

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Riverhead Town Hall, Howell Avenue, Riverhead, New York on Tuesday, October 4, 2005, at 7:00 p.m.

Present:

Philip Cardinale,	Supervisor
Edward Densieski,	Councilman
George Bartunek,	Councilman
Barbara Blass,	Councilwoman
Rose Sanders,	Councilwoman

Also Present:

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

Supervisor Cardinale called the meeting to order.

Supervisor Cardinale: "It being October 4th, 7:00 P.M., all right, I'd like to begin with the— first with the town attorney coming in, and then with the Pledge of Allegiance where we will let Erica once again lead us with the Pledge of Allegiance."

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

Supervisor Cardinale: "Okay, if I can have the Board join me down in the well of the room for a second and I wanted to— for those who haven't met— our new library director.

I— Barbara and I met Paul Facchiano who is starting October 17th as the director of the library— we met him a week ago when he was introduced at the library. I know the other board members did have a chance to meet him. The public hasn't seen him on TV and now they are going to have the opportunity to see what this fine looking gentleman looks like. I'd like to introduce him (inaudible) and I want to thank (inaudible) the previous director who served the library for many years including those years in which Barbara and I served on the board.

So Paul Facchiano, the new library director as of October 17th. Maybe you can say a few words to us about what your plans are."

Paul Facchiano: "Yes. Let me tell everybody in the community that it's an honor to be the new director of Riverhead Free Library. I'm looking to making some really positive connections with the community starting tonight and my office will always be open for

anyone to come and meet with me, speak with me about any ideas that the community might have. I'm real excited about (inaudible).

I worked in Central Islip for 16 years, Central Islip Public Library. My last title there was Assistant Director which I held that position for about five years."

Supervisor Cardinale: "Great. At least we know a little bit more about you. Rose Sanders, Councilwoman, Barbara who you've met, Ed Densieski, George Bartunek. We certainly want to welcome you to the community. I know that great things are on line to occur at the library and it gets a lot of use. It's amazing how many people in the community get over there and use it. It's a great place."

Paul Facchiano: "Thanks very much."

Supervisor Cardinale: "It's a pleasure. Okay, this is the beginning of the meeting and I'd like to ask for approval of— an approval motion for the minutes of September 7th and September 20th, the last two board meetings."

Councilman Densieski: "Motion to approve the minutes. So moved."

Councilman Bartunek: "And second that."

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

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

Supervisor Cardinale: "Thank you. Can we have the Reports, please, Barbara?"

REPORTS:

Town Clerk
Monthly report for
September
total collected was \$8560.84
Receiver of Taxes
Utility collections
report for
September, 2005, total
collected was \$519,108.40

Recreation Department
Monthly report for April,
was \$73,826.00

Police Department
Monthly report for August

Sewer Department
Discharge monitoring
report
for August, 2005

Juvenile Aid Bureau
Monthly report for
August,
2005

Barbara Grattan: "That concludes Reports."

Supervisor Cardinale: "Thank you. Applications, please."

APPLICATIONS:

Site Plan
Amended - Splish Splash -
bathroom facility

Site Plan
Gemini Realty - east side
of
Kroemer Ave., the construction
of an addition to an existing
building

Site Plan
Henry Perkins -
renovation to
building

Special event
St. John the Evangelist
Church
craft fair December 10, 2005

Barbara Grattan: "That concludes Applications."

Supervisor Cardinale: "And I see nobody wrote us any
correspondence."

Barbara Grattan: "Please write us letters. We've got no
correspondence; we're lonely."

Supervisor Cardinale: "Yes. And that brings us to- "

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Councilwoman Blass: "Excuse me, Madam Clerk, I think Bruce Johnson had communication-- at least he represented to us on a public hearing."

Barbara Grattan: "That's on a public hearing. Yes, I have that right here."

Councilwoman Blass: "Okay. Thank you."

Supervisor Cardinale: "Good. So that we now reach the public hearings, but before we do that, if anybody has on the board an announcement of any sort, please feel free."

Councilman Densieski: "Yes. Thank you, Phil. Just a reminder that this Sunday is the country fair on the river front downtown and I hope everybody can make it down."

Supervisor Cardinale: "Great. Hopefully the weather will be great."

Public hearings are to commence at 7:10 and I'm hopeful my voice will hold out through them and the meeting so it's 7:12, I'd like to begin the first public hearing."

Public hearing opened: 7:12 p.m.

Supervisor Cardinale: "Which is for the consideration of the final supplemental generic environmental impact statement to amend the zoning use district map to provide for the Planned Industrial Park Zoning Use District to the exclusion of the Planned Recreational Park Zoning Use District upon approximately 590 acres located within the Enterprise Park at Calverton."

This is an important hearing and an important endeavor. It's particularly noteworthy because the board seems united on this but this is Rosh Hashana I think today, and since we have less than the normal turnout and since I would ordinarily hold this hearing open for 10 days for written comment, I'm going to hold it open for 15 days to allow written comment to be put in after we take the verbal comment tonight and I'm going to also keep it I guess adjourned to the next meeting on October 18th, so that we can take further verbal comment from anybody who could not come today because of religious observances or otherwise. So it's going to remain open for verbal testimony on the 18th and for written testimony through the close of business on the 19th.

So who would like to be the first to comment tonight, if anyone, on this? Of course, you can also comment in writing if you prefer. Frankly, I prefer because my throat is really sore."

Councilwoman Blass: "Mr. Supervisor, maybe we can ask the planning director to come up and give us the sequence of the process here."

Supervisor Cardinale: "Yes. He was getting up to make a little speech. Go ahead."

Rick Hanley: "Oh yeah. I'm not happy unless I'm up there."

Supervisor Cardinale: "Yeah, I know it."

Rick Hanley: "As the board is aware, we decided on this endeavor that we would prepare an impact statement to support this change of zone that we're considering. And we hired a consultant to prepare an impact statement for us which he did. There was a hearing on the draft. There were a number of comments from the board itself about the draft and they wanted some more study done in the final.

You accepted the final at your last meeting and I could probably just summarize what the changes were from the draft to the final that you wanted further work on.

You wanted further work on a demand for industrial uses with aviation component in the region, what is the demand in the region. Impacts of the rezoning upon a habitat supporting a rare species on the site. The capacity of the Manorville Fire District to meet fire protection demands. And the appropriateness of utilization of the town's TDR program on the build out. So those are the things that were in the final tonight."

Supervisor Cardinale: "And that was all included in the final?"

Rick Hanley: "Yes. That's why we accepted it."

Supervisor Cardinale: "Okay. If there is comment it will be taken now. If there is no comment now I would invite anyone to make written comment between now and the 19th and to show up on the 18th to supplement your written comment with verbal comment.

It being 7:16, we can move to the second hearing."

Public hearing left open for verbal
and written comment

Supervisor Cardinale: "Which is curiously enough the one that was supposed to start at 7:15. It is for the consideration of an amendment to the zoning use district map to provide for the Residence

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B-40 zoning use district to the exclusion of the Business A zoning use district as depicted upon the attached map.

This is a— is a housekeeping matter that addresses Overlook Drive in Aquebogue, a peninsula that comes out to the bay, next to Eve's Deli. And we're making it fit the plan, the master plan and the zoning.

Is there anyone here who would like to be heard in regard to this? Okay. I'm really on a roll here. Therefore, it being 7:18, we can close the hearing. I'll leave it open for a few days, five days in case somebody has an urge to write something and send it to us about it and then it will be fully closed."

Public hearing closed 7:18 p.m.
Left open for five days for
written comment

Supervisor Cardinale: "And now I have three minutes to kill before I can call the 7:20 hearing, is there anybody out there who has a comment on anyone of the resolutions they'd like to fit in here? If you do, now is the time. This is going to be a good night, I can see this coming. Nobody has a comment on a resolution? I knew you would, Sal. Please come up."

Sal Mastropolo: "Sal Mastropolo, Calverton. Resolution #18, the CDA. On the third page in the first paragraph about three lines from the bottom of the paragraph, it says the property that had been acquired and assembled by the agency for transfer to Swezey Riverhead Holding LLC. Can you tell me what the transfer price was?"

Supervisor Cardinale: "What line are you looking at?"

Sal Mastropolo: "The third line from the bottom of the first paragraph. It starts with the words, by the Agency for transfer."

Supervisor Cardinale: "The third page?"

Sal Mastropolo: "Yeah, the third page."

Supervisor Cardinale: "Third line did you say?"

Sal Mastropolo: "Third line from the bottom of the first paragraph."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "It's four pieces of property— "

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Supervisor Cardinale: "Yeah. I think- I wonder if I- let me see if I can recollect that far back. The- I think \$160,000 is what we paid for the Rimland's piece. That was Jimmy Stark's administration as I recall. I think that was the only one that we had purchased."

Sal Mastropolo: "Okay. No. That's what we bought it for."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "What are we transferring- what are we selling it to Swezey Riverhead Holding LLC for?"

Supervisor Cardinale: "We're not selling the property at all. What we're doing is- it was recorded in the paper, the settlement of the lawsuit is that this will precede the Culinary Art Institute and when the sale is made from Swezeys to what we expect to be a qualified and eligible sponsor, this entity, that we will get \$412,000."

Sal Mastropolo: "That was just for the- that was for all four pieces?"

Supervisor Cardinale: "That was for all four pieces that we contended we had an interest in."

Sal Mastropolo: "Okay."

Supervisor Cardinale: "But there is another piece, of course, that we do not have an interest in that was fully owned by Swezey. So they're going to be able to sell all the five pieces and they're going to pick up off the table about \$400,000. We're going to pick up off the table about \$412,000."

Sal Mastropolo: "Okay. Resolution #19. There's no mention of any fire marshal inspection. Usually when we do things, you know, like craft fair or anything else, in the documentation we say that the fire marshal will inspect it three days before, etc. You're going to have a car jump and there's no mention of the fire marshal inspecting anything or even being there to make sure they have a fire suppression system."

Supervisor Cardinale: "I know there was a number of discussions on this and it may be in the agreement. Did you read it? The agreement itself."

Sal Mastropolo: "There was a lot of stuff in the agreement that he's responsible for clean up and he's responsible for safety, etc."

Supervisor Cardinale: "Right."

Sal Mastropolo: "But there was- I didn't see anything that said that the fire marshal will inspect the site to ensure that- "

Supervisor Cardinale: "I don't know if Chris is still here. He worked on this, my deputy. But I think it's certainly a good idea, Sal, that the fire marshal wander out there tomorrow and observe.

Paragraph 4 of the license agreement seems to address it according to town counsel. Paragraph 4 says shall have exclusive control over all operations, the licensee, including without limitation provision of emergency medical, operation of sanitary. Following the event (inaudible) garbage and rubbish."

Sal Mastropolo: "I still don't see anything that says that the fire marshal is going to go out and inspect it."

Supervisor Cardinale: "It would be a good idea for him to go out there. I think I'll instruct him to do that. He'll be able to watch this stuff. He'll love it."

Councilman Bartunek: "When they do the inspections though, the fire marshal, it's for the protection of the public. This is not really a public event."

Sal Mastropolo: "Well, it's Riverhead town property, okay, and you're dealing with cars and gasoline and jumping cars."

Supervisor Cardinale: "They could burn up our field. Ah, the fire marshal would love the trip."

Sal Mastropolo: "938."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Five thousand dollars for a land preservation consultant?"

Supervisor Cardinale: "38 did you say?"

Councilwoman Sanders: "938."

Sal Mastropolo: "938."

Supervisor Cardinale: "938."

Sal Mastropolo: "Don't we have Sean Walters as one of the attorneys in the town hall that handles land preservation?"

Supervisor Cardinale: "Yes."

Sal Mastropolo: "And we're paying \$5,000 to a consultant for what?"

Supervisor Cardinale: "We deal with- "

Councilwoman Blass: "Peconic Land Trust."

Supervisor Cardinale: "Peconic Land Trust. We have for a half dozen years. They do the survey work, coordinate it. They do the inquiries at to the- the broker work in effect. They do the identification of the piece and I have my reservations about it, too, Sal. Because I think it is pretty expensive. In fact, I'm going to pull one of the resolutions that is going to come up, maybe it's this one. I'm going to pull one or ask that it be pulled for further discussion. They ran out of money on another resolution- oh, yes, it's #938. It's this one."

Councilman Bartunek: "(inaudible) discussed at the work session."

Supervisor Cardinale: "Yeah. We're going to pull this one. I have similar reservations."

Sal Mastropolo: "Okay. 953."

Councilman Bartunek: "We didn't discuss it at the work session."

Supervisor Cardinale: "Yeah. We didn't discuss it at the work session either."

Sal Mastropolo: "953. I picked this one because Sharon Klos has determine construction is completed and a certificate of occupancy has been issued. So we're giving them their bond back."

Supervisor Cardinale: "Sorry, I was taking a question from one of the board members."

Sal Mastropolo: "953."

Supervisor Cardinale: "953."

Sal Mastropolo: "Yeah."

Supervisor Cardinale: "Okay, I've got it."

Sal Mastropolo: "And I'm bringing this up only because I happen to know somebody that lives in a development where the bond went back and he's going through all kinds of hell now because his property gets flooded out."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "I'm just asking on this one, on these, why don't we set like six months after the certificate of occupancy has been issued before we release the bond to ensure that, you know, ground runoff and anything else that could go wrong, at least we have six months to make sure nothing goes wrong. It seems like, you know, we issue a certificate of occupancy and we immediately give them back their bond and then we have nothing to hold over their head if there's a problem. Like, you know, egress and access from the property."

Supervisor Cardinale: "Well, the- we do have a maintenance bond on roadways so we take that concept when you're talking about roadways, which is the basic drainage issues. We have a roadway performance bond to build the roadway and then we hold the bond for a year afterwards to see if it worked. When you built it, even though you built it to the specs. We do that with roadways. We do not do it with construction on a CO because it is never going to get any better than approved. Once it's approved by Sharon Klos on the construction on the commercial or Leroy on the other or one of workers, he would- they want me to be business-friendly, so they've got to give them back the money then."

Sal Mastropolo: "Okay. And last but not least- "

Supervisor Cardinale: "Yes."

Sal Mastropolo: "969."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "The first piece of property, the right turn only, I'm not sure if the second word is correct, if it's off or of."

Supervisor Cardinale: "I have some questions about- "

Sal Mastropolo: And either way I'm trying to understand what you're trying to say here because that gas station is, you know, the new gas station off 25A and 25 across from the jet, and I'm trying to understand where you're going to put the right turn only.

Are you telling me that if you're coming out of the gas station, you can only make a right?"

Supervisor Cardinale: "That is correct."

Councilwoman Sanders: "That's correct."

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Councilman Bartunek: "And I think the way this should be worded, it should be west of roadway leaving from gas station to Route 25. I'm going to check that tomorrow but I think that's the way it should be worded."

Sal Mastropolo: "So if you come out of that gas station, you can't go east?"

Councilman Bartunek: "The way the— as I understand the curbing is designed— it's designed to discourage people from making left hand turns heading east."

Sal Mastropolo: "The curbing in and out of the gas station?"

Councilman Bartunek: "It directs— yes, that's what I understand. I haven't been in there."

Sal Mastropolo: "I've been there once or twice. I don't recall there being any kind of a sweep on the curbing like there is over by CVS where it forces you only to go in one direction. I think they're just straight cuts in and out of the gas station."

Councilman Bartunek: "Well, regardless— "

Sal Mastropolo: "And you've got a repair center in the back, okay, which gets a lot of traffic in and out. I just don't understand how you can stop guys from going east on 25. I mean it's not like you can make a right and find a convenient place to make a U-turn because 25A splits off right there.

It is a dangerous intersection, don't get me wrong. I mean it's even dangerous if you're— if you're going east on 25A and you merge into 25 and you want to make a turn into that gas station, that's a disaster waiting to happen. Because you've got traffic slowing up for the light going west on 25 but you have traffic that's continuing their present rate of speed because they're going to go off on the 25A cut. Okay? So it is dangerous. But I just don't understand what you're trying to accomplish with the right turns only. Okay?

I mean I would think that if you're not going to have a left turn out of the gas station, you shouldn't have a left turn into the gas station because it's a double solid line right there."

Supervisor Cardinale: "I'm going to ask George as the highway panel liaison from the board, take a look at that and see if this is the right way to correct the problem. We had some complaints about this and this was the way we wanted to address it but maybe there's a better way, take a look at it. But if there's no better way— "

Councilman Bartunek: "Thanks a lot, Sal."

Supervisor Cardinale: "-- they're going to have to- "

Sal Mastropolo: "I'd rather bring it up now before somebody gets creamed there, okay."

Councilman Bartunek: "Well, I mean this- these resolve the issue of people not making a left hand turn out of the gas station. How you'd ever control people who are heading east on 25 or 25A and stop them from making a left into the gas station- "

Sal Mastropolo: "Well, can you make- "

Councilman Bartunek: "Make it a triple yellow line or something."

Sal Mastropolo: "Can you make a left on a double solid line?"

Councilman Bartunek: "Not supposed to. I don't think you're supposed to cross a double yellow line. Can you?"

Councilman Densieski: "Sure you are. How do you get in your driveway?"

Supervisor Cardinale: "They will, to get into the gas station. Yeah. Let's take a look but if nothing else works, this certainly will work. If they get creamed, they'll be doing that illegally. I suppose that's progress. I suppose that's progress. Yes?"

Councilwoman Blass: "I think maybe the confusion might be the location of the sign itself is east of the roadway leading from the gas station. It's going to be on the left side. I think that's what- "

Councilman Bartunek: "Well that's what I was going to check."

Councilwoman Blass: "I think it's east of- meaning it's on the left side. It's going to say right turn only, not east off the runway. It's east of the runway, meaning- "

Councilwoman Sanders: "Roadway."

Councilwoman Blass: "Roadway. Runway."

Supervisor Cardinale: "So we'll make that change."

Sal Mastropolo: "Let me ask a question then. There's two cut-outs. There's two entrances and exits from that gas station. Are you saying that the east-most exit is going to have a sign? What about the west exit?"

Councilwoman Blass: "I'm not saying east or west exit. I'm saying it's east of the roadway leading from the gas station to Route 25 and 25A."

Sal Mastropolo: "Okay. But, Barbara, my question is when you say roadway, since it's not a road it's a curb cut, and there's two curb cuts- "

Councilwoman Sanders: "It's an exit."

Sal Mastropolo: "Okay, but if you have it on the east side of the east most curb cut, okay, what about the west curb cut? Are you going to have another sign there?"

Councilwoman Blass: "George will take a look at that."

Councilman Bartunek: "Thank you, Barbara."

Councilwoman Blass: "George is taking a look at it for us."

Councilman Densieski: "Good man, George."

Councilman Bartunek: "This is only for a public hearing, Sal. We'll get it ironed out exactly the way we want this sign to be placed and what we should be doing there prior to the public hearing."

Sal Mastropolo: "Okay. You may want to consider what you're going to have in the public notice."

Supervisor Cardinale: "Thank you."

Sal Mastropolo: "You're welcome."

Supervisor Cardinale: "Okay, it being 7:30, we can recommence the- "

Councilwoman Sanders: "Oh, Sid has a question."

Supervisor Cardinale: "Sid."

Sid Bail: "Sid Bail, Wading River Civic Association. I brought a bottle of water with me because this may be a very long question. No, just kidding. 944, could you explain what that resolution- authorizes- 944."

Supervisor Cardinale: "Yeah, that was for the necessity for the re-dredge. After the storm in March thanks to the DEC's- how shall we put it- edict, that we must do it in March, we did it. There was I guess LIPA did it, it came back in and we had to do it again. That's what that is."

Sid Bail: "That's what it is. Thanks very much."

Supervisor Cardinale: "Okay. We have a third, I think, hearing which we had reached which was the 7:20 hearing for consideration of a local law to amend Chapter 108 of the town code for the definition of transient lodging. It is 7:31 and we can now commence the 7:21 hearing."

Public hearing opened: 7:31 p.m.

Supervisor Cardinale: "If there is any comment from anyone on this, I would be happy to take it. If there is not, I'd be happy to leave it open. Yes, Marty."

Martin Sendlewski: "On this particular amendment to the zoning, it really is a small item. It's a definition. Which doesn't really, I mean, has it's meaning and that's what it is. I think it relates to a lot more with regard to the Grumman property. Is there going to be a hearing about that in addition to hearings like this for the public to comment on?"

Supervisor Cardinale: "Well, let me disabuse you of what it is and indicate what it actually is if I can get the— the transient lodging which is a legal transient, has never been defined clearly in our code. And it's going to be defined clearly not just for the EPCAL site where any hotel would have to have units providing lodging designed to be available as sleeping and living quarters for paying customers on a daily or weekly rental basis not to exceed 30 days.

This would also apply ultimately to all hotels in town because this is— there is nothing unique about this to the EPCAL site. Every hotel in town needs to be housing of transients only and this defines what a transient is. And it's a unit providing lodging designed to be made available as sleeping or living quarters for a paying customer on a daily or weekly rental for a time not to exceed 30 days.

Because we all know that we do not want any hotel in town, Mr. Browning's, the Holiday Inn, Jim Bissett's, to wind up being rental units rather than hotels."

Martin Sendlewski: "Do you think that in addition to this part of this hearing you should add— because dovetails into another item such as the definition of a cottage or a villa.

The reason I ask that, I have a copy of an August 25th article in the News Review and it's not particular to one site but this is just an example that's here. The reason I think it's important to dovetail this into other definitions is because in that edition of the News Review and I'll quote, it says Ann Nowak an attorney for Mr. Wilpon said he has no intention of building only cottages and said he would

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agree by covenant that none of the hotel units or villas would be sold as condos for 20 years. Does that mean that a condo or a villa can be sold after 20 years? These definitions, I think, should dovetail with this particular definition because it could have a big impact."

Supervisor Cardinale: "I don't think- "

Martin Sendlewski: "It sounds to me like in 20 years they're going to sell this as residential units at Grumman according to the attorney."

Supervisor Cardinale: "Actually they would only be able to do that if a subsequent board changed the zoning as you well know as an architect."

The zoning is very clear that a hotel conference center is all that's permitted there and incidentally do you read press releases that are issued? I mean, because due to the politicalization of the Wilpon deal, that negotiations have been discontinued and there's a new RFP going out for any deal in the best interests of Riverhead consistent with our zoning which will now be clarified by this transient definition.

So if you have a great idea and got some money to back it up, offer a-- you'll be-- an RFP available to the public at the end of October for answer by the end of November which I think will put to rest once and for all what deals are available out there. From whatever deals are available, I urge this town to make a deal for the portion of the property because without a deal we will have no tax relief in this town and we've been hassling around, doing nothing, sitting on our rear ends for six years since we took that property and changed the zoning.

So we're going to have an RFP, the zoning will be clarified, make an offer. Let's see."

Martin Sendlewski: "Okay. I just think that with-- if we're going to amend zoning now, it would be worth looking at a lot of things. This is just a definition."

Supervisor Cardinale: "We're defining a term in the zoning."

Martin Sendlewski: "Right. But there are other terms that apply to various properties that generated this that I think aren't being addressed such as the definition of a villa or a cottage. And they're saying in here that they may sell them in 20 years. To me that's not a rental."

Supervisor Cardinale: "They may sell them if there was a zone change in 20 years but they're not going to sell them under this current zoning. We- "

Martin Sendlewski: "At that point, it would be too late if this happens and they turn around and sell it in 20 years with another board without foresight."

Supervisor Cardinale: "You can't- are you just being particularly dense or are you- "

Martin Sendlewski: "No, no, no."

Supervisor Cardinale: "I tell you they can't do it under the current zoning. It says hotel conference center. It does not say no matter how many times you want to say it, villa. It does not say affordable housing, 6,000 units. It says hotel conference center. You can have a little room in the hotel or a big one or you can have a golf villa."

I don't know why Riverhead tries to reinvent the wheel. They do this at Hilton Head, they do this in Arizona. That's the way hotels are built. They have units in the hotel and sometimes they have units outside the hotel. They're rented from the main desk and we're making it clear that you can only rent it by the day or the week and for no more than 30 days. But there may be a better deal out there. It may be that the United States government wants to take that over and utilize the runway for national protection. Anybody who wants to, we're waiting, for that RFP to be responded to."

Martin Sendlewski: "Thank you. Oh, just one other comment not about this but about that thing with the state with the left turn. Just to throw this in since I'm up here."

Supervisor Cardinale: "Yeah."

Martin Sendlewski: "I don't think the town should get involved with certain things because you open up liability. All control over traffic on a state road is determined by the state DOT and you should keep it that way because you open us taxpayers up to liability if you impose restrictions on a state road. Leave that up to the state engineers, don't touch it."

Supervisor Cardinale: "You're talking about 25?"

Martin Sendlewski: "Yeah. It's a state road. The curb cuts, the left turn signs, everything is dictated by the State of New York DOT, not the town of Riverhead. Don't do that because you open up liability to us taxpayers."

Councilman Bartunek: "Can I ask you a question, Marty, was the DOT involved in the site plan review, curb cuts, etc.? They reviewed all that."

Martin Sendlewski: "Right. I'm just saying that I don't know what the issue is but there was something about signage- "

Supervisor Cardinale: "Yeah."

Martin Sendlewski: "-- and a town action."

Supervisor Cardinale: "His question though is you make a good point actually on this. But he asked the question does the state of New York review the site plan?"

Martin Sendlewski: "Absolutely. They give us every sign- "

Supervisor Cardinale: "So that would be consistent with what you're saying."

Martin Sendlewski: "They give us the location of the no turn signs, the- every sign, they give us the font, the color, every location and if the town involves itself in that, you open up a liability for the town and its taxpayers by, you know, overriding the state. Just let the state own that whole issue because it's their liability."

Supervisor Cardinale: "So the better way to go about it might be to apply- "

Councilman Bartunek: "Apply to the state and it also pertains to the sign leaving Glenwood."

Councilwoman Blass: "And also the other one in Jamesport on Route 25 off that gas station as well."

Councilman Bartunek: "How did they handle the right turn only sign coming out of the parking lot by Dunkin Donut? How was that done? Does anybody recall?"

Councilwoman Sanders: "The town I believe installed that."

Martin Sendlewski: "It's just that it's their jurisdiction so for the town to get involved it could just raise a liability issue of somebody- "

Supervisor Cardinale: "All right, we'll take a look at that. Thank you for bringing that up."

Martin Sendlewski: "Okay."

Supervisor Cardinale: "So let's take a look at that. Dawn, can you, I know you've got lots going, but if you could, that should be a pretty easy answer, yes or no."

Anybody else have a comment on the 7:20 hearing? If not, I would like to keep it open for five days for written comment and then it will be closed fully."

Public hearing closed: 7:40 p.m.
Left open for written comment for
5 days

Supervisor Cardinale: "7:25 we had scheduled the consideration of a local law to amend Chapter 108 of the town code on signs. It is now 7:40, we can commence that hearing."

Public hearing opened: 7:40 p.m.

Supervisor Cardinale: "I see one member of the Architectural Review Board. I want to thank the Architectural Review Board for its hard work over the years. I hope this code will make its work more pleasant and meaningful and who wants to comment? You have a comment, too, the Clerk. Architectural Review Board, why don't you do so and then the Clerk will follow."

Roy Sokolowski: "I'm Roy Sokolowski, Chairman of the Architectural Review Board. Obviously I'm here to- I'm happy that we finally reached this point where I think we have a very workable new sign code and I strongly encourage that it be fully adopted.

I also appreciate the fact that George and Barbara, we got to sit down and work it out together.

There are certain items or areas of this code which still may not be exactly perfect or the way we would like it but I think it's 101% better than the code we have and I think the real key will be how we use the code administratively, both on the Architectural Review Board and as I said before I'm going to repeat how the town enforces it.

The key to this code as any other code is it's going to need to be enforced. And I think is most important. But on the whole I think, you know, this code was written not just to be restrictive, it was written to have a better understanding on what the business community needs and wants. I think we've been very fair in many areas in what we are allowing so I really don't anticipate there should be any objection to the new code.

Thank you."

Supervisor Cardinale: "Thank you. Barbara, you had a comment?"

Barbara Grattan; "This is a letter from Bruce Johnson. He writes here are a few comments from the fire protection and code enforcement division concerning the proposed new sign code.

General comments: As the town board has assigned enforcement to the Fire Protection and Code Enforcement Division, an efficient method for access to files of sign permits issued by the Building Department will need to be established.

Given the current backlog of life safety complaints (over crowded housing) in the Fire Protection and Code Enforcement Division, enforcement of the sign code may need to be a low priority until additional staffing is provided in the budget.

Specific comments

1. Nameplate signs are referenced in several sections of the code but not all sections include the permitted dimensions. We recommend that the definition of nameplate signs include allowable dimensions.

2. Section 7 Gasoline Stations: items (2) states shall not exceed sixteen (16) in area. Is this 16 square feet, 15 square inches? Clarification is needed.

3. For all signs where size is regulated, inclusion of the permitted dimension as part of the sign definition would help in both public awareness of allowable dimensions and also assist enforcement officers.

4. Section 2 Residential Property Real Estate Signs: Item (f) requires the property owner to deposit \$100.

This section does not specify where the required deposit will be made; town clerk office, building department? This should be specified in the code.

This section is impractical as the real estate company (not the property owner) should make deposit. It would also make sense for the real estate companies to post one general deposit (or bond). An individual fee for each property could generate hundreds of deposits and refunds annually."

Supervisor Cardinale: "Thank you. I should note that there's a tentative budget which has been placed on the record with the clerk. There will be a preliminary after the board looks at it on the 20th of October and then a final November 20th. A tentative budget at least incorporates a part time code enforcer and a part time clerical assistant in part to enforce this."

Councilwoman Blass: "Mr. Supervisor, the end of the day there was a subsequent edition to that e-mail that you may want to read into the record as well. It came from the same source."

Supervisor Cardinale: "There you go. Bruce, the fire marshal."

Councilwoman Blass: "I think that what's in red is the additional."

Barbara Grattan: "Number 5. The prior sign ordinance provided the authority to remove any sign which was in violation of this code. In addition, bill the responsible parties for such removal; this insertion should be reintroduced into the new ordinance. The penalties section would most likely be the appropriate area for this insertion. Also methods of removal of illegal signs need to be explained and outlined (i.e., fees, impounding, etc.). Below is a general language guideline to start with.

Penalties: If any sign as described herein is illegally placed, or is not removed in accordance with the above provisions, the town of Riverhead is empowered to remove said sign and bill and collect the expense of removal from the appropriate parties, including but not limited to the owner of the sign, the owner of the real property upon which the sign is located, the lessee of the real property upon which the sign is located, the lessee of the sign owner or any other interest holder."

Supervisor Cardinale: "Thank you for sharing. Okay, I'm sure that we'll look at that carefully and everything else that's said. Does anyone else wish to say something? Marty."

Martin Sendlewski: "Just one item. The addition I reviewed I think was the previous to the last copy so it might have been changed.

On signs on 58, we've routinely gotten variances. Riverhead Bay Motors, we got three signs instead of one 15 feet high. Two weeks ago we got a variance for Maximum Motor Sports, two signs 15 feet high. It's always been because that's the established character of the signage on Route 58. The zoning board issues those variances.

If a variance like that becomes so routine, it may be something that you may want to look at this revision of the code and allow vehicle dealerships because they have brand signs that have to stand alone, that you may want to consider something in the code just so you don't end up with what I almost consider a routine variance, which is sort of a strange statement that it's a routine- well, it shouldn't be routine. That may be one thing that you may want to look at.

And the only other thing that- I don't know how Roy thinks about this, would be- would there be worthy of considering an additional

section in the code of the permit procedure for signs and changing that? It would be nice if the permit procedure would be a lot simpler, if there was a form that was filled out that went right to the ARB, they sign it, a proof is noted or revised and resubmit or approved. They sign it, the next day you go to the building department with the initial site plan, the initial sign. You pay the fee, your permit is done.

The business owners would really benefit from that and I think it would give the ARB a little bit of a better standing if they were, you know, I've been to a lot of meetings and sometimes they're negotiating with owners over signs and I think if an owner knew that the ARB said look, if you take out this line we'll make this approved as noted, tomorrow you can walk down and pay your \$200.00, whatever it is, and put your sign up tomorrow afternoon, I think it's going to give them a little more authority where the owner is going to say you know what, you're right, take it out, approve as noted, I want to put my sign up tomorrow. It might give them a little bit more leverage."

Supervisor Cardinale: "I think that nothing could be more ridiculous than the current situation because we're negotiating because the code is so inadequate that the rules and regulations that have been placed on the applicants are just created. Now we're going to have a code.

I would hope that the Zoning Board of Appeals does not grant variances. Just as I stated when we passed the master plan zoning, that if they're going to grant compassionate variances willy nilly, then we ought to go out of the zoning business. On the other hand-- so I hope that that follows in this instance as well. Once the statute is passed, that is the word of the legislators as to what we think about signs.

The second suggestion, I think, is a good one that-- the way it goes now is the Architecture Review Board as I understand approves it and then we have to pass a resolution, is that right? So why could we not-- yeah, they approve the sign but then we pass a resolution and it delays things."

Councilwoman Blass: "It's only temporary signs that the town board-- "

Supervisor Cardinale: "So we don't do the regular signs. Right now what would be stopping the ARB from initialing it on Tuesday night or whenever they meet and say go to the building department tomorrow?"

Unidentified: (Inaudible)

Supervisor Cardinale: "Okay, so let's do it that way."

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Martin Sendlewski: "It would be nice if the building department— they're busy enough. I mean they don't need to look at signs. Let the ARB do it, sign it, they can go down, so it goes in the file with like the building permits and all that, but just pay the fee, the building and you give them a signed copy and the building stamps and says you're done."

Supervisor Cardinale: "Well, I certainly would want to know whether— Leroy, in that regard what happens is they approve it, it comes to you for the permits, correct?"

Martin Sendlewski: "It goes to them first. Then it goes to ARB."

Supervisor Cardinale: "Then it goes to ARB and then it comes back for the permit. Well, once they approve the signs, somebody's got to issue the permit."

Dawn Thomas: "Before it goes to the ARB, (inaudible)."

Supervisor Cardinale: "Right. So you have to see it initially to determine if the applied for sign is consistent without a variance with the code. It then comes back to you to issue the permit after it's approved. Right? Do you see any way of avoiding that step? That's really his question."

Leroy Barnes: "What he's saying is just file with the ARB first (inaudible)."

Martin Sendlewski: "This way if it does need a variance--"

Supervisor Cardinale: "But then they might have approved a sign without requiring a variance."

Martin Sendlewski: "Leroy would say at that point go to the zoning board. But if it doesn't, they just pay the fee and the sign is approved and it's up tomorrow."

Roy Sokolowski: "As far as the ARB, I think we would be happier if it came directly to the ARB and on your question of the application process, I mean it wasn't part of the code revision but we already said that once (inaudible), we want to revamp the application process. Quite honestly the applications that comes from the building department don't always give us the information we need. So we wanted to try and simplify that as well."

Supervisor Cardinale: "Do you have any problem with that Leroy?"

Leroy Barnes: "No."

Supervisor Cardinale: "Well, good. Let's do that, let's revamp it so that it goes directly to you and you approve the sign and then it goes— it has to go back to somebody to issue the permit though doesn't it? Then it goes back for the routine administrative issuance of the permit."

Martin Sendlewski: "Yeah at that point, the clerk other than looking at it zoning-wise, can say yes, it's okay, issue a permit— "

Supervisor Cardinale: "It would be administerial, not discretionary."

Martin Sendlewski: "It can be done in an afternoon instead of a month and a half."

Supervisor Cardinale: "Good. Business friendly."

Roy Sokoloski: "I think this could also prevent where we had only recently applications for sign permits that before the ARB even sees it, it gets bumped over to the ABA. And as we've all said, ideally they shouldn't even be going to the ZBA until after the ARB (inaudible)."

Supervisor Cardinale: "So you're the first stop shopper. Okay. All right, very good. Thank you Marty. Is there any— another comment."

Councilman Bartunek: "Bob, before you make your comment, there's one small comment that I probably should enter into the record. We had a meeting with the small business advisory committee and they were for the most part satisfied with the way the code has been revised.

However, there's one concern that was brought up was the concern about signs that existed before there ever was any sign code at all in town. So we have to address that. I think that what we'll do is allow any signs that it can be proved to be pre-existing to any ordinance on regulating signs is just grandfathered in, something like a historic sign. There's not going to be too many of them."

Supervisor Cardinale: "Okay. How about the ones that are not legal pursuant to— that were approved earlier that are now— "

Councilman Bartunek: "Those signs are also going to be exempted from any regulations by this new code."

Supervisor Cardinale: "That's a very critical decision you made in that because many of these codes have an amortization period and you've also pretty much assured— it's very business-friendly, but

you've pretty much assured you're going to have an ugly Route 58 for a long time. Because you don't have an amortization period where the bad signs are going to get a certain amount of use and then they're going to have to conform so it's something you should really— when you look at the application process, let's look at that too and make sure that that is the best we can do.

We had a ridiculous amortization period of something we were doing which we changed, the farmstands or something. We have to have an extended period, I think it was six months or something silly, but if we gave it extend— you know, a reasonable period, then you can say six or seven years from now that we're going to have complying signs throughout the town. Think of that, one of my goals in life. Not really but— yes, Bob."

Robert Kozakiewicz: "When you bring up amortization and non-conforming signs I may have an older version of the proposed ordinance. I am looking to get some clarification on the provision which is entitled non-conforming signs.

The paragraph 1 states that any sign legally existing may be continued and then it goes on and subsection 4 says all signs must comply with the provisions of this chapter within two years of the adoption of this code which seems to imply that there's a two year amortization period for all non-conforming signs. If that was the intent, I would suggest a longer period of time to allow for amortization of non-conforming signs. I'm not sure if that was the intent.

So that's my question, to get some clarification on that issue."

Councilman Bartunek: "Could I just read before you go on?"

Robert Kozakiewicz: "Sure."

Councilman Bartunek: "Maybe this will clarify— maybe this is a new revision to what you have. Non-conforming signs, number one, any sign legally existing on the date of adoption of this chapter of the town code be continued although such sign may not thereafter conform to the regulations on the district in which it is located. Does that clarify what you— "

Robert Kozakiewicz: "That, again, it's the— it's the sentence right above 108-56.2 which is penalties in the version I had so it would have been 108-56.1 I presume, subpart E, subsection 4 and it says all signs must comply with the provisions of this chapter within two years of the adoption of this code. If that provision is still in the final provision, it seems to be directly contrary to what you just indicated that any sign lawfully existing shall be allowed to continue."

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Councilman Bartunek: "So in other words we could reword this, all signs except those determined to be legally pre-existing- shall conform."

Robert Kozakeiwicz: "I guess that goes back to what your discussion was before I stood up and it was- "

Councilman Bartunek: "My personal opinion is that we've got to be kind of realistic about this. We have very limited code enforcement capabilities in this town and if we start saying that we're going to ask for all signs to be in conformance within five or six years- "

Supervisor Cardinale: "All that would take would be an inventory of your present signs."

Councilman Bartunek: "That's all we need."

Supervisor Cardinale: "You need- an inventory of your present signs and then you'd know after five or six years if they were still up."

Robert Kozakiewicz: "Well, if the intention was not to provide for an amortization, I would suggest that you strike that wording."

Supervisor Cardinale: "So let's- what's the wording- "

Robert Kozakiewicz: "It was the sentence right above 108-56.2 penalties, which says- "

Supervisor Cardinale: "Yeah. That is- that's definitely an amortization period. You're saying in that two years and they've got to comply. That may be too short a period as well."

Robert Kozakiewicz: "I think you'd have a problem. As I overheard the town attorney point out, there was the billboard ordinance which provided for an amortization period which was successfully defended by the town. I believe the amortization period in that case was seven years. Five? Okay."

Supervisor Cardinale: "Okay. So let's start with- let's make a board decision on that, George. It's an important point. Thank you, Bob."

Any other comment in regard to this? If we do not have further comment, I'll leave it open for five days for written comment and then it will be finally closed."

Public hearing closed: 7:56 p.m.

Supervisor Cardinale: "That completes the fourth and final hearing for this hearing. We can resume comment if there is any on the resolutions we're about to consider which are in the back there for those of you who want to look at them. We had a few comments. If there's no further comment on the resolutions, we'll look at them, make our determinations on them, and then open it up for general comment."

Could you begin maybe with the CDA, Angela- Andrea? Angela is a nice name, too, it's just not yours."

Meeting adjourned: 7:57 p.m.

Meeting reopened: 8:00 p.m.

Supervisor Cardinale: "Reopen the meeting of the town board at 8:00 and ask the Clerk to call 937."

Resolution #937

Councilman Densieski: "937 is a general fund budget adjustment. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #938

Councilwoman Blass: "Mr. Supervisor, is this the resolution you wanted tabled?"

Supervisor Cardinale: "Yes. If you look at the explanation that Jack gives for it, it appears that they've run through a lot of money and I'd like to explore why they need a- what is this- early October infusion of money. So I'd like to put it over for discussion."

Councilwoman Blass: "I move that resolution #938 be tabled."

Councilwoman Sanders: "Seconded."

Supervisor Cardinale: "Moved and seconded for tabling 938."

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

Resolution #939

Councilwoman Sanders: "This is a budget adjustment for municipal fuel fund. So moved."

Councilman Bartunek: "And seconded."

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

The Vote: "Bartunek."

Councilman Bartunek: "Phil?"

Supervisor Cardinale: "Yes."

Councilman Bartunek: "Discussion. Did you want to discuss the amount? You said at the work session-- "

Supervisor Cardinale: "Yes."

Councilman Bartunek: "-- you had some questions about this."

Supervisor Cardinale: "I did. And I got the answers."

Councilman Bartunek: "Okay."

Supervisor Cardinale: "The memo says he's going to pave the area around the municipal fuel tanks and the town garage. They'd like to pave before winter is secured. The asphalt prices that are very good in this current contract, I said, yeah, that's very good \$52,000. They said that they have to-- because of the heavy trucks coming in, they have a really thick asphalt coat there like nine levels or something. So that's the problem. Okay? It's supposed to be good."

Councilman Bartunek: "I vote yes."

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

Resolution #940

Councilman Bartunek: "2004 Wading River Creek parkway and boat ramp improvement budget adjustment. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #941

Councilwoman Blass: "It's a budget adjustment in connection with the recreation program fund. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #942

Councilman Densieski: "Residential rehab loan program budget adjustment. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #943

Councilman Bartunek: "Authorizes the town supervisor to execute change order for Court Street municipal parking facility improvements. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #944

Councilwoman Sanders: "Authorizes the town supervisor to execute change order #2 for Wading River Creek boat ramp facility at Creek Road improvement project. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #945

Councilwoman Blass: "Classifies action, declares lead agency and determines significance of action on site plan of F1 Long Island Sports Facility. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #946

Councilman Densieski: "Resolution and consent approving the dedication of highways known as Fairway Drive, Eagle Road and birdie Court, Sound Breeze, Section 6. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #947

Councilwoman Sanders: "Resolution and consent approving the dedication of highways known as Fairway Drive, Par Court and recharge basin Sound Breeze, Section 5. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #948

Councilman Densieski: "Phil, discussion."

Supervisor Cardinale: "Yes."

Councilman Densieski: "Is this the same— are we switching here?"

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Supervisor Cardinale: "Yeah, this is my question too. There is a replacement— this was worked on during the day at some length. Let's make sure we get it right.

Barbara and the rest of the board, let's look at the language. We had worked with the applicant to try to make it reasonable and at the same time protect us from any bad soil and protect him."

Councilman Densieski: "Okay. So we're considering the one that's— "

Supervisor Cardinale: "The replacement. Yeah. So let's take a look at it."

Councilwoman Blass: "The changes are in the Resolved clause, one, two, three four."

Supervisor Cardinale: "One, two, three four. Resolved, the applicant grants permission to the town of Riverhead to randomly test said imported soils, such testing to be paid for by the applicant up to a maximum of \$4,000. The applicant had wanted to make certain that he knew exactly what he was getting into and we agreed to that cap after some investigation. That's the only change.

It's also going to be manifested by the DEC as it comes to us which is some consolation. And if we approve this, then Mr. Vigilante won't be in my office all day tomorrow. So let's do it, let's approve it."

Councilman Bartunek: "Okay. Resolution 948 grants excavation permit as provided by Chapter 62 to T.R.W. Realty LLC. So moved."

Councilman Densieski: "Second the motion."

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

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

Supervisor Cardinale: "Yes. Barbara, that's the amendment."

Barbara Grattan: "That resolution is adopted."

Resolution #949

Councilman Densieski: "Approves amended site plan of T.R.W. Realty Corp. a/k/a The Riverhead Auto Mall. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #950

Councilwoman Sanders: "Approves the site plan of Nextel of New York, Inc. d/b/a Nextel Communications. So moved."

Councilwoman Blass: "And second with discussion. Thank you."

Supervisor Cardinale: "We had talked about this-- you were at that-- lawsuit, Thursday. Rick Hanley did a creditable job of giving us the legal background but I don't know, I just have this thing about getting my legal advice from my town attorney as opposed to my planning director or my budget officer or my building department director.

So there was a question as to the-- the pole, that it was pre-existing. But that it clearly-- if it fell, it would fall outside the zone albeit in a farm field anyway. But there was a question Barbara had on that as to whether you were comfortable and how were you comfortable that that was a pre-existing, non-conforming use."

Dawn Thomas: "Well, originally we weren't comfortable so I dealt with the attorneys from Keyspan who own the tower, and they gave me quite a lot of information and background on the tower including the FAA documentation that the tower existed in 1973 at 400 feet in height and those documents are in the file.

So being that it's pre-existing, non-conforming-- "

Supervisor Cardinale: "The fall zone doesn't apply."

Dawn Thomas: "-- the fall zone wouldn't be appropriate, right, to deal with it at this point."

Councilwoman Sanders: "Does that-- does the adjacent property owner concur with that? Do they need to be aware, do we need to get-- I think that was also part of the discussion that we had at work session, was to verify whether we need to get some type of agreement or understanding with the adjacent property owner that this, in fact, because of its age is something that-- "

Dawn Thomas: "Right. I do think the tower was actually reconstructed at some point. I don't think it is as old as-- and that's in the file also, he did give me that information. Whether the adjoining property owner has anything to say about it isn't-- they

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really don't. The tower existed- it did- the property lines were changed too when we did the subdivision of that whole piece."

Supervisor Cardinale: "This is next to the piece that is the farm fronting on Hallockville park."

Councilwoman Sanders: "Remember we looked at where the property line is."

Supervisor Cardinale: "Yeah."

Dawn Thomas: "Right. And some of that was dealt with by the planning board so that the effect of the subdivision and the existence of the tower were publicly noticed and discussed I'm sure with the planning board at that time. But if you want to discuss it with the adjoining property owner, you have no obligation to do that."

Supervisor Cardinale: "Are you comfortable with this research you've done?"

Dawn Thomas: "Yes, I am. It took quite a while, a number of months, and we had gone back and forth and initially he didn't have anything before '73 and then he did send it to me and I do have it in the file and I gave it to Rick so we know, you know, going forward with it is pre-existing."

Supervisor Cardinale: "Thank you."

Dawn Thomas: "You're welcome."

Supervisor Cardinale: "Okay, with that discussion, can we consider 950?"

Councilwoman Sanders: "I believe I moved it. I'm sorry, I thought I moved it."

Supervisor Cardinale: "Moved by Councilwoman Sanders, second please."

Councilwoman Blass: "Yes."

Supervisor Cardinale: "Second by Councilwoman Blass. Can we have a vote, please?"

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."
Resolution #951

Councilwoman Blass: "Approves the site plan of Main Road Associates d/b/a Stoves & Stone LTD. So moved."

Councilman Densieski: "Second the motion. Vote please."

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

Resolution #952

Councilman Densieski: "Authorizes the release of a bond for Applebee's Restaurant - Sindrome Construction Inc. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #953

Councilman Bartunek: "Authorizes the release of a bond for Maximum Motor Sports, LLC. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #954

Councilwoman Blass: "Authorizes the release of security for Jay Tranchina - T Jay's Transmissions, Inc. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #955

Councilwoman Sanders: "Authorizes the release of security for OC Riverhead 58 Applebee's. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #956

Councilman Densieski: "Authorizes the release of Roanoke Realty Enterprises, LLC. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #957

Councilman Bartunek: "Approves Chapter 90 application of Church of the Harvest. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #958

Councilwoman Sanders: "Approves the Chapter 90 application of St. John the Evangelist R.C. Church. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #959

Councilwoman Blass: "Ratifies the appointment of a recreation specialist to the Riverhead Recreation Department. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #960

Councilman Bartunek: "Appoints a provisional justice court director in the justice court. So moved."

Councilman Densieski: "Second the motion."

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

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

Supervisor Cardinale: "This is the first of a series of promotions that the board has considered. We've set up some rules for consideration of promotions during the year on two occasions, September and March. We've set up some guidelines and I'm glad we're finally getting to implementing them. I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #961

Councilman Densieski: "Appoints a provisional account clerk typist in the office of the tax receiver. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #962

Councilwoman Sanders: "Promotion to a senior administrative assistant in the police department- in the police department. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #963

Councilman Bartunek: "Promotion of senior administrative assistant in the highway department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #964

Councilwoman Blass: "Authorizes the attendance of one police officer to the New York Highway Safety Conference. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #965

Councilman Densieski: "Authorizes the attendance of two police officers to the Baker Batshield course. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #966

Councilwoman Blass: "Approves the attendance at Empire State Development Zone conference. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #967

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

Councilwoman Sanders: "And seconded."

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

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

Resolution #968

Councilwoman Sanders: "Ratifies authorization to publish and post a help wanted advertisement for the position of Maintenance Mechanic II. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #969

Councilwoman Blass: "Authorizes the town clerk to publish and post a 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 (107-7). So moved."

Councilman Densieski: "Second the motion."

Councilwoman Blass: "Discussion."

Supervisor Cardinale: "Moved and seconded. You want to look at the language. Yes."

Councilwoman Blass: "I just realized we were going to verify the language first."

Supervisor Cardinale: "Yes. Do you know the correction you'd like to make, if any, George? Or do you just want to make sure it reflects what- "

Councilman Bartunek: "I don't think this is, hopefully, this is not life threatening or- "

Supervisor Cardinale: "So you're going to mull over it- "

Councilman Bartunek: "-- and we should decide whether we should be doing this at all. Maybe we should take Marty's- "

Supervisor Cardinale: "So do you want to table?"

Councilwoman Blass: "Motion to table."

Councilman Bartunek: "I think we should table."

Supervisor Cardinale: "Table pending discussion— your advising us on Thursday, Dawn, as to whether we can do this on a state roadway."

Councilwoman Sanders: "And the other sign, George, by Glenwood, I believe— I was told by the property owner that there was a no right—no left turn sign there already. So right turn only already. So I only just found that out today so I was going to check it for you and let you know."

Councilman Bartunek: "Thank you."

Councilwoman Sanders: "Yes."

Supervisor Cardinale: "Okay, so motion to table, please."

Councilwoman Blass: "I move to table Resolution #969."

Councilman Densieski: "Second to table."

Supervisor Cardinale: "Second— vote to table, please."

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

Resolution #970

Councilman Densieski: "Authorizes the town clerk to publish and post notice for public hearing regarding Community Development Block grant (CDBG) funds. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #971

Councilman Bartunek: "Corrects the dates for town board Resolution No. 919 of 2005 - authorizing the town clerk to post and publish attached notice to bidders for Two Bears Park playground equipment. So moved."

Supervisor Cardinale: "Second please."

Councilwoman Sanders: "And seconded."

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

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

Resolution #972

Councilwoman Sanders: "Authorizes the town clerk to advertise for bids on construction and demolition containers. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #973

Councilman Densieski: "Authorizes the town clerk to publish and post notice to bidders for the annual asphalt contract. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #974

Councilwoman Blass: "Awards bid for the George Young community center wood floor replacement. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #975

Councilman Bartunek: "Rejects bid for solid waste disposal and services for use by the town of Riverhead. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #976

Councilwoman Sanders: "Ratifies to republish advertisement for solid waste and disposal services for use by the town of Riverhead. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #977

Councilman Densieski: "Authorization to republish advertisement for propane. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #978

Councilwoman Sanders: "Authorization to republish advertisement for the purchase of food for use by the town of Riverhead. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #979

Councilman Densieski: "Authorization to republish advertisement for the purchase of meat and poultry for use by the town of Riverhead. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #980

Councilwoman Blass: "Authorization to republish advertisement for the purchase of diesel fuel for use by the town of Riverhead. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #981

Councilman Densieski: "Authorization to publish an advertisement for the purchase of heating fuel for use by the town of Riverhead. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #982

Councilman Bartunek: "Ratifies the submission of a grant modification to the United States Department of Justice. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #983

Councilwoman Blass: "Ratifies the submission of a grant modification to the United States Department of Justice. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #984

Councilman Densieski: "Establishes the small business advisory committee and appoints the members. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #985

Councilman Bartunek: "Authorizes the supervisor to execute a stipulation of settlement and general release with Gary U.S. Bonds. So moved."

Councilwoman Sanders: "And seconded."

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

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

Councilman Densieski: "I don't know if this was discussed at work session. I wasn't there if it was. And I just got a message from the supervisor on basically what this is. But apparently somebody from the BID contracted with Gary U.S. Bonds for \$13,500 and then they canceled the agreement and then were going to pay him \$10,000. So I don't know enough about this to vote yes so I'm going to abstain on this one."

Supervisor Cardinale: "Okay. Close but somebody-- the Riverhead-- the Riverhead Business Improvement District Management Association made one of the more incredibly silly deals by hiring him for 13,500 and then making the determination during the concert that they did not want to have him perform. They preferred to pay him 10,000 not to. They made that decision. It cost them 10,000, it was foolish. But we're not paying this. The Riverhead BID Management Association is paying the money. We're just indicating we'll take it out of their account. So I'll vote yes."

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Barbara Grattan: "That resolution is adopted."

Resolution #986

Barbara Grattan: "Resolution 986 is to pay bills."

Councilman Densieski: "So moved."

Councilman Bartunek: "I'll second that."

Supervisor Cardinale: "Moved and seconded. Vote."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The bills are paid."

Supervisor Cardinale: "Great. That concludes the resolutions before us. It's— yes, we had another but we're going to consider it at the work session."

It's 8:22. If there is any general comment, now is the time to take that. Mark, if you'd like to comment."

Mark Houraney: "Good evening, Mark Houraney, Riverhead. I'm not shy to say obviously I'm pleased with the situation with the Wilpon deal because I lived through Hurricane Andrew in South Florida and I watched the local and state government mess it up there. Obviously we all watched the disaster in New Orleans and the gulf state and watched the local and state government mess is up there."

And people can say what they want about me and an airport and enthusiasts and everything else. Once again, the value of the 7,000 foot runway has just added even more with the fact that the only way you're ever going to evacuate this island whether it's a million or three million, is by using Gabreski and by using EPCAL. And that would be both runways at EPCAL.

I just hope that with the new RFP going out that it is versed enough that it attracts a lot of different buyers. I do commend the supervisor in a political climate for putting up with this, but I hope it does the right thing for the people and I hope it is vague enough that it attracts a lot of different interests and obviously it can be my agenda or whatever you want to call it, I hope we can save the 7,000 foot runway for some day that we never use it for an emergency.

One other quick question that I had was I did put a FOIL in for the contract for the broker which is I guess (inaudible) or whatever, Jack O'Connor— "

Supervisor Cardinale: "Yeah."

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Mark Houraney: "And I received the resolution that a contract was approved by the board but nobody has a copy of this contract, not the town attorney, not the clerk, not the CDA."

Supervisor Cardinale: "I can get it for you. It goes to the end of this year only."

Mark Houraney: "The end of- "

Supervisor Cardinale: "This year."

Mark Houraney: "Just December- "

Supervisor Cardinale: "Of '05, yeah."

Mark Houraney: "Okay. So any of these requests coming in would be included?"

Supervisor Cardinale: "You know we discussed that today, Chris and I, and I'm going to discuss it with the board at work session, but we may make it- take ourselves out and just say the purchaser makes the offer and the purchaser pays the commission."

Mark Houraney: "Obviously I would love to see that, you know. I really would."

Supervisor Cardinale: "Yeah. That's usually what happens."

Mark Houraney: "Thanks again and I hope we get a lot of different offers."

Supervisor Cardinale: "Thank you. Any other comment generally from the public? Yes, Mr. Belmonte."

Bill Belmonte: "Good evening. I want to- the last time I was up, I brought up the (inaudible) park and the bayberry park in Wading River. Bill Belmonte from Wading River."

And I think either, you know, I had an idea and some other gentleman kind of disabused the idea, was saying we needed the parking. What I'm looking at really is not adding additional ballfields here. What I would like to see here and would the board consider reconfiguring the one adult ball field. I know you don't need the overhead- "

Supervisor Cardinale: "I know what it looks like."

Bill Belmonte: "Right. Into two or three T ballfields because it's the kids who really need to play and if we can get a study on the ballfield park and find out how many configurations we can do up

there, I think, you know, the six to nine year olds can play back to back. So we have one adult softball field or we have enough land that's up there to probably have three I think safely but if you guys will measure it out and see if we can do it, we can go back and talk to the little league officials and actually see if that would suit their purpose. The adults can get other, you know, other fields to play. They can drive themselves to Calverton or at the other softball fields. It is underutilized- I don't know how many adult softball teams play there but, you know, from my point of view and I think people in the western end of town, they might appreciate having T ball fields for their kids as opposed to the one adult ballfield."

Supervisor Cardinale: "So your proposal would be- that's about a seven acre park I believe."

Bill Belmonte: "Yeah."

Supervisor Cardinale: "To make one field into three kids' fields."

Bill Belmonte: "Right. I don't think you can- as I looked and I walked it, I don't really think it can take any more than that because they would have to play in some areas back to back, but in terms of expense actually all you're looking at is seeding some grass on one side and cutting some diamonds on the other two corners."

Supervisor Cardinale: "Let me- "

Councilman Densieski: "Mr. Supervisor- "

Supervisor Cardinale: "Yes."

Councilman Densieski: "Would it be wise to send Mr. Belmonte to the recreation committee- "

Supervisor Cardinale: "Yes."

Councilman Densieski: "-- and see- "

Supervisor Cardinale: "In fact, I was just going to do that and something else. I am- the recreation committee is nine- eight members at the moment and they would be delighted to take that suggestion and do the homework on it. Also despite the fact that I tried to be as tight as possible in the tentative budget, we God save the world, we actually are hiring a recreation superintendent and he's starting when, Barbara, October 12th or something- next week after the holiday. So we're going to for the first time in many years have a recreation superintendent who will manage the department with the recreation advisory committee advising the board."

We also have made provision for- the only other provision was for the code enforcement to enhance and the police department to enhance with you, two members in each instance. But you should speak with the new fellow, his name is Coin (phonetic). What's his first name? Ray Coin and with the recreation committee as Ed has suggested.

I have- if they want- if that's what's needed, that's what we should do."

Bill Belmonte: "Okay."

Supervisor Cardinale: "As long as it doesn't cost me much."

Bill Belmonte: "I don't think it costs that much for seeding and for a little bit of cutting. So thank you very much."

Supervisor Cardinale: "Thank you."

Bill Belmonte: "And I'll come up later and ask you how to contact him. Thank you."

Supervisor Cardinale: "Thank you."

Councilwoman Sanders: "I just wanted- just for the record, just so that field is utilized by not only the Riverhead little league but the adults as well and the Shoreham Wading River little league, so there is a lot of utilization on that field and the reason there aren't any T balls or you don't concentrate that area just for T ball is because the little league expands age-wise from I believe now five up until 15 years old because they're expanding with their PAL division and many families go down there and it is advantageous for their children to be playing in the same location as opposed to and it makes it very difficult to have to run a child who is too young to leave unattended up at a T ball field while the parent is trying to have, when there are more than one child involved, to be going back and forth to two different locations.

So there was believe it or not, there was a design, there was an intention, there was a purpose and as I understand it today it fits the needs of the community today. However, that's not to stop you. I just wanted to put that information out there because I don't know whether you were aware of the fact of how it is organized currently."

Bill Belmonte: "Yeah, I know there's youth there. By underutilized I didn't mean to say that it's lying fallow or that no one's using it. And I know from talking to people in the neighborhood that there is use from adult softball leagues and I'm sure the older kids can play there. I'm not saying it's a, you know, a great idea or that, you know, considerations weren't done in the past. I'm just throwing it out as can it be a solution for part of the problem up

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there. Obviously we would need to take it to the heads of the leagues to see if they agreed with it and talk to the people in the community to see if it is something that they really wanted. I just thought maybe we could get a more creative use of the space there. But thank you."

Supervisor Cardinale: "Thank you, Bill. Any other comment general— yes, ma'am. Hopefully on something we can affect."

Alice Summerville: "Good evening. My name is Alice Summerville. I live at 106 Linda Avenue in Riverhead.

I'm here as a trustee for the First Congregational Church that's on Main Street. We have heard that Mr. Rimland wants to put a five and six story building next to our church which would be about 15 feet from our church. No one— parishoners are really happy about this. We don't want this building so high.

Mr. Rimland wants to put 50 apartments in this building. There would be over 100 cars in the parking lot. First of all, our church has been there for over 100 years. We feed over 200 people three times a week and many lunches for the poor and disadvantaged people. It's a service that we provide the town at now cost to the town.

This building if it's put up, will be higher than our steeple. It will put us in the shade of this building for many, many years to come. Our beautiful stained glass windows will never see the light of sun again. Our garden and our memory walk that we have in the front of our church, will be in constant shade and probably will die.

Our church rings chimes and bells. To have an apartment next door to us which is only 15 feet away, people will start to complain. We won't be able to do our chimes anymore. People may be sleeping. Fifty apartments. There may be children living there. Where are the children going to play?

I just think it's in appropriate to have 50 apartments right on Main Street and especially next to our church. Our church is a back door church. The front of our church is on Main Street and it has stairs. We have followed guidelines to put handicapped accessible in the rear. We are a rear door church now. Everyone parks in the back of the church and comes through the back door.

I know many years ago the town and our church came to some kind of agreement for the parking because we do use the parking area. If we have a wedding, where are they going to park? If we have a funeral, where are they going to park? You will have 100 cars parked there all the time.

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What about Sunday morning when we have elderly congregation, we have elderly people. How are they going to come into our church? Will they have to park by Roanoke Avenue just to come to church?

If this was happening to St. John's or St. Isidore, they wouldn't really be happy about that.

Maybe there should be a two hour parking time limit back there. I don't know.

I don't know whether the town has thought this through to allow a building like this to be parked next to our church. For the theater, people did come to talk to us because they wanted (inaudible) and we did give it to them, because they were going to put some wine, to see if people were going to serve wine. We're not against growth in our church. You're going to be building a school, that's wonderful. We just feel that you're not really taking into consideration our church whatsoever.

I have here a little petition to change that. I have people that have signed here, neighbors, there's only seven people here, two from Mattituck, two from Flanders, one from East Moriches and one from Hampton Bays that goes to our church but all these other people here are voters, are registered voters in Riverhead town.

No one I have spoken to is in agreement with these apartment buildings on Main Street. The first thing that comes up is the raspberry Hilton that we had at 821. This is an awful thing that you're putting on us. Most people, they like the small look of our town. They don't want to change it.

I- what do you all think? Do you think that it's appropriate to have an apartment building with 50 apartments? Our Main Street is only about three blocks long. Are there not other places?

We're not against apartments for young people and affordable but I just don't think it should be on Main Street. A school, yes. How about a movie theater? But at least there will be parking for our parishoners when they come on Sunday or when we want to have a concert. Are people sleeping 15 feet away from us going to be awakened? Some people work at night and sleep during the day. I just don't think this has been thought out at all. And we're not happy about it, we're just not happy about it. It will be an interesting election this year.

Do you have any questions to ask me? I'm a trustee and I'm going to go back and tell them what I said and they know that I'm here and I'd just like to know what you feel about this."

Supervisor Cardinale: "You have a fine church. Rev. Scofield (phonetic) is a good friend and he's a fine minister. What I feel is somewhat surprised because the plan to revitalize Main Street by bringing residents to it which is a typical plan that plays out throughout the country when you revitalize Main Street, was studied for five years before Bob passed the plan in 2003. It was then studied- the zoning took a year and a half and it strikes me that at all those hearings some of which Wally himself was a participant, Wally Scofield, we would have- he was part of the master planning committee, that I would have- we would have heard this sooner than now."

Alice Summerville: "Well, it's the parishoners now who are speaking now."

Supervisor Cardinale: "And I appreciate your- I can give you a little solace. One is the application included variances to go higher than our zoning- the new zoning permits. I presume- is he here, my planning director? He's always never here, he's never here when I want him. I presume that despite their compassion, the Zoning Board of Appeals denied the extra footage. To go up another 10 feet, that would be sheer insanity."

Alice Summerville: "I've been to the board twice."

Supervisor Cardinale: "The zoning board."

Alice Summerville: "They told me to come here."

Supervisor Cardinale: "Well, the zoning board is the board that is presently considering that matter, not us. And they are being- not only- you have an argument and a good one, a reasoned one that you don't think it's appropriate to have zoning in that- that mixed use going up 50 feet in that place. They are seeking 60 feet and they can't get it from us, they have to get it from the zoning board of appeals. I presume they will not get it. Therefore, it will not be 50 apartments."

I also presume the people who are building a structure next to a church that has been there for 100 years takes some consideration for their neighbors and the structure they're building in a manner which would be least offensive to their neighbors. I would expect that. That's when we come into play because we approve the site plan if it ever gets to us. It isn't before us yet. But when it gets to us, I would like you to participate and your church Trustees because it is your neighbor. You are a church and you're in the middle of our Main Street and there is- it's like- "

Alice Summerville: "This took me five minutes to sign these petitions. I could stand outside of St. John's, the fire department,

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St. Isidor's, the Lutheran, Grace Episcopal, and I could have hundreds and hundreds of signatures because nobody I have spoken to wants these buildings. They don't want apartments on Main Street. They really don't."

Supervisor Cardinale: "Where would they like apartments for our young people and our old people?"

Alice Summerville: "Well, you put buildings down on Doctor's Path, you have buildings down there. You have built many buildings, apartments for the elderly and the senior citizens. I am sure there are other people who— "

Supervisor Cardinale: "But the hope is to revitalize the downtown and by putting them on Doctor's Path, that will not— "

Alice Summerville: "Well I don't know if apartments is going to be to revitalize. How about a movie? Can't we have a movie house on Main Street?"

Supervisor Cardinale: "We would love a movie house on Main Street. Unfortunately we don't control who buys property on Main Street. We have made it clear that they can have— it's target zoned for Main Street, the only place that a movie theater coming in is Main Street, and/or up near the court buildings there. That's the only place they can come in."

Alice Summerville: "I understand Mr. Rimland has this property and he wants to make some money on it. I understand that. I'm not against growth. But I just think this was poorly planned and did not take our church into consideration at all."

Supervisor Cardinale: "I appreciate your concern. I certainly will work with you and he board would like to, too. This— you're right in one sense that your church being on Main Street was not specifically considered because when you zone, you zone an area, not a particular location. And maybe there are some things we can do to make the impact of any building near you less pronounced. I'm sure there are. So we'd like to work with you. I appreciate your thoughtful comments. Thank you very much."

Alice Summerville: "Thank you."

Supervisor Cardinale: "And if you want— Alice, you want to hand the petition to the clerk. And your name is on there, correct? So I can reach you if I need to."

Alice Summerville: "Yes."

Supervisor Cardinale: "Thank you. So Barbara is pointing out that the Council of Churches was on the steering committee for the

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master plan but if it was overlooked it can be— it can be addressed now and will be. Okay.

Any other comment from the public? If there is not, I would be delighted to go home and go to sleep and take a hot tea. Yes, sir."

James Woodson: "My name is James Woodson, Riverhead, retired town employee, eight years this coming Halloween. I have a couple questions I would like to ask. The Riverhead animal control. Can you tell me exactly what (inaudible). I have a couple questions if you tell me."

Supervisor Cardinale: "Ask the question again, please."

James Woodson: "Riverhead animal control."

Supervisor Cardinale: "Yes."

James Woodson: "What's their primary duty?"

Supervisor Cardinale: "I'll let the animal control, an animal control officer, Lou Cornisi (phonetic) and a kennel attendant and I think— two kennel attendants and one animal control officer. Two animal control officers who pick up the dogs and the wildlife that's killed on the roadways. And then two that take care of the kennels."

James Woodson: "I have a big trap, a habitat trap that I set in my yard and I'll catch raccoons."

Supervisor Cardinale: "Right."

James Woodson: "But when you call the animal control to come pick them up, they will not pick them up. They said kill them, destroy them, do something like that. And the last one that I had I told Councilman Densieski, I met him right in the parking lot here, and he called the animal control officer. I don't know if the animal control officer ever got back to him. Did he, Councilman Densieski?"

Councilman Densieski: "Yes, he did. He said they don't pick them up."

James Woodson: "What are we supposed to do with them?"

Supervisor Cardinale: "There is someone that does pick them up. Barbara, is it the DEC?"

Councilwoman Blass: "It's the Division of Wildlife."

Supervisor Cardinale: "Division of Wildlife, Department of Environmental Conservation, the state. They do pick them up. I know

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somebody had a dead deer right next to their house and they come out and they pick them up. I could give you— or Peggy more precisely my administrative assistant could give you the number of someone who would come up and pick them up for you."

James Woodson: "And just before that, my neighbor caught one in the same trap— "

Supervisor Cardinale: "Yes."

James Woodson: "-- and the animal control officer picked him up. Then he caught another one the next day and he wouldn't come pick it up. He said I just did you a favor by coming and picking this one up. And that raccoon ended up dying in the trap. Put him in the garbage."

Supervisor Cardinale: "Yeah, a little inconsistent, huh?"

James Woodson: "Yeah."

Supervisor Cardinale: "Okay, well I'll look into that as well. But thank you for bringing that up. And Peggy, right there, she's waving at you, if she will give you the number of the Department of Environmental Conservation Wildlife Management and there's an operation in Quogue that helps to take that kind of situation over.

Thank you, Mr. Woodson."

James Woodson: "Okay. And I have another question. I was watching a local TV program two weeks ago and the announcer on there he was wondering, you know, he came to the town of Riverhead, he lives in Riverhead and he came to the historical society. This was on a Sunday, you know, he wanted to go to the historical society."

Supervisor Cardinale: "Yes."

James Woodson: "And it was closed. And I said I heard that. I'm going to go to the town board meeting and I'm going to find out. Who's in charge? Wouldn't it be a good idea to have that open on a Sunday?"

Supervisor Cardinale: "Yes."

James Woodson: "Say from 12 to 4 or something like that, if you want to get people into the town of Riverhead."

Supervisor Cardinale: "Well it's the Suffolk County Historical Society so we'd have to tell Mr. Levy that but that's not a bad thing to tell him that we would like more things open on our Main Street and that's one of them. On Sundays, it would be great to have— "

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James Woodson: "At least from 12 to 4, something like that."

Councilman Densieski: "We actually did try- "

Supervisor Cardinale: "Did we? It didn't work? We're going to try again because it was with the previous administration but Suffolk County Historical Society is an extraordinary asset for the town and is little used. So we'd like to see people frequent it more especially on the weekends. It's a good suggestion."

James Woodson: "Okay, thank you very much. Have a good night."

Supervisor Cardinale: "Thank you, Mr. Woodson. Okay, if there's no further questions we will end the meeting, it being 8:45."

Meeting closed: 8:45 p.m.