

7/6/2005 minutes

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 Wednesday, July 7, 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 and the Pledge of Allegiance was recited.

Supervisor Cardinale: "-- Pledge of Allegiance. Since Mitch Freidman of Newsday is not always here, why don't you lead us, Mitch?"

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

Supervisor Cardinale: "Okay. We are going to get started by reviewing, I guess, the minutes and voting on the acceptance of the minutes of the June 21st meeting. Would you-- "

Barbara Grattan: (Inaudible)

Supervisor Cardinale: "Okay. We're approving the minutes of the June 21st Town Board meeting and the June 29th Special Town Board meeting which handled 12 hearings for technical zoning housekeeping clean up matters. We'll be doing them periodically.

Okay, can we have someone offer both the June 21st Town Board meeting minutes and the June 29th Special Town Board meeting minutes?"

Councilwoman Blass: "So moved."

Councilman Bartunek: "Seconded."

Supervisor Cardinale: "So moved. Seconded by George. May we have a vote?"

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

Councilman Densieski: "I was absent for the meeting so I'm going to abstain."

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The Vote (Cont'd.): "Cardinale, yes. The minutes are approved."

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

REPORTS:

Town Clerk
Monthly report for June,
2005
Total collected: \$8113.06

Receiver of Taxes
Utility collections
report for
June - total collected
\$217,573.35

Barbara Grattan: "That concludes Reports."

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

APPLICATIONS:

Site Plan
Viva L'Arte center -
north
side of East Main Street, two
story mixed use including cafe
and gallery artist apartment
loft

Parade permits
Peconic Bay Region of the
Antique Automobile Club, Aug.
16, 1 pm to 3 pm

LI Antique Power Assoc., July
9 & 10, 9 am to 5 pm, Hallock
Museum Farm

Baiting Hollow Congregational
Church - Aug 6, 5:30 pm to
8 pm - Church barbeque

Barbara Grattan: "That concludes Applications."

Supervisor Cardinale: "Correspondence, please."

CORRESPONDENCE:

Odell Evans
Additional comments on
Gateway
East site plan

Michael Sawaya
Regarding a further
adjourn-
ment of the public hearing on
the application for a special
permit for Altaire
Pharmaceuticals, Inc.

Barbara Grattan: "That concludes Correspondence."

Supervisor Cardinale: "Thank you. We have public hearings as indicated."

Before we start on them, is there any announcement, anybody on the Board or any committee report?

There's one note, if you look at your program, the one CDA resolution we'll be considering tonight is incorrectly captioned. It should delete the caption on the resolution as it appears, deletes the words and authorizing the sale by the agency of such property to Kenneth Wilpon as Agent, Inc. so that the resolution will read- it's a resolution designating Kenneth Wilpon as Agent as a qualified and eligible sponsor for the acquisition and development of 755 plus or minus acres of the property commonly known as EPCAL for redevelopment consistent with the uses permitted in the Planned Recreational Park Zoning use District for hotel convention center and golf course subdistricts.

We are determining in that only the qualified and eligible sponsorship issue and nothing more.

Is there any other comment- announcement or anything else? If not, we can start on the hearings, the public hearings."

Public Hearing opened: 7:09 p.m.

Supervisor Cardinale: "There was one placed over from the June 21st, I guess, Town Board meeting and Richard Wines was not here then and I don't see him here now. Is there anybody here from the

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Landmark Committee who wants to speak on the consideration of the designation of the Eugene Hallock House as a landmark?

I think there's some confusion on this. What I'm going to do is ask the public to comment if they have any comment. Absent that comment, having opened at 7:09 this hearing, I'm going to close this hearing at 7:10 but I'm going to leave it open for 10 days to allow Mr. Wines or anyone else to submit written material in support of this.

I know the Board is interested in hearing that whoever the owner is has requested that it be given landmark status. So it's open for 10 days for written comment from anyone including the Landmark Designation Board- is that what they call themselves? Landmark Designation Commission."

Public Hearing closed: 7:10 p.m.
Left open for 10 days for written
comment

Public Hearing opened: 7:10 p.m.

Supervisor Cardinale: "Okay. It the 7:05 hearing, it being 7:10, can begin. It's for consideration for a local law to amend Chapter 108 Section 108-133.4 in regard to application procedure. Who would like to summarize what this is about? Town attorney, Dawn Thomas?"

Dawn Thomas: "This is a public hearing to amend two small- make two small amendments to Section 108-133 which is our special permit procedure. The Town Board has determined as a matter of policy to make referrals to the Planning Board- not mandatory. Therefore, the amendments to this section are required to make that consistent."

Supervisor Cardinale: "Okay. This has- this actually is a- "

Dawn Thomas: "It's site plan. I'm sorry."

Supervisor Cardinale: "-- it's a conforming- it's- "

Councilwoman Blass: "It's special permit only."

Supervisor Cardinale: "Okay. It's a- is this- have we done the special permit public hearing yet? I forgot."

Councilwoman Blass: "This- we're authorizing the public hearing now on the change to the special permit procedure- "

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Supervisor Cardinale: "Okay."

Councilwoman Blass: "-- that we don't necessarily refer all special permits to the Planning Board for consideration.'

Supervisor Cardinale: "Okay. That's exactly what I was going to say and I want the public to understand that this was agreed-- the Board proposes this in order to expedite the hearing of special permits.

At the moment we refer them, even routinely on the most uncontroversial matters to the Planning Board for an advisory opinion and then they come back to us with such resolution. That takes anywhere from 60 to 90 days. In certain instances, that is an unnecessary delay and this would give us the discretion to pick up the pace by moving those along more quickly by making it optional or discretionary with the Board whether to refer.

Anyone have any comment on this? We're supposed to be business friendly in theory or more business friendly. If there is no comment, it opened at 7:10. It's closing at 7:12. If anybody wants to submit something in writing, we will take it for the next 10 days."

Public Hearing closed: 7:12 p.m.

Public Hearing opened: 7:13 p.m.

Supervisor Cardinale: "A number of these-- one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve additional hearings are of that same nature."

Councilman Densieski: "I think one of them is different, Phil."

Supervisor Cardinale: "The last several are."

Councilman Densieski: "And the propane cylinders."

Supervisor Cardinale: "And the propane I know we have people who want to speak, briefly but movingly about that.

So why don't we just do the next one. 7:10. Consideration of a local law to amend Chapter 91 entitled Shopping Carts, Section 91-2 Definitions, word usage.

Could you tell us what that's about, Dawn?"

Dawn Thomas: "Yes. This is a proposed amendment to Chapter 91 entitled Shopping Carts. This will require that applications

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submitted for construction of a retail establishment which would employ shopping carts as a means of transporting merchandise to create an invisible fence type of— it's a security device that creates a wheel locking event in the event that the shopping cart were to go beyond a certain boundary line. This would preclude shopping carts from being— leaving the property of the owner and it gives a one year opportunity for existing shopping centers to comply."

Supervisor Cardinale: "And excludes very small users of five or less, I think."

Dawn Thomas: "That's correct."

Supervisor Cardinale: "Okay. That's what it's about. Is there anyone who would like to comment? Yes, sir. Bruce, how are you?"

Bruce Talmage: "Bruce Talmage, Talmage Farm Agway. Just reviewing this, a couple things. We have a garden center up on Osborne Avenue. We do have more than five shopping carts. I called the companies today just to get an idea to get the cost of what it would be for me. For six carts— I have six carts which just puts me over the limit. It will cost me \$900 per cart to install this type of a system. I actually have 50 carts. It's going to cost me about \$10,000 to put this type of a system in place to go around the full area.

That makes it almost \$200 a cart just to do this. I don't know what the economics— why we're changing this law. The law has been on the books for four years. I don't know how many times violations have been issued. I don't know what the problem is, why this change is being put forth.

The other thing is that I was able to find two companies, two major companies that do this type of thing that make the wheels accessible, they don't have wheels accessible for all of the type of shopping carts that I have. Because I have a nursery cart and even some of the flatbed wagons that you see at the Home Depot or the BJ's. The wheels are bigger than what these companies make. So we're not going to be able to comply with these laws without changing all wheel status and shopping carts and this type of stuff.

I don't know is there is enough— looking at this, another issue I had is seasonality. During the spring season, I may need to have 70 carts out there just to handle those weekend types of things. The rest of the year, maybe 30. Now, do I have to do all 70 carts or what? It's just a— I think it needs to go back to the Board a little bit and take a look at this.

I consider myself a small business owner and this is, you know, \$10,000.00 is a big hit in one year to try to do this."

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Supervisor Cardinale: "We have- I'll tell you how the idea originated. And I'll tell you that what you just said is inconsistent with the originator of the idea. The- and you may be right and I'm wrong."

The highway department, Mark and others have been picking up these carts all over town and it's caused them a great deal of time and man hours. He indicated that he had done some research on it and it was approximately \$60.00 a unit. That's why it was reasonably attractive particularly with an amortization period. But if you're correct and I'd like to see the data, certainly you're right, and the Board has to reconsider this."

Bruce Talmage: "It's not just- I think when I called, again, depending on the number of carts that you're dealing with, basically he told me it was somewhere between, you know, \$80.00 to \$100.00 per cart. But then you have to buy the controller, the installation and all the wire, and that adds up to the other \$5,000.00."

My particular case, I've got about- it's almost two acres I would have to do. So I'm maybe a little bigger than, you know, a CVS, but now you deal with somebody like a Home Depot or one of those other type of organizations, they have such a big area, you know, even for them, it's going to be costly."

Supervisor Cardinale: "What are your- what are your carts cost you and what's your loss experience?"

Bruce Talmage: "One a year."

Supervisor Cardinale: "So you don't have a loss experience?"

Bruce Talmage: "I really have a very small loss experience. In the carts, probably- the nursery carts that I bought most recently, \$200.00 apiece."

Supervisor Cardinale: "Barbara."

Councilwoman Blass: "Mr. Supervisor, I was just thinking. In light of the fact that we just recently formed a small Business Advisory Council, maybe this is something that they may want to take up in the near future in terms of factoring in some of the comments Mister- "

Supervisor Cardinale: "Maybe you would like to join us? We're looking for members. We have Mr. Massoud (phonetic), Mr. Van deWetering. Who else do we have on it, Ed?"

Councilman Densieski: "Doug Day (phonetic) from EPCAL."

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Supervisor Cardinale: "Doug Day from EPCAL. So we could use a few more members. Yeah, we will take a look at this and we certainly do not want to impose the kind of burden you're talking about."

Bruce Talmage: "Thank you very much."

Supervisor Cardinale: "Thank you. Any other comment in regard to this proposal? Okay. I'd like to-- it's 7:17. I'd like to leave this open for 10 days. I'd like to get whatever written material you can get us because we were not aware of what you said. And I'll keep this open for 10 days for that purpose."

Public Hearing closed: 7:17 p.m.
Left open for 10 days for written
comment

Public Hearing opened: 7:18 p.m.

Supervisor Cardinale: "And I'd like to open the 7:10 hearing, it being 7:18-- I'm sorry, the 7:15 hearing, it being 7:18 we can consider that. The local law to amend chapter 64 entitled Fire Prevention Maintenance of Equipment and Section 64-53, propane cylinder and tank regulations."

Could you summarize this? I know there are some individuals who have some thoughts on this, Dawn."

Dawn Thomas: "This would amend our current Chapter 64 which is our fire prevention code to make some additional requirements for the maintenance of liquid propane, small liquid propane tanks, and with regard to the filling and maintenance and storage of those items."

Supervisor Cardinale: "Okay, now the hearing to follow at 7:20, it being 7:20, do you think we should open both hearings?"

Dawn Thomas: "Once it hits 7:20, you can open both hearings. Yes."

Supervisor Cardinale: "Yeah. And that-- tell us about-- on the 7:20 hearing, the one that is going to open in a minute, could you summarize what that is about?"

Dawn Thomas: "That would repeal Chapter 75 which is-- deals with the same issue, you know, portable liquid-- I don't know if they call it petroleum or propane but I always knew them as liquid propane."

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Supervisor Cardinale: "You know how they have those laws for the kids that are lost or kidnapped?"

Dawn Thomas: "Yeah."

Supervisor Cardinale: "Like Meghan's Law. We should call this Massoud's law."

Dawn Thomas: "Yeah."

Supervisor Cardinale: "This is- "

Councilman Densieski: "This is a different issue."

Supervisor Cardinale: "Is this the same issue?"

Councilman Densieski: "No. His is the permit fee. This is- "

Supervisor Cardinale: "I thought this was to repeal- inclusive of the permit."

Councilwoman Blass: "No. That's another one. I think."

Supervisor Cardinale: "Is it coming up today?"

Councilwoman Blass: "No. No."

Supervisor Cardinale: "Okay. We've got to wait for the Massoud Law."

Councilman Densieski: "This is basically length of time that these tanks are in service, you know (inaudible), but it would be appropriate that tanks don't be serviced after 12 years. That's the useful life span of a barbeque tank."

Supervisor Cardinale: "And we're repealing Chapter 75 and what is- "

Councilman Densieski: "That is Bruce Johnson's. I'm not sure."

Supervisor Cardinale: "Okay. Chapter 64, I understand what that is. That's what you just said. Chapter 75, the whole thing is being repealed."

Councilwoman Blass: "I have a question, Phil, if I could."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "I think when we first talked about this, I had asked is there a particular disposal method of a tank after- 12

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years and older, is there anything special that you have to do with it?"

Councilman Densieski: "No. There is nothing special. You put it out front. For the last 10 years our own sanitation department does pick them up."

Councilwoman Blass: "Okay. Thanks."

Supervisor Cardinale: "Chapter- the one that is going to start at 7:20 and we're just about to open, that's the fourth new hearing of the night- "

Public Hearing opened: 7:20 p.m.

Supervisor Cardinale: "The consideration of a local law to repeal 75, that is now open as of 7:20 and the only thing that the Fire Marshal indicated to me is that he was repealing it because it was obsolete at this time.

So I'd like to take comment on the Chapter 64 change at 7:15 hearing and the Chapter 75 repeal and whoever has a comment, please come up."

Mr. O'Neil: "I'm Mr. O'Neil. I have the propane business in Jamesport. The issue that we're bringing up right now is the tanks of 12 years. When people purchased a new barbeque from any one of the big stores that had exchanged cylinders, they were told, give us your tank and we'll give you a newly filled tank. That is correct. That's what the exchange did.

But it failed to tell you that some of the tanks were 40 years old. Some were from Canada. They were not authorized to be changed. The liability insurance was removed from them the very day that the valves were changed, the tanks. Which also tells you, the citizens, that if you have an occurrence with that tank at your home, your homeowner's insurance policy can walk away from it. Because nobody authorized you to change the tank and put the device in it.

The tanks must be recertified by the Department of Transportation 12 years and one day after manufacture. Failure to tell the Department of Transportation that you own the tank also tells you that you do not have proper insurance and your liability insurance and your homeowner's policy could walk away from these tanks.

This was quite a nice hustle. We have a gas company who's gone into business- exchange, making fools out of the people of Riverhead. Give us your tank and we'll give you a newly filled tank. For \$7.00 they put a device in an old tank that had no insurance and you gave them a \$45.00 tank.

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I've had one person in today who refuses to believe me and I showed it to him. He worked for IBM. I cannot believe what's going on. We refuse, absolutely refuse, to touch a recycled tank. I've been on record because when an occurrence takes place and these things blow, these old, old tanks, the people who get killed or burned are not beside the cages. They could be six, seven hundred feet away when these tanks fall down on top of them.

The largest explosion in the United States of American above ground was in 1948. Ammunition, fertilizer and propane gas. A barge was 17 blocks inside Galveston city. A propane barge. People were killed 17 miles away from falling debris.

This is what has been allowed with the propane exchange. I had to dedicate an acre of commercial property for a storage facility away from the public. Here we have people walking around smoking cigarettes. Brilliant. I'd like to know what's going on.

Now you officially know. When an occurrence takes place, this town is going to be held liable if they don't do the right thing. And that's that."

Supervisor Cardinale: "You would like us to pass this?"

Mr. O'Neil: "Not only pass it. I think the safest thing, if I'm forced to dedicate an acre of land to my propane business, which has never had, thank God, an occurrence, I think that these other people should have more than a reasonable amount of ground separating these storage tanks from the general public.

And you ask any police officer on the highway, "X" amount of cars go by, "X" amount of accidents. It's inevitable. You have "X" amount of tanks sitting in the sun, beating on the public— with the sun beating on them, there's going to be a problem."

Councilman Densieski: "Mr. O'Neil, what you're talking about I'm not sure if the Board understands is those exchange fences where there's a bunch of cylinders in there, at gas stations, Home Depot."

Mr. O'Neil: "Right."

Councilman Densieski: "I think that's what you're referring to."

Mr. O'Neill: "Anything like that. And when they blow, it— nobody gets hurt beside it. It's the ones that's two blocks away because the tank falls down on top of them from the explosion. Like I said, 17 miles away people were killed by falling debris in '48 in

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Galveston, Texas. Over 3,500 bodies were not found. Anybody can go to the library and find this information if they want. That's that."

Supervisor Cardinale: "Thank you very much. Is there any other comment for or against this fire prevention chapter change which would in pertinent part state that no person, business or commercial entity will service, repair or fill any propane tank or cylinder in excess of 12 years old. Yes, Bruce."

Bruce Talmage: "While I'm here. We also fill propane tanks. I read the legislation that was proposed just before the meeting here. I hadn't seen it before. But I would be definitely in favor of it. Twelve years from manufacture of the product or from the expiration date that is stamped on the tank because they can be recertified and it is usually for a shorter period of time. That's the only thing you might want to change is from- no longer past the expiration date of the tank because they can be recertified."

Supervisor Cardinale: "It says 12 years past the expiration date on the tank."

Bruce Talmage: "Or- "

Supervisor Cardinale: "Past the date on the tank?"

Bruce Talmage: "Well, see the date on the tank is the date of manufacture."

Supervisor Cardinale: "Manufacture date."

Bruce Talmage: "But they can be recertified so it can go past 12 years."

Supervisor Cardinale: "Well, I guess the question is are you suggesting that we state that they can be no longer- no older than 12 years past the manufacture date or 12 past the recertification."

Bruce Talmage: "No. It's the manufacture date unless stamped- unless, you know, recertified- I'm not exactly sure on these things whether they can actually be certified past the manufacture's date or not."

Supervisor Cardinale: "Manufacturer's date. Do you know? Why don't you come on up because we need to put you on the record. Mr. O'Neil. Sean?"

Sean O'Neil: "Sean O'Neil. The tanks can only be reauthorized and used by the Department of Transportation at a federal level, not a state level. It's a federal regulation within the United States. And on the tank itself it says within 12 years is the wording on the tank, not after, within 12 years. If there's a problem with the tank within

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12 years, you send it to the Department of Transportation federal level, it then can be inspected and adjusted to be used again. But after 12 years, it says on the stamp, within 12, the day after 12 years, it's over."

Supervisor Cardinale: "Okay. So I would suggest this language. No person, business or commercial entity will service, repair, fill any propane tank or cylinder that is in excess of 12 years past the manufactured date. That's right on the cylinder. Okay? Thank you."

Sean O'Neil: "Thank you."

Supervisor Cardinale: "As opposed to 12 years old, which is not as clear."

Bruce Talmage: "It's the manufactured date, not the sale."

Supervisor Cardinale: "Right."

Bruce Talmage: "Because a lot of the tanks you're buying now are actually three or four years old, even when you're buying them new."

Supervisor Cardinale: "Thank you. Okay. Any other comment on this matter? If not, I appreciate those who did comment. We will make the necessary change and I'm going to leave this open for 10 days as well for anyone."

The wording was strike the word old and add past the manufactured date."

Public Hearing closed: 7:30 p.m.
Left open for 10 days for written
comment

Public Hearing opened: 7:30 p.m.

Supervisor Cardinale: "The next scheduled for 7:25 p.m., it being 7:30, we can move to it. It is for the consideration of a local law to amend Chapter 108 Section 108-101 water main construction, fire safety. Would you tell us about that please, Dawn?"

Dawn Thomas: "Yeah. This would amend our zoning code specifically with regard to subdivision regulations to require that a fee be posted for the construction of water mains within the subdivision and that the fee that— prior to receiving a building permit, the water main construction for the subdivision must be certified complete so that the hydrants and mains are installed and

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serviceable in case of a fire while a building is under construction. So it advances the installation of hydrants and water mains."

Supervisor Cardinale: "Right. This is a request that we have heard from the Fire Department at various meetings and we'd like to get the public comment on this as well. They have recommended it, the Fire Departments.

If there's any- the concept being if a house burns down while it's being built, this will give them a fighting chance to do something about it.

Anyone have a comment on this? If you do not, I will close the verbal portion of the testimony and hold it open for written for 10 days. We are now four minutes ahead of the next hearing. Do you have a comment?"

Councilwoman Blass: "I have a question on the- I just want to make sure that the Chapter 64 hearing that we just had on fire prevention, it also has the same provision under maintenance of equipment with respect to fire prevention."

Supervisor Cardinale: "Right. I noticed that. Yeah."

Councilwoman Blass: "So it's- it is the same- we didn't reference it or we didn't talk about it in the context of the prior public hearing. It is actually in two different places."

Supervisor Cardinale: "Yeah. I noticed that. I was reading- let me just look at that again. That's on the- "

Councilwoman Blass: "Under maintenance equipment in the fire prevention chapter. They reference the same section."

Supervisor Cardinale: "I don't- it says for all subdivisions. This is on the Chapter 64 change."

Councilwoman Blass: "Right. It's exactly the same as what's being included or suggested as an amendment to Chapter 108. So it's in the subdivision regulations. It's also under fire prevention is the comment that I wanted to make."

Supervisor Cardinale: "I wonder why it's there. I don't know if that makes any sense."

Councilwoman Blass: "Well, it's under maintenance of equipment. And it's fire prevention equipment with respect to water mains and hydrants. So it does make sense."

Dawn Thomas: "It's a cross reference."

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Supervisor Cardinale: "It's a cross reference. Okay. Okay. Yeah, it's— now I know. Okay. So the significant reference of course is the one we're now considering at the 7:30 hearing. Because it would— I'm sorry, the 7:25 hearing, water main construction fire safety, because it would require the subdivider— the developer to place the system— the water mains and the hydrant system in operation prior to commencing the construction of homes. That's actually the 7:25 hearing, correct?"

Dawn Thomas: "Yes."

Supervisor Cardinale: "So we're moving right along here, we can actually go onto the next one. I'm going to close that for verbal testimony and leave it open for 10 days for written."

Public Hearing closed: 7:33 p.m.
Left open for 10 days for written
comment

Public Hearing opened: 7:33 p.m.

Supervisor Cardinale: "And move to the 7:30 hearing which is for the consideration of a local law to amend Chapter 108 Article IV Residence B-40, RB-40 Zoning Use District Section 108-12 Uses.

Can you tell us about that, please, Dawn?"

Dawn Thomas: "Yeah. This amendment along— and I'm trying to count, I think it's the next three or four or more public hearings, make the same amendment which was to clarify the permitted attached single family dwelling unit use within the zoning use districts to allow it only within a cluster subdivision rather than just outright. It's really a maintenance item, a clarification."

Supervisor Cardinale: "So that the attached— so that units with up to zero lot line could be allowed but only in cluster subdivisions."

Dawn Thomas: "That's right. Correct."

Supervisor Cardinale: "In those zoning districts."

Dawn Thomas: "That's correct."

Supervisor Cardinale: "And that is the 7:25 hearing. The 7:30 hearing, the 7:35, the 7:40, the 7:45 and that is the last one on that subject."

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Dawn Thomas: "Yes. 7:50 as well."

Supervisor Cardinale: "7:50 is the same."

Dawn Thomas: "Correct."

Supervisor Cardinale: "Okay. So those are all housekeeping, putting that in and each of those sections— each of those zoning sections. Why don't we do this, since we have now at least 15 minutes before we can open all of them. Why don't we take comment on the resolutions 15 minutes and then come back and open all of those from 7:25 through 7:50. It being 7:35, let's take 15 minutes of comment."

Public Hearing adjourned

Supervisor Cardinale: "The next section after we finish the hearings will be resolutions that we're considering tonight. If anyone has a comment on any of the resolutions we're considering. I think there are 60 some. Now's the time. How about Rex?"

Rex Farr: "Good evening, Rex Farr, Calverton. I have a couple questions on Resolution 15. Okay? The first thing I'd like to know is because I haven't been following it, we're discussing the Wilpon decision tonight but I do know that there are other deals that have come across your desk."

Supervisor Cardinale: "Yes."

Rex Farr: "Have there been public hearings on any of these deals?"

Supervisor Cardinale: "There are— we're going in order of the deals. This was the first deal. There's a follow deal which is as everyone knows \$5,000,000 less with Mr. Farazad and Cameron Engineering. We also have recently received an inquiry as to equestrian use at the site and a letter of interest and we've referred that to the RDC for their review as we did the other two deals. So there are at least two deals and then the third equestrian deal that recently came up."

Rex Farr: "Why aren't these all being discussed at the same time? Why are we going in order just out of curiosity?"

Supervisor Cardinale: "Because they didn't come in at the same time."

Rex Farr: "Well, but I know. But they're all, you know, about the same piece of property and shouldn't there be some sort of

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comparison and the only way you can do the comparison is if you do it all at the same time?"

Supervisor Cardinale: "Yeah. But if we did that then we'd never get a deal done because at the very last moment anybody could come in and say we're interested and we'd have to stop the proceeding that I think in this case is almost a year old."

Rex Farr: "You could have made a deadline. Right."

Supervisor Cardinale: "I do think that each of them have their merit and we are continuing to have an interest in all of them because even with this qualified and eligible sponsorship, Rex, assuming this reaches a positive vote tonight, that's— that means that this particular entity is qualified and eligible by experience, by capitalization and by integrity through the record checks to go forward. It doesn't mean it's going to happen because we still don't have a contract. That's going to take some time and these other— "

Rex Farr: "But we haven't even discussed as I said the other deals and what you just mentioned the equestrian deal."

Supervisor Cardinale: "Yes. We haven't because— "

Rex Farr: "Which from my understanding might be more lucrative than the Wilpon deal."

Supervisor Cardinale: "We're processing it but the question always boils down to who's ready to sign on the line first. We'll do what's in the best interests of the town. I have asked those— the equestrian deal which you brought to my office I think just about 10 days ago, maybe less, maybe it was a week ago, that they should move fast and they should move to the RDC, get reported out and then we'll immediately, you know, continue."

Rex Farr: "Well it doesn't matter whether the equestrian deal or the other deal for a hotel."

Supervisor Cardinale: "Well the other deal, obviously I'm not going to proceed with it because it's got 100 more houses and \$5,000,000 less money."

Rex Farr: "Okay. But I just wanted to make sure that all the deals are on the table so that the community understands that there's more than just this one situation. Okay."

To this particular situation. The first question I have is are we adequately addressing the density issue in the Wilpon deal? In other words, my understanding is 700 acres, 100 houses but how many villas?"

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Supervisor Cardinale: "The density- the commitment of every developer is that the zoning- that he will comply with the zoning and we will insist that it be complied with the existing zoning."

Rex Farr: "How are you going to treat the villa issue? I mean all of a sudden there could be 2,000 villas out there."

Supervisor Cardinale: "I'm going- no, no, that's impossible if you read the zoning. But- because the zoning in that statute as in every other limits the amount by square footage. So there can only be a certain amount of square footage in the hotel conference district and whether he chooses to make it hotel rooms or golf cottages, it's the same limited square footage."

Rex Farr: "Okay. And there are restrictions on it if in fact a villa goes up, that suddenly a family doesn't move in there on a permanent basis."

Supervisor Cardinale: "Yes. It has to be rented through the hotel on a transient use."

Rex Farr: "Okay. Second question I have is on regards to the Burman property and I know I asked you this on the radio last Friday, my phones went out and I didn't hear your answer. Is every square inch of the Burman property spoken for? You're about to think about rezoning 300 acres out there."

Supervisor Cardinale: "Yeah. I don't know. I've heard various stories. If I speak to Jack O'Connor who is the broker for Burman as well as for us, there is at least- there are 490 acres there. I know there is at least 100 acres unsold and I believe that it's more like two or 250."

Councilman Densieski: "From my last conversation with Jack, just to bring you up to speed, as soon as the subdivision is approved, all the lots are spoken for. That's what he related to me."

Rex Farr: "Again, the subdivision is held up by the DEC. Is that correct?"

Supervisor Cardinale: "That's correct."

Rex Farr: "They had the pine barrens."

Supervisor Cardinale: "Yeah. That's correct. But what Eddie just said, I have heard that also. But I have also heard, which I have just said, that a certain 100 acre of 90 acre piece under the new subdivision has a good deal of yield to it. In other words, you could more on those 100 acres, that he is maybe retaining that to develop

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that himself. So I can't honestly tell you whether all the acreage is sold. I really don't know."

Rex Farr: "Okay. Thank you."

Supervisor Cardinale: "Thank you. Any other comment in regard to any of the resolutions that are before us? Yes, Angela."

Angela DeVito: "Angela DeVito, South Jamesport. On Resolution 647 which is the authorization for the issuance of a \$500,000 serial bonds."

Supervisor Cardinale: "Yes."

Angela DeVito: "For resurfacing of various roads. Do we have a list of what roads are going to be resurfaced?"

Supervisor Cardinale: "Yes."

Angela DeVito: "And what criteria was used to identify those roads that would be included in this measure."

Supervisor Cardinale: "Yeah, you know, that's an interesting question. Two things. One, I'll give you the roads. Two, the criteria was the highway superintendent's choice. Three, as an elected official, we can't tell the highway superintendent what to do. The only authority that this Town Board has over him is the budget authority. So it's an interesting question here because he's asking us because of a favorable asphalt contract, we believe 25% below market, we want to do more this year than usual.

He's asking for an additional \$500,000 to be used as follows: farm road area, Wading River, estimated cost \$100,000. Deep Hole Road, \$75,000. Middle Road from Deep Hole Road to Manor Road, \$50,000. South Jamesport roads, Front Street, Second Street, Third, Green Street, Point Street, Center and West Street, approximately \$85,000. Harrison Avenue, Middle Road to 58 north of Sound- is that right? North of something- I can't read it."

Councilwoman Blass: "That was 58 to- "

Supervisor Cardinale: "North of- Middle Road to 58."

Councilwoman Blass: "-- Harrison, north of- down to- "

Supervisor Cardinale: "Okay. Harrison Avenue, Middle Road to 58, that would be \$30,000. Pier Avenue, \$45,000. And Linda Lane, Broad Avenue, Shade Tree Lane, Robert Street, Victor Street and Cove Street in Aquebogue, \$115,000 for \$500,000. Those are the roads."

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Angela DeVito: "All right. I guess the, and I you know certainly wouldn't want any of the South Jamesport roads to be left out or anybody, any other roads to be left out, but I know that— I'm just curious as to why at this point we're having to fund it. Where, for example, last year I received a two year plan which included just for South Jamesport all of those streets that were already planned to be resurfaced this year.

And I would have imagined that being able to project would have also been part of having budget funds and sufficient monies to do that. I just don't— I'm a bit curious at this point why also at this time and the season, why we have to go to this measure in order to resurface these roads and they hadn't, you know, for what purpose are we looking to issue bonds to or use bonds for doing work that had already been projected as part of a 2006— 2005 season."

Supervisor Cardinale: "That's the new element you've given us tonight. It was not my understanding and I suspect not any of the Board's that this was work that was originally— that was originally planned for '05. In fact, just the reverse. It was understood by this Board that Mark was saying to us, you know, this is stuff that I wouldn't be able to do until '06 but if I get another \$500,000 now, I can do it now and I furthermore can do it cheaper because our asphalt company is attractively priced through the end of '05. But you are saying that some of these roads were on the projected list— "

Angela DeVito: "It was indicated to me that essentially all of those that you've identified for South Jamesport. I don't know about the other areas here in town, were projected for having been resurfaced in 2005. In 2004, they did Fourth Street, Tut's and Doug's (phonetic)."

Supervisor Cardinale: "That's \$85,000 of the \$500,000. I certainly would like to ask him that. I suspect that I'm going to get an answer that some roads turned out to be so bad elsewhere that he proceeded with them but I would like to get that answer. Because my understanding was that all of this stuff that was moving forward from the projected 2006 to 2005 in order to take advantage of the asphalt contract."

Angela DeVito: "Okay. I mean if it's going to save the town money, I mean it's not that I'm objecting to it. I'm just curious as to how it arrived and also this being the year that it is."

Supervisor Cardinale: "Yeah. I'll find that out before we— "

Councilman Densieski: "The argument presented by the highway superintendent and I think he's right, is that we're never going to get this price again on asphalt. We have a very good price right now and I think that's the reason why we're going to do some extra now."

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Angela DeVito: "I'm not questioning Mr. Kwasna's saying that, you know, we can get bargain prices on asphalt at this time. My question is that he had made some projection actually in 2004 that certain roads would have been included in his plans to begin with in 2005 seems to be duplicative at this point including them in this projected additional \$500,000.

That's my only question, is that you know, if this amount can be made less, you'd save even more money. That's all."

Supervisor Cardinale: "You do have-- you asked for it in writing as I recall last year."

Angela DeVito: "Yes. Somewhere I have that e-mail."

Supervisor Cardinale: "If you could get that to me, I'd like to see it, because the whole concept was these were roads that were not going to get done until 2006. We're moving ahead. So if there's some we should have done already, I'll ask him what's the story here."

Angela DeVito: "Okay."

Supervisor Cardinale: "In theory he should have been able to do more because his asphalt prices are cheaper than he had anticipated."

Angela DeVito: "The other question I have is on 653 and actually its relationship-- you're developing an article that deals with cluster development for zoning and its relationship to the public hearings that are the clean up hearings that you're going to open up in a few minutes and the fact that, you know, cluster development for single family attached-- single family dwellings attached to each other in that.

It sort of seems that you're doing housekeeping on one part of zoning before you have the true definitions what you want to do in on the other part of it. Maybe I'm just confused."

Supervisor Cardinale: "Well, this-- yeah, that's an understandable question. But it's-- but it isn't as bad as it appears. The 653 is really housekeeping in the sense that we have those definitions in another part of the law. We set them up when we did the work late last year. However, we needed to put them in this part of the law as well. So we're not just now doing the definitions, we're just now putting them in this section.

The other hearings we're about to start in a few minutes, that-- those hearings are really simple. If you look at our statute it says that you can have attached dwellings in those sections. What we mean is you could have attached dwellings, if you have a cluster

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subdivision, you can go as close as zero lot line. You can't just have attached dwellings unless you have a cluster."

Angela DeVito: "And my last question deals with Resolution 655 which is the public hearings to amend a section on seasonal parking, prohibited in certain areas."

Supervisor Cardinale: "Yes."

Angela DeVito: "I'm just curious as to the origin of doing this, this piece of work once again. This was studied in 2002, 2003. It was amended in 2004. We didn't see much action in terms of enforcement and, you know, it's sort of weird. We keep revisiting this without any sort of real resolution to the issue and, you know, some of the changes make sense. I'm not saying that they don't. I mean I had, you know, looked at even with the original proposals, had made some suggestion for changes myself, but it just seems that we keep revisiting this and revisiting this and it's tiresome."

Supervisor Cardinale: "Let me- I must admit that you- which is unusual for you, you are too kind. You- the truth is- the truth is in this that we did do it last year and we never enforced it, we never put up the signs. Because immediately when we started to put up the signs we realized that there was some dispute on one or two items."

So George and I and the other members of the Board who voted on this said let's look at it. We looked at it and we determined that a very small change would- which everyone was agreeable to, would resolve it. But before we get the actual signs up now and get some enforcement there, we have to legitimize what was the understanding of the members of the Board. So this will do it. This is it. This is the end. We're never going to talk about South Jamesport signs for years, I hope."

Angela DeVito: "Oh. Thank you."

Supervisor Cardinale: "All right."

Angela DeVito: "I guess also, you know, just another question was I believe during the work session that both Mr. Patchel (phonetic) and I attended, there was a question on the- you having the legal authority to issue a regulation like this."

Supervisor Cardinale: "Yes."

Angela DeVito: "He and I differed on interpretations that had been presented in various courts and I don't know how this at this point will impact on that because there had been a request for- from town council- "

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Supervisor Cardinale: "The town attorney evaluated it and gave us her opinion that was consistent with your opinion, not with Mr. Patchel's opinion under the unique circumstances of this situation. She believes what we are doing is defensible under these unique circumstances."

Angela DeVito: "All right. Thank you very much."

Supervisor Cardinale: "Yes. Mr. Shulman."

Bill Shulman: "Bill Shulman, Calverton Links. I have a problem and I don't know whether this Board can help me. My problem is this. Here we are, every two years there's a new Board and we have things that are discussed and reviewed and generally to a great extent carried over from one Board to another Board. And we see- I've seen it over the years. Many years ago, when Joe Janoski was the Supervisor it was almost a known fact there that he was going to be re-elected.

My problem is this. I have a piece of property, Calverton Links, very, very important to me. And I was born in Harlem in a tenement 88 years ago and the most important thing that I learned and growing up there for a number of years is who would be my neighbor. Well, Calverton Links and EPCAL are neighbors. And I'm very, very concerned and I listen to the various- and I'm not pro Wilpon or pro anybody else.

All I know is that I would like to know who's going to be my neighbor and the way I see it now with how Wilpon stands and it doesn't seem like he's going to be approved tomorrow night or next week and there are three or four and I listen to Rex, there are other instances, other proposals. I think that something has to be done. We can't leave something in the middle of the street and leave it to the power that the next Board will have. It's just not right, it could be changed completely.

I think when you have a proposition or you have a group of propositions, you have to weigh them and I understand you have to be careful, you have to know where is the financing, I agree. I happen to be a retired CPA for 60 years so I know what you're talking about. But by golly, let's get done, let's get something done.

Let's not leave it for the next Board or the Board after that. Let's find out what we have. And if we're not going to have anything that's good, in my opinion, then I want to vent my opinion. Thank you very much."

Supervisor Cardinale: "Good. Thank you, Mr. Shulman. The one thing I want to point out that should make you happy is we will vote tonight on #15. So we will make a decision in regard to qualified and

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eligible and I would expect over the next month, four to eight weeks, we will be making a- having another public hearing on the contract. Yes. Yeah, Mark. This should be on resolutions, I just want to remind you. I'll take this and then we'll go back into the public hearings. Go ahead."

Mark Houraney: "Okay. Am I assume that we were waiting for Mr. Isler's opinion on qualified and eligible on Wilpon that he gave the Town Board the go ahead to do this?"

Supervisor Cardinale: "Yeah, it's in the file. I have a copy of it here."

Mark Houraney: "What's that?"

Supervisor Cardinale: "The letter of our counsel in regard to his opinion on qualified and eligible."

Mark Houraney: "Well, when I went yesterday and read the letter in the Clerk's office, it was considered by Mr. Isler that it was client/attorney privilege and that we couldn't see it."

Supervisor Cardinale: "Well, I don't believe so because we released it."

Mark Houraney: "Okay."

Supervisor Cardinale: "The press has it. I'll give you a copy and go make it- "

Mark Houraney: "Okay. My other question is, is that, you know, procedurally, I don't know how you- he or you guys came to this conclusion because, you know, reading through all the Wilpon sequences, it doesn't just seem procedurally things were done right. And you know that's been my beef since day one.

The Urban Renewal Law states that the applicant has to file financials. The applicant is Ken Wilpon, as Agent Inc. Ken Wilpon, as Agent Inc. has never filed financials. Okay. As of the public hearing with Ken Wilpon, the only financials was a letter that I believe Ed read in the public hearing saying that he has the finances. Now, if that's the case, okay, supposedly the one letter his attorney says he wants the hearing closed as soon as possible and he wants to move on. And in the next letter, they're asking that it be reopened. That the public hearing be reopened. You indicated that you got together with your Board members and voted to reopen the hearing. Is that correct? You had told me that at the last meeting."

Supervisor Cardinale: "The- yeah, the hearing was reopened in order to permit additional documentation and subsequent public comment."

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Mark Houraney: "But it was done by a vote out of the public view and didn't include Councilman Densieski."

Supervisor Cardinale: "Councilman Densieski- we do not need to vote. We can open up a hearing- the file was always open for submission of additional data."

Mark Houraney: "Yes, but I don't understand. One letter, Ann Novack on June 3rd requests that the hearing be closed as soon as possible. We've met all the requirements of the Urban Renewal Law. Then all of a sudden on June 17th, another letter from her states that they would like the hearing to be reopened."

Supervisor Cardinale: "Yeah. I think she changed- I think it's a fair surmise she changed her opinion on the adequacy of the file, I think at that time."

Mark Houraney: "And you're saying the Board- you told me the Board voted to reopen the hearing and let them put more documents in. Am I correct?"

Supervisor Cardinale: "That's correct. She asked that it be reopened and we said, yes, reopen it."

Mark Houraney: "But who said yes? You said- you told me there was a vote. When I asked I said why wasn't it done in public, you said you had the four votes."

Supervisor Cardinale: "There is no- there isn't a vote in the sense that you're talking about. The file was open at all times for documentation. Furthermore, we have- according to my attorneys, we have great latitude in taking as much information as possible before making any decision. So the fact that it doesn't come to anybody's surprise that you want as much information as possible before you make a decision. We got it and we're now prepared to make a decision.

We've delayed this since April to get a complete file which our attorney recommends to us as complete. Now I have great respect. I think you're a really smart fellow but I'm not going to take advice from my accountant, Mr. Hansen, on legal matters and I'm not going to take advice on legal matters from you."

Mark Houraney: "Okay."

Supervisor Cardinale: "I follow the direction of my counsel."

Mark Houraney: "That's good. And I'm glad because in my opinion you've opened the town up to an Article 78 and like I told you three months ago, this Wilpon deal is going to cost you the election

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and it will, Mr. Cardinale, because you know what? All you did was pawn it off onto the outside law firm so you could get the decision you want so you could go ahead, and I guarantee the people in this room, you've got at least a three or four to one vote in favor of Wilpon because you don't put anything up there that you haven't talked privately to those Board members and get the votes.

And the people know what's going on here and they will speak in November. Because if you think you're fooling people— the same thing with this other proposal. This other proposal is for more money I found out, okay, and we just ignore it."

Supervisor Cardinale: "Mr. Houraney, you just defined leadership which is intelligent assessment and determination of issues and as far as the other— there is no other transaction. There's a letter of inquiry which— "

Mark Houraney: "Well, there's a letter of intent. It's not a letter of inquiry. It's a letter of intent for more money that Rex is talking about."

Supervisor Cardinale: "Mr. Houraney, the record will speak for itself and the file speaks for itself. But we need to move on and as Mr. Shulman said and make a decision."

Mark Houraney: "Yes. But we still have to do things by the law, you know."

Supervisor Cardinale: "We have done that according to our counsel and I cannot take your advice, because you are not our counsel."

Mark Houraney: "Well, I still think you've opened the town up to an Article 78 and I think it's very unfair that you took a vote to reopen the hearing for work on your own without doing it from the public."

Supervisor Cardinale: "We never closed the hearing, Mr. Houraney. Is there any further— I assume, I will take that as comment on #15, CDA resolutions. Is there any other comment?"

If not, let's go out of this for a moment, go back it is now 8:00. We can hear those hearings that were designated 7:25, 7:30, 7:35, 7:40, 7:45, and 7:50 which are, again, about the question of cluster subdivisions being required if you are going to have up to a zero lot line on homes. Is there any comment on any of those hearings?"

Public Hearings reopened: 8:00 p.m.

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Supervisor Cardinale: "Is there a comment? Please come up. Yes, sir."

Patrick Fedun: "My name is Patrick Fedun. Zero lot line, is that also considered like, for example, the village center zone where houses are permitted in special permit as a zero lot line."

Supervisor Cardinale: "In what zone?"

Patrick Fedun: "Village center."

Supervisor Cardinale: "I don't- let me look- is there- as I look at this- "

Patrick Fedun: "You can put a single family- "

Supervisor Cardinale: "We're talking about the following zones. We're talking about B-40; we're talking about A-40, RA-40, RB-80, RA-80, and APZ. So we're not talking about village center."

Patrick Fedun: "But you still have a zero lot line on it and houses are permitted with a special permit. Would that qualify also?"

Councilwoman Blass: "That's not cluster subdivision. That's- no, those are townhouses."

Supervisor Cardinale: "Yeah. That would be different, correct? It's not affected by these changes. Your question is in village center, are these changes affecting what exists now? And the answer is obviously no because these do- none of those hearings that I mentioned- "

Patrick Fedun: "Right."

Supervisor Cardinale: "-- are affecting village center zoning."

Patrick Fedun: "All right, I see. Thank you."

Supervisor Cardinale: "Thank you. All that's happening here, people, is this. In the use section of- the permitted uses are dwelling one family, parks and playgrounds, attached single family dwelling units. And then we're putting in within a cluster subdivision. Because otherwise it suggests that you could have attached single family dwelling units without having a cluster. It's a clarification."

Any other questions or comments in regard to this- to these series of hearings completing- to 7:50? If there is not, I will leave them open for 10 days for further comment. Close those hearings scheduled for 7:25, 7:30, 7:35, 7:40, 7:45 and 7:50."

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Public Hearings closed: 8:00 p.m.

Supervisor Cardinale: "And move to the last set of hearings which I will open together in about four minutes. But in the interval, would you summarize please, Dawn, what those three hearings are about?"

Dawn Thomas: "These three hearings are proposed local laws which would change the terms of office of the Town Clerk, Town Highway Superintendent and Town Supervisor from two years to four years. These would be subject to mandatory referendum which would mean that they would not be effective until approved by referendum at the election this November."

Supervisor Cardinale: "Okay. So we want to take public comment on the proposal that those offices, Town Clerk, Town Highway Superintendent and Town Supervisor be four year terms. If- even- if we took public comment which was all extraordinarily positive and we passed the law in the next month or two, it still doesn't count until you get a chance, every one of the people in the town, to vote in a referendum and only then would it validate any law we passed. But that being said, I'd like to- I'd like to open up the first two hearings because it is 8:03 and in two minutes I will open up the final hearing. So we're opening the 7:55 and the 8:00. In two minutes, we'll open the 8:05."

Public Hearings opened: 8:03 p.m.

Supervisor Cardinale: "Is there anybody who would have a comment upon the concept as it relates to the Town Clerk or the Town Highway Superintendent? Yes, come right on up."

Kathleen Grodski: "Good evening."

Supervisor Cardinale: "Good evening."

Kathleen Grodski: "My name is Kathleen Grodski from Calverton. And I first would like to ask a question. Didn't the town already bring up for a vote for changing to a four year term for both Superintendent and Town Clerk?"

Supervisor Cardinale: "Yes. And I think the Supervisor- "

Kathleen Gordski: "The Supervisor."

Supervisor Cardinale: "-- that was in, I think, about five years ago."

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Kathleen Grodski: "And what was the vote?"

Supervisor Cardinale: "That vote was actually a referendum vote."

Kathleen Grodski: "Okay."

Supervisor Cardinale: "They were all together and it failed to pass. I've forgotten how close or how far apart it was but the difference in this particular vote will be that each of these will appear as individual votes on the referendum. Because since we put them all together and it was voted down all together it wasn't clear whether they were voting for each and every one of the offices or for all of these- each and every one or one because you had no choice."

Kathleen Grodski: "Well, I feel that people voted, they knew what they were voting for and it was for all three."

Supervisor Cardinale: "Well, there's a different electorate now, of course, than there was six years ago, too."

Kathleen Grodski: "Well, it's just amazing. To my knowledge it was voted down by a generous portion of the town and why this issue is being reintroduced, it just amazes me. It kind of reminds me of my children and the fact that if we don't get the answer we want the first time, let's just keep bringing it up for a vote until we get the one we want. Now, thank you."

Supervisor Cardinale: "Thank you. Thank you. I'm going to open up the third hearing, it being 8:05."

Public Hearing opened: 8:05 p.m.

Supervisor Cardinale: "And ask for any further comment on this concept as it relates to the offices- Town Clerk, Town Highway, Supervisor."

Yes, why don't I take Joan and then you can come back and make a comment. Sure."

Joan Griffin: "Good evening, Joan Griffin, Baiting Hollow. I believe the issue a couple years back, three, four, five years ago, was just the Town Clerk and the Highway Department and they were put together."

Councilman Densieski: "Yeah, I think you're right, Joan."

Joan Griffin: "People- I know I didn't like the idea of voting for both in one referendum so I prefer to see separate ones."

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My question is about the three of them, are they taking effect with the 2005 vote or is this for the 2007 vote?"

Supervisor Cardinale: "If the- the- this would be effective- "
Councilman Densieski: "January of 2006."

Supervisor Cardinale: "-- January 1st of 2006 if passed November 9th of 2005. So in effect it ups the ante for Barbara which she isn't running against anybody so that would be easy, and the- ups the ante for Kwasna and (inaudible) and myself and Ed because the term, if it passed, would be a four year term. As Ed said, perhaps a one year term would be another option. Sometimes I'm sure we both feel that way."

Joan Griffin: "Isn't that a lot to ask the public? You want me to decide to make it two or four years and then you want me to decide with the people that are in there right now that I'm voting for on this election day? It doesn't seem fair to the public to make the change with this election coming up."

Supervisor Cardinale: "Okay, I appreciate your opinion. I don't sort of think it follows but the concept is the concept. Yes, ma'am."

Kathleen Grodski: "Hello again. I'd just like to say I feel very strongly against the change of the two year term to a four year. I believe if you're doing the right thing by and for the people of this town, you would certainly be re-elected on your merits. A Supervisor should be proud to run on his or her record of achievement."

Changing this code would allow for less input by the people. If the elected official wasn't living up to his duties, the people would be stuck with this person for a four year term instead of two. My personal opinion would be to re-think the councilmen chairs and change them back to a two year term also.

Remember you are a voice of the people and we should be able to vote regularly to appoint such officials to these various duties. Please do not change this code. Thank you."

Supervisor Cardinale: "Thank you. Larry and then Rolf. Larry Oxman and Rolf. Yes, Larry."

Larry Oxman: "Good evening. Larry Oxman, with offices up on Old Country Road and Main Street. Although I don't vote in this town I do pay probably much more in taxes than the average person."

Supervisor Cardinale: "Not to mention fines, right?"

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Larry Oxman: "We'll see. In regard to a four year term, it seems that you may be eliminating some of the checks and balances that currently exists meaning that the council people are a four year term and the Supervisor's position is a two year term. If you were to make them all four years then one would have that administration for that four year period.

The other woman that just spoke, I would echo that sentiment that maybe the council people would go to a two year term and the Supervisor maybe remains a four but at least there's some checks and balances in case the public does not side with the administration and their viewpoint. Thank you."

Supervisor Cardinale: "Thank you. Yes, Rolf."

Rolf Koesling: "Rolf Koesling."

Supervisor Cardinale: "Yes, Rolf."

Rolf Koesling: "Wading River. Not that I'm repeating everything but every time this comes up about the four year term, I tell the whole story about my bad experience we had a few years ago which cost the town a lot of money. Now I'm willing to change my opinion on a four year term on one condition. Somewhere in the law wherever you have to put it, there has to be a provision for recall. And I don't believe you have any provisions now.

I'll go along with the four year term if there is a provision for a recall. If we're not satisfied with somebody, we can get a certain amount of votes together and we can change it. So I'll support the four year term on condition of the recalling. Thank you."

Supervisor Cardinale: "I think I'd like to check two things for the public as a result of these comments. Perhaps, Barbara, you can check one and, Dawn, you can check another. On the previous vote, can you tell me whether it was on all three positions that we- "

Councilman Densieski: "No, I think we did two."

Supervisor Cardinale: "Okay. So it was not- previously it was- the vote six years ago or five years ago was for the Highway Superintendent and the Town Clerk, not the Supervisor. It was not previously voted as to whether the Supervisor should be four years- "

Barbara Grattan: "And the Highway Supervisor and the Town Clerk were together."

Supervisor Cardinale: "The Highway Superintendent and the Town Clerk were together so it was unclear what the people were rejecting. So we know that. That's one thing. So it's new as to one and new as

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regards to the way it's going to be set up if it's passed. It's going to be set up one, two, three.

The second thing is, I believe there's an- as you will all remember, not to mention the Governor of California who remembers it well, and Arnold Schwarzeneger who remembers it well, there is initiative and recall in California and I believe there is in every state, the ability to recall a politician or a public servant who is not performing.

Could you check and so we can get that out to the public, what the law is in New York State on initiative and recall so that you could bring a petition to have a vote within any term, two years or four years, if the particular number of signatures is obtained.

Did you have a comment, Hal, in this regard?"

Hal Lindstrom: "Hal Lindstrom, Calverton. I'm in favor of the four year term for the Supervisor. I think we spoke about this a number of times that really the Supervisor, once he gets into office, you know, with the election, running for office and everything else, by the time he really starts to understand what's going on in government and getting things done, he's running for re-election. And I think it's something that is good. I'm definitely for it. I'd like to see the Supervisor in for four years so that, you know, Mr. Shulman spoke and he said that a lot of stuff especially with different deals with the Grumman property and stuff like that, that are not finished or, you know, projects that are started and, you know, the next thing you know the Supervisor is out of office and I think it's- I think it's really needed the four year term. Thank you."

Supervisor Cardinale: "Okay. Any other comment? Yes, John."

John White: "Good evening, Supervisor and Town Board. On the three of these put together, I myself like it the way it is right now. Not any disrespect to anybody up there or anybody coming in the future. I don't think that the people in the Town of Riverhead and most towns if they have a Supervisor that's not really doing his job, can really afford to have him there for four years. Not singling Phil out or any past, you know, Supervisor to come.

I look at Barbara and I say that Barbara's been doing a fine job for years and she's been here as long as I can remember. You know. So I'm looking at having a Supervisor that, you know, can be the same thing. Be up there, you know, in 15 years and if they're doing the job and I think that the people out here know, you know, when somebody up there is doing a right job and they're happy with it. And I think that they'll know, you know, in that regards.

I would ask that even if this does go on, the referendum, that it is put on the right way. I kind of think maybe last time it was done

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for a double bit of the apple and these people here on the Board didn't have anything to do with that back then but there already was a referendum and, okay, if it wasn't done right at that time, you know, and it's going to be done again, I'm glad to hear today that it is going to go to a referendum if the Town Board decides to put it that way and that it will go to the people.

And I just would like to see the checks and balances the way you're basically voting for three out of five on any given election so that there is no majority that's already up there and there's only two seats that are open. So— because they always talk about, you know, the good old boy's club and things like that and I think this is something that helps to keep things the way they should be. That's it."

Supervisor Cardinale: "Thank you."

John White: "Thank you."

Supervisor Cardinale: "Okay. Any other comment from anyone? I'm going to leave this open for 10 days as well for public comment in regard to any of those three positions."

Public Hearing closed: 8:15 p.m.
Left open for written comment for
10 days

Supervisor Cardinale: "I would like— we've completed the hearings. We would like to resume taking comment anybody wishes to make in regard to the resolutions. We'll then go into the resolutions and come back out to take general comment. Is there any other comment in regard to any other resolutions we're about to consider? If there is not, we need the CDA director. Is Andrea in the house? Because if she is, she can call— I am going to forget about Andrea. I'm going to adjourn the meeting of the Town Board for a moment and open the meeting of the CDA."

Meeting adjourned: 8:15 p.m.

Meeting reopened: 8:26 p.m.

Supervisor Cardinale: "Can we move now out of the CDA meeting into the regular Town Board meeting and pick up 625 through the end. Barbara, would you call 625, please."

Resolution #625

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Councilwoman Blass: "This resolution adopts a local law to amend Chapter 108 entitled zoning and the zoning use district map of 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."

Councilman Densieski: "Yeah. It's my opportunity to have the floor so I'm just going to say a couple items about what Phil said."

I did try to change the zoning in 2001 or '02, it's on the work session agenda. You can look it up. And I have read the zoning very thoroughly. But I didn't rely on my knowledge. I went to your Planning Department and got the information on how many could be built with the floor area ratio. So I just wanted to clarify that and I will vote yes on this resolution 625."

The Vote (Con't): "Cardinale, yes. The resolution is adopted."

Resolution #626

Councilman Bartunek: "Adopts a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, Business CR zoning use district, Rural Neighborhood Business. 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 #627

Councilwoman Blass: "This resolution adopts a local law to amend Chapter 10 of the Riverhead Town Code entitled Civil Claims compliance required. 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 #628

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Councilman Bartunek: "Adopts a local law to amend Chapter 7 of the Riverhead Town Code entitled Business Improvement District. 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 #629

Councilwoman Blass: "Adopts a local law to amend Chapter 108 of the Riverhead Town Code entitled Zoning Article XXI, Business CR District, Rural Neighborhood Business. 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 #629A

Councilwoman Sanders: "Adopts a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead Town Code, 101-18. 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 #630

Councilman Densieski: "Approves stipulation of settlement. 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 #631

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Councilwoman Sanders: "This ratifies the appointment of a beach attendant/concession stand operator II to the Riverhead Recreation Department. 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 #632

Councilman Densieski: "Accepts resignation of a part time homemaker. 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 #633

Councilman Bartunek: "Ratifies the appointment of a part time homemaker in the nutrition department. 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 #634

Councilwoman Sanders: "Ratifies the appointment of a student intern in the nutrition 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 #635

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Councilwoman Blass: "Ratifies the appointment of a scorekeeper level II to the Riverhead Recreation Department. 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 #636

Councilman Densieski: "Appointment of Dillon Kix as a beach attendant/concession stand operator I to the Riverhead Recreation Department. So moved."

Councilwoman Sanders: "That's a ratification of- 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 #637

Councilwoman Sanders: "Ratifies an appointment of a lifeguard level II 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 #638

Councilman Bartunek: "Did we discuss the location of the dumpster- we- "

Supervisor Cardinale: "Yeah. I spoke to- good question. I asked the same one of Rick about an hour or two back. Rick, you want to come up for a second. We have a question on 638."

Rick told me that there was a red line that requires the dumpster be landscaped on the east- on the west side."

Rick Hanley: "Correct."

Supervisor Cardinale: "And then there would be a gate that would be closed and opened when they came back to pick up."

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Rick Hanley: "As the Board recalls there was a problem with this site plan. They had made some changes in the field that were not part of the original site plan. So we were very cooperative with them and red lined the drawing, the original site plan."

Supervisor Cardinale: "And I have the same concern that I think is evidenced by the other members of the Board that there is no reference in here- why don't we at least reference the red lining and say that- "

Rick Hanley: "I hope that you have the revised- "

Councilwoman Blass: "It does say- the third Whereas does reference a red lined original site plan."

Rick Hanley: "It was a second draft- "

Supervisor Cardinale: "I don't see a line."

Rick Hanley: "It's possible that you have the original, Phil."

Supervisor Cardinale: "Okay, that's probably what happened."

Councilwoman Sanders: "You have the original, that's why."

Supervisor Cardinale: "Okay. So there is a reference to the red lining? (Inaudible). Okay, fine."

Rick Hanley: "So what we did is we moved the handicapped parking- "

Supervisor Cardinale: "Okay. I have it. I was just looking for it in the Resolved."

Rick Hanley: "Okay. Moved handicapped parking to a different location. Did not change the number of stalls and we are screening the compactor. His claim was it's not a dumpster, it's a compactor. He didn't feel he needed to screen it legally. I think the Board agreed they wanted it screened. We went to the site and we proposed screening on the north side and a gate on the east side."

Supervisor Cardinale: "Actually, I think it's- "

Rick Hanley: "North side and west side."

Supervisor Cardinale: "Screening on the west side and a gate on the south side."

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Rick Hanley: "Something like that. It's clear on the drawing. And we took a bond of \$1500 for landscaping which he has to install prior to the fall."

Supervisor Cardinale: "Is the land— believe me, I want Mr. Cohen (phonetic) to get this done and he wants to get it done."

Rick Hanley: "Right."

Supervisor Cardinale: "Is the landscaping— that's— he's got to put landscaping on the west side in the middle of a concrete— there's a concrete area there."

Rick Hanley: "Where, on the dumpster?"

Supervisor Cardinale: "Yeah."

Rick Hanley: "No. We're just asking for screening on— yes, it's a concrete area there."

Supervisor Cardinale: "So he's going to have to— is an adequate bond, not that I don't believe he's going to do what he says anyway."

Rick Hanley: "We have a bond already that's going to cover that."

Supervisor Cardinale: "Fine. Thank you."

Rick Hanley: "Okay."

Supervisor Cardinale: "Okay. With that elucidation, can we have a vote?"

Councilman Bartunek: "We haven't read it yet. I haven't read this yet, right?"

Approves amended site plan of True Tech, Inc. So moved."

Councilwoman Blass: "Seconded. I think the word should be amended, approves amended site plan."

Supervisor Cardinale: "Amended, yeah. I think that would work. Okay. Approves amended site plan."

Councilwoman Blass: "Thank you."

Supervisor Cardinale: "Moved and— "

Councilwoman Blass: "Seconded."

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Supervisor Cardinale: "-- seconded."

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

Councilman Densieski: "We must help local business as much as we can but business must act in good faith. This business is a mess. The landscaping is really bad and in my opinion if this project was not in a minority community, it would have gotten a lot more attention."

We're approving the site plan even though the place continues to be a mess. At a minimum, the dumpsters should be moved in the back. George and I went and looked at it, they can do it. The grass is two feet high, it needs landscaping and irrigation installed, etc., etc.

So I'm going to abstain on this particular vote."

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

Supervisor Cardinale: "I'm going to vote yes. I think that the amendments are going to be adequate for the task."

Barbara Grattan: "Okay, that resolution is adopted."

Resolution #639

Councilwoman Blass: "Approves the site plan of Sunken Pond Estates, Inc. modifying the existing driveway alignment. 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 #640

Councilman Bartunek: "Approves the site plan of Heritage Property Investment Trust North Fork Bank Expansion. So moved."

Councilwoman Sanders: "And seconded."

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

Councilwoman Blass: "Discussion."

Supervisor Cardinale: "Yes."

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Councilwoman Blass: "In light of the discussion we had the other day about site plans and especially when we have amendments in more than one copy and modification, I think it's important every time we approved a site plan now that we reference not only the date of the particular site plan that we're approving as well as the date of the elevations.

In this case, we talk about the date of the elevations. I was just going to ask the Planning Director if he knows if the date of the site plan is the same as the date of the elevations so we know which plan we're approving. The one we had the other day, it wasn't, but I just want to make sure of that. As long as we can just put in the date of the site plan itself, the last amended or whatever, I would be happy to vote on it as long as we include it subsequent."

Supervisor Cardinale: "Good. Where is the site plan date indicated or the elevation date?"

Councilwoman Blass: "It says— in the second Whereas."

Councilwoman Sanders: "In the second Whereas."

Supervisor Cardinale: "The second Whereas?"

Councilwoman Blass: "It says reviewed the elevations dated March 25, 2005 as prepared by the architect and is recommended that the Town Board approve the site plan but I just want to make sure it's the same date. That's all."

Supervisor Cardinale: "Okay. You want to know the site plan date."

Councilwoman Blass: "That's correct."

Supervisor Cardinale: "So at the second Whereas, we need to know the date of the site plan. I'm putting it in as March 28, 2005. Go check it. If it's any different, let me know right now. Okay?"

Rick Hanley: "I just want to be sure I get this right."

Councilwoman Blass: "Okay."

Rick Hanley: "This is a change to elevations on an existing site only?"

Councilwoman Blass: "No. We're changing the site plan here."

Rick Hanley: "Are we talking about Heritage?"

Supervisor Cardinale: "Yeah."

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Councilwoman Blass: "I'm sorry. We're talking about North Fork Bank."

Councilwoman Sanders: "North Fork Bank expansion."

Councilwoman Blass: "Expansion."

Supervisor Cardinale: "Yeah."

Rick Hanley: "This is the TJ Maxx shopping center?"

Councilwoman Blass: "Yes."

Rick Hanley: "And what we talked about was changes to elevations only for North Fork Bank for the ATM?"

Councilwoman Sanders: "ATM."

Councilwoman Blass: "So why are we talking- "

Rick Hanley: "I think it's just whoever devised the title is the issue. It's really- it's an amended site plan. But all you saw were elevations. So if you need a date, do you want the date of the original site plan?"

Councilwoman Blass: "Again, in light of the conversation we had the other day where we were not certain exactly which plan we were approving even though there were references to several days- "

Rick Hanley: "I recall the conversation."

Councilwoman Blass: "-- I think it's just important every time we approve- "

Rick Hanley: "Okay."

Councilwoman Blass: "-- even if we were referencing a prior site plan, we should have the date of the site plans so that we know exactly which one- "

Rick Hanley: "So if I can't get that right now- "

Councilwoman Blass: "We'll hold- "

Supervisor Cardinale: "We'll hold it aside. Do you think you can locate your file in less than- "

Rick Hanley: "Yes. I'll do my best."

Supervisor Cardinale: "If you could, I'd appreciate it."

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Rick Hanley: "Sure."

Supervisor Cardinale: "And just let us know what the date of the site plan is."

Councilwoman Blass: "Unless the Board wouldn't object approving it as long as we put the date in- after the fact."

Rick Hanley: "Can we do that? You mean tomorrow?"

Councilwoman Blass: "Is there something totally inappropriate about that?"

Supervisor Cardinale: "That's fine. If you'll just remember to do that."

Rick Hanley: "Okay."

Councilwoman Blass: "Thank you."

Supervisor Cardinale: "Thank you. Okay. So we're going to add at the end of the Whereas, dated March 28, 2005, elevations dated March 28 and site plan dated blank. And that should be filled in."

Councilwoman Blass: "Yes. Thank you."

Supervisor Cardinale: "Okay. With that discussion and amendment, can we have a consideration of the resolution?"

The Vote: "Bartunek."

Councilman Bartunek: "I'm going to abstain."

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

Resolution #641

Councilwoman Sanders: "Approves the site plan of County Seat Plaza at Riverhead Phase 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 #642

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Councilwoman Blass: "This is a budget adjustment in connection with the Calverton CDA. 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 #643

Councilman Densieski: "2005 Horton Avenue drainage project budget adoption. So moved."

Councilman Bartunek: "Seconded."

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

The Vote: "Bartunek, yes; Sanders."

Councilwoman Sanders: "Has everyone-- "

Supervisor Cardinale: "Yeah. It's amended."

Councilwoman Sanders: "It's amended. It says here-- it should say serial bonds as opposed to Brookhaven town."

Councilman Bartunek: "Right. It's amended. It's been changed."

Councilwoman Sanders: "Okay. I'll find it. Then it's a yes."

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

Resolution #644

Councilman Bartunek: "Town Board special program fund budget adjustment. So moved."

Councilwoman Blass: "And seconded."

Councilman Densieski: "Discussion."

Supervisor Cardinale: "Yes."

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Councilman Densieski: "Phil, Dave was kind of enough to explain this to me but I didn't really get it. What exactly was the television consultant."

Supervisor Cardinale: "There was a-- I don't know, I think there was a \$750.00 bill and one of the questions was why we were moving \$2,000.00 but was for when the machines were broken, Rosen came in and fixed them for them actually. That's what I understand, that's what he told me anyway. That would be the machines that distribute channel 22."

Councilwoman Blass: "I think there was a memo explaining that in the work session copy."

Supervisor Cardinale: "Yes."

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

Resolution #645

Councilwoman Blass: "This resolution authorizes an amendment to the capital budget plan for years 2005-2007. 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: "Middle Road paving Phase I project 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 #647

Councilwoman Blass: "Is a resolution authorizing the issuance of \$500,000 in serial bonds of the Town of Riverhead Suffolk County, New York to pay the cost of the resurfacing of various roads located throughout and in and for said Town. 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 #648

Councilman Densieski: "A resolution authorizing the issuance of \$50,000 in serial bonds of the Town of Riverhead, Suffolk County, New York to pay the cost of the purchase of a landscaping vehicle for use by the Town's Building and Grounds Department, in and for said 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 #649

Councilman Bartunek: "2002 water plant #12 improvement CAP project budget adjustment. 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 #650

Councilwoman Sanders: "Authorizes the Town Clerk to publish and post public notice to consider a local law to amend Chapter 101 of the Riverhead Town Code entitled Vehicles and Traffic, 101-10 Parking Prohibited. 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 #651

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Councilwoman Blass: "Authorizes the Town Clerk to publish and post public notice to consider a local law to amend Chapter 101 of the Riverhead Town Code entitled Vehicles and Traffic, Article IX Recreational Motor Vehicles. 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 #652

Councilman Densieski: "Authorizes the Town Clerk to publish and post a public notice to consider a local law to amend Chapter 100 of the Riverhead Town Code entitled Vehicles, Junked, Abandoned and unregistered, Section 100-3 Storage Regulations. So moved."

Councilman Bartunek: "And seconded."

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

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

Councilman Densieski: "I'll vote yes to the public hearing but it seems like we're eliminating a lot of our freedoms and rights lately. But let's hear what the people have to say. Yes."

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

Resolution #653

Councilman Bartunek: "Authorizes the Town Clerk to publish and post public notice to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled Zoning, Article XIX, Cluster Development. 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 #654

Councilwoman Blass: "Authorizes the Town Clerk to publish and post a public notice to consider a local law to amend Chapter 107 of

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the Riverhead Town Code entitled Tidal and Freshwater Wetlands, Section 107-4 Regulated Areas. 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 #655

Councilman Densieski: "Authorizes the Town Clerk to publish and post a public notice to consider a local law to amend Chapter 101 of the Riverhead Town Code entitled Vehicles and Traffic, Section 101-18 Seasonal Parking Prohibited. So moved."

Councilwoman Sanders: "And seconded."

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

Councilwoman Blass: "Discussion."

Supervisor Cardinale: "Yes. Discussion. Go ahead."

Councilwoman Blass: "I'm not sure if maybe Peggy can confirm this. I thought it was the intent on Front Street to have the north side of Front Street as a parking prohibited area and the south side Front Street to allow for the seasonal parking."

(Inaudible comment)

Councilwoman Blass: "Not including Front Street. Okay. I wasn't aware- "

(Inaudible comment)

Supervisor Cardinale: "Do you want to- I'm sorry. Go ahead."

Councilwoman Sanders: "If we go south of Front, there isn't anything left."

(Inaudible comment)

Councilwoman Blass: "I thought it was to include- I knew that we were eliminating Front Street north up to Second Street, but I thought it- the regulations were going to kick in on Front Street and south. Okay. Okay. I just- I wasn't sure and that's the way it is."

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So if we can go— certainly go to public hearing on it. I just wasn't sure if that was a correction."

Supervisor Cardinale: "Okay. Good. Yeah that's good. It's just a public hearing so we can sort it out but let's make sure it's what we all want. Okay. With that clarification, I guess we have to call a vote."

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

Resolution #656

Councilwoman Sanders: "Authorizes the Town Clerk to public and post a public notice to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled Zoning, Boats, Trailers, Airplanes or Seaplanes. So moved."

Councilman Densieski: "I'll second it."

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

The Vote: "Bartunek."

Councilman Bartunek: "Yes. I'm very disappointed I'm not going to be able to park my seaplane in my front yard after this but I'll vote yes."

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

Councilman Densieski: "I'll vote yes for the public hearing but it seems like pretty soon you're not going to be able to do anything with your property. But I'll go for the public hearing. Yes."

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

Supervisor Cardinale: "I will vote yes for the public hearing."

Councilwoman Blass: "Actually these regulations already exist in the town code. They were left out when we adopted the new residential zoning use district. So it's a clean up, housekeeping matter."

Supervisor Cardinale: "Okay. So it's not new but we'll have to have a public hearing in any event."

Barbara Grattan: "Okay, the resolution is adopted."

Resolution #657

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Councilman Bartunek: "Authorize the Town Clerk to advertise for bids repainting of Plant No. 8 stand pipe. 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 #658

Councilman Densieski: "Order calling for a public hearing for the lease agreement with Omnipoint Communications, Inc. - Pulaski Street Tank, Riverhead Water District. So moved."

Councilwoman Sanders: "And seconded."

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

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

Councilwoman Blass: "Yes. Could we change the adopted-- to adopted."

Supervisor Cardinale: "The Adopted. Yeah, lose an "o" there. Good."

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

Resolution #659

Councilwoman Blass: "Order calling a public hearing with respect to a lease agreement Cingular Wireless PSC, LLC, Plant #9, Riverhead Water District. 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 #660

Councilman Densieski: "Order calling for a public hearing for a lease agreement with Verizon Wireless for the Route 58 tank, Riverhead Water District. So moved."

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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 #661

Councilman Bartunek: "Rejects bid for Altec Model AT37-G bucket truck and authorizes the Town Clerk to post and publish and attached notice to bidders. 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 #662

Councilwoman Blass: "Ratifies the authorization to publish and post a help wanted ad for lifeguards and beach attendants. 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 #663

Councilman Densieski: "Approves a temporary sign permit of the Holiday Inn Express. So moved."

Councilwoman Sanders: "And seconded."

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

Councilman Bartunek: "Discussion."

Supervisor Cardinale: "Yes."

Councilman Bartunek: "Did we review this at the last work session when I wasn't- on my way to Pennsylvania?"

Supervisor Cardinale: "Yes. I think that is what happened because- "

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Councilman Bartunek: "No problem with the telephone number being assigned?"

Supervisor Cardinale: "I noted that myself. I think— I think that we had permitted them for temporary but not for permanents but I really don't care one way or the other. Does anyone recall? Do you recall? I know that it's been a policy not to permit phone numbers on permanent signs but I think we permit them on temporaries because so many times temporaries are brokerage signs. Okay. So that's why I didn't— "

Councilman Bartunek: "I'll vote yes."

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

Resolution #664

Councilwoman Sanders: "Approves Chapter 90 application of Timothy Hill Children's Ranch. 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 #665

Councilman Densieski: "Approves the Chapter 90 application of Dorothy Muma for the benefit picnic for breast health. So moved."

Councilman Bartunek: "And seconded."

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

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

Councilman Densieski: "Yeah. This is the third annual. It's a really fun event for a good cause. I hope everybody can go. Yes."

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

Resolution #666

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Councilman Bartunek: "Approves the Chapter 90 application of East End Arts and Humanities Council, Inc. Peconic River herb farm. So moved."

Councilwoman Blass: "And seconded."

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

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

Supervisor Cardinale: "Yeah. This is secret garden, East End Arts. And I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #667

Councilwoman Blass: "This approves a Chapter 90 application of the Restoration First Assembly of God Church. 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 #668

Councilwoman Sanders: "Approves the Chapter 90 application of Garden of Eve, 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, yes. The resolution is adopted."

Resolution #669

Councilman Densieski: "Approves Chapter 90 application of Martha Clara Vineyards LLC for various events, functions and fundraisers. So moved."

Councilman Bartunek: "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 #670

Councilman Bartunek: "Approves the application for fireworks permit for Jamesport Fire Department. 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 #671

Councilwoman Sanders: "It's a budget adoption for the Connecticut Avenue culvert replacement project. 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 #672

Councilwoman Blass: "This resolution authorizes the transfer of county owned property to the Town of Riverhead parcel at intersection of Horton Avenue and Osborne Avenue. 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 #673

Councilman Bartunek: "Authorizes the Supervisor to execute a license agreement with the Long Island Wine Council, Inc. So moved."

Councilwoman Sanders: "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 #674

Councilwoman Sanders: "Authorizes the Supervisor to execute an intermunicipal agreement with the Town of Brookhaven for the replacement of a culvert under Connecticut Avenue situate within the jurisdictional boundaries of the Towns of Riverhead and Brookhaven. 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 #675

Councilman Densieski: "Authorizes the Supervisor to execute an intermunicipal agreement between the Town of Riverhead and the Riverhead Central School District. This is to repair the World War II monument. So moved."

Councilman Bartunek: "And seconded."

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

The Vote: "Bartunek."

Councilman Bartunek: "Yeah. I just have a question, Phil. Why is the term granted for 30 days. Is that to just cover the time that it's going to take to make the repairs? Okay. I'm just curious about that. Yes."

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

Supervisor Cardinale: "Yes. And the other thing that strikes me is that the only substance to these three pages is number four on the second page of the resolution. The Riverhead Central School District will (inaudible) the information to the Town of Riverhead to periodically come on the premises to maintain the school monument, the veterans monument. It's amazing how much time and effort it took to state that. I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #676

7/6/2005 minutes

Councilman Bartunek: "Authorizes the release of the performance bond for Suffolk Cement Products, Inc. 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 #677

Councilman Densieski: "Authorizes the release of the performance bond for Sawmill Creek Realty LLC - Blue Fin Realty. 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 #678

Councilman Bartunek: "Authorize the release of performance bond for Target Corporation Risk Management. 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 #679

Councilwoman Sanders: "Authorizes the release of security posted for Sister's 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, yes. The resolution is adopted."

Resolution #680

7/6/2005 minutes

Councilman Densieski: "Authorizes the release for the security posted for Robert Gammon for Woodside Farms. 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 #681

Councilwoman Blass: "Accepts cash security of Cellular Telephone Company d/b/a AT&T Wireless - Fresh Pond Avenue. 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 #682

Councilman Bartunek: "Reduces the performance bond of Sound Avenue Company LLC Silver Village. 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 #683

Councilwoman Sanders: "Supports the enactment of the Clean Water Protection/Flood Prevention Act by the New York State legislature. 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 #684

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Councilwoman Blass: "Appoints a wastewater treatment plant operator trainee in the sewer 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 #685

Councilman Bartunek: "Authorizes the submission of a grant application to the New York State Department of Funding from the Environmental Protection Fund to undertake a comprehensive watershed study/watershed management plan of the Peconic estuary system. 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 #686

Councilman Densieski: "States the sense of the Town Board and authorizes negotiation with the Vintage Group, Inc. regarding Railroad Avenue redevelopment program. So moved."

Councilwoman Blass: "And seconded."

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

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

Councilman Densieski: "If it works out I think it could, private industry would (1) pay us back the money that we spent on the property; (2) absorb our parking commitment to the county for the court parking; (3) bring a movie theater to town and (4) clean up a blighted area with a new attractive business. Yes."

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

Supervisor Cardinale: "Yes. I think that's well summarized by Ed. I hope it does proceed. And I vote yes."

Barbara Grattan: "The resolution is adopted."

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Resolution #687

Councilwoman Blass: "There's a correction that needs to be made on this resolution in the dates-- second page, 6/3/05 should be changed to 7/20/05 on both of those."

Supervisor Cardinale: "That's on which resolution?"

Councilwoman Blass: "The second page-- 687."

Supervisor Cardinale: "Okay. That should be-- "

Councilwoman Blass: "It should be 7/20/05."

Supervisor Cardinale: "That would make sense, yes."

Councilwoman Blass: "Don't you think?"

Supervisor Cardinale: "I think. You've got to receive them after the ad."

Councilwoman Blass: "This resolution authorizes the Town Clerk to post a help wanted ad for Superintendent for Recreation I and Director of Senior Citizen Services. So moved."

Councilman Bartunek: "And seconded."

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

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

Councilman Densieski: "I wanted a meeting set up with Judy before I commit to hiring a person that might not be needed. I think there are some issues that have to be flushed out first. So I think I'll abstain on this one."

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

Resolution #688

Barbara Grattan: "Resolution #688 is to pay bills."

Supervisor Cardinale: "Yes. May we have that motion to pay bills."

Councilman Densieski: "Yes. Motion to pay bills. So moved."

Councilman Bartunek: "I'll second that."

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Supervisor Cardinale: "Moved and seconded to pay bills. Vote please."

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

Supervisor Cardinale: "That concludes the resolutions and could conclude the night unless we have some general comment by anyone in the audience. Rolf, would you come up please?"

Councilman Bartunek: "Mr. Koesling, did you get your signs?"

Rolf Koesling: "Rolf Koesling, Wading River. I was just interested in the remark that came from the Town Board on the asphalt."

Supervisor Cardinale: "Yes."

Rolf Koesling: "And Kwasna got a cheaper deal, cheaper than our own asphalt plant."

Supervisor Cardinale: "We- that asphalt plant is limited to- may be very limited soon, but is presently limited production for the site only. It does not do- it does not provide asphalt to any other-"

Rolf Koesling: "(inaudible), I was just wondering."

Supervisor Cardinale: "Well, it produces asphalt."

Rolf Koesling: "It produces- "

Supervisor Cardinale: "But it does not- the asphalt that it produces, is it used on the roads? Let her explain."

Councilwoman Blass: "That's not the town's asphalt plant."

Supervisor Cardinale: "Oh, that's her point. Now I get it."

Councilwoman Blass: "It's not ours. We're not in the asphalt making business."

Rolf Koesling: "But we have an asphalt plant making the sand-- from the town dump."

Councilwoman Blass: "No. It is-- it utilizes the sand with the reclaimed soils from the town's landfill project. It's part of the reclamation project but it's a contract between our main contractor who's doing the reclamation project. He has subcontracted to this asphalt company to produce asphalt, but it's not ours. Although they

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had bid- bids on what we have had and projects and have been awarded bids but- "

Supervisor Cardinale: "I think that's very clear. But let me try."

Councilwoman Blass: "I'm sorry."

Supervisor Cardinale: "We have a deal with Grimes (phonetic), he takes all the stuff out of there and when he takes it out, it's a lot of sand. He can use the sand- he gives us two bucks for that sand. Instead of charging us to take it away and he gives it to this subcontractor, the guy he has a deal with and that guy makes the asphalt, not us. That's what we're saying."

Councilwoman Blass: "Thank you, Phil."

Supervisor Cardinale: "Thank you. You've got to get right down to the nitty gritty with Rolf."

Councilwoman Blass: "Okay."

Supervisor Cardinale: "Yes, sir, back there."

Rick Ferragans: "Good evening. My name is Rick Ferragans, I live in Miller Place. I'm in the golf course business, vice-president of the New York Golf Course Owners Association. I'm a part owner of Swan Lake Golf Course in Riverhead and I manage Spring Lake Golf Course for the last 35 years.

A number of years ago, I got involved with Suffolk County when they wanted to build another golf course and they went into negotiations with a builder and then I started talking and some other people started talking to the legislators and they asked- or they suggested that I talk to each one individually and they'd also wished that they'd known more information about the golf industry before they got as far as they did with negotiations with the builders.

I think it's important to you as councilmen to know what the state of the golf industry is in the Town of Riverhead, in Suffolk County and in Long Island and I ask you that before you proceed with too much negotiation that you have a full understanding as the impact that this would have on other golf courses in the Town of Riverhead and surrounding areas.

There is a misconception out there that the golf industry is very healthy and growing. That is not the case. Any golf course that has been around for 15 or 20 years has seen a decrease in rounds of anywhere between 30 and 35% from 1995 I would say was the peak; '85 to '95 was probably the high end and after that everything has been down hill.'

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Since then you've had numerous golf courses built in the area also, that's one of the reasons. The second reason is that there are less golfers out there playing. I was just reading a trade magazine today, the National Golf Foundation just came out with a report, you can read it. But basically it's saying that in 2003, there's been a decline of 7.2% of golfers from the year before. They're saying- that's just in women golfers. All segments, the women, the men, the children, there's just less golfers than there were years ago, two years ago, three years ago.

I think men went down about 4.7%; women went down 7.3%. So statistics are there to show you that there is a decrease in the amount of golfers out there. Statistics are also there to tell you that there's a whole lot more golf courses in the Town of Riverhead. You've got Old Vine, Cherry Creek, The Woods, Long Island National, Swan Lake, Calverton. These are all golf courses that have been built in the last 10 to 15 years.

I just want- if you have any further questions and if you would like me to talk to you individually, I'd be more than happy to do so."

Councilwoman Sanders: "I have a question. Mr. Ferragans, does that article, that study indicate what they attribute the decline to be caused by?"

Rick Ferragans: "Not really. No. Just- it's just the data- the study, they put out. I'll just read the beginning. Despite industry leader's efforts to increase participation among women, the number of women golfers in the United States declined 7.3% in 2004 according to the National Golf Foundation's recently released golf industry report. That demographic decline was just one of the disturbing trends uncovered in this participation study. The total population, of course, for golfers defined by the NGF, which is the National Golf Foundation, as men and women 18 and over who play at least eight times annually fell to \$12.8 million dollars down 4.7% from \$13.4 million in 2003.

This report also revealed the decline in the games total population of adult participants their ranks including (inaudible) golfers and occasional players, those who play one to seven times per year dipped 3.9% to 27.3 million from 28.4 million.

You know, I can read- "

Supervisor Cardinale: "Did you have a question?"

Councilman Densieski: "Yeah. Excuse me, sir. Did you get any feedback from local golf course owners in this area, in Riverhead township?"

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Rick Ferragans: "The general feeling is that they would rather not see more golf courses in the area. I can't speak for anybody in particular. But the trend has been in the past, they see it anytime a golf course opens in the area, they've seen a drop in rounds played by about 10% or so for each new golf course."

Supervisor Cardinale: "Thank you for your— for the statistics and the insights. And would you please give him Mr. Wilpon's number. I want him going in with his eyes wide open. Okay, thank you very much."

Peggy really will give you his number if you'd like it. Is there any— sometimes you don't want to hear what you need to hear.

I would like to take any other comment on any matter that anybody wishes to comment on. Otherwise, if you have no comment, I would be equally delighted and I would say at 9:07 that we could all go home to dinner. So, let's do that. Thank you very much."

Meeting adjourned: 9:07 p.m.