening.

And what we're proposing to do is to work in conjunction as we have been doing unofficially with Open Arms C.A.R.E. Center. We have a corps of volunteer workers from the community who are known as senior companions who act as lay health advisors and they provide friendly visitation to homebound seniors and they also visit the senior nutrition center, the soup kitchen on Wednesdays, the food pantries every Monday, Thursday and Friday and so they are operating five days a week out of pocket to provide services to their neighbors and other people in the community.

What we're asking for is that in the course of doing health screenings, we consume many supplies such as lancets and test strips. We have empowered community residents to know their numbers. This has been an educational campaign which not only provides health screenings but it enables a person to know what their health screening numbers mean.

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As such, people are now armed with knowing what is a high blood pressure reading, what is a high blood glucose reading, what their weight means in relation to their height, whether they are in fact are in a normal weight range or they're obese and need to have this attended to.

The project also takes the health screening data and sends it over a secure website to a participating physician so the clinical community gets involved in this.

The senior companions have had to replenish their supply of primarily blood glucose testing supplies at their own expense. They've also had to buy equipment to hold their files and carry the heavy equipment around.

They're traveled as I said to people's homes and to at least three sites on an ongoing basis. They've conducted several health fairs and so on.

In order to continue to do this as again we also have been slated for zero dollars from the county in county Executive Levy's budget, we need your help. And so to make this program more self-sustaining we would hope that you would consider our funding request.

Thank you."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "May we hear from the next applicant, please?"

Christina Profani: "Good afternoon, I'm Christina Profani. I'm the executive director for Alternatives Counseling Services.

I'd first like to start by thanking you for your support over the years our efforts to work within the Riverhead community.

Alternatives Counseling Services is a state licensed private non-profit community based agency which has provided out patient substance abuse treatment and prevention in Riverhead since 1977 and on the east end since 1969.

We offer affordable, accessible and professional counseling as well as community consultation, crisis intervention, educational workshops and prevention programs for local schools in the community.

Since its establishment, Alternatives has been an active participant in addressing many health and human services needs of

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Riverhead through our own resources and in cooperation with other community groups.

Over the past several years, you have been very generous in supporting our Hispanic services program. And this year we're coming back to ask you to continue that support. However, we're also adding two other what I call hard to reach populations who are often left out of the service provision scope.

They don't get on the radar because for many of them they have been marginalized and out of the social services system. Those two populations are the homeless and also working with teenagers and their families who often don't come to services because they're part of the uninsured or the underinsured.

All of these populations are at risk for substance abuse and they are at risk for other things. The portion of what your funds have done in the past is to assist us in reaching out to those populations and offering services and meeting them where they're at and bringing them into service.

I think that extra effort needs to often be made. Many years ago when I worked at the University of Medicine and Dentistry, approximately 20 years ago, we found out something about poor people who were coming in for HIV services. If we called them up the day before they came in, all of a sudden their appointments were kept. And so the issue of the poor not keeping their appointments or not being able to or not caring was dispelled. They responded to the same things that all of us respond to. I know I go for my appointments when I'm called.

So what does this mean in terms of what I'm asking you for? Often it's your money that assists us in going out to these populations and making that extra effort to bring them into service.

And I think that the model that we've developed which we're trying to expand this year with the initiating of our program into working with the shelters and faith based congregations who are working to over night sheltering of people and also the families, is that we are working with a program which says if we work with the individual we can be effective. If we work with the individual and some network around the individual we can be more effective.

And so I know that you have many things on your plate to consider and it's unfortunate that the funding is so low, so I ask you to consider us. I don't know that I say that we're any better than any other group that's coming up here today. I think that probably everything is deserving and I leave this to your good judgment.

Thank you."

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Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Thank you."

Tom Goodhue: "Hi. I'm Tom Goodhue (phonetic), the executive director of the Long Island Council of Churches. I'll try not to repeat the stuff that we submitted in our application earlier. First off I want to thank you for the grant that we received this year for help with our Riverhead emergency food services and other social services.

We've been operating in Riverhead for something like 85 years now and the gap grows every year between the needs in the community and the resources to address them. So even small grants are very much appreciated.

We've managed I suppose in the last year to have some good news in that we've managed to raise funds to provide vastly more help to people with prescription assistance and eyeglass assistance than we've ever done before and we've significantly increased the amount of funding that we could provide to people for help with emergency rents so that they did not become homeless or utility assistance so they didn't have their utilities cut off.

What's really hard for us these days to keep up with is the growing number of working families who still can't make ends meet who come to us for emergency food and the growing number of senior citizens who've worked hard their whole lives often never asked for help before and now they've got to ask for food because they just can't pay for their prescriptions either.

This past month we fed 872 people in Riverhead. Most of those we tried to give three days worth of food to. That's twice the numbers we did here only just a couple years ago. One morning in less than an hour and a half we provided emergency food to 25 families. It's almost an overwhelmingly number of people. It's tough to keep up with that.

Any help you can give us would be greatly appreciated. Thanks."

Councilman Dunleavy: "Thank you."

Pat Snyder: "Hi. I'm Pat Snyder, Executive Director of the East End Arts Council. The East End Arts Council is a non-profit organization. We're located in downtown Riverhead on Main Street.

We're thrilled to be in the process of developing- constructing a carriage house, the renovation of the carriage house that will be open to the public and we have been working hard to make this a reality. In

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fact, the Arts Council has raised \$325,000 towards that project and we anticipate it being completed in summer, 2007.

What we're asking for is Community Development Block Grant funds to support unanticipated expenses as we put out the bid now and we're looking forward to a positive response, low bids, but we're concerned with the shortfall for that construction project.

So we are submitting a request for funds for construction. Thank you."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Felecia Scacozza: "My name is Felecia Scacozza. I'm from Riverhead Community Awareness Program, a non-profit community based drug and alcohol prevention program in the town of Riverhead. I did submit my proposal prior to the meeting.

Since 1982 CAP has been the major provider of preventions programs for the town of Riverhead and Riverhead Central School District. And we're very grateful for the support you've provided us in the past.

Specifically we're requesting funds to help assist with our bi-lingual social worker at Roanoke Avenue Elementary School. Specifically again some of the characteristics that put this population at risk at Roanoke is that according to the 2005/2006 basic educational data survey, 64% of the students in Roanoke Avenue school receive free or reduced lunch compared to 30% for the district overall and that's a 28% increase over the previous year. Fifty-five percent of the students at Roanoke belong to a minority group compared to 39% of the district overall and the main source of income for 61 to 70% of the students in Roanoke Avenue School, their main source of income is public welfare compared to 24 to 33% for the district overall.

We, again, are grateful for the support you've provided in the past and the funds that we have received in the past from Community Development Block grants have been used to serve the neediest student. Thank you."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you. Wally."

Wally Broge: "Good afternoon. My name is Wally Broge (phonetic). I'm the director of the Suffolk County Historical Society. We're located at 300 West Main Street in Riverhead. I'm requesting support for the renovation and repair for the front stairs,

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platform and wrought iron railings that lead to the entrance of the museum. In addition to plan to install a handicapped lift. Our building is currently not handicapped accessible.

The cement that holds the stairs and platform together is deteriorating badly and in need of repair. The wrought iron railings are badly rusted and loose in many places. We're very concerned that this is getting ready to become an unsafe situation and I've included some photographs with the proposal I've left today with Andrea Lohneiss.

In addition, our building is not handicapped accessible. The cost of the project is \$75,000.

As for background information about the Historical Society, I would like to say that we were founded in 1886 here in Riverhead with the purposes of collecting, preserving and interpreting the history of Suffolk County. We operate a museum, a research library and a department of education. We're a private not-for-profit, although we are an authorized agency of Suffolk County, we received some funds under the term of an annual contract for operations but not for capital repairs and we are not part of the county's capital budget.

Our building is listed on the— as a historic structure here in Riverhead town and we're on the National Register of Historic Places. And, in fact, while I was sitting in the audience, I noticed that our building is in one of these paintings here on the wall which is nice.

We're a first time applicant for funds of this type. As I mentioned before, I dropped off a proposal with Andrea before for your consideration and I appreciate the opportunity to come here today. Thank you.

If you have any questions, I'd be happy to answer them."

Supervisor Cardinale: "Thank you, Wally."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Is there any further applicant present, please come up."

Barbara Kijowski: "Good afternoon. I'm Barbara Kijowski from the Dominican Sisters Family Health Service.

What you are receiving now has all the dry statistics and figures as to what we do and how many hours and how many trips and how many people and all of that but I thought I'd put a human face on what we do.

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Our agency tries to fill the gaps that the other agencies can't possibly cover. Senior citizens can serve anybody over 60 but transportation under 60 to doctor's visits is very difficult. Also out of town visits is very difficult for Riverhead seniors. We take people— also radiation is five days a week, dialysis is three times a week, four hours each session. It's very difficult for the transportation department in the seniors to be able to accommodate that so they call me. And we have volunteers that use their own car and their own gas money, especially when gas was over \$3.00 a gallon this past winter, and they take their time and take the people to the doctors, to the various medical appointments that they have to go.

I had a lady up in Thurms, I got a call, she was in here 90's when she was diagnosed with cancer and they said she needed eight weeks of daily radiation. I went oh my God, this is not going to happen. I called her and she was just— she has no family, her husband died, they never had children, they were married for 60 some years. She went every day to visit him in Riverhead nursing home taking the bus from Thurms, and I said don't worry, we'll get you up there.

And the people in Riverhead that used their own cars and took her under their wing and got her to her radiation therapy every day, through the snow, through the rain whatever, they got her through this. They got her through her operation, they got her through her chemo, and she's back jumping rope for exercise. If you could see this lady, she is just amazing. She walks better than I do. She helps the people across the street when it's garbage day. She goes and takes 'quote' old people's garbage out for them because their too sick and elderly and she's 95 now. She is an inspiration.

We have another lady that we are taking from Riverhead to chemo and radiation at the present moment and everybody has taken her under their wing. We will get her through this.

Right now I'm spending my time putting our Thanksgiving dinner list together. We do 250 dinners to people like this that don't get Meals on Wheels, the churches do give turkeys out but these are people that couldn't possibly lift a turkey into the oven or make a full Thanksgiving dinner.

So what we do is I borrow the Moose Lodge, they have a great big professional kitchen. The Riverhead school children are decorating 250 beer trays, you know the cardboard beer trays, and we'll cook and deliver 250 Thanksgiving dinners to the people that are stuck in the houses, can't get out to go to have a dinner, or can't possibly cook a dinner for themselves and don't receive— a lot of them are underage, they can't receive Meals on Wheels.

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We have a lot of sick women or even men that are under 60 that need this type of meal and I think they like the decorated boxes that the kids do just as much as they like the dinners.

So anything that you can give to us, we certainly appreciate what we have received in the past and, of course, we're always looking for more. So thank you very much."

Supervisor Cardinale: "Thank you. Is there any other individual who would like to make an application to the board? If not, I will close the verbal portion of the testimony at 3:30.

Andrea, are you here? Do you want me to leave it open for written or is it traditionally closed at this point?"

Andrea Lohneiss: "No, I think you should leave it open for a week or so."

Supervisor Cardinale: "Okay. I'd like to leave this open then for one week from today, 5:00 p.m. on the 15th for any further written applications from anyone.

Thank you, Andrea. Thank you to the applicants."

Public hearing left open for written
comment to November 15, 2006 at 5:00 p.m.

Public hearing opened: 3:30 p.m.

Supervisor Cardinale: "We're going to move now to the 2:30 scheduled hearing which is for consideration of a proposed local law to amend Chapter 13 appearance tickets, Section 3-1 entitled Authorizes Issuing Agents.

I believe that this will add our senior investigator for the safe housing initiative recently hired to the list of authorizes issuing officers. Correct?"

Dawn Thomas: "That's correct. Yes."

Supervisor Cardinale: "Okay. Is there anyone who would like to be heard on this? Okay. Since there is no one, I will note that it opened at 3:30 and closed at 3:32 to allow us to— and I'll leave it open again for one week for further written— okay, this is one— another that we anticipate action on tonight or possibly tomorrow so I'm going to close it for both purposes of verbal and written testimony."

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Public hearing closed: 3:32 p.m.

Public hearing opened: 3:32 p.m.

Supervisor Cardinale: "And open the hearing that is scheduled for 2:35 for- at this time, it being 3:37- no, 3:32.

The proposed hearing is to consider a special permit petition which we've heard once before but which has had some proposed amendments which would allow the expansion of a non-conforming restaurant use for a catered facility in this instance 9320 square feet on property located at Manor Lane in Jamesport.

Counsel is present, proceed please. And you need to be sworn in apparently."

Dawn Thomas: "Do you swear that the testimony you about to give to be the truth, the whole truth and nothing but the truth, so help you God?"

Peter Danowski: "I do. Pete Danowski, the McVeighs are present in the room today as are the Kars, I believe Gail Kar may wish to say a few words even though she keeps claiming she's nervous and not a good public speaker.

As you know, we've had a public hearing already on the special permit application. We've been anxiously awaiting the board's vote on this matter. The planning board had this matter before them as a referral from this board. They recommended the issuance and approval of the special use permit.

The Suffolk County Planning Commission had this matter referred to them and referred this matter back as a matter of local determination.

While we waited for this board to vote we did produce and submit to the town board a further conceptual site plan for your consideration, sort of a visual aid as to some of the comments that we may have heard from either the public or the board members. And as a result, we've eliminated the four proposed cottages. We've taken the two separate buildings that totaled 290 seats and reduced the number of seats to 200 and took those two buildings and added them together and melded them into the existing restaurant.

So there would be only one structure on the property except for the remaining existing garage structure which we'd like to keep for

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some sort of historical significance and tie into the Jamesport Manor Inn.

As you know, we're attempting to as quickly as we can replicate the Jamesport Manor Inn which rather tragically burned to the ground. The Kars have gone through a lot in trying to reproduce the Manor and we're looking for this board and the public's total support for the project either as the plan was originally conceptually designed or as modified in the second plan that's been submitted to you.

So without belaboring the point and continuing to go over some of the same points, I would ask for public comment and I would ask if Gail Kar could step to the microphone perhaps to begin the public comment."

Supervisor Cardinale: "Sure. Yeah. Pete, if I understood what you said, the initial proposal for a- I guess what we're considering here is a special permit for expansion of a non-conforming use.

Initially it was 260 did you say seats?"

Peter Danowski: "It was 290 on the last application you had before us, with two separate buildings composing the 290 seats. Now there's an addition to the existing structure with an addition of 290 seats so it's a subtraction of 90 seats from the last plan--"

Supervisor Cardinale: "I believe the square footage of the two structures was 11,000 and change?"

Peter Danowski: "Right. The plan itself calls for and my cover letter spelled it out as to the difference in square footage. We talked about 13,840 and now it's 11,085."

Supervisor Cardinale: "I thought you just said 9320."

Peter Danowski: "I think you're talking about the total. You were talking about the additional to the existing building. That's the reason you advertised it with a 9,000 square foot- "

Supervisor Cardinale: "All right. So it's- to the existing building which is what, the garage?"

Peter Danowski: "No. It's the existing restaurant."

Supervisor Cardinale: "The existing restaurant is being built. Reconstruct the restaurant was 2,800 square feet, correct?"

Peter Danowski: "Yes. It's 2,816."

Supervisor Cardinale: "And so that 2,815 plus 9,320 is what's presently being suggested?"

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Peter Danowski: "That's correct."

Supervisor Cardinale: "And the previous one was what kind of square footage?"

Peter Danowski: "The total square footage if you draw the comparison without the existing was 13,840 was previous, 11,085 is the current or the second."

Supervisor Cardinale: "13,840 was the entire square footage of the two buildings. Correct?"

Peter Danowski: "Correct."

Supervisor Cardinale: "And now the combined total of the 9320 and the 28 is something like 11,800?"

Peter Danowski: "That's correct."

Supervisor Cardinale: "Okay."

Peter Danowski: "I think you started out- you started out this process I think in the very beginning talking to me about the motel cottages which resulted from an earlier applicant going to the zoning board and being told at the end of the process, I just read Mr. Langhorne's decision for the zoning board where they indicated that the prior owner could do 7,000 square foot of motel cottages, a clubhouse, a tennis court in addition to the existing restaurant.

So we've come from that applicant to a special permit application and we've modified that plan only based upon comments we've heard. The application sits before you as originally submitted but obviously you can condition the permit the way you see fit."

Supervisor Cardinale: "Thank you. Yes, please- "

Gail Kar: "My name is Gail Kar."

Dawn Thomas: "Would you state your name, please?"

Gail Kar: "Gail Kar."

Dawn Thomas: "Do you swear that the testimony you about to give to be the truth, the whole truth and nothing but the truth, so help you God?"

Gail Kar: "Yes, I do. Okay. We're back today to ask you to support the Jamesport Manor project through your vote to approve the special permit application before you today.

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It was a year ago on October 20, 2005 that the Jamesport Manor was destroyed by fire. It was emotionally devastating for our community, it was emotionally and financially devastating to myself, my husband, my family, our partner. We were almost there.

We worked very closely with this town throughout the two and a half year process since we purchased the Manor. We responded to all the town's requests. We are presenting the community with a project that is done tastefully with an enormous respect for the architecture and its history.

Every week that goes by is financially draining. We've been up front about what we're trying to accomplish from the very beginning. We believe that we've acted in good faith with the taxpayers of this community and with the town of Riverhead throughout this entire project.

I would not be able to stand up here and talk like this if I didn't believe we had this enormous community support because I mean I see it, I see it every day. We've been to this town- to this room several times and we've had people taking their time to come with us to let the town know how they feel about this project.

It's a very special project for this town, we really believe that. We ask you to approve this application so that we can give the community, the town of Jamesport, and the north fork something to be proud of for many years to come."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Okay. Is there any other comment in regard to this proposal? Okay, well, let's hold that until we get the verbal testimony and then I'll have you read that in at the very end. Mr. Solomon."

Dawn Thomas: "Your name?"

George Solomon: "George Solomon."

Dawn Thomas: "Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth so help you God?"

George Solomon: "I do. I'd like to thank the town board and the supervisor for giving me the opportunity to talk to you today. I've known Matt and Gail Kar for over 10 years, both on a business and

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a personal basis. And I can only tell you that their integrity is beyond approach.

As the growth of Riverhead has been dotted with names like Home Depot, Tanger, Best Buy, Sports Authority and now possibly Apollo, please don't forget that the backbone of the Riverhead community has been built on names like Ivan (inaudible), Barth Drugs, Papa Nicks, excuse me, Cliff's Elbow Room and the Jamesport Country Kitchen.

The small businessman has always been the heart and the sole of the Riverhead town. It's important that you realize that in order to perpetuate the small growth, we need to support our small business community throughout the town. It's easy to forget the little guy in the middle of the large growth expansion of our town.

The zoning laws have changed based upon the master plan and it seems as if the small businessman always gets swept away in the tide of progress. Please don't let that happen here.

Matt and Gail are restoring a lost gem of our community. The Jamesport Manor Inn and its barn deserves the right to be built with all the glory of the years past and then some. I strongly urge that you support this project and approve it. Thank you."

Supervisor Cardinale: "Thank you, George. Yes, Mr. and Mrs. Fenton."

Terri Fenton: "Good afternoon. Terri Fenton, Jamesport."

Dawn Thomas: "Mrs. Fenton you need to be sworn. Do you swear the testimony you are about to give to be the truth, the whole truth, and nothing but the truth so help you God?"

Terri Fenton: "I do. I would really encourage the board to back this project. I do not see the delay or what has caused it. Since the Hawkins House opened up (inaudible) they have had barns and everything else moving all summer. It is a financial hardship on this family to keep making them come back, jumping through hoops.

They have been a vital part of our community for at least 18, 19 years and I would strongly encourage the support of these people. Thank you."

Supervisor Cardinale: "Thank you. I'd like to take any other comment. Please come up."

Dawn Thomas: "Would you state your full name, please?"

John J. Apicello: "John J. Apicello."

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Dawn Thomas: "Do you swear the testimony you are about to give to be the truth, the whole truth, and nothing but the truth so help you God?"

John J. Apicello: "Yes, I do. Good afternoon. My name is John Apicello. I live on Manor Lane and I've been a resident of Jamesport for 38 years.

I have a few questions which are also my concerns pertaining to the proposed catering facility at the Jamesport Manor Inn. I don't know whether my concerns and questions will be answered through the special permit but I'd like to state them right now.

I'd like to know what the occupancy limit for the catering part of the Jamesport Manor Inn will be. Does anyone know that?"

Supervisor Cardinale: "Can you answer that? Yeah, let me take that question. If you could answer it, Pete?"

What I understand, tell me if I'm wrong, is that 200 seats would be the maximum number of seats including both the restaurant use and any related catering use. Is that accurate on the present proposal?"

Peter Danowski: "That's with regard to the new structure. That is correct."

Supervisor Cardinale: "What about with regard to the old structure as well?"

Peter Danowski: "It's whatever the use permit issued for that amount of seats at the time and that would continue to exist. Obviously we're subject to the building permit process and the state fire building code and the occupancy rating will be determined I believe by the building department."

Supervisor Cardinale: "Well, you're doing a duplication of the old building, aren't you?"

Peter Danowski: "Yes, we are."

Supervisor Cardinale: "So 82 was the old building?"

Peter Danowski: "Right."

Supervisor Cardinale: "Eighty-two was the old building, 282, about."

Peter Danowski: "That's correct."

Supervisor Cardinale: "Thank you."

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John Apicello: "Is that 82 or 282 minus the 200? 282. So there's 200 for the- "

Supervisor Cardinale: "For the additional building- "

John Apicello: "Okay. Understood. I'd also like to ask if there's been or will be an impact study done pertaining to the extra traffic that the catering establishment will have on Manor Lane."

Supervisor Cardinale: "I believe there was a traffic study. Is that correct, Pete?"

Peter Danowski: "Yes, there was a traffic study that was made part of the process. I believe it was handed in and included in part of the referral that the planning board considered. We've also adjusted the parking spaces and land banked parking spaces based upon comments that we heard. You see that on the new proposal."

Supervisor Cardinale: "On the SEQRA portion of the special permit process, maybe Dawn can answer this. We do not make the SEQRA determination until we make the special permit determination."

Dawn Thomas: "Well, no. You would have to make the SEQRA determination before- "

Supervisor Cardinale: "Just before."

Dawn Thomas: "You would- yes."

Supervisor Cardinale: "Okay. But we actually have something here that we usually don't get then at this stage for purposes of the special permit, not for SEQRA, we've received a traffic study."

Dawn Thomas: "It's part of the- it would be part of the- "

Supervisor Cardinale: "They've added it to the EAS."

Dawn Thomas: "Correct."

Supervisor Cardinale: "So they have produced as part of the equalization and assessment form filled out- I'm sorry, what did I say? Environmental assessment form that they fill out, they've added this study and it should be available for the public should they want to see it."

John Apicello: "I would like a copy if that's possible."

Supervisor Cardinale: "It is, you've just got to pay for it."

John Apicello: "Oh, I've got plenty of money."

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Supervisor Cardinale: "The copies. Yeah, you can get it through the FOIL process. Just talk to Trina."

John Apicello: "Oh, okay. And the only other thing I have, the last thing I have is, was there or will there be dialogue with respect to the impact for the catering hall with you people up there on the two emergency establishments of the south end of Manor Lane, which would be the fire department and the ambulance."

Supervisor Cardinale: "Right."

John Apicello: "I just want to know if you people are going to talk about it or did talk about it in great respect."

Supervisor Cardinale: "Yeah. The town attorney is indicating that if this special permit were granted in any fashion with conditions or whatever, they would then move to site plan approval and it would be- that would be discussed probably at that time."

John Apicello: "Okay. You people or- "

Supervisor Cardinale: "Yeah. The- once we make a determination on the special permit, we still have to make a determination on the actual site plan. This is merely a conceptual site plan that they're giving us now."

John Apicello: "Okay, understood. Thank you very much."

Supervisor Cardinale: "Yes, please come up. Stapon."

Dawn Thomas: "Do you swear that the testimony you are about to give to be the truth, the whole truth, and nothing but the truth so help you God?"

Sophie Stapon: "Yes, I do. I'm just here in support of this project. We've been here many, many times before and we've all heard the story how it was destroyed and several people feel all these things are going to happen."

Let me just tell you. I live down the road from Martha Clara and far much more goes on and far much more has happened in construction there. I don't see any problem with traffic. I mean I don't see any reason why they shouldn't be granted this permit.

They have provided jobs for many, many young children, young kids, girls who have gone to college and put themselves through college working at the Country Kitchen and they're great people."

Supervisor Cardinale: "Thank you. Okay, any other comment from any member of the public at this time? Come forth, please."

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Mary Barbato: "Hello, I'm not used to mikes. Can you hear me?
Mary Barbato."

Dawn Thomas: "Do you swear that the testimony you are about to give to be the truth, the whole truth and nothing but the truth so help you God?"

Mary Barbato: "Yes, I do."

Dawn Thomas: "Thank you."

Mary Barbato: "We've been here many times, too. And I think we're the real little guy. Can you hear me?"

Supervisor Cardinale: "Yes."

Mary Barbato: "Okay. I'd like to read a letter that I will give you all a copy of.

Dear Town Board Member: As citizens we trust the town to follow the laws we have all approved. If we support the zoning and regulations that are in place there is no need we think to get involved in individual cases because surely the town will do the right thing.

The Manor Inn project has been riddled with irregularities from the start. Basic laws have not always been applied. The owners have received approvals they did not even ask for. This situation shows a disregard for all residents who pay taxes and vote to support zoning regulations and agricultural protection.

It is disheartening that throughout the process neighbors' valid concerns have been overshadowed by arguments in favor of the renovated and vastly expanded Manor Inn that focus on the personalities of the owners rather than on issues of legality.

Those of us opposed to the vast expansion in size and use of the Manor Inn, this would no longer be a quaint restaurant, it would be a huge catering complex larger than the properly zoned Vineyard caterers on the Main Road with uses including catering, meeting and overnight lodging.

We are not fighting against the Manor Inn. We are fighting for the laws that are part of our town code.

The restaurant was never zoned for its use. It was grandfathered in because it pre-existed zoning with the caveat that once its use expired, future uses would meet the legal zoning in place, residential or agricultural.

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The current owners knew this. They bought an old building that was not zoned as a restaurant and immediately against town code began plans to open a restaurant and catering hall. The case came up before the ZBA and they approved the expanded plans. Most neighbors were shocked that the law was not being applied.

Some of us filed a lawsuit challenging that decision. That lawsuit is still pending. At the very least, the town should not make any decision on the case until the pending lawsuit is decided.

But you have enough information now to make a better decision. We urge you to support the zoning you have worked so hard for and to deny this special use permit.

This case should have nothing to do with personalities or promises or popularity. The laws are clear. Say no to a catering complex in the middle of an agricultural protection zone on land zoned agricultural residential. Do the right thing.

And as this hearing has occurred on a work day afternoon, we- I have a letter here that a resident would like me to read on his behalf, from a resident of resident of Jamesport named Mike Dejewski. Do you want me to spell that or anything? Shall I wait or- "

Councilman Densieski: "Go ahead, read it in."

Mary Barbato: "Go ahead? Okay."

Dear Members of the Town Board: I ask that the following be read into the public record regarding the application of Kar-MacVeight for a special use permit at the site of the former Manor Inn on Manor Lane in Jamesport.

I've attended many meetings of both the zoning board of appeals and the town board and have given many reasons, both practical and legal, as to why the project should not be allowed to happen on Manor Lane. The practical reasons include, but are not limited to the following:

- 1) increased noise, light, groundwater and air pollution.
- 2) increased traffic on Manor Lane.
- 3) increased litter on Manor Lane.
- 4) potential conflicts with agricultural activities in the area.

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5) generally changing the character of Manor Lane from a quiet country farm road to a thoroughfare for weddings, corporate gatherings, holiday parties and the like.

6) the project doesn't fit into the master plan that Riverhead spent so much time and money on.

7) one of the original reasons for allowing the restaurant to reopen, the preservation of an historic landmark, no longer exists as the original structure succumbed to fire and was carted away, allegedly the result of a careless staining rages spontaneously combust incident.

Legal reasons include, but are not limited to:

1) the original non-conforming use variance that allowed the restaurant had already expired for more than a year before the new owners took title to the property, and the law states that no non-conforming use variance will be reinstated after one year of non-use.

2) the other non-conforming use variance allowing up to twelve cottages to be built on the property had expired three times, with a fourth extension of this variance forbidden by law, before the ZBA granted a fourth extension.

3) the original ZBA determination is presently being challenged in court and that decision could impact today's decision.

Today, though, I am writing about the master plan, zoning regulations, farmland and open space preservation, historic districts, personal sacrifice, the greater good, respect for your neighbors and the responsibility placed on the members of the town board to ensure that all these things are taken into account with regard to the decision you will be making today, and all similar decisions you'll be making in the future.

Today I am writing to remind you that there are people in this town that rely upon you to stand up for them and to stand up for what is right. And it is hard to do this because these people, for the most part, will not come before you and ask you to do this. They won't write letters and attend meetings because they assume the law is written to protect them and they elected you to uphold the law.

I live on Main Road in Jamesport and can testify to the pluses and minuses that a pro-business mind set, and the decisions of the town board have on my quality of life. I can appreciate the effort that has gone into promoting the vineyards and preserving farmland and I have had to put up with the negatives that come with it.

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These negatives are the increased traffic, noise, litter and the occasional drunken vineyard visitor stopping to vomit (yes, it really happens) in front of my house. But I bought on Main Road knowing full well that this was part of the deal and fully accept that this is the price I have to pay for scenic vistas, fresh produce and good wine. But if I didn't live on Main Road or perhaps the North Road, I don't think I would want to put up with it, nor would I expect anyone else to.

Since such a good job has been done preserving farmland and open space, the area has become a very attractive destination for second homeowners from the city, vacationers, day-trippers, corporate gatherings and weddings.

Now we can see the area being transformed into a playground for the well heeled. Great opportunity has arisen for some to get their hands on the money flowing from west to east in the pockets of all these tourists, and some are seizing upon it.

It can be seen in the transformation of vineyards into catering halls, of tasting rooms to corporate team building meetings rooms, of barns into art galleries, of fields to concert venues and from affordable family restaurants to fancy, expensive restaurants.

This kind of growth continues unchecked and as we continue to be careless about allowing this, the things that we find so attractive about this place are being replaced by something else, something that we residents are being asked to accept for the benefit of those who seized an opportunity, some without regard for their neighbors.

And this is being pushed on the same residents who have been asked to give up their own rights for the benefit of the town through the sale of development rights, having their zoning changed during the adoption of the master plan, and possible inclusion in a historic district that will put more restrictions on what they can and can't do with their properties. To be honest, most don't mind, as long as everyone else lives by the same rules.

Some of the people on Manor Lane have sold their development rights in a spirit of cooperation with the town and county to preserve the rural character of the area. These people gave up their rights not only for fair market dollars, but also out of a sense of doing the right thing.

It is this very same rural character that the owners of the Manor Inn are looking to exploit for their own benefit. If these people who gave up their property rights believed what they were doing was going to result in a catering complex going up on the road they live on, they would have never agreed to it.

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If I was one of these people, I would feel like a rube knowing that this group stands to make money off my back by going against the principles of the farmland preservation act and forcing this facility on me.

I am also feeling like a rube as I have paid for some of that land with the preservation transfer tax I paid when I bought my house. I am also feeling like a rube as I've given up the right to extract money from the thousands of tourists that drive past my house (if I'm lucky, they don't stop), by allowing my property to be rezoned to fit the master plan.

Before the rezoning, I would have been allowed to sell many items in front of my house, but for the good of the town, I signed on and let this happen. More recently I am being asked to sign on to be part of an historic district, again, in the name of preserving the character of our town, and this stands to put more limitations on what I can and can't do with my property. (For the record, I am against this, but that's a topic for another time).

So what do we residents why try to do the right thing in the name of preservation get? We get to see the very thing we all worked and sacrificed for, preservation, used against us by those who now wish to exploit the very things we preserved for their own personal gain. Or in more blunt terms, more traffic, more litter, more day-trippers, more unpleasantness, more vomit.

This is not a project for the greater good of Jamesport. Most of the jobs that will be created by the business will be lower paying service jobs, jobs that do not pay a living wage for the area.

Tax revenue will be marginal. This is not a case of NIMBYISM. This is a group of people who saw an opportunity to get in the catering business on the cheap and are forcing their will on the residents of Manor Lane. Everyone in this room would be opposed to such a facility opening up in their residential neighborhood. It is time to say enough is enough.

I ask the members of the board that if they cannot see reason enough in the practical and legal issues raised in opposition of this project, that they consider this an opportunity to stand up for the residents of this town who are just interested in being allowed to live in peace in their houses that they worked so hard to get.

I ask that you stand up for those who don't have the will or the resources to constantly attend meetings and write letters to protect what is legally theirs. Having to exert time, energy and money into defending our neighborhoods shouldn't be part of what being a citizen of Riverhead is about.

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Please remember that this is about the law and doing what is right by the residents of Manor Lane and not about how many people can vouch for what good guys the owners of the property are, or what a good job they will do with their business, or how long they have owned a business in Jamesport, or lived in the town of Riverhead (my family has been here for 29 years, just in case this is important to you), or how nice the restoration was going before the fire, or how nice the new building will be, and we all know the food would be good if they are allowed to do this, but this is not what this is about.

And conversely this is not about the possible lack of opposition in this room today. A lot of us have day jobs we need to attend and some of us are just plain worn out by the grind of having to fight for our rights for a few years now.

This is not about a popularity contest. This is about doing the right thing. And more importantly it is about upholding the law. If they want to be in the business so bad put it where it belongs, on Main Road. And let the residents of Manor Lane get their lives back.

There is a saying that goes "Build it and they will come". I'd like to create one of my own, "Build it where it belongs, on a commercially zoned piece of property, and they will still come and the people that live in the town will be happy".

I ask the members of the town board to please earn their raises they are getting today and step up and make the difficult decision that no one has been willing to make.

It seems like there is this tightrope you have to walk to balance the varied interests of those who live in this town. On one hand we want to preserve what it is we love about this place. On the other hand by doing that, we expose ourselves to greater pressure to take advantage of that and wind up losing what it is we love about this place.

Take a stand for common sense, take a stand for those that are willing to play along with the master plan, take a stand for the silent majority of the people that live in our town who are not looking to seize upon an opportunity without regard to their neighbors, take a stand for the law, take a stand for what is right, for what you would want for your neighbors, for yourselves and for your children.

Please vote against allowing this facility to be built on Manor Lane.

Thank you, Mike Dejewski, Jamesport."

Supervisor Cardinale: "Thank you."

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Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Melissa, I know you had a letter to read in. Is there any other verbal comment? Yes, come forth, please, and then this gentleman in the front."

Dawn Thomas: "Mr. Barbaro, would you state your name, please."

Phil Barbato: "Phil Barbato."

Dawn Thomas: "And do you swear that the testimony you about to give to be the truth, the whole truth, and nothing but the truth so help you God?"

Phil Barbato: "I do."

Dawn Thomas: "Thank you."

Phil Barbato: "Thank you. Members of the Town Board. The issue here today is whether a non-permitted use should be permitted to start up again at four times its original size with additional non-permitted uses added in the middle of the agricultural protection zone. That's the issue.

The town board has an opportunity to correct a number of procedural and legal mistakes that have been made to date. This proposed development has been fraught with irregularities from the very beginning.

First, Kar-McVeigh LLC purchased this property on the 27th of February, 2004. The non-conforming use had already lapsed by that time and the new owners were well aware of it as stated in their ZBA hearing testimony. In fact, the property was transferred to the new owners without a certificate of occupancy. That typical clause that appears in all purchase contracts was waived.

Two. On the 26th of March of '04, Kar-MacVeigh LLC applied for a building permit for their catering complex. They were denied by the building department and they filed for an appeal of that decision to the ZBA. All three documents are dated the same day.

Three. The professional staff of both the town and county planning departments found significant environmental problems with the project and the county planning staff actually recommended against the project. These recommendations were ignored by the ZBA and by the county planning commission.

In April or May of 2004, the planning board staff conducted an environmental review, our planning board staff here in Riverhead, of

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the project and found 15 potentially significant impacts. An EIS should have been prepared at that point but the ZBZ did not order one.

Instead it determined that the project would have no significant impact. From 15 significant impacts to none. These staff recommendations were also later ignored by our town planning board when they determined that his project would have no significant impact in their recommendation to you dated the 21st of April of this year.

Four, the ZBA hearing on the use variance application began in May of 2004. The original request for a use variance was referred to the county planning commission as required by law only after repeated contact from the community. Then when it was referred our own planning board chairman requested that the county send it back to the town as a matter for local determination without benefit of the county recommendations or comment.

The county planning department staff also recommended against this project as I mentioned.

Five, in October of 2004, the ZBA filed its determination which included a SEQRA determination of non-significance. But since the review was not coordinated with other departments, it is not binding on the town board as you are well aware.

Six, while the request for use variance was denied by the ZBA, they gave the applicants a bunch of things that they haven't even asked for and which were not given public notice. These included first the permission to continue the pre-existing non-conforming use which had lapsed which was a violation of town code section 10-51C.

Second that the extension of the use variance for the motel cottages be granted for a fourth time which is a violation of town code Section 108-76D, and third an opinion that catering is an allowable accessory use to a restaurant. None of these were asked for.

Seven, in the November 2004 several of us neighbors filed an Article 78 case in the New York Supreme Court challenging the ZBA's determination. That case is still pending and final oral arguments are scheduled to take place next week on the 15th of November.

Shouldn't you hold any decision on this application until the judge rules on that case? If the restaurant use is not allowed, how can it possibly be expanded?

Eight, the site plans have been submitted in March- that have been submitted in March of 2004, April in 2005, and October in 2008, they all request approximately a four-fold increase in building area over the original restaurant.

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But each site plan proposes slightly different uses so that it's difficult to determine exactly what is being proposed. These include restaurant, catering, motel cottages, apartments, bar, outside tent area, garage, carriage house, pond, orchard. Exactly what uses are you being asked to approve here?

Today's a perfect example. Mr. Danowski stated that the area has been reduced from 13,000 plus to 11,000 plus. He neglected to tell you that the 13,000 figure includes porch area. The 11,000 does not. So it's apples and oranges type of comparison and with this constant shifting of what is the plan, it's hard to get a handle on it.

Number nine, the state environmental quality review act and regulations (inaudible), plus the Riverhead Environmental Quality review code Chapter 61 of the town code have not been followed yet.

This project is a Type I action. It requires the preparation of an environmental impact statement has not been done. Your question, sir, about when do we get information on traffic, in answer to Mr. Apicello's question, that's now, not after you make the determination and not before you issue a site plan. It's now. Because you might have conditions to place on this application related to the information in the environmental impact statement. That's the purpose of it.

That has not been followed to date. This is a Type I action. I refer you to town code Section 61-14A-24 dealing with non-agricultural use in an agricultural district, an expansion greater than 50%, Type I.

Or the New York State SEQRA regulations Part 617-4B-8 dealing with historic sites. Both of those will be Type I actions.

Ten - town law section 108-133.5 requires you to consider a list of 18 items before granting a special permit. One in particular, item R, requires that quote the density of the proposed specially permitted use is justified in light of similar uses within the zoning district.

This would seem to be impossible since there are no such uses in the agricultural protection zone.

If the above arguments and your own reading of the facts do not convince you to deny this application and you were eventually to grant a special permit, what kind of conditions would you place on it? I ask that you at least consider the conditions I suggested in my July 11th 06 comment letter to you.

These conditions included the hours of operation, listing specific permitted and specific prohibited uses, lighting limitations, parking, limiting outdoor activities, control of odors, right to farm

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specifications because they're right next to farms, and any other impacts identified by, hopefully, the EIS that you required them to prepare that need- that require mitigation.

Just thinking about these conditions should help convince you that the project simply does not fit in the agricultural protection zone.

Finally I implore you to view this proposal from a legal perspective. The individuals involved, their history, their character, has nothing to do with it. This is a legal matter. This is a non-conforming use that has lapsed and should not be resurrected. It is a greatly expanded non-conforming use, is not justified in light of any similar uses within the agricultural section zone, and the project will have significant environmental and community impacts that cannot be mitigated.

Please enforce the laws you have sworn to uphold and deny this application.

I want to thank you for your attention to this matter and thank you for your great work you've done in improving the town's land use plan."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Can I ask a question, Dawn, that you may be able to answer? Unrelated to this application, when we have a special permit application, would you tell me what the process is on SEQRA?"

Dawn Thomas: "Well- "

Supervisor Cardinale: "Just generally."

Dawn Thomas: "-- well you would be the lead agency because you're the agency approving it. If there were other agencies required depending upon what they were for the approval, you could do coordinated review. You type it, then depending upon the type, you would require certain documents be prepared.

For instance, if it was a Type I it would be presumed that an EIS would be required. In this case, they did an expanded EAF. I'd have to look at Mr. Barbato's comments."

Supervisor Cardinale: "I guess what my question is, is the type- I know the process from having gone through it a long time, typing it and then making a determination whether an environmental

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impact statement is granted, has to be done before we consider our decision- "

Dawn Thomas: "Yes. Correct."

Supervisor Cardinale: "-- on environment- but we have made a policy judgment, not only in this matter but in every other one, that we utilize the special permit process to gather information to determine whether this should be a draft environmental impact statement or EAF. As I think- is Rick here?"

Dawn Thomas: "He's just in the hallway."

Supervisor Cardinale: "Rick has said that to me in the past at work sessions that we use it as a- we use the application process as a manner of getting data so that we can type it before making a determination. So if this board determined to type it, I, and to demand an environmental impact statement, then we couldn't make a decision until we got all that data."

Dawn Thomas: "Correct."

Supervisor Cardinale: "So isn't that one of the issues that the board has to consider- "

Dawn Thomas: "Yes."

Supervisor Cardinale: "-- before we can make a decision, thumbs up or thumbs down, whether we need an environmental impact statement. I've always had difficulty with that concept because we bring ourselves through repeated hearings on special permits as we've had here before we make the environmental impact statement determination which is going to be critical in determining the ultimate question.

It strikes me that we might want to make- we might want to reconsider the policy and make the environmental impact statement determination earlier in the process because we need- if we need- we brought these people through hearings twice now, this is the second, right? And we have never told them yet whether they're going to have to put together an environmental impact statement. It seems like we should have done it earlier rather than later.

So maybe we can discuss that at the work session tomorrow. But that was just the generic overview comment."

Phil Barbato: "Thank you. There's one other resident who couldn't be here. He asked me to read his comments."

Supervisor Cardinale: "Yes and then I want Melissa to read hers and then we'll go on. Go ahead."

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Phil Barbato: "This is from Mr. Bernie Schumejda (phonetic)."

Supervisor Cardinale: "Is that your letter? Same one. You can read it in. Why don't you do that and then we won't have to."

Phil Barbato: "Thank you. Due to the personal commitments— due to personal commitments, I am unable to attend the meeting today specifically concerning the future plans of the Jamesport Manor Inn. I wish to address the Riverhead town board and the residents of Riverhead.

My name is Bernie Schumedla and I have been a resident of Riverhead for more years than I care to admit. I've had a business located on Manor Lane for 25 years. I have lived on Manor Lane for the past 18 years with my family.

I, along with other residents of Manor Lane chose this area for the farms and open areas. I, along with the others, were aware of the zoning in this area and we chose our home sites based on this information. Large catering halls were not and are not allowed on the site formerly occupied by the historic Jamesport Manor Inn.

Under zoning law, the restaurant could not be re-opened due to the lapse of time for operating a business after a zoning change. Already the zoning board of appeals has allowed this use. A court battle now exists over the legality of this action by the zoning board of appeals.

The present town board has spent much time and effort to formulate a zoning plan for the town. If the town board does not stand up for the zoning which they implemented, then all other areas of the town zonings can and will be challenged and eroded away until the new zoning will become meaningless and worthless.

In days gone by, if one followed the court "protocol" and hammered away at the system, one could have the zoning altered for his or her specific property no matter how absurd their requests or how badly it impacted the surrounding residents and their quality of life.

I, as a resident of the town of Riverhead can only hope that the Riverhead town board follows their own recommendations for the future of the town of Riverhead.

Hopefully your decision will not be based on the popularity of the applicant or the self-inflicted hardships supposedly endured.

Therefore, I urge you to reject this application by considering the zoning laws and the impact this complex would have on the neighboring residents.

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Sincerely yours, Bernie Schumejda."

Supervisor Cardinale: "Thank you. Thanks very much for your— may we have the next comment if there is one? Yes, sir, come up."

Nelson Shaw: "Good afternoon. Nelson Shaw."

Dawn Thomas: "Do you swear the testimony you about to give to be the truth, the whole truth and nothing but the truth so help you God?"

Nelson Shaw: "Yes. I'm a little confused. I get my information from the News Review."

Councilman Bartunek: "No wonder."

Nelson Shaw: "The last I heard it was still according to the News Review, this whole matter was in court and here we are cart before the horse, going for an approval of an enlargement of the initial plan before we even hear, you know, the determination of the court from the first appeal or whatever, you know.

I don't see— am I mislead?"

Supervisor Cardinale: "No. It's an important issue we have to consider, however. One of the things that, Dawn, you may be able to answer this.

Certainly it is acknowledged by all parties that there's a court challenge to the legality of the pre-existing non-conforming use on the 2800 square feet. Certainly it's axiomatic that if that's not a legal pre-existing use, you can't expand it.

There's also a challenge to the continuing legality of the use variance and the associated cottages and related (inaudible), and that certainly would be a factor if it was legal or not in our decision.

If— however, there's no injunction against us to consider this matter. Would it be possible for the litigants to enjoin us from considering it? We have to accept the applications we get."

Dawn Thomas: "In addition you have statutory time frames within which you have to act and so when there's nothing staying or relieving you of that obligation under the law— so if the litigants were able to obtain an injunction from the court precluding us from continuing the application until the decision was— then you could be— and the applicants go forward at their own risk."

Supervisor Cardinale: "Okay. So we must— to answer your question, translate it simply as possible."

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Nelson Shaw: "Thank you."

Supervisor Cardinale: "We have no alternative but to consider the application pursuant to the guidelines of law. However, if the plaintiffs wish to seek an injunction, they are free to do that. It does— I'm— we're in a bind here. If we have to consider and determine this matter within a time frame, we are going to have to do that unless the court directs us otherwise."

However, certainly the determination on the draft environmental impact statement issue would have an impact upon how quickly we resolve this."

Nelson Shaw: "Yeah. There seems to be a few loose ends from my vantage point."

Supervisor Cardinale: "Well, it gets even worse because I've thought about this. Let's assume that one or the other is going to win this lawsuit. Right? The other guy is going to appeal so we really don't have a final result even when we have an initial result."

Nelson Shaw: "I understand."

Supervisor Cardinale: "And that's one of the unfortunate aspects of this. Okay, and it gets even more byzantine. Because if under this— presently the ZBA has answered to the two questions that are critical to Mr. Barbato's and the community's lawsuit. They have answered that the challenge to the legality of a pre-existing non-conforming use."

They've answered, yes, it is pre-existing. That's what's being challenged. On the continuing legality of the use variance, yes. Now we're sitting here as the town defending their position but frankly we don't know if they're right or wrong and we're not going to be the judge."

So it gets more byzantine because if we move pursuant to legal requirements, make a determination conditionally or unconditional in favor of the applicant, they hurry up and build this without an injunction, then at the end of the road if it's built, they have a vested interest and the legal matter becomes moot if it's not determined in time."

So this is really wild, this whole scenario."

Nelson Shaw: "I just don't want to see it become another East Wind debacle."

Supervisor Cardinale: "Yeah, that is pretty big, isn't it?"

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Nelson Shaw: "I neglected to say that I'm a resident of Manor Lane and you know I've spoken to Matt and you know he offered to speak with me and my neighbors at any time, assume at any time.

He brought up some interesting— I don't know, I don't even know if we need to continue because like I say according to the paper, they're still in court to determine whether they can even have a restaurant."

Supervisor Cardinale: "Right. But to make it even as simple as possible, absent a direction from the court, we must continue this process. That's the simple answer."

Nelson Shaw: "Great. Okay. I have a number of questions about the impact on the community. I've been on Manor Lane quite a few years. There was no impact when the Manor Inn sat for years with the doors closed and no traffic, no— there was no impact, zero impact.

To open the Manor Inn, I have no problem with opening the Manor Inn— reopening it and having the 82 seat restaurant, you know, reinstated. I would have a problem with— which is a non-conforming use."

Supervisor Cardinale: "The additional 9,000 square feet. Yeah."

Nelson Shaw: "Well, at this point in my mind the restaurant is a non-conforming use until it's settled by the court's decision, right?"

Supervisor Cardinale: "Please repeat that. I was just looking at a note."

Nelson Shaw: "The restaurant itself at this point would be a non-conforming use unless it's settled otherwise by the court."

Supervisor Cardinale: "Even worse, because it's clearly a non-conforming use. The question is whether it's a continuing non-conforming use. As I understand that's being challenged in the legal case, that is has been lost by non-use for more than a year."

Nelson Shaw: "I would have problems with a lot of things. I spoke with Matt and he said if he could have an event every night, he would. He said— he told me if the town doesn't approve the extension or the added square footage from the original Manor Inn, that he would simply put up a tent and I believe we said you could have the parties inside and not hear it or you can have the parties outside and hear it. But he was indifferent as to whether we cared whether we heard it or not. Same difference, why I'm here today.

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If it was a good- a good neighbor policy thing, I wouldn't be here. You know, if you had said I want to open the restaurant, you know, the way it was, that would be a good neighbor thing. You know, I would have no problem with that. But if he (inaudible) with this big huge addition, it's going to- it's definitely going to impact Manor Lane and all the residents in Jamesport as well.

If you- and I know some of you must have driven down Manor Lane at some point in time. If you come to the Main Road, you're going to wait to get on the Main Road. There's no light and unless you get a courteous driver to let you in, you're going to wait.

The same thing on Sound Avenue. We have no light and you're going to wait. Now I'm a patient man, I have no problem with waiting. But there's people who aren't. You know. They've driven across the church's property, anything to get around to get on the Main Road.

I have problems with these limousines that evidently they're going to be catering to wedding parties. Right now what I hear from my friends who own businesses is of the arrogance of the limo operators as these limos drive around, these people get overly (inaudible), and then demand their rights, you know. And they- these limos have been turned away, they're getting turned away by the vineyards. You understand what I'm saying?"

Supervisor Cardinale: "I think- I appreciate what you're saying. I think that much of this is relevant to one of the questions we just talked of but not relevant necessarily to the special permit which is what are the environmental impacts on- what are the environmental impacts of the proposals that is being made to expand the non-conforming use, assuming the non-conforming use is presently in existence under the law.

So I understand what you're saying. There might be limousines, there might be other traffic. I want to give everybody a chance to speak further, so if you could wrap it up."

Nelson Shaw: "Like I said, I think it's an- this whole thing is an interpretation for the town attorney. If the town attorney can't figure it out well then, we're basically, you know, - "

Supervisor Cardinale: "Thank you."

Nelson Shaw: "And I would like any assessments, Peter Danowski led us to believe that he's- these things, you know, that they've applied for are presently being approved. Well, by what independent, you know, approved by who, you know? They have to be approved by the town board and (inaudible), it's with the court.

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I have one question and that is before you proceed with any finality, you're going to have another town board hearing?"

Supervisor Cardinale: "Town board what?"

Nelson Shaw: "Are you going to have another town board hearing before you approve with any finality on this?"

Supervisor Cardinale: "I believe that we're going to- "

Nelson Shaw: "Is this- "

Supervisor Cardinale: "Correct me if I'm wrong, Dawn. We are going to have to make a determination on the environmental impact statement versus an expanded EAF. That's one big decision as I mentioned must be made and possibly should have been made earlier than this.

Secondly, we would then have to move on, once we make that determination, to review any environmental impact statement and based upon the information within it, make a determination on the special permit. There would be no further hearing requirement, but we would be discussing it in public at work sessions.

We'd also keep an eye out and an ear out for the results of the litigation which we're hoping and everyone else is hoping that we get this determined ASAP.

There's a lot of food for thought in this hearing. We're going to discuss it tomorrow at the work session, so I'd like to wrap up the hearing if there's any further comment, I know this gentleman has waited patiently. Can I let him come up?"

Nelson Shaw: "Sure."

Supervisor Cardinale: "Thank you."

Nelson Shaw: "Thank you."

Supervisor Cardinale: "Thank you. Please come up, sir. And then there's one other individual. If you can come up right afterwards."

Joseph Matteo: "Good afternoon. I want to try and be as brief as possible."

Supervisor Cardinale: "Thank you."

Dawn Thomas: "Your name, sir."

Joseph Matteo: "My name is Joseph Matteo."

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Dawn Thomas: "Do you swear the testimony you are about to give to be the truth, the whole truth and nothing but the truth so help you God?"

Joseph Matteo: "Yes, I do. My residence is the closest one, the closest residence to this proposed thing- site. I live at 294 Manor Lane. Adjacent to me is Whitman's Farm and it surrounds me in the back Whitman's Farm and then comes this Manor Lane Inn. And just to the north of that, there's three small houses that are owned by the same people that own Whitman's Farm.

Now the Jamesport Country Kitchen is a mile away to the south where Manor Lane meets the Main Road. And Mr. Kar has his business there. He hires- he uses to work a lot of undocumented Hispanic people and they walk up and down pass my house and they have for years. And they live in the one small house, sometimes as many as 20 of them.

I mean when they were originally taking apart the Jamesport Manor Inn, they used to have soccer teams there. There were 30, 40 of these undocumented Hispanic people.

I feel sorry for them because they're really being exploited and taken advantage of. We heard testimony about the integrity of the Kar-McVeigh people and in the- a little incident I'd like to say about something that happened.

In January of 2005, this is right at the Christmas/New Year holiday. Sunday morning I woke up, there was a lot of noise. I look out my window, I see the Jamesport Manor Inn building. And here's a crew of these poor Hispanic people that I know because I speak to them when they go back and forth down to the restaurant and they work in the farm. They're taking the asbestos siding off of the building on a Sunday morning, no building inspectors of anybody else around. They have no masks, they have no eye protection. Total disregard for those people.

This is the same people that are applying to you to make quote our whole town and everything better.

There is no one in the immediate adjacent to this that worked against it- talked against it, because the people across the street, that man, he's the foreman of the farm, Whitman's Farm, who has something to do with this because it's the Hispanics that work for Mr. Kar live in those buildings.

Now, when the zoning board of appeals had their meeting in May of 2004, I was over in the former Soviet Union, I work with alcoholics and drug addicts, I volunteer my time. And my wife testified against the permits. Mr. Tortino's (phonetic) son, who owns the large farm

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across the street from me which passes the Manor Lane Inn, it goes up north— it's about 80 acres, he's an 80 year old man. His son testified against it.

And when we went down to get a copy of the record from the zoning board of appeals to give to the state court, this was deleted from the record. This— I was a police officer when I was young, I had a career in the police department. And this sounded so dirty to me that I went and I called up the— I got in touch with the Suffolk County district attorney's office. And those detectives came over to my house and Mr. Barbato's house and they also agreed with these irregularities. But I had nothing to prove. I really couldn't nail it down to why these things were happening.

You know— I'll tell you about from a personal view, some people spoke on Manor Lane. I don't have any stocks, bonds, money. I don't have a lot of money. I worked all my life. All that I have is tied up in this two acres, my house and the barn there which is right, like from here to the court building away, a very short distance.

I've spoken to people in real estate. If this is approved, it will lower the value of my property by at least \$100,000. When I was young and I went into the police department, I was there for three years happily making a life for myself and then I got drafted because it was the time of the Viet Nam war. I served in the army for two years. Fortunately I didn't get killed.

I didn't mind, I didn't mind losing two years. I didn't mind losing the money because I love my country and I appreciate it to be part of America. America is good. I've been in the former Soviet Union four times. I know the difference. I've been in India and different parts of the world.

We have a lovely country, even a hearing as this. And then when I came back to the police department, there was the affirmative action and I never could score high enough to become sergeant and better myself. But that was all right, I didn't mind losing that because there was a social justice that had to be corrected.

But for Kar-McVeigh to exploit the farm zone, to exploit the whole town, to exploit these Hispanic people, this goes beyond my belief that you could approve this because I've been out here in the east end since 1972. And I've seen the farmland, it's so beautiful, and the fishing and stuff was so beautiful, the very beautiful things he's applying to take away.

When I fly in from overseas, these big jet planes, they fly right over head. I look out the window and I can see Manor Lane. I can see this beautiful town that we live in.

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This project that he's putting there would be like a pimple on a pretty girl's face. It just doesn't belong there. It devalues the property, my property and the other residences.

It is your commitment as not politicians, statesmen, people who care for the people. When I bought that land in 1990 and built my house, I lived in Orient and I moved to get closer to the hospital where my wife works, I figured this is secure because the town will keep this beautiful green zone from being exploited like the Main Road.

And if you allow this to happen and the exploitation of the green zone on this thing that is just monstrous on a little tiny four acres that they want to sit it on, it's going to take away from my life savings. The other people will be affected on Manor Lane and Herricks Lane in back of it and it will show the whole town that I don't have confidence in these politicians because they're not protecting me.

I came out here to a beautiful place figuring my zoning and everything is secure and it won't be ripped apart. I know in the former Soviet Union, when that failed, it was like the rug got pulled out from under them.

If you approve this, to the homeowners and the people who don't have millions of dollars to spend on lawyers, it will be like pulling the rug out from under us. And I really think it would be an injustice to the type of people that Mr. Kar employs, namely the Hispanics.

And it will be an injustice to the homeowners and to Riverhead in general because you have to have good zoning laws, good firm zoning laws so the people know that they're secure with the investment for their houses.

Thank you very much. I'm not a lawyer, I know that. I'm not a public speaker. So thank you for putting up with me."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Thank you."

Councilman Bartunek: "Could I just ask you a question, sir? Could I just ask you a question? Would you then from what you're saying here is not allow anything at all?"

Joseph Matteo: "What is this?"

Councilman Bartunek: "Would you not permit anything— do you not want to see anything being built?"

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Joseph Matteo: "All right. Fifteen years ago the original restaurant in the old Captain's House, I got their smells when they would char broil and things like that and definitely the noise, there was a lot of noise, and their parking, they would park along the street because even with the original restaurant, they did not have adequate parking, and then when they would have like a wedding party or something, the limousine would come with the horn, ding, ding a ding, here comes the bride, and stuff like that.

No, I would not want anything but a private residence there because it's like you either are a virgin or you're pregnant, it's either black or white. It's either farm zone or a commercial zone. And I would have nothing there except residence, agricultural. Because it's basically the last full nice zone where you have agricultural residential."

Supervisor Cardinale: "Thank you."

Joseph Matteo: "Thank you."

Supervisor Cardinale: "Okay. Is there another comment? Mr. Duffy. Yes."

Dawn Thomas: "Mr. Griffiths, would you state your name?"

Harold Griffiths: "Harold Griffiths."

Dawn Thomas: "Do you swear the testimony you are about to give to be the truth, the whole truth and nothing but the truth, so help you God?"

Harold Griffiths: "I do."

Supervisor Cardinale: "I should say Mr. Griffiths of Duffy's-

Harold Griffiths: "That's all right."

Supervisor Cardinale: "How are you?"

Harold Griffiths: "Okay."

Supervisor Cardinale: "Good. Go ahead."

Harold Griffiths: "I've spoken about this project numerous times. I think everyone's tired of talking about it. We'd like to see it move forward one way or the other.

As far as black and white, agricultural zone versus commercial zone, I mean let's face it, agricultural zone is not black and white. (Inaudible) on agricultural land. You have weddings going on on agricultural land.

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The Kar-McVeigh project is trying to do this the right way and keep people's input involved in the decisions. They're not trying to back door it by putting up a barn and saying, you know, it's for agricultural use and then put weddings in it. They're trying to use people's input, move forward and do something nice for the community.

I'm not going to sit here and try to tell the town board how to do their job, they're elected to do a job and I don't need to know how to do their job, only they do.

But for a change, was have a chance to work with an individual that we do now. You know, if this doesn't go through they may be forced to sell it or other things. And it may only be agricultural land but then maybe you'll have a winery.

Manor Lane, yes, I guess it's a small town road but it really isn't that small town of a road. You have a fire department, you have an ambulance company, you have a roofing company, you have a new winery that's going to be opening, a boutique winery. You have a dog kennel, you have I'm sure there's a few other bread and breakfast on the planning.

Jamesport/Riverhead, it's evolving. We have a chance to make it evolve the right way instead of the wrong way.

So I just ask the town board to consider this when they consider the application."

Supervisor Cardinale: "Thank you. Is there one other comment? Please come forward."

Georgia Keller: "Georgia Keller."

Dawn Thomas: "Mrs. Keller, do you swear the testimony you are about to give to be the truth, the whole truth and nothing but the truth, so help you God?"

Georgia Keller: "I do. I've been here before and I'm not going to go through the whole thing all over again but I think there are some things that need to be taken into account.

One, when this was all started, there was a historic building that was on this property and the town code, the new code gives provision for the town to make exception to any part of that code in the protection of a historic structure.

We've lost that structure, yes. So now that's become the mitigating factor.

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What also needs to be considered is that, you know, everybody is talking about all these environmental impacts, well, I live within probably 1,000 of Jebediah Hawkins Inn and it caters to weddings, it backs up on agricultural properties. These are the kinds of businesses— I would rather see another Jebediah Hawkins like situation than some of the other businesses.

There are businesses on Manor Lane. It is a county road. It could be widened. It's a county decision. It is a main north/south thoroughfare between Sound Avenue and Main Road and Jebediah Hawkins, being on South Jamesport Avenue, hasn't had a substantial impact and it is in a residential area. It was changed to hamlet zoning to accommodate that business because it was appropriate for the area.

We're not talking about a chemical factory here. We're talking about restoring a restaurant that was once there that is a vital part of this community. So the town has to consider that.

It also needs to consider that, you know, it's four acres and he's talking about approximately 10,000 feet. Is that within the 15% that the town allows? And this is a special permit. This is a matter of, you know, it's not like going to the ZBA. It's the reverse and that has to be kept in mind.

And as far as, you know, there's going to be another winery on the road there, you know, we have to take all of these on an individual case basis and I think that we have to consider what we might like to have there.

And that's about it."

Supervisor Cardinale: "Thank you. Is there any other comment? Yes, come forward, please. If anyone else, please come back behind him so we can— "

Sal Diliberto: "Sal Diliberto."

Dawn Thomas: "Mr. Diliberto, do you swear that the testimony you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?"

Sal Diliberto: "I do. It's difficult for me to get up and speak in opposition to this project. I like Matt very much. I'm a good customer, I think, at his restaurant. But I'm also a resident of Manor Lane and I think one thing that this board should take into account is the fact that of all the testimony that's been given here today, the testimony I think that should count the most is the testimony from the people who actually live on Manor Lane. And we're the only ones who are really going to be impacted by this project.

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When I first moved to Manor Lane, there was already an existing restaurant. I accepted that fact and perhaps I would even accept at this point having that restaurant restored. I was looking forward to the restored restaurant.

But I'm not looking forward and I don't think it's appropriate to have in that area a catering hall.

People have talked about development rights. I think the Whitman Nursery development rights sold for a million and a half, two million dollars a few years ago. That property wraps around the Manor Inn.

I understood Mr. Tortino's property across the street, the 40 acres, is being considered now for purchase of development rights, probably for around \$3,000,000. That would mean that the town or the county is going to spend about \$5,000,000 of the taxpayers' monies to create this beautiful green zone. How does it make sense to do that and then drop into the center of it a catering hall and a facility that's going to be able to have probably 300 plus people?

I've lived there long enough, not that long, but long enough to know that when I'm on Main Road, I'm coming from the west and I'm looking to make a left turn onto Manor Lane, it can be mighty difficult. A restaurant has people showing up from time to time. A catering hall I think, one of the problems is going to be that everybody shows up at one time. You know, you've got a hundred cars or 200 cars, they're all coming to the same event, they're looking to make that same turn. I think it's going to be a nightmare as far as traffic is concerned.

I've talked to Matt about the noise factor and he's talked to me about that as well. I know this morning at about 6:00 a.m. I thought there was a train in my room but it was a mile away. The sound travels very quickly. I'm only 800 feet from where the Manor Inn is going to be. I was there the night that it burned down. Looking out my window. I think what woke me up was the sounds coming from the area.

So it's close enough so that it's going to impact on a lot of people from the noise point of view. It's certainly going to have an impact from a traffic level. I see it as a waste of the taxpayers' monies if you spent all of these millions and millions of dollars on Manor Lane to preserve that open farmland, why do it?

You worked hard, you worked long. Many years, many of the people who are on this board to create a master plan, to adopt it and implement it. Yes, I am that little winery that I heard some people mention on Manor Lane but it's all what's permitted under the master plan. And I think that's the only thing that should be done, not just on Manor Lane, but in the town of Riverhead. It's a time of great expansion.

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And if it just is allowed to happen in any manner or fashion, it's going to not create the town that the master plan was intended to create.

That's all I have to say. Thank you."

Supervisor Cardinale: "Thank you, Mr. Diliberto. Any other comments? If not, I'm going to keep this open for written comment for one week, be glad to receive it and review it with the board members and I'm going to call the hearing closed as to verbal testimony at 4:49."

Public hearing closed: 4:49 p.m.
Left open for one week for written
comment

Supervisor Cardinale: "We have one final hearing to hear before we consider the resolutions and that hearing is scheduled for 2:40, it being 4:50, I will call it and ask Rick to come in to hear it or to introduce it.

Yeah, I also wanted to make an announcement that I was just handed by my deputy. When I came into office in 2004, when John came into office in 2006, there was a- and when George came in, there was pending a matter with Northeast Holdings which has hovered over the town for the past three years, since '03.

That matter is something that I had to address as recently as 2006 when we sent some bonds to market because of the allegations within the complaint and because of the allegation that the person who was complaining and the entity were entitled to \$50,000,000 of the town of Riverhead's money, to see this in the context of a \$35,000,000 annual budget.

We just went through a three week trial in federal court and I was advised by my deputy that- and I'm delighted to report, that a defendant's verdict was issued by the jury in federal court today in full favor of the town, not according any relief to the plaintiff. In fact all claims of the individual plaintiff had been dismissed prior to the case going to the jury.

The corporate plaintiff, or the LLC Northeast Holdings claim that it was deprived of the equal protection under the law by a previous administration when Supervisor Kozakiewicz was Supervisor, that was denied by the jury, rejected.

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The jury also found that the misrepresentations to the town by the applicant made the contract between Northeast Holdings and the town unenforceable and therefore there was no breach.

So it's a really good moment for the town. I'm pleased it is behind us, that the town has prevailed, and I wanted the public to know that."

Public hearing opened: 4:52 p.m.

Supervisor Cardinale: "Okay, now we have this final hearing and I don't see my- Rick Hanley, but I can tell you what it is about myself while they're away. This is a final hearing to amend the site plan review process by placing that process which isn't a significant one, any commercial operation that's going to change its exterior or is going to have to go through it or is going to create a new commercial operation, they would give the site plan review function with the exception of those site plans within the urban renewal districts, specifically Main Street and EPCAL, to the planning board where it is given in every other town, I think, in Suffolk County, and we've discussed it since 2004 when I made it an initiative of my campaign and my administration. And Eddie reminded me when I was getting cold feet about, it was my initiative to begin with so what was I giving him grief about it for.

So the board is seriously considering it and we'd like to take comment of the public regarding it."

Councilwoman Blass: "Can I just add to that? It was also a policy recommended in the master plan so by default as having endorsed all of- "

Supervisor Cardinale: "Okay. That I didn't know. The master plan also recommended this change."

Councilwoman Blass: "Yes, that is true."

Supervisor Cardinale: "I think to de-politicize the site plan process and to professionalize it by handing it to the planning board which has some training.

And, incidentally, I should mention to the board that the planning and the zoning boards of appeals under some new county legislation would be required to have four hours annually of in service training. So they are- and they serve five year terms by state law and are not subject to two year re-elections so, therefore, that de-politicizes the process.

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That's the thinking of the board. We'd like to hear your thinking. If any one has a comment, we will take it. Yes, Kenny."

Ken Labona: "Ken Labona, Aquebogue. You guys are past 4:30, so you're got 25 minutes of overtime, time and a half- "

Supervisor Cardinale: "Yeah, with that it were. We're going to be here I think 'til at least six."

Ken Labona: "You don't have a union contract."

Supervisor Cardinale: "Right."

Ken Labona: "How much- what is the percentage of time that you figure that you spend on these site plan reviews, so forth?"

Supervisor Cardinale: "Not a lot. That's part of the problem. It's a staff driven process and the board of planning- the planning board has indicated that they will assign them to individual members, have the individual member go to the site, come back, report to the full board, and in conjunction with the director of planning and his site planner, they will make recommendations and approve it.

What happens now is it's staff driven. We see it at a work session when it is recommended to the board and we ask a few questions and generally approve it or send it back for whatever it needs. But we don't see until it's been worked through the staff to the point that they're recommending it for approval."

Kenny Labona: "You- so if you advocate this to them, you turn this over to them and will they come back and talk to you or will their decisions be final?"

Supervisor Cardinale: "That's a good question. We are not giving it to them for recommendation. We're giving it to them for determination. So they would have the- okay, we are giving it to them not just for their recommendation but for their determination.

They would have to do the work and make the decision. Except for those site plans within the urban renewal districts which are downtown and at EPCAL."

Kenny Labona: "All right. Because my position on this- "

Supervisor Cardinale: "You've got to talk through that. Yeah. Correct."

Kenny Labona: "My position on this is that I am not happy with this for the simple reason that my experience with the planning board is that they really, really don't care what the community has to say because they are not responsible to the constituents, they are not

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responsible to the town board because until such time as they become reappointed- they're appointed with a vote of the town board. "

Supervisor Cardinale: "Five years."

Kenny Labona: "-- is that correct?"

Supervisor Cardinale: "That's correct. Five year term."

Kenny Labona: "Okay, they're autonomous. A very good example is with the Fedun estates. They sat up there, there happened to be about 30 people that talked against the proposal. We had some issues. Basically they were traffic issues and their comment at the end was this was meant to be. That when these people bought these homes in Village Green, they should have questioned the map that showed Mr. Fedun's property as having thru streets. But these people- the average person is not sophisticated enough to go to town hall and delve into all these maps and everything.

So now they're bringing this question up and the answer is this was meant to be. They couldn't care less about the kids.

Also, they- when I came to town hall here, I came into the planning department and I asked about what became of this and they said the hearings were closed and that they rendered their decision with considerations. So I asked what the considerations were. I was given a folder. I couldn't find anything there. We had asked to have the streets closed and if they weren't going to be kept closed, we want no traffic, commercial traffic coming when they build that subdivision. There's nothing in the minutes that I can see about them recommending that.

And this is again, they have no- they don't have to answer to me, they don't have to answer to you. It's strictly autonomous. And that's wrong. You people have to answer to us. We're going to vote you in, we're going to vote you out. You're our representatives, they are not."

Supervisor Cardinale: "Thank you."

Kenny Labona: "You take the by Hallockville with the antique tractor association with the- according to the master plan the buildings have to be 500 feet back. Well, you're got Ed Tuccio's building right on the road, you've got Hallockville right on the road, you've got (inaudible) right on the road, but they did come to some kind of a conclusion there (inaudible) putting it back 250 feet, not 500. But they didn't want to listen, all the hearings and everything because they are not responsible to anybody. And I think you guys are really abdicating a big, big responsibility and look today, all these people talking about the Jamesport Manor. What would they say?"

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That's like nothing to them. But sit here and listen to them because they are not responsible to anybody."

Supervisor Cardinale: "Thank you."

Kenny Labona: "Thank you very much."

Supervisor Cardinale: "Talk about— come on for the next comment. Talk about having a direct response. The board's thinking as I mentioned was that to move it to the planning board would de-politicize it and make— and get a better result. And the opposite opinion which has got legitimacy is that it would also, while de-politicizing it, give it to a board that can afford to be less responsive to the public. Because they're on five year terms without election. Thank you. Okay."

Phil Barbato: "I have two reservations about this also. I think— "

Barbara Grattan: "Can you please just state your name."

Phil Barbato: "My name is Phil Barbato, I live on Manor Lane in Jamesport. As I stated earlier, the planning board in the Manor Inn case totally ignored the professional recommendations of our fine planning board staff here.

I think this— even on an interim basis, if you retain some (inaudible) control over this delegation of authority, that might be helpful. If there were instances there was a difference of opinion between the board and the department— the planning, that you would be the arbiter in that case.

The other thing is four hours of in service training really doesn't sound like much to me. Should there be minimum qualifications for the people who sit on our boards. I'm very familiar with the zoning board of appeals and I wonder if we shouldn't have some minimum standard of qualifications, education or experience, that would entitle you to sit on a board of that importance in the town before you are appointed."

Supervisor Cardinale: "I think that's a good thought and that's the direction that the county is also moving in. But the present situation is that they at least are going to insist upon four hours which is four hours more. George being a comedian here is saying perhaps we could make eight hours mandatory in our case, I don't know if we can, but the county is suggesting four hours. Maybe more in service training for all of us and maybe some minimum qualifications would be a good idea.

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The other problem, of course, is that they're not very well paid these boards, usually they're six, seven, eight thousand dollars for the whole year, and it's difficult to get people who are really qualified because it also (inaudible) them into conflicts if they're on this board.

Say you got an eligible person in the development trade, he's going to conflict himself out so often that he doesn't want to take the job.

But I think that's a good suggestion and will consider it."

Phil Barbado: "Thank you."

Supervisor Cardinale: "Any other comment on the site plan to the planning board proposal? Yes, Larry."

Larry Oxman: "Larry Oxman. I think this is the right move. The fact that the planning board is more impartial and not subject to being voted in is the correct move.

What I've learned about reading about other planning boards, ours included, is that they're there to uphold the zoning which you, the town board, decide. So you paint the way, you have the master plan and the planning board makes sure that it's upheld. Very simple. And it's the right move. Thank you."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "I also wanted to point out in addition to the move-- the consideration of site plans to the planning board which we've discussed, this proposed change addresses conditions of approval when we look at site plans and it requires-- this would require a performance bond of 100% and I believe but I can't find it yet, that it also addresses the inspections, Barbara. Okay. So, yeah, I think you're right. So it addresses the necessity for when you get an approval of a site plan, that a certain amount based upon the cost of the construction of the site improvements, in this instance we're suggesting 100%, should be placed in a letter-- in a letter of credit or bond to ensure that the improvements are completed.

There had been some discussion in the board as whether 100% of the cost of construction of the site improvements is too onerous because of the fact that-- the reason people complete site improvements is because they don't get their CO's unless they do the site improvements so it might be a little (inaudible) on here.

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So you should comment on that if you care to as well. Yes."

Patricia Holland: "Patricia Holland, Hallockville."

Supervisor Cardinale: "Yes, Patricia."

Patricia Holland: "I think what Larry Oxman just said makes a lot of sense. The only thing- the (inaudible) I think in this whole thing is the ZBA because once the planning board decides whatever, then they go over their heads and the ZBA has been the difficulty in everything we've heard today."

So I think that's where- if people could come back to you as you being the appealing body, not the ZBA- is not working as far as I can see."

Supervisor Cardinale: "Thank you. We have discussed that at work sessions and we'll continue to monitor that situation."

Any other comments in regard to the planning board site plan authority? Barbara pointed out to me in one of the work sessions that this calls for the planning board with the exception of the urban renewal district, to consider and determine all other site plans. A few other towns ask them to consider and recommend which is one of the suggestions that have been made in the hearing comments. So we'll consider that as well."

If there's no other comment I'm going to leave this open for one week to- for any written comment."

Public hearing closed: 5:06 p.m.
Left open for written comment
for one week

Supervisor Cardinale: "That concludes the eight, one, two, three, four, five, six, seven, eight hearings, one of which was withdrawn held today."

I'd like to call for comment on any of the resolutions. I know Sal is going to help us out on or proof reading screw ups and anyone else who has a comment on any of our resolutions, please come up."

Sal Mastropolo: "Sal Mastropolo, Calverton. Resolution 992."

Supervisor Cardinale: "Yes."

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Sal Mastropolo: "The two column, I have a parenthesis around it, means it's a credit. So that whole column is wrong, delete all the parenthesis."

Supervisor Cardinale: "Yeah. Is that- you're suggesting that that wasn't intended."

Sal Mastropolo: "No. Because the left column has got to balance with the right column and the way you have it, says you're taking away \$200 from travel when you're giving it to him."

Supervisor Cardinale: "Okay, right. So we've got to note that the parenthesis should be deleted as a typo."

Sal Mastropolo: "Right. Resolution 995. I just have a question."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "I mean Jack was our financial administrator."

Supervisor Cardinale: "Correct."

Sal Mastropolo: "And we're going to replace Jack with a personnel manager and a financial administrator."

Supervisor Cardinale: "It gets worse."

Sal Mastropolo: "Why do we need an assistant as well?"

Supervisor Cardinale: "The- that is a good question and we've considered it as a board. One of the problems was that Jack was doing way too much but apparently loved doing it, to his credit.

We had an assessment of the interim financial director and he indicates that if we want to have this done right we need one person devoted to management and policy on the finance side and one person who will be an understudy, that you're not going to get the same skills and you're not going to get the job done with one person. And we tend to believe him.

So that's why we're going to- and the other problem is if we only go with the financial director, we will have no potential- we'll have no deputy and we'll be right in the same box as Jack left us with because when we lost Jack, we had no understudy step in and we really and we really had to shuffle. So that's the justification. The salary will be around 65 plus benefits. It's probably going to cost us around \$85,000 but we think- "

Sal Mastropolo: "For the assistant?"

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Supervisor Cardinale: "Yeah, for the assistant, it's going to be around 65. He's got to be an accountant. Actually, I shouldn't say that, yeah, 61 I think is actually.

But he's got to be an accountant. He's got to have four years of experience and, hopefully, he'll have municipal experience as well."

Sal Mastropolo: "Okay. I'd like to bring back a recommendation that I made a long time ago, that we have a financial advisory committee."

Supervisor Cardinale: "That's a great idea and I- "

Sal Mastropolo: "Rather than an assistant town financial administrator."

Supervisor Cardinale: "Well, we might want to have both but we do not- we have advisory committees for so many things but not for finance."

Sal Mastropolo: "Not for finance. So we never really get to challenge the cost versus the benefit, the revenue versus the expense."

Supervisor Cardinale: "Maybe we can get you on it. Okay, you made that suggestion. It's a good one, I'll follow up."

Sal Mastropolo: "997. The Now therefore be it resolved, it says authorizes the release of the bond. There was no bond, it was a check, so you may want to change the wording on that."

Supervisor Cardinale: "Okay. Releases a check. Okay, thank you."

Sal Mastropolo: "1000, there's no schedule A attached."

Supervisor Cardinale: "We have the runway use agreement- "

(Some inaudible discussion)

Supervisor Cardinale: "The runway use agreement, correct?"

Sal Mastropolo: "Yeah, there was a schedule A which called for the type of aircraft."

Supervisor Cardinale: "Oh, on the runway use agreement."

Sal Mastropolo: "Yes. For- "

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Supervisor Cardinale: "Okay, I'll make sure it's added. We're going to have to change that to add another issue, too, which is we have to come to (inaudible) on past use with him as well."

Sal Mastropolo: "Yeah, for South Bay Apparel."

Supervisor Cardinale: "Right."

Sal Mastropolo: "1001. I'd like to see the responsibilities of that town personnel officer."

Supervisor Cardinale: "Yeah, that- we can get that, that is already- because of civil service requirements we have a job description."

Sal Mastropolo: "Okay."

Supervisor Cardinale: "So I can get that for you readily. Just ask Trina and she'll get it for you."

Sal Mastropolo: "1006 has no copy list- "

Supervisor Cardinale: "Susan will get it for you, Susan because she really is a helpful person."

Sal Mastropolo: "1006 has no copy list on the bottom."

Supervisor Cardinale: "1006, yes. Ratifies the appointment of two provisional account clerk typists to the police department. What does it not have?"

Sal Mastropolo: "It doesn't have a cc list on the bottom."

Supervisor Cardinale: "Oh, where it goes."

Sal Mastropolo: "Yeah. Resolution 117 should be 1017 and the next one."

Barbara Grattan: "Yeah, we corrected that."

Supervisor Cardinale: "1017 that was, 1018?"

Sal Mastropolo: "And 1018."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "And resolution #1025--"

Supervisor Cardinale: "Yes."

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Sal Mastropolo: "On the notice of public hearing, you never over struck the deletions. You're changing 3,000 to 5,000."

Supervisor Cardinale: "Oh, yeah, that's right. Okay, would you make sure we do that before we publish?"

Barbara Grattan: "Okay, what are we going to do?"

Supervisor Cardinale: "On the notice- "

Barbara Grattan: "Right- "

Supervisor Cardinale: "-- you have to delete the old number-"

Sal Mastropolo: "Yeah, you have to overstrike the 3,000 in two cases."

Supervisor Cardinale: "-- you have to overstrike that before you get to the new number. Thank you."

Sal Mastropolo: "And 1038- "

Supervisor Cardinale: "Yes."

Sal Mastropolo: "The one, two, three, the fourth Whereas, it says Whereas a public hearing was duly posted and held on Wednesday, November 8, 2006. That's today, there was no public hearing on James Blakeney- "

Supervisor Cardinale: "That's right. It's the wrong day. It was- "

Sal Mastropolo: "Something's wrong there."

Barbara Grattan: (Inaudible)

Supervisor Cardinale: "Yes, it was. That would be October, whatever the date was in October. Yeah, we got it in this- yeah, the front where we approved the minutes, I think."

Sal Mastropolo: "That's it."

Supervisor Cardinale: "Thank you. And the town board meeting date is in the agenda for today. If you could note it, Barbara, we'll make that change."

Barbara Grattan: "Sure."

Supervisor Cardinale: "Okay. October 17th is what it is. Angela."

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Angela DeVito: "Angela DeVito, South Jamesport. Resolution 994, the highway department budget adjustment in which we're taking \$10,000 basically from materials that would be used for road repairs and improvements- "

Supervisor Cardinale: "Yes."

Angela DeVito: "-- and sending it over to snow removal. At least in our area, I can't speak for the rest of the town, a lot of the road improvements that we necessary weren't done this year, and my concern is that is this just extra money that they have for these materials. They're going to have sufficient in 2007 to take care of the stuff they haven't done yet? I'm just curious as to why. And also at this particular point, I mean, to adjust the budget by \$10,000 even before the snow season starts."

Supervisor Cardinale: "I believe that this adjustment is- comes out of finance, not out of highway, because they are overdrawn on their snow removal and in order to balance the budget, needs to take it from a line that they didn't use."

The budget for the highway superintendent which you're probably most interested in, is the one that is in the tentative budget and I am told that the highway superintendent is actually, has been satisfied with the tentative budget. In fact, reduced it a small amount. So you may want to take a look at that and see if it's got enough in it to make sure that the roads that you want done- "

Angela DeVito: "Well, it's not just my road- "

Supervisor Cardinale: "I mean all the roads."

Angela DeVito: "-- have all the road improvements that need to be done and after the roads are paved, lines are supposed to be painted on, get done, haven't been done. I mean there's a number of things. I'm just concerned- I mean I understand that they need to do catch up and we always- in the same line areas move stuff around, but it's just the fact that, you know, there's work that hasn't been done."

Supervisor Cardinale: "This is just year end moving around. But in regard- it's year end moving around which is not significant, but in regard to the new budget what I want to get across is that this highway superintendent is okay with the budget as proposed. In fact he reduced it a few dollars between the tentative and the final, so I assume that he can do his job because that's what he's asked us for. If he can't, I need to know about it now."

Angela DeVito: "But, I guess, this is not related to (inaudible) but has there been a detailed budget proposal from the

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superintendent of highways that wound up as the proposal in the town budget. That information is available?"

Supervisor Cardinale: "What happens is that in each of the departments, they prepare their budget recommendation and they give it to the financial director, (inaudible), in this year, and he considers it, discusses it with them, comes up with the proposal. He did that and he indicates that they're satisfied with the proposed budget."

Angela DeVito: "Okay, the other one is 1026. I would just like to add my support for that application. There's been a lot of trees that have been taken down because of damage in the Jamesport, South Jamesport area, and in the past when we've gone and asked this organization for assistance with replanting, they said we really were not included in- at this point for that. So it's nice if you get more money to be able to replace the trees that are taken down."

Supervisor Cardinale: "Yes. I appreciate that, I guess, it's Vince (inaudible), and others who worked on that because over the years, it's going to make a difference with these tree plantings."

Okay, and I know that incidentally Marty (inaudible) over in Jamesport and yourself and others have been trying to get some planted trees in South Jamesport which we're going to try to get to you.

I guess we're ready to consider the resolutions unless somebody has a comment on any."

(Inaudible comment)

Supervisor Cardinale: "Yeah, the- on something that is not on the agenda. Yeah, okay, I'll get through these and then we'll take your comments immediately to find out if we can get it on the work session for tomorrow if it's something you want us to consider."

Okay, the first one is 991. Could you call it, Barbara?"

Barbara Grattan: "Sure."

Resolution #991

Councilman Densieski: "Authorizes legal action against the owners, tenants, occupants and mortgagee of the property located at 314 Northville Turnpike, Riverhead, New York. So moved."

Councilwoman Blass: "And seconded."

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

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

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Councilman Densieski: "Briefly, I just want to let the public know what had happened."

Supervisor Cardinale: "Yes."

Councilman Densieski: "This is part of the safe housing initiative. There was a search done this morning of the premises. I've looked at about 100 photos of alleged violations, allegedly someone actually living in a shed with a portable heater and extensions cords. And a lot of really unsafe conditions. So I think the initiative is going to be a good thing and I think we probably will save some lives and this is really the start of some more good things to happen.

With that, I'm going to vote yes."

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

Supervisor Cardinale: "Yeah, I know that this is one of the first movements of the safe housing initiative. We're fully staffed as of tomorrow when we will be considering the last part timer. The initiative is significant. We've got a lawyer that's got great experience. We've got a senior investigator with great experience. We've got a paralegal with good experience. And it's a good example.

Ed brought this up in the last campaign that it's an important area. Rather than argue about it, we both agree it is. And I appreciate the efforts that he and John have made to get it done. Hopefully we'll have success. This is the beginning. And I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #992

Councilman Dunleavy: "Budget adjustment. So moved."

Councilwoman Bartunek: "Seconded."

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

The Vote: "Dunleavy, yes; Bartunek."

Councilman Bartunek: "Yes, as amended."

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

Resolution #993

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Councilman Bartunek: "Carrera property budget adoption. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #994

Councilwoman Blass: "This is a budget adjustment in the highway department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #995

Councilman Dunleavy: "Publication of help wanted advertisement for financial administrator and assistant financial administrator. So moved."

Councilman Bartunek: "Discussion on this one, Phil. Did we want to list the salary range on the advertisement? Do you want to wait until tomorrow at the work session-- "

Supervisor Cardinale: "Yeah. I think I want- let's discuss it because I want to do two things. One, determine what to do on salary because we should list something. And, two, we want to know what periodicals they're being recommended and what numbers. (Inaudible) is supposed to get that for us. So put it on for the work session, pass it- "

Councilman Bartunek: "So I will second that then."

Supervisor Cardinale: "Okay, moved and seconded."

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

Resolution #996

Councilman Bartunek: "Authorizes the supervisor to release petty cash monies to receiver of taxes. So moved."

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Councilman Densieski: "Second the motion."

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

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

Resolution #997

Councilwoman Blass: "Authorizes the release of a bond for George Regini d/b/a Giorgio's Restaurant as amended. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #998

Councilman Dunleavy: "Authorize the release of a bond for Calverton Enterprises, Inc. (Hess Service Station). So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #999

Councilman Bartunek: "Rescinds Resolution #629 of 2006 authorize the supervisor to execute runway agreement with South Bay Apparel. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1000

Councilwoman Blass: "Authorizes the supervisor to execute runway use agreement with South Bay Apparel. So moved."

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Councilman Dunleavy: "And seconded with the-- "

Councilwoman Blass: "Discussion."

Supervisor Cardinale: "Yeah."

Councilman Dunleavy: "-- A attached."

Councilwoman Blass: "Also there's another discussion item. We were expecting a third condition which is going to be resolved-- "

Supervisor Cardinale: "Yeah, why don't-- "

Councilwoman Blass: "-- in a discussion, but I think we should--
- "

Supervisor Cardinale: "Why don't we-- I'll clear with the board the amount. But we have to also address as I mentioned the submission of a check in the amount of blank for past use of the runway use agreement in the last four months.

This was a-- we authorized the signature four months ago. They were not as quick as they might be in getting us the insurance data. But they have used at least on occasion the runway and we need to get recompense for that. So I'll let you know what the number is but the maximum would be 4,000 depending upon what reduced use was reported. So I'll let you know. So it should be submission of-- "

Councilwoman Blass: "Maybe it could be up to 4,000-- if we know it's going to be no more than that."

Supervisor Cardinale: "Of up to 4,000 and I'll clear the number, it probably will be less, for the past use of the runway. You want to add that, Barbara?"

Barbara Grattan: "Can you add that and give it to me, what you want in there?"

Supervisor Cardinale: "Yes."

Barbara Grattan: "Okay."

Supervisor Cardinale: "Submission of up to 4,000 for past use of runway."

Councilman Densieski: "I don't know if you can read Phil's writing anyway."

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Supervisor Cardinale: "Yeah, I don't know if you can read this, past use of runway. Okay. Very good. And you wanted to add Schedule A to that, I know, which is the kind of planes."

Barbara Grattan: "We did vote on that, right?"

Supervisor Cardinale: "We didn't vote on this. We discussed it."

Councilman Dunleavy: "We didn't vote on it."

Supervisor Cardinale: "Now we need to vote."

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

Resolution #1001

Councilman Dunleavy "Amends Resolution #987 of October 26, 2006 appointing town personnel officer. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #1002

Councilman Bartunek: "Appoints part time recreation aide Level II to the Riverhead Recreation Department. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1003

Councilman Densieski: "Ratifies the appointment of Rich Terry as a part time recreation aide volleyball leader to the Riverhead Recreation Department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1004

Councilwoman Blass: "Mr. Supervisor, I'm going to request that this resolution be tabled. I guess there was not enough communication with the appropriate personnel and I think we should have a few discussions prior to this actually being effectuated. And I will-- I'm recommending this only because we have an opportunity at a special town board meeting tomorrow to actually resolve the issue but I would hope that we could discuss it in the executive session tomorrow and have all the appropriate parties notified and informed as to what's happening.

So I'm tabling this for consideration at tomorrow's-- "

Councilman Densieski: "I would second that motion."

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

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

Councilman Densieski: "Yeah, Barbara's right. And I think we have to be a little bit more careful, and a little bit more respectful of the way we handle some of these situations with the employees. Yes."

Councilwoman Blass: "But I do want to add that I'm hopeful and ask that the board really resolve this by tomorrow because in all fairness there are departments that are in limbo and we need to move on it. Thank you."

Barbara Grattan: "Okay, Resolution #1005, Councilman Dunleavy."

Supervisor Cardinale: "I don't think I voted on the last one. I'm going to vote yes to consider it tomorrow.

I did speak to the-- I don't know if you're aware of this, but I did speak to the department head this morning. He was supposed to speak with the employee. Did he do so, do you know?"

Councilman Dunleavy: "No."

Supervisor Cardinale: "Okay, so good, then we'll put it over until he has that opportunity. Okay."

Resolution #1005

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Councilman Dunleavy: "Appoints a part time recreation aide volleyball official to the Riverhead Recreation Department. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #1006

Councilman Bartunek: "Ratifies the appointment of two provisional account clerk typists to the police department. So moved."

Councilman Densieski: "Second the motion."

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

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

Councilwoman Blass: "Yes, as amended."

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

Supervisor Cardinale: "Yeah, okay, we're going to copy the chief. This is related to the other one but let's pass it. I'm concerned about the impact if we don't do what we're supposed to do on the other one, my vote might change. Let me abstain on this. Okay?"

Councilman Bartunek: "Well, we can go back and reconsider it then? I mean-- "

Supervisor Cardinale: "They're inter-related to some extent."

Councilman Bartunek: "Yeah, they are, they are connected."

Supervisor Cardinale: "That's what I'm concerned about. Do you want to table both?"

Councilman Bartunek: "Maybe we should."

Councilman Dunleavy: "I don't think-- "

Councilman Bartunek: "Well, we're not going to let-- but the thing is we're not going to let the people go but there may be some-- "

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Supervisor Cardinale: "There may be a transfer to a different department. That's what I'm concerned-- "

Councilman Dunleavy: "Yeah, but, Phil, these people are already working, they quit their jobs-- "

Supervisor Cardinale: "I'm aware of that, but-- "

Councilman Dunleavy: "And they wanted to work in the police department. That's what they were interviewed for and I think that we're doing everybody a disservice if we hold them up and if we pass this, contract-wise, they can be transferred. I mean, as far as the contract is concerned."

Councilman Bartunek: "Okay."

Supervisor Cardinale: "It's a little-- that's what-- my-- I talked to Zuckerman on the issue and what his suggestion was, was to make the appointments within this unless we were going to do as we indicated with the other employee."

So I don't know that it makes a difference but I think we probably should carry them together."

(Some inaudible discussion)

Supervisor Cardinale: "Except that I believe that if you hire them and-- once you-- no department hires an employee. These employees are not hired. The town hires the employee and assigns to a department and if you hire them within the hiring resolution, direct them to a department, that's it. There's no other considerations."

If you hire them and then transfer them, you have to do so in compliance with civil service law which I believe we have done, but that was my concern. So it may well be if we're going to change the manner in which we're handling the situation that we're discussing, we should have that option available. That's what I'm saying."

And we're doing a special tomorrow so it strikes me that we should table both if we're going to table either. Not that I think-- I think we're going to go the same way from what I'm getting, but I'm not familiar with what will be discussing completely."

Councilman Bartunek: "I would like to make a motion to table Resolution 1006 for further discussion."

Supervisor Cardinale: "All right. Do we have a second to table? Okay, I could-- I could table it, ask for a table vote, but do

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three people want to table this is the real issue. I want to, George does."

Councilwoman Blass: "I don't see these individuals factoring into the solution that is-- or the issue that's pending before us that we will be discussing tomorrow."

Supervisor Cardinale: "Okay. Then by that I don't think-- it's not really important if, in fact, we leave these people in police and we assign someone to rec-- I'm sorry, assign someone to planning from rec, I'm perfectly happy. But if we have to reassign-- if we have to hire them in-- incidentally is there an indication where they're being hired here?"

Councilman Bartunek: "The-- while you're looking at that, Phil, the concern that I have-- do we know exactly what the discussion is going to be tomorrow? That's what I don't understand. I thought-- "

Dawn Thomas: (Inaudible)

Councilman Dunleavy: "I thought the discussion tomorrow was just going to be that we had talked to the department heads and the employee knows what's happening."

Supervisor Cardinale: "Okay, well if that is the case-- "

Councilman Dunleavy: "That's what I thought the discussion was going to be tomorrow."

Supervisor Cardinale: "-- all right, the discussion is limited to that, then it doesn't make a difference. All right, so let's leave it as it is with-- "

Barbara Grattan: "With your abstention?"

Supervisor Cardinale: "Yes. Okay, thanks."

Resolution #1007

Councilman Densieski: "Authorizes the town clerk to publish and post notice of public hearing to consider a proposed local law for an amendment of Chapter 101 Vehicles and Traffic of the Riverhead town code Section 101-13 Parking time limited. So moved."

Councilwoman Blass: "And seconded."

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

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

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Resolution #1008

Councilwoman Blass: "Adopts a local law to amend Chapter 58 entitled Dogs of the Riverhead town code. This is for the redemption of impounded dogs. So moved."

Councilman Densieski: "And seconded."

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

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

Resolution #1009

Councilman Dunleavy: "Accepts cash security of Jon Mazur III. So moved."

Supervisor Cardinale: "Second, please."

Councilman Bartunek "Seconded."

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

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

Resolution #1010

Councilman Bartunek: "Accepts irrevocable letter of credit for Crystal Harbor Development, Inc. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1011

Councilman Densieski "Authorizes the release of a bond for Jaral East End Hotel Corp. So moved."

Councilwoman Blass: "And seconded."

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

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

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Resolution #1012

Councilwoman Blass "Authorizes the release of a performance bond from Malvese Equipment Co., Inc. for the storage building. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #1013

Councilman Bartunek: "Adopts a local law to amend Chapter 107 entitled tidal and freshwater wetlands of the Riverhead town code. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1014

Councilman Bartunek: "Authorizes the town clerk to publish and post public notice of public hearing to consider the addition of freshwater wetlands to the town of Riverhead Freshwater Inventory. So moved."

I might suggest that we forward a copy of this to Peter Danowski."

Supervisor Cardinale: "Okay. Both 1013 and 14."

Councilman Bartunek: "Just 1014."

Supervisor Cardinale: "Okay."

Councilman Bartunek: "So moved."

Councilwoman Blass: "Would we want to do the property owner or- "

(Some inaudible discussion)

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Supervisor Cardinale: "Notice of public hearing."

Councilwoman Blass: "This is actually a notice to hear the addition."

Supervisor Cardinale: "Okay, we want to make sure he's here because it does affect- he has another property."

Councilwoman Blass: "Seconded."

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

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

Resolution #1015

Councilwoman Blass: "Authorizes the town clerk to publish and post public notice of public hearing to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, Residence B-80 Zoning use district; Residence A-80 zoning use district, Cluster Development, Agriculture Protection zoning use district."

This clarifies the use of the golf course or appropriately lack of golf course use as counts towards open space and the required cluster subdivision."

Supervisor Cardinale: "That's correct."

Councilman Dunleavy: "And seconded."

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

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

Resolution #1016

Councilman Dunleavy: "Authorizes the town clerk to publish and post notice of public hearing to consider a local law to amend Chapter 108 entitled zoning of the Riverhead town code, Article XX-subdivision regulations. So moved."

Councilman Bartunek: "And seconded."

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

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

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Resolution #1017

Councilman Bartunek: "Authorizes the sewer district superintendent to attend a show. That should be 1017, not 117, Barbara. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1018

Councilman Densieski: "Adopts a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead town code, 101-10 parking prohibited. So moved."

Councilman Bartunek: "Mr. Supervisor, this resolution has already been adopted and what we want to do is we want to replace the resolution that Dawn gave us at the beginning of the meeting in place of it, 1018. Is that okay?"

Supervisor Cardinale: "We have amended 1018."

Councilman Bartunek: "So that would be— do you want me to read it, Dawn?"

Supervisor Cardinale: "Same caption."

Councilman Bartunek: "Adopts a local law to amend Chapter 108 zoning, empire zone of Riverhead town code."

Supervisor Cardinale: "Okay. So we want to withdraw the existing 118 and substitute in its place 118 and would you read the caption?"

Councilman Bartunek: "Adopts a local law to amend Chapter 108 Zoning Empire Zone Riverhead town code. So moved."

Supervisor Cardinale: "Okay. Moved and seconded."

(Some inaudible discussion among the board members)

Councilman Dunleavy: "Wait, wait, wait. That's not 1018."

Supervisor Cardinale: "That's correct."

Councilman Bartunek: "1018, 1018."

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Councilman Dunleavy: "Is parking."

Councilman Bartunek: "That's correct."

Councilwoman Blass: "We're substituting- "

Supervisor Cardinale: "Let me suggest the motion- that we (inaudible) the motion to withdraw the initial 1018 which was to adopt a local law to amend Chapter 101 and substitute in its place a new 1018 which adopts a local law to amend Chapter 108. Can I have a vote on that?"

Councilman Densieski: "So moved to withdraw 1018."

Supervisor Cardinale: "Second."

Councilwoman Blass: "And seconded."

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

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

Resolution #1018

Councilman Bartunek: "Adopts a local law-- haven't we heard this before?"

Adopts a local law to amend Chapter 108 of the Riverhead town code. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1019

Councilwoman Blass: "Adopts a local law to amend Chapter 108 entitled zoning of the Riverhead town code. This has to do with prefabricated dwellings. And I will make a motion but I have an amendment."

Supervisor Cardinale: "Okay. Moved to consider the 1019. Seconded. Now what kind of an amendment are you proposing?"

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Councilwoman Blass: "We had discussion and we had the approval of the town attorney to strike the word seasonal as well and we had been advised that that did not require an additional hearing but it's more appropriately agricultural (inaudible)."

Supervisor Cardinale: "Okay. So this is adopting a local law--"

Councilwoman Blass: "Upon the adoption, we want to indicate-- strike through of the word seasonal."

Supervisor Cardinale: "Okay, got it, so the word seasonal is struck. And as amended can we consider it now, Barbara, by calling the vote?"

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

Resolution #1020

Councilman Dunleavy: "Awards bid for water service materials for use in the water district. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #1021

Councilman Bartunek: "Authorization to publish advertisement for heating fuel. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1022

Councilman Densieski: "Authorization to publish an advertisement for propane. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1023

Councilwoman Blass: "Authorization to publish for food products. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #1024

Councilman Dunleavy: "Authorization to publish advertisement for diesel fuel. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #1025

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

Councilman Densieski: "Second the motion."

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

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

Resolution #1026

Councilman Densieski: "Supports the application to the NYS DEC for street tree grant funding. So moved."

Councilwoman Blass: "And seconded."

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Supervisor Cardinale: "Moved and— do we have a seconded now?
Vote please."

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

Resolution #1027

Councilwoman Blass: "Classifies action and declares lead agency
on change of zone for 25 Cranberry Street and refers petition to the
planning board. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded. Do we— is this
required to get the recommendation on this? Because this is the one
that's right off of Roanoke. Do we really want to delay it? But it
will add 60 to 90 days. Have we in the past— "

(Some inaudible discussion)

Supervisor Cardinale: "Okay. So we just routinely have done it
to get their opinion."

(Some inaudible discussion)

Supervisor Cardinale: "What did we recently change? For a
special permit we need not get their recommendation but it's— all
right, let's— "

(Some inaudible discussion)

Supervisor Cardinale: "Right. I would assume if we're going to
consider it, it's our opinion, our call, and if we are going to not
consider it, we don't ask them for their opinion."

Dawn Thomas: (Inaudible)

Supervisor Cardinale: "Okay. We're classifying the action
declaring the lead agency on the change of zone and referring it. So
we would-- if we don't have to refer it, we would consider not
referring it. So let's pass it as it is and delete the reference if
necessary. Because we have to pass the rest of it."

Councilwoman Blass: "So moved."

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

Resolution #1028

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Councilman Dunleavy: "Approves Chapter 90 application of St. John the Evangelist RC Church. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #1029

Councilman Densieski: "Authorizes the extension of time to remit real property taxes for senior citizens receiving enhanced STAR pursuant to Section 425 of the RPTL. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1030

Councilwoman Blass: "Approves the extension of performance bond of Riverhead Sound Associates LLC a/k/a Aquebogue Golf Resorts for road and drainage improvements. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #1031

Councilman Dunleavy: "Ratifies new date of public hearing Extension No. 71 Country Trails Riverhead Water District. So moved."

Councilman Bartunek: "Seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes. And this will be on-- the public hearing is going to be on October-- "

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Barbara Grattan: "November."

Councilman Dunleavy: "November-- "

Barbara Grattan: "21st."

Councilman Dunleavy: "21st."

Supervisor Cardinale: "Chief, could you-- make my day and tell me that my-- could you check and see if Hanley is here, my director of planning. He is here? Oh, because I know you're going to need him for-- could you ask him to come in? Thanks. Okay, go ahead. Sorry for the interruption."

Councilman Bartunek: "Order establishing lateral water main Riverhead Water-- "

Barbara Grattan: "No, no."

Councilman Dunleavy: "We have to vote."

Barbara Grattan: "Could I have your vote, please?"

Councilman Bartunek: "Yes. I'm not in a hurry or anything."

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

Resolution #1032

Councilman Bartunek: "Order establishing lateral water main Riverhead Water District Fedun Estates, Gordon Boulevard. So moved."

Councilwoman Densieski: "Second the motion."

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

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

Resolution #1033

Councilman Densieski: "Order establishing extension No. 87 Riverhead Water District for Demchuk Estates. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1034

Councilwoman Blass: "Could Rick come in? Because I do want to ask-- "

Supervisor Cardinale: "Yeah, Rick come in. We had a question I believe on this matter. Come to the-- come forth. And then we have an initial comment right after you finish that we needed you for."

Councilwoman Blass: "I just want-- this is the excavation permit for the Browning Hotel and I just want to make sure even though we didn't see it that you had added to the site plan itself the required language."

Rick Hanley: "Yes, right."

Councilwoman Blass: "Okay that's all thank you."

This grants excavation permit as provided by Chapter 62 to Browning Hotel LLC Phase One. So moved."

Councilman Dunleavy: "And seconded.""

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

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

Resolution #1035

Councilman Dunleavy: "Authorize town clerk to publish and post public notice of public hearing to consider a proposed local law for an amendment of Chapter 101 Vehicles and Traffic of the Riverhead town code, 101.9 Installation and Maintenance of a traffic light. So moved."

Councilman Bartunek: "Second."

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

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

Resolution #1036

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Councilman Bartunek: "Authorizes the supervisor to execute consent to contract assignment North Star Waste LLC with Residuals Management Services, Inc., Riverhead Sewer District. SO moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1037

Councilman Densieski: "Approves a temporary sign permit of the Pottery Barn Annex. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1038

Councilman Dunleavy: "Approves special use permit petition of James Blakeney. So moved."

Councilman Bartunek: "Seconded as amended."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes, as amended and the date is October 17th."

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

Resolution #1039

Councilman Densieski: "Authorizes American Site Restoration, Inc. to perform emergency work at the town yard waste facility. So moved."

Councilwoman Blass: "And seconded."

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

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The Vote: "Dunleavy."

Councilman Dunleavy: "This work's been done. We're just authorizing it to be paid."

Supervisor Cardinale: "Right."

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

Resolution #1040

Councilwoman Blass: "Authorizes the shift of operation into the Empire Zone. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1041

Councilman Densieski: "Pay bills. So moved."

Councilman Bartunek: "Not yet."

Councilman Densieski: "Authorizes shift of operation into an empire zone. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #1042

Councilman Bartunek: "Resolution to pay bills."

Councilman Densieski: "Second the motion."

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

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

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Supervisor Cardinale: "Rick, yeah, would you have Rick come in? What did he think, I called him in so I could look at his face?"

Rick, I think there's a comment here that may relate to your office, your department. Go ahead, please."

Jim Gaughran: "Supervisor, Members of the Board. Thank you very much. I will try to be as brief as I can because I know the time is late.

My name is Jim Gaughran, I'm an attorney with offices at 191 New York Avenue, Huntington, New York. I represent Local 1500 of the United Food and Commercial Workers Union and I'm also speaking on behalf of 100 of their members who reside here in the town of Riverhead.

It is my understanding that you will at some time soon be voting on the Headriver Wal Mart site plan application. And I wanted to ask you if you could make sure that you review it very carefully before you act on that.

The recent communication that you received from the Suffolk County Planning Commission, if you haven't seen it, I have copies of it."

Supervisor Cardinale: "Yeah, I haven't. I'd like to see it. Have you seen it, Rick?"

Rick Hanley: "Yes."

Supervisor Cardinale: "Okay. I got a call on it but I haven't seen it. Oh, did you, you got it? Okay."

Jim Gaughran: "The Planning Commission unanimously with one exception— with one abstention rather, recommended very strongly against this application. Now technically it is coming to you as no action being taken but that is a problem with our County Planning Commission because the Planning Commission is supposed to have 15 members. It currently only has nine; eight of them showed up and one of the eight members who showed up stated on the record that he has a personal financial interest in this application so he, of course, had to recuse himself, and unfortunately the Riverhead member was the one person who didn't attend but the result of that is that there was a vote of seven to nothing in opposition to this application. And the Planning Commission did also vote to send to you these specific comments. And I urge you to look at them.

One of which, I think is one of the most important comments in opposition, is approval of the requested site plan would tend to substantially undermine the effectiveness of the destination retail

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center zoning ordinance. And if I could just read quickly part of that.

Analysis of the town of Riverhead's zoning law indicates that uses in the destination retail center are to have a campus style layout with no strip or free standing businesses permitted.

The proposed Wal Mart store and the proposed 27,000 square foot retail building are indeed free standing are not oriented as part of a campus style configuration. Each use is surrounded by asphalt and parking stalls and does not convey the campus style intent in the local zoning law."

(At this time, the CD ended)

Speakers: Dawn Thomas
Rick Hanley

Joe Brush - regarding tow truck operators
Trisha Benton - re touring list

Meeting adjourned: 6:20 p.m.