

**WAIVER OF NOTICE AND CONSENT  
OF SPECIAL MEETING**

**We, the Undersigned, being all members of the Riverhead Town Board of the Town of Riverhead, County of Suffolk, and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York at 2 :00 P.M. on the 24<sup>th</sup> day of May 2006, and do consent to the holding of such meeting for the purpose of:**

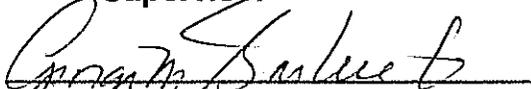
Res.

(PLEASE SEE ATTACHED)

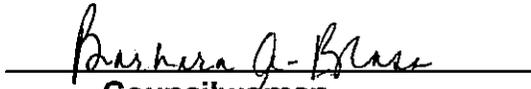
Dated: May 24, 2006  
Media Notified by  
Supervisor

Town Board Members  
of Riverhead, New York

  
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Supervisor

  
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Councilman

  
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Councilman

  
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Councilwoman

  
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Councilwoman  
Councilman

Minutes of a Special Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Wednesday, May 24, 2006 at 2:00 p.m.

**Present:**

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

**Also Present:**

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

Supervisor Cardinale: "This is the (inaudible) of the May 24<sup>th</sup> town board work session and we're going to begin with a meeting because we don't have a meeting for a three week stretch and we wanted to pass a few time sensitive matters.

We should pledge allegiance to the flag, we should ask anybody who wants to make comments to do so after that and then we'll pass or review them."

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

Supervisor Cardinale: "Okay. We have one resolution which is resolution- it says Resolution #3, but I believe it is correctly entitled 4- 4 of the CDA and then 22 or 3 resolutions. Otherwise, does anyone have any comment on any of these resolutions--Sal, why don't you come up, please."

Sal Mastropolo: "490"

Supervisor Cardinale: "Yes."

Sal Mastropolo: "You need a be it further resolved to forward a copy."

Supervisor Cardinale: "Yeah, let me get there. 490, right?"

Sal Mastropolo: "Yeah."

Supervisor Cardinale: "Yeah, be it further resolved to forward a copy to--"

Sal Mastropolo: "Office of accounting and Martin Lynch."

Supervisor Cardinale: "Okay. Copies to- cc to office of accounting and- "

Sal Mastropolo: "Martin Lynch."

Supervisor Cardinale: "And the newly hired employee Martin Lynch. Okay, thank you."

Sal Mastropolo: "492."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Change the be it further resolved to forward a copy of this resolution, not the resolution itself."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "And add Kyle Stevenson."

Supervisor Cardinale: "Okay. A copy of this resolution (inaudible) office of accounting and to Kyle Stevenson."

Sal Mastropolo: "493, the same thing, a copy of and Steve Bartunek."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "494, the same thing, a copy of and Kenneth Drum."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "498. One, two, three, four, five, the fifth Whereas, the fourth line down, makes no sense."

Supervisor Cardinale: "498 is- "

Sal Mastropolo: "That's the reclamation contract with Grimes."

Go to the fourth line down--"

Councilwoman Blass: "(inaudible) the word and, town, and will provide and deliver goes in there I believe. Does that make--"

Sal Mastropolo: "Well, yeah, the question is who's providing the mulch, Grimes or Long Island Composting?"

Councilwoman Blass: "Grimes."

Sal Mastropolo: "Okay. Then the and is okay."

Barbara Grattan: "So it's going to be to the--"

Councilwoman Blass: "Cost to the town and will provide and deliver (inaudible)."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "On the very next page, add Long Island Composting and Grimes to the copy list."

Supervisor Cardinale: "Long Island Composting and Grimes. Okay."

Sal Mastropolo: "499."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Should that go out to bid? I know you guys have been dealing with Peconic Land Trust for a long time, okay, and on every-- I never gave it much thought until I saw the prices that they're charging per hour, and if that's non-profit-- boy-- "

Supervisor Cardinale: "Ed was just commenting on that. I'd like to-- I know that they've done a good job for us and to answer your question directly, we do not (inaudible) but we do want to be mindful of the market and make sure they're not over it. Who's got the-- do you have that, Ed-- "

Councilman Densieski: (Inaudible)

Supervisor Cardinale: "I didn't see it on mine. Oh. Yeah, I understand what you're saying. They're actually not as shocking as you would imagine when we look at the engineering and the attorney

fees but I understand what you're saying. The principals are making over \$100 but most others are between-

Councilwoman Blass: "We rarely use anyone but the (inaudible)."

Supervisor Cardinale: "What ones do we use?"

Councilwoman Blass: "We use (inaudible)."

Supervisor Cardinale: "Uh, yeah, not for profit doesn't mean what most people think it means. It means profit is generally paid back in salaries to (inaudible)."

Councilman Bartunek: (Inaudible)

Sal Mastropolo: "504."

Supervisor Cardinale: "(inaudible) to answer your question directly. It's a professional service."

Sal Mastropolo: "504."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "I'm not sure if the date is right or wrong on the notice to bidders. On the previous one, the response date was the 9<sup>th</sup> of June and on this one it's the 8<sup>th</sup> of June. Is that by design? I mean it's five minutes later than the previous one but it's a different day, so I just wanted to make sure. Do you want it back on the 8<sup>th</sup> or the 9<sup>th</sup>?"

Supervisor Cardinale: "Let's see, the 8<sup>th</sup> is a Monday. Is it okay? And the 9<sup>th</sup> is a Tuesday, we have it returnable on a different day. Okay."

Sal Mastropolo: "Okay. I wasn't sure. Thank you."

Supervisor Cardinale: "Thank you, Sal. Okay. Any other comment in regard to the proposed resolutions? Sal, you're slipping."

Sal Mastropolo: "Oh, I missed one, George?"

Councilman Bartunek: "It's a good one, 500. I'm going to give you a chance. I'm going to give you a second opportunity (inaudible) the resolution."

Sal Mastropolo: "Should be--"

Councilman Bartunek: "Page number 2, Sal, come on. Number 2, paragraph 2."

(Some inaudible discussion)

Supervisor Cardinale: "Five years would be--"

Sal Mastropolo: "Yep, you're right, George."

(Some inaudible discussion)

Supervisor Cardinale: "Yeah, right. Okay. We're ready to consider these, Barbara. First, I guess, Andrea, who is not here at this moment, yeah, she is here. Andrea, would you please call the-- first of all, I'm going to adjourn the meeting of the town board."

Meeting adjourned: 2:28 p.m.

Meeting reconvened: 2:29 p.m.

Supervisor Cardinale: "And recommence the meeting of the town board and ask that 484 and the following be called, Barbara."

Resolution #484

Councilman Densieski: "General fund budget adjustment in the town clerk's office. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #485

Councilman Dunleavy: "Budget adjustment. So moved."

Councilwoman Blass: "Seconded."

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

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

Resolution #486

Councilwoman Blass: "Budget adjustment. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #487

Councilman Bartunek: "Peconic River bulkhead, bike and pedestrian path construction project budget adjustment. So moved."

Councilman Densieski: "Second the motion."

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

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

Councilman Densieski: "I didn't support the project so I'm going to abstain."

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

Resolution #488

Councilman Densieski: "Recreation department budget adjustment. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #489

Councilwoman Blass: "Highway fund budget adjustment. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #490

Councilman Bartunek: "Computer network and system technician provisional appointment. So moved."

Councilman Dunleavy: "Can we have a discussion on this?"

Supervisor Cardinale: "Yes."

Councilman Dunleavy: "I don't think this fellow has finished the hiring process that we were talking about this morning."

Supervisor Cardinale: "Okay."

Councilman Dunleavy: "So can we put this off to the 6<sup>th</sup>? This is not due until the 12<sup>th</sup> anyway."

Supervisor Cardinale: "Absolutely. The interview or (inaudible)."

(Unidentified): "I spoke with Lori a few minutes ago. She said that you can't do what I think you want to do under federal law."

Supervisor Cardinale: "Oh, yeah. We were talking about—"

(Unidentified): "Unless (inaudible) a CDL license, you can't do it."

Supervisor Cardinale: "Okay. And who did she get that information from?"

(Unidentified): "From Jack."

Supervisor Cardinale: "Okay. That's a good reason for adjourning because much as I love him, I want to get my legal advice from my lawyers. So let's adjourn it until the 6<sup>th</sup>. I don't think there's any enormous rush- "

(Unidentified): "He has to give notice (inaudible)."

Supervisor Cardinale: "Well, let's think about this. The issue is whether the town- we had a recent problem in which we hired someone and the first day he showed up (inaudible). So why not give the drug test before you hire the guy is the issue? Now if federal law precludes that for some reason, we can't- unless you (inaudible), we, you know, why don't we- so we need to know the answer to that question- "

Councilman Dunleavy: "I spoke to Dawn- I mean, all private companies- is the municipalities a guy under federal law or- because all job applications- for most jobs now, you have to have drug testing before you get hired. So- "

Supervisor Cardinale: "We are in the midst of a town board meeting and an issue has come up as to pre-employment or pre-hiring drug test. We don't want to hire the guy unless we know the answer to that question. I'm going to put it aside for a moment and then, yeah, we'll then- oh, let's- that's a solution for our immediate problem but if you cannot- okay, very good, I'll put that in (inaudible).

So we're going to make it subject to completion of a satisfactory pre-employment drug test permitted by law. Okay. Okay. (Inaudible)-  
- addresses your concern.

I also wanted to do something else which I'm going to ask her to do right now which Barbara had asked me to do yesterday. Dawn, in regard to EPCAL, we're anxious to get that zoning moving, yeah, for the 6<sup>th</sup>. Okay, we really need you to tell us whether it needs to be published- posted because if it does not great, if it does, we want to publish and post preferably we want to do it at this meeting. So could you take a look at that? Thank you. Okay.

Then this one would be amended, Barbara be it resolved that (inaudible) is hereby promoted provisionally subject to completion of pre-employment drug test as permitted by law. Okay? With that- "

Councilman Dunleavy: "I second it with the amendment."

Supervisor Cardinale: "Moved, second, please. Oh, you did second it."

Councilman Dunleavy: "Yes."

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

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

Resolution #491

Councilman Dunleavy: "Appoints student intern in the Accounting Department. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #492

Councilman Densieski: "Ratifies the appointment of a park attendant II Level IV to the Riverhead Recreation Department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #493

Councilwoman Blass: "Appoints a Park Attendant III to the Recreation Department. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Dunleavy, yes; Bartunek, abstain; Blass, yes;

Densieski."

Councilman Densieski: "I want to give this guy a raise, he's kind of underpaid. But I'll vote yes."

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

Resolution #494

Councilman Bartunek: "Appoints a scorekeeper Level IV to the Recreation Department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #495

Councilwoman Blass: "Appoints seasonal pump out boat operators. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #496

Councilman Dunleavy: "Accepts resignation of senior neighborhood aide. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #497

Councilman Densieski: "Accepts resignation of grants coordinator. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Dunleavy, yes; Bartunek."

Councilman Bartunek: "Yes. Hate to see you go."

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

Councilwoman Blass: "Yes. (Inaudible)."

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

Councilman Densieski: "Yeah. I've got a quick comment. The following statement is not based on any provable facts but merely my perception, my assessment of what I believe are the facts.

Miss Messiano was hired as the town's grants coordinator to straighten out a complete disaster. The grants department was in no uncertain terms, a mess. Ms. Messiano fixed it and did a great job. She is ranked number one on five or six county employments lists. She is well educated, completely professional. No water cooler gossip, no politics.

She is a dedicated professional with a bright future. So why would a bright, intelligent employee with a promising future in the town of Riverhead leave? Well in my opinion, Miss Messiano was forced to work in a hostile work environment, an environment with so much negative energy coming not only from a high ranking administration official, but also from department heads.

And what's really bizarre is that atmosphere was allowed to happen, allowed to fester until finally any professional with a bright future would say adios.

So why would someone want to undermine another employee? Maybe to protect their empire they've created themselves. Maybe fear of some younger, smarter, more professional taking their jobs. Who knows, but it happened.

Not only did it happen, it was permitted to happen. And when an official of the administration accuses you of not being a team player, I guess it is time to move on. So maybe instead of worrying about creating team players, we should concentrate on fixing the crisis at the town landfill debacle and creating jobs and tax base at EPCAL.

Oh, and by the way, there are least a couple more employees who are not on the team player list and as soon as they can be undermined or drive out, they will.

In closing, I will not vote to accept Miss Messiano's letter of resignation but humbly ask her to stay on, to give her the tools and support to do the job to the best of her ability and the taxpayers will be well served.

I vote no."

The Vote (Cont'd: "Cardinale."

Supervisor Cardinale: "Nice speech. However, what you don't know and I do know is I did the exit interview and according to Jennifer who I do thank for her service to the town, and I do thank for her assistance in resolving a situation that was a mess when we came in 2004 into this building as administration. The reasons that she indicated in the exit interview were nothing, absolutely nothing, like what you just said.

Now, Jennifer is real smart, (inaudible) people pay a lot more. She's number one on a list for higher civil service jobs. There are a lot of reasons why she may have left but the ones you mention are not them. I vote yes."

Councilman Densieski: "Phil, I just want to clarify that I said it was my opinion."

Supervisor Cardinale: "Yes, that's true. And I understand."

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

Resolution #498

Councilwoman Blass: "Authorizing the Supervisor to sign agreement with Long Island Compost, Inc. and a modification to the town's current reclamation contract with Grimes Contracting Co., Inc. So moved."

Councilman Dunleavy: "And seconded."

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

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

Councilman Densieski: "I'm going to abstain because I wasn't here for the conversation at the work session last week and I don't have a copy of the change (inaudible)."

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

Supervisor Cardinale: "What one is this? This is the authorizing me to sign the agreement with Grimes on reclamation in order to permit the— let's do the numbers on this, Ed, because you were not here. And what it amounts to is that in order to move (inaudible) assuming it's 10,000 cubic yards amount, if we (inaudible) it's \$840,000. If we deliver it to Brookhaven which we've explored and we could, it would be \$680 and if we do it this way, it would be about 500 plus we would receive about 300,000 (inaudible) topsoil which we could use at the parks or sell. So this seems to be (inaudible). I'm voting yes."

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

Resolution #499

Councilman Dunleavy: "Authorizes the Supervisor to execute purchase of development rights, planning, acquisition and negotiations services agreement with the Peconic Land Trust. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #500

Barbara Grattan: "Resolution #500, Councilman Bartunek."

Andrea Lohneiss: "Barbara, I think that should be a CDA resolution."

Barbara Grattan: "500?"

Andrea Lohneiss: "500, yes."

Barbara Grattan: "Okay."

Supervisor Cardinale: "500, so let's pull it out and I'll reopen the CDA meeting. Okay, very good. So we'll set it aside and renumber it 5, and (inaudible)."

Barbara Grattan: "And the next resolution is going to be 500. Councilman Dunleavy."

Councilman Dunleavy: "Amends Resolution 424-2006 authorizes town clerk to publish and post public hearing regarding a local law to amend Chapter 108 Article XIII, Supplementary Use Regulations, to add 108-64.6 Prohibited Uses of the Riverhead town code. So moved."

Councilwoman Blass: "And seconded."

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

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

Councilman Densieski: "Although I didn't vote for the public hearing last time. I know it's only a public hearing but to me this is the epitome of over regulations. So I vote no."

Barbara Grattan: "You're voting no?"

Councilman Densieski: "No."

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

Supervisor Cardinale: "I'll vote- yeah, I'd like to vote for a public hearing. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #501

Councilman Dunleavy: "Authorizes the Town Clerk to publish and post public notice for public hearing regarding a local law to amend Chapter 108 zoning of the Riverhead town code. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #502

Councilman Densieski: "You mean 503?"

Barbara Grattan: "503 becomes 502."

Councilman Densieski: "Rejects bid for water service materials and authorizes town clerk to republish and repost notice to bidders. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #503

Councilwoman Blass: "Authorization to publish advertisement for disposal of town of Riverhead municipal solid waste. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #504

Councilman Bartunek: "Authorizes the submission of a grant application to NYS Department of State for funding from the Environmental Protection Fund to undertake a comprehensive watershed study/watershed management plan of the Peconic Estuary. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #505

Councilwoman Blass: "Homemaker to voluntarily reduce the hours to part time position."

Councilman Bartunek: "And seconded."

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

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

Supervisor Cardinale: "Yes. I assume by voluntarily, it's her request. Yes. Okay."

Barbara Grattan: "That resolution is adopted."

Supervisor Cardinale: "We have one other, that (inaudible), now #5 CDA. I'm going to close the meeting of the town board."

Meeting adjourned: 2:44 p.m.

*Barbara Grattan*  
Town Clerk