

Minutes of a Special Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Wednesday, December 27, 2006, at 2:00 p.m.

**Present:**

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

**Also Present:**

Barbara Grattan,	Town Clerk
Harold Steuerwald, Esq.	Town Attorney

**Absent:**

Dawn Thomas,	Town Attorney
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Supervisor Cardinale: "Okay, we're ready to roll. We don't have a town attorney. It would be nice to have one. Prudenti- anybody- Dawn's out- see if Prudenti is- I'll even take Harold. How about Laura? Laura. All right. We'll get by.

Hey, Chris, do we have an attorney in the building? Yeah, I need an attorney. Yeah. Yeah, I'll do that. As soon as we get started, I'll do that. Oh yeah. Who, Harold? Where is he? Come in. We got you, Harold, because you're the only attorney in the building. I can hardly wait.

All right, let's get started then because it's hardly ever that we'll have a question and if we do, I could probably answer it better anyway. You can put it on. We're going to have a new spirit of truthfulness around here. I'm thinking of- and in that spirit I was going to propose a board of one for next year. Anyway, would you- would you put the machine on? Is it on? Okay.

We are begun then. This is the December- we are on, are we not? Yeah, the red light is on. Okay. This is the beginning of the what was to have been the final meeting of the town board for the year. However, because of a not uncommon screw up, we will be having another

meeting tomorrow. That will be for purposes of a hearing that was intended for today but was advertised for December 28<sup>th</sup> at 2:05.

Furthermore, we have a new— an interim financial administrator who advises that all of the budget adjustments between the accounts to make them balance at the end of the year will not be completed until tomorrow. So for those two simple purposes, one a hearing on Energy STAR and, two, passage of that final resolution, we'll have a meeting at 2:00 tomorrow which will be the final.

But this penultimate or second to the last meeting of the year is now begun. It is December 27<sup>th</sup> and let's begin with the Pledge of Allegiance.

Vince, I knew you would be functional for some purpose. Would you lead us?"

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

Supervisor Cardinale: "Thank you. We have a brief schedule of I think about a dozen resolutions year end. Barbara, would you— I guess— would one of the board members offer the December 19<sup>th</sup> meeting minutes for approval and another second."

Councilman Densieski: "So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. May we have a vote on the acceptance of the December 19<sup>th</sup> minutes of the town board meeting?"

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

Supervisor Cardinale: "Reports received."

#### **REPORTS:**

Tax Receiver

Total collections to date was  
\$3,652,050.02

**APPLICATIONS:**

Special permit	Carpet One Floor and Home Corp. Interior alteration of industrial building for carpet/flooring wholesale business
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**CORRESPONDENCE:**

Sal Mastropolo	regarding public hearing River Club purchase
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Agovino & Asselta, LLP	regarding RFP-Riverhead Landfill at Youngs Avenue
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Supervisor Cardinale: "What was that because I don't recall seeing that?"

Barbara Grattan: "It came from your office."

Supervisor Cardinale: "It came from or to?"

Barbara Grattan: "No. It came from your office to my office."

Supervisor Cardinale: "Oh, it must have been very insignificant if I gave it to you. I think it was a- "

Councilman Bartunek: "I don't know if that came out quite right."

Supervisor Cardinale: "That's not exactly what I meant- although- no, what I was saying is I believe it was something to be placed in the file on the RFP but can you get that so we can all see it, because I forgot it and I'd like to see it. Thank you."

Barbara Grattan: "No problem."

Supervisor Cardinale: "Okay. But if it was very important, I would have held it for you."

Barbara Grattan: "Thank you."

Supervisor Cardinale: "I would have delivered it. Okay. Any- we have no- for the reasons enunciated, we do not have any public hearings today. We do, however, have a series of amendments- I'm

sorry, resolutions to consider, 1171 through 73. Thirteen, or 12, whatever. Two, three, four, five, six, thirteen. And, so the question— and 1172 is the one that we're going to— is not ready, we we're actually doing 12.

Is there any comment on any of the resolutions that we are about to consider? Yes, Sal."

Sal Mastropolo: "1161."

Supervisor Cardinale: "1161, go ahead."

Sal Mastropolo: "Should you have the number of hours per week on that resolution or is it a full 40 hour week or 35 in this case?"

Councilman Dunleavy: "Seventeen and a half."

Supervisor Cardinale: "Yeah, I think we should, Sal. And the intention here, the personnel committee, George, Barbara, is 17 and a half. Right? Is that correct? Okay. So why don't we add that— (inaudible) position of part time— effective such and such date at the rate of— for no more than 17 and a half hours per week."

Sal Mastropolo: "1163, put a date on it."

Supervisor Cardinale: "Okay. 1163 date it. Will do."

Sal Mastropolo: "1167. Is there a legal requirement to transcribe the minutes?"

Supervisor Cardinale: "That's a good question. We ask it every year. There is a legal requirement to transcribe a portion of the minutes. We have, in fact, amended— because it's getting expensive to transcribe these minutes— I initially thought that perhaps the video would be sufficient. Apparently it is not. Harold, could you do this research project? It's kind of an annual event.

Yeah, if we— we would like to limit the expense— at these kinds of numbers, that they charge, I think \$3.50 a page, we'd like to avoid— what six--"

Sal Mastropolo: "Six dollars a page."

Supervisor Cardinale: "Which one are we looking at?"

Sal Mastropolo: "1167."

Councilman Dunleavy: "1167, six dollars a page."

Barbara Grattan: "That's not my minutes."

Supervisor Cardinale: "Whose minutes are these?"

Barbara Grattan: "The courts."

Sal Mastropolo: "Zoning Board."

Supervisor Cardinale: "Well- "

Barbara Grattan: "No- "

Sal Mastropolo: "No. Zoning Board."

Barbara Grattan: "Zoning Board."

Supervisor Cardinale: "Well, how come the same lady costs \$3.50 for the town board and \$6.00 for the zoning board?"

Barbara Grattan: "She doesn't want to do the zoning board."

Supervisor Cardinale: "Obviously. Maybe we can accommodate too."

Sal Mastropolo: "This begs another question, too. You're paying her by the page but a page could only be half full. She's probably charging you six bucks anyway."

Supervisor Cardinale: "I can assure you the pages are half full."

Sal Mastropolo: "It should be so much per word or whatever."

Supervisor Cardinale: "They're half full and the margins go to the middle of the page."

Sal Mastropolo: "Right."

Supervisor Cardinale: "So why don't we hold this aside, because she doesn't really want to do it, can't we find somebody else to do it for like \$3.00 a page?"

Barbara Grattan: "I have no idea because the girl that does my minutes will not do. She's semi-retired. She'll do mine but that's it."

Supervisor Cardinale: "Okay. Are there any people that transcribe in those little boxes the minutes because we are offering \$3.50 a page and we're not too picky apparently on how much we get on the page. I'm not prepared to pay \$6.00. That's absurd."

Sal Mastropolo: "The other thing that you should look into is I don't know if the technology has gotten any better, but there's got to be ways of transcribing that stuff digitally and then just transcribing it automatically with a program from digital to paper."

Supervisor Cardinale: "You would think, yeah."

Sal Mastropolo: "Yeah. I mean- I brought this up once before. I don't know how far it went, but- "

Supervisor Cardinale: "We're technology challenged here."

Sal Mastropolo: "Okay."

Supervisor Cardinale: "You know my story about that we've never heard of (inaudible) so we can go immediately to computer storage of records because we never went to (inaudible)."

Councilwoman Blass: "Maybe we should ask the head of the IT department in the event- "

Supervisor Cardinale: "Yeah. We have a very well paid IT department now. Yeah. So let's hold that out with the board's permission to consider with Lori some better alternative. What else you've got?"

Sal Mastropolo: "1169."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Is that a title change only or is there a salary impact on that?"

Supervisor Cardinale: "That is a title change only. In fact, there was a debate whether we needed to do this. She was appointed provisionally, she passed the test, number one I think, and it's

automatic. But they wanted us to memorialize it. I think she wants to frame it."

Sal Mastropolo: "Okay. And 1172. I take it that since you're going to have a meeting tomorrow, then tomorrow you're going to document all of the from's and to's?"

Supervisor Cardinale: "Yes, that's correct."

Sal Mastropolo: "Okay."

Supervisor Cardinale: "I'm glad we didn't do what we were going to do today because you would have been all over us.

We were thinking of doing it in a general resolution and letting them do it, you know, back room. But this will allow you to look at all the from's and to's."

Sal Mastropolo: "Okay."

Supervisor Cardinale: "On the balancing."

Sal Mastropolo: "Thank you."

Supervisor Cardinale: "Okay. With that, if there's any other comment we'll take it on the resolutions. Otherwise, we'll look at them and then take general comment.

Would you begin, please, Barbara?"

Resolution #1161

Councilman Densieski: "First of all, I'd like to wish everybody a Happy New Year, prosperous New Year.

Change of status of full time provisional network and systems technician to part time. So moved."

Councilman Bartunek "And seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes, with the amendment."

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

Resolution #1162

Councilman Bartunek: "Amends town board resolution #1153 and establishes time and dates of regular meeting of the town board for 2007 and I assume all this text is correct. (Changes publication date). So moved."

Councilman Dunleavy: "And seconded."

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

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

Supervisor Cardinale: "Yeah. And I point out that the January 3<sup>rd</sup>, first meeting of the year after the new year, is a Wednesday meeting at 2:00 p.m. And then the next meeting is also a Wednesday meeting, January 17<sup>th</sup>, because there were Monday holidays in those two weeks.

Also, when we return on February 21<sup>st</sup> from the town-- conference of towns, we don't return until late on Tuesday so that's a Wednesday meeting. So I would like to point that out.

We also have a number of 2:00 p.m. meetings, I think eight, to accommodate the older people who do not like to come out in the evenings. And those were the major changes.

Any- I will vote yes. Thank you."

Barbara Grattan: "The resolution is adopted."

Resolution #1163

Councilman Bartunek: "Awards bid for Carrera property, Riverhead water district. And as I mentioned earlier, Barbara, we want to have forwarding of this resolution to Grimes Contracting, Gary Pendzick, Riverhead Water District, and to H2M."

Supervisor Cardinale: "Right. There's no copies on this."



Councilman Bartunek: "So moved."

Councilwoman Blass: (Inaudible)

Supervisor Cardinale: "Oh, it's in- it's there but it's in the wrong place."

Councilman Bartunek: "It's there?"

Councilwoman Blass: "Yes."

Supervisor Cardinale: "We've got to add Grimes to that. Okay."

Councilwoman Blass: "Seconded."

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

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

Resolution #1164

Councilwoman Blass "This resolution rescinds town board resolution 1123 re-authorizing a budget adjustment for the refuse and garbage district. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1165

Councilman Densieski: "Town of Riverhead Planning Department budget adjustment. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #1166

Councilman Bartunek: "Extends the contract with Arthur J. Gallagher & Co. Vericclaim and Triad Group. So moved."

Councilman Dunleavy: "And seconded."

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

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

Councilman Densieski: "Quick question. What exactly is this doing here?"

Supervisor Cardinale: "A good question. This is the program for insurance which was in place and continues in place for the next year. The increase is actually better than we thought. It's 2%, 2.25% in the premium for this year. It's the coverage of the general liability, public officer's liability, auto liability, workmen's comp, and yeah, workmen's comp."

Councilman Densieski: "Okay. Because I thought there was some discussion about looking at other insurance companies."

Supervisor Cardinale: "There was. Yeah. We-- no, we did-- I had a meeting actually yesterday with-- what's the name of the broker-- yeah, (inaudible), and-- who is the broker, because we were concerned as you recall about the manner in which-- when we got to the self-reserve, beyond the self-reserve we continue to pay. Apparently that's because our policy when it was written in-- whenever it was written in the early 2000s, is an indemnification policy. So we have to advance and then they pay us back and that's what they're doing.

It's going to take a session of the town board. I've recommended that we consider an RFP. We haven't had one for a while. But we can't do it this year. We can do it next."

Councilman Densieski: "I would agree with that. So I vote yes."

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

Resolution #1167

Councilman Dunleavy: "I'd like to table this-- I'd like to make a motion to table this resolution."

Councilwoman Blass: "Second to table."

Supervisor Cardinale: "Moved and seconded to table."

Councilman Dunleavy: "This is authorizes the Supervisor to an agreement with Lisa M. Penny for board transcribing."

Supervisor Cardinale: "For \$6.00 a page. Yeah, we're going to table to discuss. May we have a vote?"

Councilwoman Blass: "I'd just like to comment that we should put an outside date (inaudible)."

Supervisor Cardinale: "Yeah, I'll make sure this has to be on for January 3<sup>rd</sup>— January 3<sup>rd</sup>, yeah, because they need to be at the January 4<sup>th</sup> meeting.

If we can't get anybody for less than \$6.00— "

Councilman Densieski: "They take the disk and transcribe it at home or wherever, so I don't know if it's that time sensitive."

Supervisor Cardinale: "That's true. Yeah. It's not an actual stenographer. It's a person that takes the disk and makes it into written material, right?"

Councilwoman Blass: "I'm only saying— I mean they have to approve their minutes a well. I'm sure they would not want to have their minutes not available for— for a lot of reasons, court reasons, court cases and the like."

Supervisor Cardinale: "Right."

Councilwoman Blass: (Inaudible)

Supervisor Cardinale: "Whatever she's doing, we'll try to resolve by January 3<sup>rd</sup>. Good."

Barbara Grattan: "So this is going to be tabled, right?"

Supervisor Cardinale: "Yes. Well, we have to vote."

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

Resolution #1168

Councilwoman Blass: "1168 amends Resolution 1145 appointing acting deputy financial administrator. So moved."

Councilman Bartunek: "And seconded."

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

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

Supervisor Cardinale: "Yes. And congratulations to Irene Alexander who has served us for 34 years-- oh, well, anyway, I'm congratulating her now and-- . I'm trying to move this along."

Barbara Grattan: "That resolution is adopted."

Supervisor Cardinale: "This is the one-- this is for Lori. No congratulations to Lori."

Resolution #1169

Councilwoman Blass: "Appoints Irene Alexander as justice court director. So moved."

Councilman Bartunek: "And seconded."

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

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

Supervisor Cardinale: "Yes. And congratulations. She's been here for 34 years. God bless her persistence and stick to it-- and congratulations to Irene Alexander."

Barbara Grattan: "And you vote yes, right?"

Supervisor Cardinale: "Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1170

Councilman Densieski: "Authorizes the publication for a help wanted ad for youth counselor. So moved."

Councilwoman Blass: "And seconded."

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

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

Councilman Densieski: "I will vote for the publication. I'm not sure which way I'm going on the program yet. Yes."

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

Resolution #1171

Councilwoman Blass: "Authorizes Riverhead Water District to serve Calverton Enterprise Park Recreational Facility. So moved."

Councilman Dunleavy: "And seconded."

Councilwoman Blass: "Discussion."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "The facility that we're talking about, is this the park?"

Supervisor Cardinale: "Yes."

Councilwoman Blass: "Okay. Because we also have another recreation facility there. I was a little confused as to what this resolution was actually doing because we haven't seen it before.

We have our community center which is a recreational facility. I assume that's already being served by public water. So is this our recreational park?"

Councilman Bartunek: "Yeah, look at the map, Barbara."

Councilwoman Blass: "Well, I'm looking at the map. How would I know that from the map? This is a map of our recreational zoning district."

Councilman Densieski: "This is a map of the whole thing."

Councilman Dunleavy: "Yeah. The problem here is it says serve the town of Riverhead recreational facility at the Calverton Enterprise Park and this is the whole recreational facility."

Councilman Densieski: "This is everything."

Councilwoman Blass: "This is like everything. I'm a little confused as to what the intent of this is."

Supervisor Cardinale: "I believe that Chris prepared it, I believe, no, actually it was prepared by the--"

Councilwoman Blass: "The water district."

Supervisor Cardinale: "-- the waster district but I believe it is to serve as a part of that-- serving the park but we have one-- if you want to hold it, we'll just do it tomorrow until you can clarify it. Chris is not in the room otherwise I would ask him or Pendzick. But it's my understanding that it is the new EPCAL park which is the 90 some-- 68 acre park less 26 acres--"

Councilman Densieski: "So why don't we approve it instead of wasting time."

Councilwoman Blass: "I have no problem doing it. I was just unclear--"

Supervisor Cardinale: "Okay. That's what it is. If there's any problem with it, I'll let you know."

Councilwoman Blass: "Only that the recreational facility is-- there's more than one that the town has-- the guard house which is our recreational facility, that's what prompted the discussion."

Supervisor Cardinale: "Yeah."

Councilman Densieski: "This says shall serve. That's probably already being served."

Supervisor Cardinale: "That's correct. And that's what she mentioned, yeah. That is correct. And if there's anything other than the park that this is related to, I'll let you know."

Councilwoman Blass: "Thank you. With that clarification, I moved it and it was seconded."

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

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

Resolution #1172

Councilman Dunleavy: "This is a year end budget adjustment. I'd like to table this one also."

Supervisor Cardinale: "Right. This is the one we're going to get further detail tomorrow."

Councilman Densieski: "Second to table."

Supervisor Cardinale: "Moved and seconded for a table. Vote please."

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

Resolution #1173

Councilman Densieski: "Pay bills. So moved."

Councilwoman Blass: "And seconded."

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

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

Supervisor Cardinale: "Okay. That is it for the resolutions. We're now prepared to take comment from anyone on any matter before us under our purview. Yes?"

Sal Mastropolo: "Sal Mastropolo, Calverton. There's quite a

bit of activity going on at EPCAL at the South Bay Sports. Okay. They run different leagues, they have football at night, etc. Is there any reason why we can't open up the gate from 25 that goes in?"

Councilman Densieski: "I can answer that."

Supervisor Cardinale: "Please."

Councilman Densieski: "The intention is to open that gate but once the Burman improvements are made, that's the time they are going to open that gate up."

Sal Mastropolo: "So it isn't- "

Councilman Densieski: "Because the road is not up to standards."

Sal Mastropolo: "Well, none of the roads are up to standards but the thing is- I mean, once you get in, if you come in through the back gate, you're driving on roads that have potholes and you're driving- none of it is lit anyway. But the thing is it's such a pain in the neck to go all the way west to Wading River Manor Road, then go south and then double all the way back on River Road. It would be nice if that entrance was open on 25 just past the jets, so that you could just make a left there and go straight across to South Bay Apparel."

There's quite a bit of activity going on every night in there."

Supervisor Cardinale: "Yeah, that's the interior sports- the interior- "

Sal Mastropolo: "It's indoor soccer but they're running like an indoor football league now- "

Supervisor Cardinale: "Okay."

Sal Mastropolo: "Okay? So most of the kids from Riverhead- from the Riverhead Football League are playing indoor football- arena football."

Supervisor Cardinale: "Okay, we'll look at that. Actually it was suggested by someone else but not by the owner yet. So someone- another citizen of the community indicated that that might be a good idea."



Sal Mastropolo: "Okay, thank you."

Supervisor Cardinale: "Any other comment? Yes, sir."

John Woods: "Good afternoon, Supervisor Cardinale, Members of the town board. My name is John Woods. I am the political director of United Food and Commercial Workers Local 1500. Local 1500 represents over 22,000 retail food workers throughout New York State who work in a variety of supermarkets and food stores like Pathmark, King Kullen and Stop N Shop.

Over a hundred of our members reside in Riverhead. I am here today to speak once again in opposition to the Headriver or the Wal-Mart application. It is my understanding that the site plan has been modified on 11/9/06 and is currently being modified again.

Pursuant to both state law and the Suffolk County administrative code, this new site plan must be resubmitted to the Suffolk County Planning Commission before the town board may take any action. Therefore, approval of the site plan application would be in violation of the law.

This application has received considerable amount of public comment and will have a major impact on both the environmental and economic future of Riverhead and the north fork of Suffolk County.

It is also my understanding, Mr. Supervisor, from the comments you made yourself at the November 8<sup>th</sup> town board meeting, that prior to voting on the resolution that all property owners and parties that are receiving TDR's or transfer of development rights, would be identified. It is my understanding that that has not happened yet.

I'm sure that the public and fellow members of the board would like to know what parcels we are talking about and if they meet the criteria. The reasoning behind the transfer of development rights is to preserve open space and to preserve farmland that could be developed, not land locked parcels and the like.

The new site plan should be made available to the public for review and the town board should give the public time to review the new site plan and make comments on it.

I thank you very much for your time."

Supervisor Cardinale: "Thank you. And I will look into that

question, the site plan modification. I was not aware that it had been modified. We haven't seen it of late."

John Woods: "Okay. It was just my understanding. Thank you."

Supervisor Cardinale: "Thank you. I appreciate your comment."

Is there any other comment from the public? If not, I want to— before ending the meeting and inviting you back tomorrow for the hearing at 2:00 and the one or two resolutions we are to consider, I'd like to note the passing as we all know now of President Gerald Ford and have a moment of silence in his memory and then we'll break at that point.

I'd also like to see anybody who would like to be here to be back here tomorrow at 2:00 and we'll finish up the year. Thank you."

Meeting adjourned: 2:30 p.m.

*Barbara Heaton*  
Town Clerk