

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

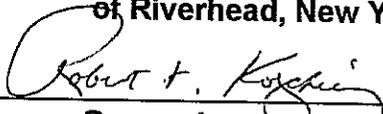
We, the Undersigned, being all members of the Riverhead Town Board of the Town of Riverhead, County of Suffolk, and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York at 4:00 P.M. on the 28th day of December, 2000 and do consent to the holding of such meeting for the purpose of:

RES. #1148-1179

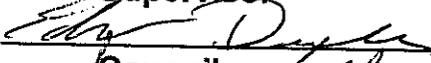
And any and all other matters that may come before the Board.

Dated: December 28, 2000

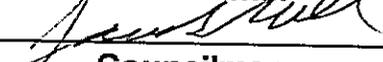
**Town Board Members
of Riverhead, New York**



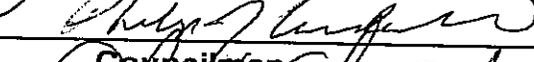
Supervisor



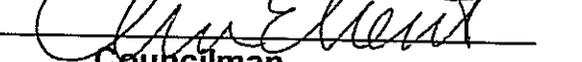
Councilman



Councilman



Councilman



Councilman

Media Notified: Town Board Meeting December 28, 2000

By Supervisor's Office

Suffolk Life

Times Review

Long Island Traveler-Watchman

Newsday

WRIV & WRCN

Minutes of a Special Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Thursday, December 28, 2000, at 4:30 p.m.

Present:

Robert Kozakiewicz,	Supervisor
James Lull,	Councilman
Christopher Kent,	Councilman
Edward Densieski,	Councilman
Philip Cardinale,	Councilman

Also Present:

Barbara Grattan,	Town Clerk
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Absent:

Dawn Thomas, Esq.,	Town Attorney
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Supervisor Kozakiewicz called the meeting to order at 4:29 p.m.

Supervisor Kozakiewicz: "The time of 4:29 having arrived. I open this hearing. I think we advertised it for 2:00 but we had a Town Board member who was not here at that point in time and decided to convene at 4:00 although the time is 4:29."

Barbara, I know we have a number of resolutions. I'm not sure if there is any discussion with regards to any of the resolutions first. So if there is any discussion, we can engage in that discussion first. And if not, we'll just take up the resolutions. Any discussion? Being none- "

Resolution #1148

Councilman Lull: "Authorizes the Town Clerk, excuse me, authorizes the Town Clerk to publish and post a help wanted ad for a part time animal control officer- this is an animal control officer to work weekends and which we don't have to-- alleviate some of the overtime. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1149

Councilman Densieski: "Authorizes the Town Clerk to publish and post a help wanted ad for part time driver messenger. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1150

Councilman Cardinale: "This awards a bid for building materials as listed. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "We received one bid and so that's the bid we're taking, Riverhead Building Supply. Yes."

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

Resolution #1151

Councilman Lull: "Awards bid for #4 fuel oil. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1152

Councilman Cardinale: "This is a budget adjustment, a succession of year end budget transfers, six pages. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

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

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

Councilman Cardinale: "I know why he's abstaining. We have asked that we have explanations. In the spirit of the end of the year I will vote yes on this but I would expect explanations of every budget adjustment in the new year. So I vote yes."

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

Councilman Kent: "Due to Mr. Cardinale being here 29 minutes after the meeting was supposed to start, we had the opportunity to review line by line every budget adjustment. So we did get explanation- "

Councilman Cardinale: "From whom?"

Councilman Kent: "From Jack who stood up here and explained every single budget adjustment to us."

Councilman Cardinale: "Well, that's- I'm glad you made good use of the time."

Councilman Kent: "No, it was good."

Councilman Cardinale: "I'd like it in writing- "

Councilman Kent: "I thought you were going to actually ask about quite a few of these so I had him provide me with the explanation."

Councilman Cardinale: "Appropriated fund balances, yes."

Councilman Kent: "They're almost all appropriated fund balances. Several of them are within their individual departments though. Appropriated fund balance within their departments. And they're all able to be explained and they all seem to be appropriate, no pun intended. And I will vote yes."

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

Resolution #1153

Councilman Densieski: "1153 is a highway deer reflection marker program from capital project budget adoption. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Ah, yeah, but I'm going to make a comment unfortunately again, Bob, sorry."

Supervisor Kozakiewicz: "That's fine. I- "

Councilman Densieski: "About a month- about two months ago, at a Special Town Board meeting not much different than this one, I tried to move a resolution regarding deer and I was promptly told by a couple of the Town Board members that they thought it was inappropriate at a Special Town Board meeting. So with that said, this may be great, maybe not, I don't know. But I'm going to abstain."

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

Councilman Cardinale: "I remember that meeting. I think it was actually Jim that indicated, I think correctly, that at special meetings we should only do those things such as budget adjustments which must be done by the end of the year. So I'm going to join in the abstention."

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

Councilman Kent: "This is grant money that's available from the highway improvement funds that we get from the federal government. I

believe we get it from the federal government. From the state? This is state money. This is grant money that we could use. We are going to be purchasing- the idea behind this and I think Jim can elaborate on my comments- we are going to purchasing a system with reflectors which are going to prevent deer from entering the roadway in certain areas where we have a very high intensity of accidents. And I think this would prevent a lot of property damage and could also prevent some untimely deaths from the deer. Now that may or may not be meeting the purposes or the policy of the town which is to try and get rid of as many deer as possible perhaps from that site but this will prevent the deer from going into the roadway and being struck by vehicles that are moving at speeds of up to 65 miles per hour. So I will vote yes because I saw the brochure and we discussed this a couple of times at work session and I think it's worthwhile for us to go ahead. Since the grant money can be applied for this use, that we go ahead and appropriate it and expend it to install the reflector system that will prevent these types of accidents. So I'll vote yes."

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

Councilman Lull: "Yes. Ed, I was the one who made that comment before about special meetings. This is a meeting that's noticed and has been very much- people are very much aware of this meeting taking place because it takes place every year and it's been in the paper notices. So I don't consider this as a special meeting that's held in an emergency situation which is what the previous situation was."

Based on that also, however, I did introduce a- I suggested a change in the schedule of our meetings for next year. I'll vote yes on this in this case."

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

Supervisor Kozakiewicz: "Putting aside the issue of whether it's a proper topic for the Special Board meeting or not, the idea I think is a good one and if it prevents a fatality and serious injury to someone I think it's a good idea to undertake the program which we've done an analysis, we have a particular location on Sound Avenue which anybody who's probably traveled along that stretch knows there's a lot of deer always out there grazing and it's a location where there's been a lot of accidents, so I think in light of the fact that it's coming from CHIPS funds, can be used from that source, it would be good for us to at least undertake this initial project, this pilot program, whatever you want to call it, to see how these reflection markers work. And I think all in all what we're concerned about is

the safety of our residents and maybe also the well-being of the deer population. So I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1154

Councilman Lull: "A budget adoption for local street and highway capital project. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and Seconded."

The Vote: "Densieski, abstain; Cardinale."

Councilman Cardinale: "This and the next 18 are budget adjustments which on this matter I'm going to vote yes and I'll vote on the other ones. But I just wanted to make note in regard to those matters that are not budget adjustments or appointments of officials that have to be done by the end of the year, my concern is that there's nobody in the press out there. The meeting is two hours delayed for those who were noticed and I think the whole point of it is that if you're going to do anything that has a degree of policy attached to it even though I do agree with most of the Board that it's a good idea to do the reflectors, that you ought to do it a meeting where the public has a chance to comment. So that's my little spiel and the next 18 votes are all going to be probably yeses, they're all budget adjustments and I vote yes on this."

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

Councilman Kent: "It's worth noting that this money that we're using for this reflector program is actually coming from investment earnings which means we're not actually expending grant money. We're expending the interest earned from grant money on deposit so I think this is a worthwhile program to utilize monies that we've actually earned in income from having monies from- income from the grant money that we've already received to be used for this worthwhile project, so I'll vote yes on the transfer of that interest income."

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

Resolution #1155

Councilman Cardinale: "1155 is a budget- a parking meter fund budget adjustment service the general fund debt from what we had left in the parking meter fund. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes."

Councilman Densieski: "This budget adjustment actually has an explanation on the bottom, so yes."

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

Councilman Cardinale: "Yes, it will close the parking meter fund which I suppose is good. Yes."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1156

Councilman Densieski: "Ambulance fund budget adjustment. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Once again, this does have an explanation on it so the Town Board knows what it's for. So I'm going to vote yes."

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

Resolution #1157

Councilman Lull: "It's a recreation program fund budget adjustment. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakeiwicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "I think I made my point with my abstension so I'll vote yes now on this one."

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

Resolution #1158

Councilman Cardinale: "1158 is another budget adjustment. So moved."

Councilman Densieski: "Second the motion."

Councilman Kent: "I just have a question. The snow removal contractual expense of \$28,000, what exactly is that for? We started to discuss that, but is that for salt? Is that what you said?"

Supervisor Kozakiewicz: "Yes, yes. We- based upon the last freeze up and snow that we had received, we needed to go out and use salt on a number of major roadways in addition to sand, but the salt was something that became necessary and in anticipation of tomorrow and the weekend events, the Highway Department had asked for an additional supply because they were depleted already. So this is to cover that emergency scenario."

Councilman Kent: "Okay. So this might help us if we're buying \$28,000- are we buying \$28,000 or we're buying more than that and this is how much we needed to- so that should cover us into 2001 also? So- "

Supervisor Kozakiewicz: "It will get us through the weekend if we get this snowfall."

Councilman Kent: "It only goes to 12/31? And we need this much just for this weekend?"

Supervisor Kozakiewicz: "It's I think somewhere between \$6,000 to \$8,000 for every load of salt we receive which is basically what we're putting out every time we have a snowfall."

Councilman Kent: "Okay."

Supervisor Kozakiewicz: "So and if it's heavy snowfall, I guess they're going to have to- "

Councilman Kent: "No, my question was basically whether we're going to expend the entire- I mean we are expending the \$28,000 in 2000."

Supervisor Kozakiewicz: "We're encumbering it for this year in anticipation that they will need that amount of salt in order to get through the end of the year."

Councilman Kent: "Just for 2000. We're not going to be able to stockpile any- "

Supervisor Kozakiewicz: "Correct, correct."

Councilman Kent: "-- into next year's- "

Supervisor Kozakiewicz: "No."

Councilman Kent: "Okay."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1159

Councilman Densieski: "1159 is a water district budget adjustment. So moved."

Councilman Lull: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1160

Councilman Cardinale: "This is a budget adjustment from the appropriated fund balance to a number of accounts. So moved."

Councilman Lull: "I'll second it."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "If only to remind myself- I understand that these are always done at the end of the year from appropriated fund balance to other- I- my concern is I hope somebody is keeping track of who is actually balancing their budget over the year because we're giving a lot of help to various accounts here- "

Councilman Kent: "Well, this is all within- I think this is within the sewer district."

Supervisor Kozakiewicz: "It is within the sewer fund, 114, yes."

Councilman Cardinale: "This is all within 114?"

Supervisor Kozakiewicz: "Correct."

Councilman Cardinale: "Then this is an inappropriate one to make a comment on, but there are a number of them that are not within and that's really the underlying concern, is that somebody keep track of who is off budget and make them accountable. I vote yes on this."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes.
The resolution is adopted."

Resolution #1161

Councilman Cardinale: "1161 appropriated fund balance budget adjustment to personal services and social security expense. So moved."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1162

Councilman Lull: "Budget adjustment in the Street Lighting District. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1163

Councilman Densieski: "Ambulance fund budget adjustment. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull."

Councilman Lull: "It's moving from sick people to sick vehicles. Is that what it's- yes, okay, yes."

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

Resolution #1164

Councilman Cardinale: "This is the Calverton Sewer District budget adjustment, \$2,500. So moved."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1165

Councilman Lull: "(inaudible) fund budget adjustment. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1166

Councilman Densieski: "Sewer debt service budget adjustment. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1167

Councilman Cardinale: "This is a water debt service budget adjustment. So moved."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1168

Councilman Densieski: "General town debt service budget adjustment. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1169

Councilman Lull: "A budget adjustment in the municipal garage. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1170

Councilman Cardinale: "This is a Community Development Agency Calverton budget adjustment. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1171

Councilman Lull: "Budget adjustment in the Joint Scavenger Sewer Waste- Scavenger Waste District, sorry. So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1172

Councilman Densieski: "Appoints seasonal clerk in the Assessor's office and accounting office. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1173

Councilman Densieski: "Authorizes the Supervisor to set salaries for three department heads. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Kent: "Discussion."

Councilman Densieski: "Discussion."

Councilman Kent: "I just have a question. Two of these employees or department heads, excuse me, have contracts that are in effect. Does the third have a contract?"

Supervisor Kozakiewicz: "He does not. His contract expired December 31, '99."

Councilman Kent: "So he's on a holdover basis and we're just- "

Supervisor Kozakiewicz: "Correct."

Councilman Kent: "-- these resolutions continue to be current contracts and just change the compensation the department head is receiving? Is that correct?"

Supervisor Kozakiewicz: "That's correct."

Councilman Kent: "And these represent a 4% increase for the year 2000?"

Supervisor Kozakiewicz: "Yes."

Councilman Kent: "Okay."

Councilman Cardinale: "Let me ask- who are the two with contracts?"

Supervisor Kozakiewicz: "The two that currently have contracts that go through the end of the year are the first two on the resolution."

Councilman Cardinale: "Barnes and (inaudible). Do those

indicate a salary for the year 2000?"

Supervisor Kozakiewicz: "They did not. The contract indicated that it would be not lower than the prior year."

Councilman Cardinale: "Okay. And we're giving them a 4% increase retroactive?"

Supervisor Kozakiewicz: "That's correct."

Councilman Cardinale: "But they didn't receive any other increase for that year?"

Supervisor Kozakiewicz: "No."

Councilman Cardinale: "And Richard Hanley is still negotiating a contract for- "

Supervisor Kozakiewicz: "I'm negotiating with all of them, to be honest."

Councilman Cardinale: "Okay, but the- "

Supervisor Kozakiewicz: "We have been unable to reach a firm resolution of certain issues."

Councilman Cardinale: "So what we're doing is simply giving them a 4% raise for the year that has passed."

Supervisor Kozakiewicz: "Correct."

Councilman Cardinale: "And all of them expire in 2000- I mean the two that have contracts expire in 2000?"

Supervisor Kozakiewicz: "They expire December 31, 2000."

Councilman Cardinale: "Thank you."

Supervisor Kozakiewicz: "With that additional caveat or additional language in there that the terms and conditions shall continue forward until such time as a new agreement has been negotiated."

Councilman Kent: "Bob, is it still your intent to have all department head contracts expire December 31, 2001 so if you continue

forward with these- "

Supervisor Kozakiewicz: "Yes. I think it makes a lot of sense for us to have a common end date on all of them so that they can all be negotiated at or about the same time. Yes. Any further discussion?"

Councilman Densieski: "Yes. I would just like to say that- I was going to say when I voted but I'll say it now. I criticized the previous administration for 11th hour contracts which I disagreed with mainly because they were all put on one lump sum. I criticized Mr. Villella. I also criticized you, now I'm going to criticize you again. I think you're making a mistake putting all three of these people into one agreement and there's at least I think two other department heads that are in the same boat. They're not included on here. So I think you're making a mistake. Just leave it at that."

Supervisor Kozakiewicz: "Okay, any further discussion?"

Councilman Kent: "Yes. Are these department heads willing to not seek any- since once of them is without a contract and the other two have contracts for 2000 that did not include compensation as part of- as one of its terms, are they accepting these salaries as full- in full satisfaction of all other terms of the contract? In other words, they're not going to be seeking- "

Supervisor Kozakiewicz: "I'm not sure if I understand the question."

Councilman Kent: "In renegotiating a contract that expired in 1999, that department head is not going to be seeking other changes for the year 2000 on a contract that he doesn't have. So in other words, is he waiving all other potential increases in compensation for the year 2000 in return for accepting the salary increases? Since there aren't any other terms, you haven't negotiated any other terms except this compensation- "

Supervisor Kozakiewicz: "The other terms have not been negotiated. In very general, what I'm looking to do is get the contracts consistent with the other two department head contracts as far as the Article 3 provision is concerned. That's the one thing I've been looking to get as far as the consistency with all of them which dealt with the work week type of situation. We've been unable to reach an accord in that regard at this point."

Councilman Kent: "I'll say it real plainly. There's no other way that they can make more money than what you're providing here because all we have here is a base salary. Is there other ways for them to increase their salary even above these numbers because all the other terms of the contract are not provided in this agreement?"

Supervisor Kozakiewicz: "I would- if the question is does this then have some effect upon other provisions in the contract, I- the way to define the total or base pay could affect longevity. Yes. But as far as the agreement that was in effect for the two that expires this December 31, 2000, I don't believe there's any intention to go back to the year 2000. The idea was to deal with 2001 solely."

Councilman Kent: "But this would then impact comp time and all the rest that they acquire- that the accumulated in the year 2000?"

Supervisor Kozakiewicz: "Yes, it would."

Councilman Kent: "Do we have an understanding of what impact this will have with the net on the town after you compute in all increases based on comp time and anything else that can be sold back during the year? Do we have any idea, any estimates, any ballparks, any projections?"

Councilman Densieski: "I think that's a difficult question. I'm not trying to defend this, but I think that's a difficult question to answer."

Councilman Kent: "Oh, I know."

Councilman Densieski: "Because depending on what they sell back."

Councilman Kent: "It's something we have to look at."

Supervisor Kozakiewicz: "Yeah, it's dependent upon a variable."

Councilman Kent: "Okay. Just setting a salary increase without further terms is kind of difficult then for us to decide just on a flat- I know that you're in a tough spot because you're still negotiating with them. But increasing the salaries without all the terms of the contract, that's a tough thing for us to decide at this point."

Supervisor Kozakiewicz: "Okay, if there's no further

discussion- is there a motion to move and second this? Or have we done that already, I can't recall. We've already moved it and seconded it? Okay. So I guess ready to take up the vote?"

The Vote: "Densieski."

Councilman Densieski: "Just briefly. I don't want my vote to send a message to any of the department heads that they're not doing a good job. It's more of a philosophical vote for me. I'm going to vote no but I don't want to disrespect the department heads because most of them do a good job."

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

Councilman Cardinale: "I would echo Ed's comments in regard to my vote not reflecting personally on the individuals involved. However, everybody knows my position on department head contracts. I haven't voted for one in three years. Everybody also knows that I have real reservations about increases even at 4% in times when the cost of living is less- increase is less than 4% and I have them with rank and file and I have them with management.

I have one other reservation in regard to this. If I understand this correctly, without my vote two of these individuals have contracts through the year 2000 which do not reflect or call for an increase in compensation. So it seems absolutely silly to give them an increase which is not required in the contracts."

Supervisor Kozakiewicz: "I'm just going to maybe clarify that."

Councilman Cardinale: "If you would."

Supervisor Kozakiewicz: "All the department head contracts had- do not have a salary over the course of the years. For example, in 1999 let's just say the salary was for argument sake 65, usually what there is, is there is an additional sentence that follows thereafter that says for the following year, the salaries shall not be less. It's not that there's an actual salary amount set forth in the department head contract for- in that case it wouldn't be '99, \$65,000, 2000, \$65. There was always some understanding that there would be room to negotiate or move up so that's what that particular provision says."

Councilman Cardinale: "So even if there's a two year contract, they won't reflect the salary for the second year?"

Supervisor Kozakiewicz: "In the case of these, they did not. It just said that it shall not be less."

Councilman Cardinale: "Okay. So that's an odd way to do it, too."

Supervisor Kozakiewicz: "That's the way they were done, though."

Councilman Cardinale: "These entire contracts are odd."

Supervisor Kozakiewicz: "Yeah."

Councilman Cardinale: "So in any event if there is not an increase called for, I think it inappropriate to grant it retroactively at the end of the year."

In regard to the one person who does not have a contract, it would seem to me most logical if you are going to do a contract which I prefer not to do, and do any salary or compensation or condition by resolution, but if you're going to do it by salary, it seems to me you would do both the salary as Chris pointed out and all other working conditions in the same document. So for those reasons, I would vote no."

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

Supervisor Kozakiewicz: "I guess I've got to go back to the drawing board."

Councilman Kent: "Yeah, I just have a couple questions about this because I think Bob knows where by vote is going to go also. But I do have some questions. Did these employees also receive a salary increase in 1999, or did they not?"

Supervisor Kozakiewicz: "I don't believe so."

Councilman Kent: "I think one of them did."

Councilman Densieski: "I don't think so."

Supervisor Kozakiewicz: "I'll be honest. I think the '98 and '99 salaries were, in fact, the same because there was an addendum executed in 1998 with at least two if not three of them which was that Article 3 provision that provided for a salary retroactive to '98 if I

stand corrected, and in '99 and 2000, there was a '99 freeze and then 2000 indicated shall not be less. So, the '98 and '99 salary were the same I believe."

Councilman Kent: "I think one- "

Supervisor Kozakiewicz: "I see someone shaking their head, so- "

Councilman Kent: "I think one of them did have an increase in pay. Because I was here in '98. One went from 65 to 67,600 from '98 to '99 because I was involved in '98."

Supervisor Kozakiewicz: "I- I'm not- okay, I know which one you are talking about and as you say I still think the understanding was that with regard to the improvement in that article 3 provision, while that affected the base salary for the year 1998, in return for that additional language which was a benefit to the department heads in those contracts, their salary for '99 was, in fact, frozen as is what I understand the case to be."

Councilman Kent: "Okay, because I know- I'm certain that one of them did not- he did not have a pay raise since maybe '98 or '97 even, I don't know. But anyway I'm going to vote no because I think the salary increases should be tied to a full negotiated settlement of all the terms of employment and not just increase salaries without resolving those. Because it's curious that a couple weeks ago, we were negotiating new contracts for the year 2000. I was unaware that two of the employees that we were negotiating- who were renegotiating contracts for the year 2000 already had contracts for the year 2000. This just came to light yesterday that they did have contracts for the year 2000. I'd like the salaries to be tied to a document that elicits all the terms of their employment."

Supervisor Kozakiewicz: "I have a question. Just so that we don't go through this exercise one more time. Since there is a valid agreement in effect for two of them through the year 2000, I believe the proper mechanism would probably be what was done in the past in light of the fact that there was an agreement valid for that time period where there was an addendum done which set forth just those terms that were being changed in a case of salary, that would be that- I'm assuming that would be satisfactory for what you're looking for as opposed to a new document going back and overlapping a period of time?"

Councilman Kent: "Right."

Supervisor Kozakiewicz: "There would be an addendum in an agreement."

Councilman Kent: "Right. I hadn't really thought that through until you mentioned it to me yesterday- "

Supervisor Kozakiewicz: "I just want to sure that we're doing something that's going to be- "

Councilman Kent: "With those that do have contracts for the year 2000, I think you can just by addendum to that contract increase their salaries for the year 2000."

Supervisor Kozakiewicz: "And all the other terms remain the same so the terms would be set forth in the original document- "

Councilman Kent: "That would make this a difficult resolution when you have- "

Supervisor Kozakiewicz: "Well, I think maybe in light of the comments from the right, we'd have to address them singular."

Councilman Kent: "Okay. So I'll vote no on this resolution and I think we- not that I'm opposed to increasing these department heads' salaries because I do think all three employees are excellent employees for the town, but we should just address them differently I believe. So I'm going to vote no."

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

Councilman Lull: "There's three different issues. The first issue is the issue of whether or not you do more than one on a single resolution and, in fact, I don't believe we should do contracts of more than one person in a single resolution. But these aren't contracts, these are the equivalent of an addendum. These are simply a salary adjustment and it isn't a contract agreement."

The second thing is we have people here who for the year 1999 as Chris made clear did not have a salary- had a salary freeze, they did not have a salary freeze for 2000. They had an agreement to negotiate a salary for the year 2000. This is the result of that negotiations. I have no problem with the result of the negotiations. They have come up in their negotiations with essentially the same salary increase

that the people who work for them got. So, therefore, there doesn't seem to be any particular question about that.

Whether or not they should be done, they should be developed individually rather than as a resolution- rather than as, excuse me, a completed contract that I would prefer. I would prefer a completed contract. But if a completed contract is not ready to vote on and it's simply doing what is essentially an addendum or a change to the existing contract just to deal with the increase in salary which has been negotiated and to be in line with the other people working in the same office, I feel that that's something that there is no reason to have any objection to. I vote yes."

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

Supervisor Kozakiewicz: "If hindsight is a great thing- well, hindsight is a great thing, it's 20/20, you can see clearly what you should have done or shouldn't have done, and this issue with regard to salaries is one of those things that we could have addressed January of 2000 and it probably wouldn't have been an issue at that point in time.

Unfortunately the thought was to get a new agreement negotiated. In light of the fact that the salaries were frozen from '98, '99, my thought, my belief was that the 4% for each of the individuals listed was, in fact, a fair amount given the fact that you are taking 4% over a three year period of time.

I also believed and still believe that in moving this resolution forward which I indicated I would, and I try to follow up when I say I'm going to do something, that it would not impair although some may disagree the ability to renegotiate or negotiate new terms of employment and new contractual terms with each of these individuals. We've had some very spirited discussions with regard to their terms. I think there's a real likelihood that everybody is operating in good faith and will, in fact, work towards an ultimate resolution with agreements ending on that common date, December 31, 2001 so that we can then take these all up in an aggregate or a package so that everybody- when I say everybody all the department heads who are presently in the town, will be on equal or close to equal terms.

Obviously there's some who have been here for a great deal of time more. Some of them who manage larger departments. Some of them who have a complexity of issues thrown at them. I have said that I believe that everyone here takes a great deal of pride in their work.

I have a chance of seeing what type of hours they've put in because I see the weekly reports of what type of time is put in by the various department heads, and contrary to public opinion, the municipal employee or municipal department head is not somebody who comes in at 8:30 and leaves at 4:30. They do take a great deal of pride in their work and do- try to see that we here as Town Board members look as professional as we can be although sometimes I know we have a good knack of shooting ourselves in the foot in that regard. But I know they're usually right there behind us trying to do the right thing and try to do help us when there's an issue that's coming up that we need to confront head on.

Obviously it's going down so whatever I say at this point is somewhat meaningless but I once again in light of my prior comments would vote yes- do vote yes. I hope that what I can do is get them right back in and we can negotiate agreements so that we can finally put this thing to a rest, get all the terms of their employment set forth, and quickly resolve it in the year 2001. And I hope you guys bear with me, the department heads identified in this agreement. So, once again, I say yes."

Barbara Grattan: "The resolution failed."

Resolution #1174

Councilman Densieski: "Authorizes the Chairman to execute an addendum to the agreement between Riverhead Community Development Agency and Skydive, Long Island. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Just a quick question. Why is this- why isn't this a CDA resolution?"

Supervisor Kozakiewicz: "Actually it should be. You're right."

Councilman Densieski: "Should we hold it- "

Supervisor Kozakiewicz: "It should be CDA agreement."

Councilman Densieski: "Should we wait until we close this

meeting and pull this one off?"

Supervisor Kozakiewicz: "Well, we'll have to take the resolution out of sequence and renumber them."

Barbara Grattan: "You are going to have to- or withdraw this resolution."

Supervisor Kozakiewicz: "I think that's the better way to do it, withdraw it. Is there a motion to withdraw?"

Councilman Densieski: "Yeah, motion to withdraw resolution #1174."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Cardinale: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "We're going to do this at the end of the meeting- the CDA meeting, right?"

Supervisor Kozakiewicz: "We'll do that, yes."

Councilman Densieski: "Okay, yes."

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

Councilman Cardinale: "Yes, to withdraw."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is withdrawn."

Councilman Kent: "Just a quick question on that. Can we have a CDA meeting without a notice? I'm just- not that I'm opposed to this, but can we do that?"

Supervisor Kozakiewicz: "I think the waiver would be operative for that, too."

Barbara Grattan: "I don't know. You have to ask Andrea- she was here."

Supervisor Kozakiewicz: "Well, why don't we do this. I mean the Town Board is the- "

(Some inaudible discussion among the Board members.)

Supervisor Kozakiewicz: "We are. Well, let's proceed forward and we can take a brief- "

Barbara Grattan: "So this resolution is withdrawn?"

Supervisor Kozakiewicz: "Correct, yes."

Barbara Grattan: "Okay, Resolution #1175

Supervisor Kozakiewicz: "We're on a roll today, aren't we?"

Resolution #1175

Councilman Lull: "1175 establishes the time of regular meetings of the Town Board and that establishes the meetings for the year 2001 including the regular afternoon meetings and evening meetings that will be held during the course of the year. In doing this, proposing this, I'm going to make a suggestion for an addendum and that be to add December 27, 2001 at 2:00 p.m. That's the exact same meeting we're sitting at right now that we sit at at 2:00 on Thursday before the 1st of January every single year. That's the end of year meeting when we have to spin our wheels through all of the budget adjustments. I'd like to make that meeting a scheduled meeting."

Supervisor Kozakiewicz: "So that would be a motion to amend the notice or the time so that there would be an additional meeting December 27, 2001 at 2:00 p.m. Is there a second on that motion to amend?"

Councilman Densieski: "Yeah, I'll second that because I believe this is a special meeting because we did have to sign a waiver, so I think Jim has a very good idea."

Supervisor Kozakiewicz: "Okay. So a motion to amend- "

Councilman Kent: "Just move the resolution as amended?"

Supervisor Kozakiewicz: "That's what I was going to suggest. We move the resolution."

Councilman Lull: "I'll move the resolution as amended."

Councilman Densieski: "Second that motion."

Supervisor Kozakiewicz: "Okay, vote please."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted as amended."

Resolution #1176

Councilman Cardinale: "1176 is awards a bid for street light and traffic signal maintenance repair parts. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1177

Councilman Lull: "Amends military leave of absence. So moved."

Councilman Cardinale: "Second."

Supervisor Kozakiewicz: "Seconded by Councilman Cardinale."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1178

Councilman Densieski: "A resolution authorizing the issuance of \$950,000 serial bonds of the Town of Riverhead, Suffolk County, New York, to pay for the cost of the original improvement and embellishment of Stotzky Park by the construction of a skateboard complex therein and for said town. What exactly that is, even though this says a serial bond, this will be paid back through the rec and development fees which we've collected. We almost have enough to do it now but the reason we're not going to just use that money is because it will basically disable the Rec Committee. This is going to be about a million dollars and not one dime is coming from the taxpayers. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "This is an expensive skateboard park but certainly the public is aware of it and has heard about it and I think that since the only thing we really have much control over in this job is land use and services to the public, it's something that I would like to support."

I'm a little troubled however as to why it's being passed today. Can anybody give me any guidance on that?"

Supervisor Kozakiewicz: "Yes. We spoke about this last week. The problem with trying to do this on the December 19th meeting was due to the fact that the law requires the notice to be published in 10 days of its adoption. Although this particular issue, the skate park and the in line rink have been discussed a great deal in the public, the problem we had on the 19th was that we could not get the publication to the papers within the 10 day period of time and as a result that whole Town Board action on the 19th would have been rendered a nullity. So we talked about this."

In light of the fact that had been discussed a number of times, I asked each of the Town Board members if there was any objection to this particular resolution coming on at this end of the year meeting in order to get us moving forward with the project and at that point all of us or all of the Councilmen indicated that because it's been something that's been discussed and because it was something that we were in favor of going forward on, and because of the fact that, in fact, we weren't using taxpayer funds but the funds from the Park and Rec fees, let's get it started so that we can see this thing through its end, hopefully, by August or September."

Councilman Kent: "Problem-- the News Review did not publish today."

Supervisor Kozakiewicz: "That's right."

Councilman Kent: "So that's why there was- there wouldn't have been a notice in the paper within the 10 days."

Supervisor Kozakiewicz: "Then it would have been more than 10

days and we would have had to do it over again the first meeting in January."

Councilman Cradinale: "I now recall that discussion and it takes it out of the concern I had with doing things at special meetings that we could do at a usual meeting. I would vote yes on this."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "I absolutely vote yes. When I first became Town Attorney, I know the Recreation Committee had been struggling with in considering an in line rink and it was years and years of discussion. As a matter of fact, I think what precipitated it was one of the members of the Recreation Committee who had some young sons who had no place to go play roller hockey. And as a matter of fact, they played up at the Waldbaums parking lot or wherever they could without being kicked off.

Here we are- they're too old to take advantage of it. They've gone on to college I believe-- so, but I think its time is here. The skateboard project has been endorsed overwhelmingly. If we remember-- as a Town Board we had a petition presented to us by a couple of young men at a Town Board meeting. So let's get it going and, hopefully, we'll be on TV with ESPN and (inaudible) game someday. Yes."

Barbara Grattan: "The resolution is adopted."

Councilman Lull: "Before- I had understood, Bob, I know this came up during the time you were Town Attorney, and I had understood that the reason that it wasn't brought up seriously at that time is somebody saw you skateboarding."

Supervisor Kozakiewicz: "Someone saw me skating. They said no, he's one person that can't use the facility, that's for sure. Liability is too great. I promise I'll wear protective gear."

Resolution #1179

Councilman Lull: "1179 authorizes the Town Clerk to publish and post public notice of a public hearing to consider a proposed municipal garage addition. Phil, before you second it- oh, go ahead and second it."

Councilman Cardinale: "Seconded."

Councilman Lull: "Okay. This came up this afternoon and we had actually the bond resolution available to us. We had a discussion about it. As you know, we decided that it really should be something that should go to public hearing and we should try and do the public hearing in this way.

We have talked about how this is going to change the impact of this project if it is delayed through the first referendum- the permissive referendum and then through the architectural renderings and so forth that planning on getting the project open by July or August would be very difficult. Jack, as I understand it, talked to (inaudible) this afternoon and he suggested that there wouldn't be any problem, didn't foresee any problem for this project coming through by September. So that if we move now and set up this public hearing as quickly as possible I think that will help us get this underway as soon as possible."

Supervisor Kozakiewicz: "I think there was a motion- I think there was a second and I think there was an explanation. So we're ready for the vote."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Councilman Cardinale: "Is that the end of the meeting?"

Councilman Densieski: "No, I don't think so."

Supervisor Kozakiewicz: "I believe that's it for the Town Board segment of the meeting. Correct. And I'm not sure where we were with the CDA. So we'll adjourn, close the Town Board meeting at the time of 5- "

Councilman Kent: "Before you close the Town Board meeting, I just want to- oh, do you have something of business?"

Councilman Densieski: "CDA business."

Councilman Kent: "Okay, but, yeah, we're going to go into that in a minute. I just wanted to thank Melissa Anderson and Jack and the work that they did in getting the new sound system and microphones in place by this meeting. I think it's a very nice system and it's working well. Can everybody hear us? They haven't heard a single thing out there but that's okay."

Barbara Grattan: "Of course, we do not know that, Chris."

Councilman Kent: "They're all sitting there. Either that or they're frozen in their seats because we had to turn off the heat to pay for the microphone system."

Supervisor Kozakiewicz: "No, it was a lot cooler in here this morning. That's for sure."

Councilman Cardinale: "Jack indicated he appreciates your thanks, Chris. He'd rather have his raise however."

Councilman Kent: "I know. He's been staring at me every since we took that vote."

Supervisor Kozakiewicz: "We'll get that done. All right. So at this point, if there's nothing further for the Town Board?"

Councilman Kent: "No. That's it."

Supervisor Kozakiewicz: "All right. We'll adjourn the Town Board at the time of 5:17 having arrived."

Meeting adjourned: 5:17 p.m.

Barbara Grattan
Town Clerk