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Minutes of a Town of Riverhead Board meeting held by the town board of the Town of Riverhead at the Jamesport Community Center, Jamesport, New York on Tuesday, August 18, 2009 at 7:00 p.m.

PRESENT:

Philip Cardinale,	Supervisor
John Dunleavy,	Councilman
Barbara Blass,	Councilwoman
James Wooten,	Councilman

ALSO PRESENT:

Diane M. Wilhelm,	Town Clerk
Dawn Thomas,	Town Attorney

(The Pledge of Allegiance was recited.)

Supervisor Cardinale: "Good evening. We are glad to be here this evening for the annual meeting held in Jamesport and it's hot night and hopefully some people will join us as we go on.

We have— the first order of business, approve the minutes of the August 4th town board meeting."

Councilman Dunleavy: "I move the August 4, 2009 meeting. So moved."

Councilman Wooten: "Second."

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

The Vote: "Wooten, yes; Dunleavy, yes; Blass, abstain; Cardinale, yes. The minutes are adopted."

Supervisor Cardinale: "Okay. We have applications received, town hall reports and correspondence. Would you indicate those, please."

APPLICATIONS:

Fink's Country Farm, Inc.	fall farm activities for the public - September 19 - November 8, 2009
Darkside Productions, Inc.	Haunted house - October 1 - November 2, 2009

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Peconic Bay Medical Center

yard sale - October 3, 2009

TOWN HALL REPORTS:

Tax Receiver

Tax year collection report
2008-2009 - \$119,110,593.99

Building Department

Total monies collected for
July, 2009 - \$82,370.25

Juvenile Aid Bureau

Monthly report June, 2009

CORRESPONDENCE:

Southbay Sports Complex
Calverton

Letters of withdrawal of
special permit application
for outdoor field for tax
map - 0600-135-1-7.27 & 7.32

Robert F. Kozakiewicz, Esq.

Letter of support regarding
code changes to chapter 108-
133 site plan review

Charles R. Cuddy, Esq.

Petition to extend the
Riverhead water district to
G&Z Riverhead Community, LLC
SCTM #0600-82-1-221.12

Diane Wilhelm: "And as a reminder, the next town board meeting will be Tuesday September 1st at 2:00 p.m. here at town hall.

I'd also like to ask anyone who is speaking please talk as loudly and as clearly as you can because when we have meetings outside town hall my transcriptionist has a real tough time hearing everybody. So keep in mind to just speak right into the microphone clearly. She'd really appreciate that.

Thank you."

Supervisor Cardinale: "Thank you, Diane. Okay, we have public hearings scheduled for 7:05, 7:10, 7:15, 7:20 and 7:25."

Public hearing opened: 7:09 p.m.

Supervisor Cardinale: "It being 7:09, we can commence the first hearing which is to consider a proposed local law amending Chapter 108 entitled zoning Chapter 108-3 entitled definitions of the Riverhead town code. And it involved the definition of floor area residential and floor area commercial.

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I'd like to take any comment that anyone wishes to make with regard to that at this time.

I will leave these hearings open if there isn't any verbal- for written comment for 10 days so that you'd have to get that comment to the town clerk by 4:30 p.m. on a week from Friday which is the 28th.

And if there is any verbal comment I'll take. Otherwise I'll close the hearing at this time at 7:10 and for anyone who wishes to make it in writing to the town clerk before the 28th at 4:30 p.m."

Public hearing closed: 7:10 p.m.
Left open for 10 days for written
comment until August 28, 2009 at
4:30 p.m.

Public hearing opened: 7:10 p.m.

Supervisor Cardinale: "The second hearing is scheduled for 7:10. It's for the consideration of a local law amending Chapter 101 entitled vehicles and traffic, Section 101-3 entitled stop and yield intersections; railroad crossings; parking fields of the Riverhead town code.

This is a proposal to place stop signs at the intersection of Riverside Drive and River Avenue, on Riverside Drive, and at the

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intersection of Riverside Drive and James Street on Riverside Drive, each being entrance from the east and west.

We'd like to take comment on this as well and if anyone would like to comment, please come up. John."

Councilman Dunleavy: "You have to hold the mike close to you."

John Rather: "John Rather, 264 Riverside Drive, Riverhead, New York.

There used to be a little carnival over here (inaudible)."

Supervisor Cardinale: "Okay. Let me answer what you've stated.

First of all, this is not my proposal on stop signs. This was a proposal that emanated from the town board and I even expressed my reservations about another stop sign hearing after the last one in which you made clear to me that stop signs were not desired by a good number of the community, but the thought was advanced at a work session which was on TV that this would be worth hearing at these two locations.

Secondly, the— from the beginning, we've been trying to find a resolution the entire community will support so we're taking incremental steps.

The first thing we wanted was an enforcement of speed. I instructed the chief to go and do that and issue tickets and make it clear you can't speed through there.

The second thing we considered was the stop sign on the corner and rejected because of the response of the community.

As a conclusion here you are a wonderfully active citizen in the Riverside community as is Pam. What would assist the board is if you could ascertain the will of the community and get the community to come and tell this board what it wants because whenever we have proposed something, there has been contingents, strong contingents on both sides of it.

For example, the cul de sac which was determined to be not a legal option, was— that is the instruction from our legal department and I have to be bound by what my legal department tells me."

(Inaudible comment)

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Supervisor Cardinale: "Well, go ahead. Well please give me, don't answer, get me an opinion from an admitted attorney that differs with that."

(Inaudible comment from John Rather)

Supervisor Cardinale: "That's exactly right and I would do that- I- wait a minute. I would do that with anything because one of the things we ought to do around here to be efficient is you take your legal options, not the ones you want to dream about but your legal options and you chose the best one.

And I'm instructed by my legal department that is not a legal option. If it were, I would still be considering it.

And, incidentally, it isn't me; it's the town board in all of these deliberations. They feel bound by the advice from their attorney and their attorney is advising them that to shut down that road would be illegal.

They are also advising them to make a left hand turn illegal would involve the support of- require, the support of the county. We are- I think- I am prepared to tell you and I told you in the past at public meetings and I believe other members of the board have too, that we- I believe that a no left hand turn there might well be a good thing and I would be willing to support that.

The possibility of the county thinking it would be a good thing is very remote because they're the people that made the left hand turn signal in the first place."

(Inaudible comment from John Rather)

Supervisor Cardinale: "Well, when that was I do not recall because it was years ago.

Let me- Pam, hold your comments 'til I answer- first of all, the board has spent a good deal of time (inaudible) this hearing and prior hearings to resolve- to come to some assistance to the concern of the community. We've asked- with regard to the weight control, I have absolutely no idea, nor does anyone on this board who put an eight in front of a five, or why. And I asked at the last meeting and the chief is here- chief, if you'll come up for a second, please.

I asked the chief at the last meeting to enforce weight control trucks and to give trucks- you were talking about warnings at the last meeting- to give warnings and then to give tickets for any truck over the weight limit on that road.

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The weight limit hasn't changed so take that out of your head. It didn't change by me or anyone else. If you want to change a weight limit you have got to change the law and no law was changed.

Is it eight or five, do you know chief? Whatever it is, it always was. It's eight. Right. And it always was eight. It may have said five, but that-- but in the book, it's eight."

(Inaudible comment)

Supervisor Cardinale: "Certainly-- why did it change? I have absolutely no idea."

(Inaudible comment)

Supervisor Cardinale: "Yeah. We're talking about Riverside Drive and the weight limit. They have corrected-- apparently they are correcting incorrect signs throughout the town."

(Inaudible comment by Councilwoman Blass)

Councilman Dunleavy: "Yes, yes. I-- it is eight tons. It's eight tons."

Supervisor Cardinale: "It never was."

Councilman Dunleavy: "It always eight tons but they put five-- the highway department puts the signs up. They mistakenly put them up-- they changed a lot of signs, but they didn't change them all."

(Inaudible comment)

Supervisor Cardinale: "Well, I can tell you I have no idea why it was changed or who changed it. It has nothing to do with changing it but what it is, it is. So that's on the weight control.

On the speed control I've instructed the chief and I presume he listens to my instructions, that we want to do enforcement control. I believe we did enforcement control; I believe we issued tickets and I believe we put out the signs for several days.

What is your (inaudible) on weight control? As recently as you called the other day and you, you know, we are attentive to calls and call backs. You called the other day, I asked the chief what-- if I was a person-- a patrol car, in front of a sign that says weight limit eight and didn't go after a truck that has a weight limit higher, and I said would you please tell me how you are doing on weight enforcement. How are we doing on weight enforcement?"

(Inaudible comment by Chief Hegermiller)

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Supervisor Cardinale: "So he says that he is doing weight enforcement.

As far as the issue of left hand turn. Let me tell you here unequivocally and clearly, I support and urge Romaine to stop the left hand turn there. If that's helpful, I don't need a left hand turn there and I don't think it's particularly safe even with the arrow.

But aren't you going to have to kill the right hand turn to get your way? You are going to leave the right hand turn, I'm fine. People should make a U turn and make a right hand turn. I'm fine with that. It might be a solution. They can make a right out but how do they get in? If they go by the left and they want to come back into Riverside Drive- "

Councilman Dunleavy: "They go on the Indian Island Bridge and go back up and make a right hand turn."

Supervisor Cardinale: "Is that okay with you guys? Then I think that's a reasonable solution and I would support that.

I hope I'm being clear; I don't want to be unclear.

Pam, you wanted to talk."

Councilman Dunleavy: "Can I just say something, John? John, I am still in favor of the cul de sac. I brought to the town attorney the town of Islip has closed off two roads and Brookhaven along the expressway, the service road by the train station has closed off three roads. And Brookhaven doesn't know why they closed them off. The town of Islip says they closed them off for safety and I would think that closing this off is a safety reason. We could use safety too.

So I am- but I am only one person and I'm still fighting for that."

(Inaudible comment)

Supervisor Cardinale: "They are (inaudible). On the cul de sac, if in fact- I want (inaudible) because I want to be clear.

There are two issues on the cul de sac first of all. I want to know if it's legal and if it is legal, I will seriously consider it. Okay.

The problem-- the other thing is that you need to tell me, Pam and John because you're very active in your communities, I can't

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have Riverside Drive coming in here, 14 people saying we don't want a cul de sac and 14 saying we do and then expect this board to take action.

You have to come to a consensus within your community and then expect this board to take some action, because I can't figure out—14 people come up here and tell me they don't want it and 14 people tell me they do want it, what do you expect this board to do?

I have those two reservations, the legality and the consensus of the community on the cul de sac."

(Inaudible comment by John Rather)

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "When we had the hearing on the cul de sac, I think only three or four people were against it, everybody else was for it. That's what I remember."

(Inaudible comment)

Pamela Hoegraff: "Pamela Hoegraffe. (Inaudible)"

Second of all, it was never my idea for a cul de sac for Riverside Drive. What I thought the community would accept was a no left hand turn onto Riverside Drive (inaudible) south of 105.

I had 100 plus signatures from Riverside Drive (inaudible). However (inaudible) would have loved (inaudible).

Okay. I'm not here tonight (inaudible comments) and I do know a few of my neighbors are in favor of that that actually live on that particular corner with the exception of (inaudible). Those are the people that struggle tremendously with the amount of cars that have totally ignored (inaudible), and it's also because they do not believe the town will ever do anything of substance to remedy the real problem.

The real problem is Riverside Drive and the intersection of Main.

The last time I spoke, I told you that I did my own traffic study and I was diligent and I didn't count bicycles or motorcycles or pedestrians. But from 2005 to 2009, the traffic increased 92%. That was a traffic study that you guys had given us that was done by the River Club.

When Riverside Drive was opened to 105, in that short period of time (inaudible) deaths at that intersection due to poor long range visibility of its engineering construction. To fix the problem, the

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county's first recommendation was to make Riverside Drive inaccessible from the south.

John Rather found that proposal and gave it to you. It's very clear. No left turn (inaudible).

Their second thought was to put a light. That light causes the problem because it feeds all the traffic onto Riverside Drive and through the residential neighborhood where it doesn't belong.

The true problem is the amount of traffic on the road that it cannot sustain.

Riverside Drive has to be one of the most cumbersome and difficult residential intersections in all of Riverhead.

My neighbor, a good friend who doesn't drink, doesn't carouse who's trying to make that turn, she hits a pedestrian.

Capt. Hegermiller, chief of police is not here. I wrote him a letter (inaudible). And you have this railroad stanchion (inaudible). You don't see a pedestrian. (Inaudible)

There's too much to look at. I've long been afraid of hitting a pedestrian. I'm a good driver. I'm afraid I'm going to hit somebody.

What I ask from the town are no quick fixes. I don't want a stop sign. I would support any of my neighbors that feel they have to have one. But I (inaudible). It will not fix what needs to be fixed.

I ask that a resolution that works for the long range. That may be more difficult because you have to get the county involved.

I've gone to the county before. I'll go to the county again and again. Riverside Drive can't handle it.

I'm sorry. But it will work. Legislator Romaine did say that he'd support it. If it takes two years, I would rather see that than something like (inaudible) because it was a quick fix."

Supervisor Cardinale: "Don't get yourself too excited. Calm down. And incidentally— we're not taking any personal offense but we didn't put (inaudible). That is a county light as you might want to mention."

Pamela Hoegraff: "Yes. I understand that. And that was put because it was a quick fix, not their first (inaudible). The first plan was to make no left turns onto Riverside Drive. Their second plan, the one that was easier— "

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Supervisor Cardinale: "I understand. Incidentally, wasn't there an accident at that light (inaudible)."

Pamela Hoegraff: "There was four deaths."

Supervisor Cardinale: "Some people got killed."

Pamela Hoegraffe: "Four. And in the ten year period that I've lived there, there (inaudible)."

Supervisor Cardinale: "So it should be no left-- they made a bad choice. No left turn- "

Pamela Hoegraff: "They made the choice because that was a quick fix. That was the easy thing to do. That didn't require (inaudible)."

Supervisor Cardinale: "Well, wouldn't it be simpler to put up a sign, no left turn, than to put up a light? They took the more expensive fix. It would be a lot more expensive to put up a sign- a light than a sign."

Pamela Hoegraff: "They had- "

Supervisor Cardinale: "Anyway, what you're telling me I think is this. Let me make sure I got it.

I'm going to try to resolve this right now."

Pamela Hoegraff: "If you put forth the resolution (inaudible)."

Supervisor Cardinale: "I would be very happy to support a resolution and I hope I have some support on the board and I think I might to stop the left hand turn and to insist that people come back and make the right. That's what you're asking, right?"

Pamela Hoegraff: "That is what we want."

Supervisor Cardinale: "And I think your testimony summarizes (inaudible). That stop signs will not solve the problem, that will."

Pamela Hoegraff: "We have 626 cars from four to five-thirty traveling through that street. We don't have just (inaudible). We have many problems at that intersection. (Inaudible)."

Supervisor Cardinale: "As long as you're on a roll, let me see if I've got this.

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I'm supporting— I think it's logical that we not have a left hand turn there. That they have to go around and make a U turn, come up and make a right turn."

Pamela Hoegraff: "If they want to do that, they can."

Supervisor Cardinale: "Or they might not. They might go someplace else. Right."

Pamela Hoegraff: (Inaudible)

Supervisor Cardinale: "Now, will that solve— how does that solve the intersection at Main Street? Less traffic, okay. So that does it. I'm happy. Okay. I think that's a solution I would support and I will prepare a resolution and submit it to the board at the work session Thursday."

Please come Thursday because I want to get through the work session quickly.

Matt, come on in. Oh, he may have something to say, the sewer department."

Matt Hattoff: "Matt Hattoff, Riverhead. Making a no left hand turn on 105, what do you do with the cesspool trucks? They can't clear the bridge at Indian Island so the only other way to get in is go down Hubbard Avenue and come back on— (inaudible) and make a right? That's not going to work."

Supervisor Cardinale: "Why can't cesspool trucks make U turns? I'm not following this."

Matt Hattoff: "Low bridge. There's a height— it's only about a 10 foot bridge. So I don't think a left turn— no left turn— "

Supervisor Cardinale: "They would have to go down— only from Riverside that way. They would come in from Main Street."

Matt Hattoff: "No trucks over eight tons."

Supervisor Cardinale: "They could go down the street further and make a U turn, too."

Matt Hattoff: "The only other place to make a U turn is to get off of Hubbard Avenue."

Supervisor Cardinale: "And go back on."

(Inaudible comments)

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Councilman Dunleavy: "But it's local traffic."

Supervisor Cardinale: "Come on up. Thank you. I'm glad you brought that point to our attention."

(Inaudible comment by John Rather)

Supervisor Cardinale: "If you're not coming from the north, you've got to get on- I've seen it elsewhere. If you're not coming from the north, you've got to get off at Hubbard and get back on so you can make a right turn. Or you come through the other direction if it's more convenient. It's all a matter of balance.

Yes?"

Beth Stephen Petersen: (Inaudible comment)

Supervisor Cardinale: "Thank you very much. Any other comments on this hearing? If not let me keep it open for written comment for 10 days through the 28th at 4:30 p.m.

Let me sum up. I'm instructing the chief of police, wherever he is, to enforce truck limits and speed limits on Riverside Drive. We are- and I'm also preparing a resolution for no left turn off of Riverside Drive, offering it to the board for a sense of the board resolution. I am inclined to support it because I don't see any better solution on the horizon right now.

I am closing the hearing at 7:45 for verbal testimony."

Public hearing closed: 7:45 p.m.
Left open for written comment for
10 days to August 28, 2009 at
4:30 p.m.

Public hearing opened: 7:45 p.m.

Supervisor Cardinale: "The next hearing is scheduled for 7:15. It's 7:45 for the consideration of a local law amending Chapter 96 entitled trash, rubbish and refuse disposal of the Riverhead town code.

And what this does is re-write Chapter 96 to- entitle it Rubbish, Weeds and other vegetation and it is an excellent improvement I'm sure.

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You want to talk about it, Dawn? Tell us how wonderful it is as opposed to what we have."

Dawn Thomas: "I think this was drafted by Dan McCormick in my office specifically to address the problem we had with the prior version of the statute which made it difficult for us to enforce the code against homeowners who failed to maintain their yards particularly with very long grass and trash in the yard. So this is a- that was necessary to make the ordinance work.

In re-writing it, Dan took a real comprehensive view and went through everything and he made it much better and that's about all I have."

Supervisor Cardinale: "Thank you. I'd like to have comment from anyone who would like to make comment. Step right up. And if you don't have comment and haven't had the opportunity to review it, it's available for review and you can make written comment any time between now and the 28th, 4:30 p.m. Give it to the town clerk. And if you don't have comment, I'm going to close the hearing at 8:47."

Public hearing closed: 7:48 p.m.
Left open for written comment for
10 days to August 28, 2009 at
4:30 p.m.

Public hearing opened: 7:48 p.m.

Supervisor Cardinale: "And open the fourth hearing scheduled for 7:20. Consideration of a local law amending Chapter 54 entitled Unsafe Buildings and Collapsed Structures of the Riverhead town code.

This is an addition to an existing Chapter 54 which we use to address unsafe buildings, structures and dangerous conditions.

Now what did we do here, Dawn? Could you summarize?"

Dawn Thomas: "This is another re-write to embellish the code to make it easier for us to enforce against dangerous conditions on the property. If you see throughout the existing statute, the phrase dangerous conditions was added and that's really the- "

Supervisor Cardinale: "Is this related to- we're contemplating I know a business friendly change to the bonding requirements which would not require bonding of private improvements to ensure their completion.

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Does this make clear our ability to make safety repairs (inaudible)."

Dawn Thomas: "This- "

Supervisor Cardinale: "Say somebody doesn't finish, like leaves the roof off."

Dawn Thomas: "Yeah. This would work for that and any other unsafe conditions."

Supervisor Cardinale: "That does work?"

Dawn Thomas: "Yeah."

Supervisor Cardinale: "This works to address that issue. We're not going to have a bond to complete the work, we would-- in an unsafe condition this would allow us to (inaudible)."

Dawn Thomas: "Complete the work necessary to address the safety issues and put the expense to the taxpayer on their tax bill."

Supervisor Cardinale: "Which might work even better.

Is there any comment?"

Jodi Giglio: "Good evening, Mr. Supervisor and members of the Board. My name is Jodi Giglio.

I was told in a discussion that this legislation is being changed and adopted because there is a bulkhead in disrepair on one of the creeks and that this would allow the county to dredge because the bulkhead is-- the county fears if they dredge it, that the bulkhead will fall and that they are refusing to dredge it. Is that-- because I-- "

Supervisor Cardinale: "I'm not on the code revision-- "

Councilman Dunleavy: "(inaudible) definitions. That was a definition. This has nothing to do with that."

Jodi Giglio: (Inaudible)

Supervisor Cardinale: "Jodi, that is coming up but not tonight. That is another one-- sure. Okay, thank you.

Is there any other written comment? Dan McCormick is on it if you have a question.

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If there is any other written- verbal comment, I'll take it. If not, I'm going to leave it open until the 28th at 4:30 p.m. for written comment and we'll consider it carefully before we pass anything or consider anything."

Public hearing closed: 7:50 p.m.
Left open for written comment for
10 days to August 28, 2009 at
4:30 p.m.

Public hearing opened: 7:50 p.m.

Supervisor Cardinale: "The fifth hearing is 7:25, it being 7:50, consideration of a local law amending Chapter 108 entitled Zoning Chapter 108-56 entitled Signs of the Riverhead town code.

And this is an amendment to section 2e of the supplementary use regulations at Chapter 108 Article (inaudible)."

Public hearing closed: 7:50 p.m.
Left open for written comment
for 10 days to August 28, 2009
at 4:30 p.m.

Supervisor Cardinale: "This is really bringing home the point that we're not spending money foolishly. (Inaudible).

Oh, you got him. You just haven't put them up. You're waiting until this raucous group gets out of here before you put it up.

Okay, so the- I want to let the public out there know that there are (inaudible) in the box waiting for the summer camp program to end to be put up.

We have no further hearings which is a blessing we have- we do have 41 resolutions to consider and I'd like comment on any of them and anyone who wants to comment on them. Go ahead, please."

Sean Walter: "Sean Walter, Wading River. This is a comment on a resolution that I'm going to present to the board."

Supervisor Cardinale: "You're going to present a resolution?"

Sean Walter: (Inaudible) "Some people were discussing first amendment rights- "

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Supervisor Cardinale: "Excuse me, this is on a resolution? You should sit down, please, because this is on resolutions that are being considered by us. There's a general comment period after this. That is when you can come up and make comment. So please sit down."

Sean Walter: (Inaudible)

Supervisor Cardinale: "I don't care what the board members want. That is the way we run our meeting and we've done so by agreement for years.

These are comments on the 41 resolutions we are considering. Your idea of what a good resolution might be, we would hear in the comment period following this."

Sean Walter: "This is a comment on Resolution 450."

Supervisor Cardinale: "Fine, then go ahead. There's no 450 in front of us so it couldn't be on 450."

Sean Walter: (Inaudible)

Supervisor Cardinale: "This is- no, I want you to sit down and because- no, I'm not passing it to the board until the comment period because you're disrupting the meeting. Come up at the comment period."

Sean Walter: (Inaudible)

Supervisor Cardinale: "This is not appropriate and it's not to be considered now. We- you're taking the time- everyone here wants to hear resolutions considered and wants to have comment made on resolutions."

Sean Walter: "You give me two minutes, you will understand- "

Supervisor Cardinale: "So you're busting yourself in here in order to break the rules in order to show that you are arrogant, smug and smarmy and can get away with it. Go right ahead because we knew that."

Sean Walter: (Inaudible) "I'm not quite sure what the definition of smarmy is."

Supervisor Cardinale: "You define it, but please- "

Sean Walter: "If you want to call people names- "

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Supervisor Cardinale: "This is inappropriate and I would like to take a comment from the board. You know how we run meetings. This is a guy that wants to interlope and bust into a period where comments from— existing resolutions are to be made.

Does anyone want to hear this?"

Sean Walter: (Inaudible)

Supervisor Cardinale: "Then wait 10 minutes until we finish the resolutions and then come back."

Sean Walter: "No. Because when you finish the resolutions, you might not be able to (inaudible)."

Supervisor Cardinale: "The— what does it have to do with— "

Sean Walter: "It's a time sensitive issue with Suffolk County and the referral of police dispatchers (inaudible)."

Supervisor Cardinale: "That is comment."

Sean Walter: "It is a time sensitive— "

Supervisor Cardinale: "It is comment afterwards on another resolution.

I am not going to sit here and argue with you about this. You are breaching the rules that everyone else is bound by because you think you're superior to the world. You've demonstrated that by your behavior.

Go ahead and speak because you are arrogant and superior."

Sean Walter: (Inaudible)

Supervisor Cardinale: "And if you give it to these people then can bring it to the floor. Go ahead. Speak for two minutes."

Sean Walter: "Okay, this is what this resolution is about."

Supervisor Cardinale: "What resolution?"

Sean Walter: "For the past two weeks, I've been researching this through (inaudible) office. This has to do with the police dispatchers.

The town has passed a resolution to turn this over to public referendum. If you read the letter from Robert (inaudible), and I

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have permission to release this from (inaudible), Robert (inaudible) is the deputy director of budget review for Suffolk County.

In this resolution or in this cover page to the resolution, (inaudible) has basically said that it is his understanding that the county may be legally required to pay for (inaudible) police dispatch services.

We all agree on that. It then goes on, (inaudible) from the budget office, to say that the county may wish to consider whether or not to require a separate charge from the town for dispatch services. It's right in this e-mail.

He goes on to say that this charge may be commensurate with the \$950,000— he doesn't say \$950,000 but may be commensurate with what we're paying for dispatch services now.

It's not a big leap of faith to say that the \$950,000 is going to be what they're looking to charge the town (inaudible).

The reason this is time sensitive is we've already sent it to the board of elections. This is the last board meeting of August. If I wait until the end of the meeting, you wouldn't even think (inaudible). So there's also (inaudible). Resolution— the county is considering Resolution IR1485 (inaudible).

The follow on to (inaudible) is saying that if— this other legislation is passed, the county may actually pay the town if the town were to keep the police dispatchers.

So the question is this. You've got the deputy budget director, they're looking to charge the town (inaudible). You've got a resolution that may be coming from Ed Romaine. The (inaudible) says he has not spoken to Mr. Cardinale and as far as he knows nobody from the— Mr. Cardinale hasn't spoken to Mr. Levy on this issue.

So what we've done is we've passed a resolution to send this to the board of elections but we don't know what the costs are going to be. And if you don't handle it tonight or in the next day or two, this is going to be on a public referendum and we might not be able to pull back.

And the problem then is that the county controls the show. It will be difficult for the county to charge us back. Mr. (inaudible) is clearly saying in this letter that they have to consider charging (inaudible).

So it's so time sensitive we can't not look at this today. It has to be looked at.

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I took the liberty of drafting a resolution that would rescind if not now but temporarily the dispatchers. If we don't take action- the bottom line in the letter from Mr. (inaudible) and, again, I did, I've had conversations with the presiding officer.

The bottom line is the presiding officer is looking at two other options as well.

Two things that the county is not going to- the town is not going to be interested in. The first one is that if Riverhead is to transfer the dispatch services and other towns transfer the dispatch services, what's going to happen is the town- the county is going to look to see if they can take over all the police departments in the villages and the towns."

Supervisor Cardinale: "Which they cannot do and you know so without a referendum."

Sean Walter: "And that may be so."

Supervisor Cardinale: "In the department."

Sean Walter: "I thought you were going to let me finish."

Supervisor Cardinale: "I thought it was going to be two minutes. And what does this have to do with any resolution we're considering."

Sean Walter: "That- "

Supervisor Cardinale: "So wrap it up because I'm going to refer it to legal which is if you were serious, is where you would sent it to in the first place."

Sean Walter: "That may be so. But the issue is that you have- this is your last board meeting. In September, I don't know that you can pull this referendum- "

Supervisor Cardinale: "We're having a board meeting on Thursday so you can- you don't have to worry about that."

Sean Walter: "Then the final thing, Mr. (inaudible) is talking about the sales tax. That this could impact our- the bottom line on this letter is he's saying that this could impact what we give the town, the million dollars in sales tax that we give the town."

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The point is you as a board need to do something immediately or you're going to lose- potentially lose the dispatchers and have the county- "

Supervisor Cardinale: "You know, let me just say one thing and let you sit down.

If this was such an- "

Sean Walter: "I'm going to wrap it up."

Supervisor Cardinale: "Please do. I point out that this memo from Mr. Lipp (phonetic) is dated July 15th. This is so urgent that you've been holding this memo for a month and a half. It says July 15th."

Sean Walter: "I understand what it says. But it's not a memo. It's not something that should have been disclosed. It's something that you should have known about- "

Supervisor Cardinale: "I do know about this and I do know that this is dated July 15th and I do know you are incorrect and I do know that I have spoken to Mr. Levy and Mr. Kent- "

Sean Walter: (Inaudible)

Supervisor Cardinale: "But Prudenti has and the town attorney has spoken to him and has spoken repeatedly."

Sean Walter: "That's not accurate."

Supervisor Cardinale: "No, that is accurate. And would you finish up? You're well over your two minutes and I have other things to do."

Sean Walter: (Inaudible)

Supervisor Cardinale: "Well, and there was no reason for you to break in front of people who have comments on the resolutions.

I find it rude that you're standing there in defiance of the rules."

Sean Walter: "I'd like to have this (inaudible)."

Supervisor Cardinale: "We'll consider this at work session on Thursday."

Sean Walter: "I think the board should take some time and read this tonight. This is something that we need to look at."

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Supervisor Cardinale: "We'll consider this at work session."

Sean Walter: "And it comes down to gutting the town police department and (inaudible)."

Supervisor Cardinale: "Gutting the town police department has nothing to do with the dispatchers."

Sean Walter: "Phil, for somebody that wants to let me speak, you've interrupted me- "

Supervisor Cardinale: "Two minutes, two minutes? You've been up there for 20 minutes and you've jumped the line. You jumped the line, Sean, which shows your arrogance."

John Stefans: "My name is John Stefans from Riverhead Landing. I want to object vehemently for allowing a political candidate to disrupt this meeting, flaunt the law, and this is totally against the rules of the way these meetings are conducted. And we must put an end to the politicizing of these town board meetings.

We have to do the people's business and if Sean Walter wants to campaign, let him do that elsewhere."

Supervisor Cardinale: "Thank you and I would like- "

Councilman Dunleavy: "John, the supervisor runs the meeting. If he wants to put somebody out, he can put somebody out. If he lets him talk, then he talks."

John Stefans: "And I am (inaudible)- that means I'm objecting. That's all I'm doing."

Supervisor Cardinale: "One of the reasons I didn't ask Mr. Walters to leave was because I don't have a police officer in this building at this moment.

I would like to hear a comment on the resolutions, the 41 that we are about to consider, and there is no question in my mind but that that- whatever we just heard and it was quite confusing, should have awaited the after resolutions are considered and we take general comment."

Sal Mastropaolo: "Sal Mastropaolo, Calverton. 789." Did that go out for bid and if so, how many bidders?"

Supervisor Cardinale: "789. We did get three prices. It doesn't have to go out to bid because it's by (inaudible). "

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Sal Mastropaolo: "Okay. Thank you. And 795. 795 starts off the first Whereas at a significant expense, the town of Riverhead has developed a geographic data base file in the town.

I don't see nothing in the agreement, okay, about the fire district paying fees for use of the file."

Supervisor Cardinale: "Yes. And I noted that myself as to- I believe they are making available data which is easily- not easily but it can be utilized by them. We're not going to guide them in its use and we're going to make this available to- and I've offered to make it available to- assuming this passes tonight, to all the other departments as well."

Sal Mastropaolo: "Well, let me ask you a question. But, private enterprise comes to the town-- "

Councilman Dunleavy: "We got this free from the county."

Supervisor Cardinale: "This is Riverhead fire district."

Councilman Dunleavy: "We got this- "

Sal Mastropaolo: "Yeah. But it costs us to maintain it, okay, and to update it, so it's costing the town to maintain this data base, okay, and you're giving away those services free to the fire districts.

My question is, what happens if private industry comes and they want access to it? Are you going to turn them down?"

Supervisor Cardinale: "No. We- this was a suggestion of- at the suggestion of the Riverhead fire district, at the request, after discussion with the board and with counsel, that it would be limited to other public entities and that we would limit our time- we would give them access to the data but they would have to do with it as they wish."

Sal Mastropaolo: "Well, considering the fact that the town is maintaining it at great expense, okay, I think you're giving away assets for free and you should be charging for use of the data base."

Supervisor Cardinale: "Well, it's a fair statement and I understand it. And actually if you take a look at what is shared between the town and the fire districts, which there are some other issues you might want to be interested in, too, this is the least of them."

Sal Mastropaolo: "Thank you."

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Supervisor Cardinale: "Is there another comment in regard to a resolution we are about to consider? Yes."

Matt Hattoff: "I don't know if the resolution is in here or not about the apprenticeship."

Supervisor Cardinale: "It is not."

Matt Hattoff: "No. Wrong time."

Supervisor Cardinale: "Okay. Any-- you had a comment, please, on any resolution of the 41 we're about to consider."

Jodi Giglio: "It was either 805 or 806, I believe it was 805 that I was reading in the book that referred to the parking area. If a parking area is more than five acres, it would require a natural basin or a recharge area."

Supervisor Cardinale: "Yes."

Jodi Giglio: "And I just-- I know there were a lot of recommendations that were made by Martin Sendlewski, the engineer who designs a lot of parking lots at the last public hearing. I see that really nothing has been changed-- "

Supervisor Cardinale: "It was discussed with our town engineer and it was discussed at some length at the work session on Thursday in detail and the conclusion was that it was ready for passage and also that actually the reference you made to the five acre parking lot, is actually an improvement to what our existing law is which talks about five acre lots, not five acre parking area."

So the conclusion of the board after-- and Ann Marie Prudenti spent 15, 20 minutes with the board in work session, I think a representative of the Business Alliance was there, and that it was ready for passage and that's why it's on."

Jodi Giglio: "Okay. The only thing that I saw that could be a potential problem is if Riverhead Resorts were to come to fruition and their parking areas would certainly be more than five acres, so does that mean for every five acres, they would have to put a recharge basin in or it would be one recharge basin for the (inaudible). I mean because it's just sitting water and there could be a mosquito problem, there could be other problems-- "

Supervisor Cardinale: "I understand. I think-- I don't have it in front of me, the section, but I think that-- I think what we've done is we've made many of these guidelines in any event so that if there is a necessity for such a project as that to adjust the guidelines to address the practical issue, that it can happen."

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Jodi Giglio: "Yeah, but this code is not a guideline. Maybe we can-- "

Supervisor Cardinale: "Yeah. And as indicated, it's the kind of project that the engineering will be reviewed by the town but they'll have their own professional and the whole idea is to get the drainage handled adequately.

This is an improvement over what exists. That's what Gardiello (phonetic) has indicated to our outside consultant and I had suggested to him that (inaudible) might want to reach out to him. I don't know if he did or not."

Jodi Giglio: "I believe I just heard Councilwoman Blass say that it would be somewhat discretionary. Okay."

Supervisor Cardinale: "She indicated that at a \$155 million dollar project, that they'd get the drainage right."

Jodi Giglio: "Right. But I just think that there should be an option to have actual drainage structures or actually asking them to take away an acre of their parking area for a recharge basin. I think that they should have the options either put the structure-- the drainage structures in or have a recharge basin because requiring a recharge basin may take away from the required parking spaces and the parking lot based on the size of the building."

Supervisor Cardinale: "I believe the option-- if you look at the entire section of the law as explained to us by Prudenti, that option would be available by the reviewing site plan agency."

Jodi Giglio: "Oh, it would be available. But that would be a guideline, not code. I'm just asking you to take another look at it, consider not adopting it tonight. Take another look at it because it also refers to a type (inaudible)."

Supervisor Cardinale: "Do you know the number that you're talking about?"

Jodi Giglio: "Yeah, I believe it was 805-- 806."

Councilwoman Blass: (Inaudible)

Supervisor Cardinale: (Inaudible) "It's 806 you said?"

Jodi Giglio: "Yes, please. I'd like to talk to (inaudible). I understand your intent, it should be right and it will be right."

Councilwoman Blass: (Inaudible) "There are some minor corrections. We could always address them in the future-- "

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Jodi Giglio: (Inaudible)

Councilwoman Blass: (Inaudible)

Jodi Giglio: "That it can't wait two weeks."

Councilwoman Blass: "Well, it's already waited (inaudible)."

Jodi Giglio: "There was a public hearing two weeks ago."

Councilwoman Blass: "Right. And my guess as a result of the public hearing— I was not there but I did read the comments of the public hearing record and as a result of the comments of the last meeting, the appropriate action was taken, being the town attorney went to the engineer with the comments in hand and said is there any of these that are valid and need to be addressed or do we need to reconsider the amendment as proposed. Mr. Gardiello said I stand behind it. It's ready to go as written."

Jodi Giglio: "I just don't (inaudible). If Marty Sendlewski had spoken to Vinny. I don't know that because Marty's not here tonight (inaudible) in designing parking lots. So I just don't understand— "

Supervisor Cardinale: "Well, if he was that— we made clear to Marty that he should speak to Mr. Gardiello and I assume he did."

Jodi Giglio: "Okay. So you feel the need to adopt this resolution tonight. It can't wait two weeks."

Supervisor Cardinale: "I don't— I feel the need to move forward. I really don't care if we adopt it tonight or two weeks from now."

But I do point out to you that the section that you are alluding to reads as follows. All parking areas should (inaudible) for the purpose of containing and managing storm water runoff on site."

Jodi Giglio: "(inaudible) it's more than five acres."

Supervisor Cardinale: "The minimum design standard for sites less than five acres shall be 211 cubic feet capacity for every 1250 square feet of impervious parking surface. The applicable board and department shall approve such drainage facilities and improvements."

For parking areas in excess of five acres— that's a parking area in excess of five acres, a positive drainage area or recharge basin shall be provided. A positive drainage area or a recharge basin, not— shall be provided.

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It doesn't indicate where; it doesn't indicate how big. It indicates for that big a parking lot you better have some positive drainage area or recharge basin."

Jodi Giglio: "It's essentially the same thing as a recharge basin but feel free to do (inaudible)."

Supervisor Cardinale: "Well, what other options- "

Jodi Giglio: "I'm just making comments."

Supervisor Cardinale: "What he told us honestly was when we discussed this at some length, was that parking lots that big are going to need a positive recharge area. You can't drain off of them, they have to drain the area."

Jodi Giglio: "They drain roads (inaudible)."

Supervisor Cardinale: "I understand what you are saying but I think the language of a positive- parking area says a positive drainage area is not necessarily a recharge basin."

Jodi Giglio: "It's not a structure either. What is a positive drainage area?"

Supervisor Cardinale: "I guess it's an area into which- a designated area into which drainage flows."

Jodi Giglio: "Yes. Okay."

Supervisor Cardinale: "Either by pipe or anything else."

I would like to take other comment on any resolution we're about to consider."

Larry Oxman: "Good evening, Larry Oxman. What is the urgency about this?"

Supervisor Cardinale: "There isn't any. If it really bothers you, I don't care, fine, let's put it off for two weeks. But get yourself down and talk to Gardiello or- we did this two weeks ago. We said talk to Gardiello. I talked to Gardiello. They talked to Gardiello, Prudenti talked to Gardiello and now what about you guys talking to Gardiello. (Inaudible). I did talk to him and I'm comfortable. You're not comfortable, feel free, talk to him. He's our engineering consultant."

Larry Oxman: "It would be much appreciated if you (inaudible)."

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Supervisor Cardinale: "I am prepared to it off but I don't know if my board joins me. I don't want to argue about petty things."

Councilwoman Blass: "Here's the only point that I am trying to understand.

If you have a public hearing and there are still significant and what could be substantive comments from the public, you take the comments and then you attempt to address them.

I printed out all of the comments from the public hearing because I was not at the meeting and all the other commentaries that I missed. I was not there and I wanted to know what was said.

All of those comments were addressed with the town attorney and our engineer to say does this make sense. There was a reference about a drainage- a rainfall that was indicated that was not standard in all of Suffolk County, eight inch rainfall.

Mr. Gardiello stands behind the calculation that's in this and says this is exactly what is standard in the county. So I don't know what an additional- we would certainly have the conversation again, there is no urgency, but I don't understand if the purpose is to address the comments and we took it where it needed to go and there is no other information. I don't know what a second re-write- a second look at it would do."

Jodi Giglio: "I'm not an engineer either so I believe that Marty should have spoken to Vinny Gardiello and I believe that from what Marty tells me he did speak to Mr. Gardiello that some of those items would be changed and they haven't been. So- "

Councilwoman Blass: "Marty- I don't know if Marty made comments at the hearing. I didn't see those comments."

Jodi Giglio: "You are the board and- "

Councilwoman Blass: "But Marty is an architect and Mr. Gardiello is a licensed engineer and we hired Mr. Gardiello as our consulting engineer on these issues. And he stands behind this amendment. (Inaudible)

Councilman Dunleavy: "Marty might have talked to Mr. Gardiello and he might have satisfied Marty so that's why Marty is not here tonight. He's not here so we don't know- since he's not here, I'm taking the positive."

Supervisor Cardinale: "Give him a call. Tell him hello for me. Okay. Anybody else have a comment on any resolution? If you

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don't have any comments on the resolutions we'll consider the resolutions and, frankly, I'm surprised we had all that spirited comment because they're pretty dull.

And we're going to consider these 41 resolutions. We're going to table two of them already I know and then we're going to take comment on whatever else strikes your fancy.

Diane."

Resolution #778

Councilwoman Blass: "This is a budget adjustment in the Business Improvement District. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolutions #779

Councilman Dunleavy: "George Young community center capital improvement project budget adoption. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #780

Councilman Wooten: "General town budget adjustment. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #781

Councilwoman Blass: "Before I put this into consideration, I would want to ask the town attorney since my son worked on the inventory report, do I have any conflict (inaudible). Thank you."

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Authorization to discard fixed assets. So moved."

Councilman Dunleavy: "And seconded."

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

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

(Some inaudible comment)

Councilman Dunleavy: "Excuse me. We're trying to hold a meeting up here."

Supervisor Cardinale: "Keep it down. The conversation actually might be more exciting but hold on for us, we're almost finished. I know, I was going to say that. Go ahead, please."

Resolution #782

Councilman Dunleavy: "Accepts 100% site plan security of Tyree Service Corp. (7 Eleven Store, Route 58, Riverhead). So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #783

Councilman Wooten: "Authorizes the release of a site plan security of Montgomery Distributors LLC (American Service Station). So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #784

Councilwoman Blass: "Mr. Supervisor, I understand that the recreation superintendent requests this resolution be tabled. So I make a motion to table Resolution #784."

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Councilman Dunleavy: "And seconded."

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

The Vote: "Wooten, yes, to table; Dunleavy, yes; Blass, yes; Cardinale, yes. The resolution is tabled."

Resolution #785

Councilman Dunleavy: "Authorizes the CSEA vice president to attend annual delegates meeting. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #786

Councilman Wooten: "Ratifies the appointment of a call in lifeguard to the recreation department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #787

Councilwoman Blass: "Appoints a recreation specialist to the Riverhead recreation department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #788

Councilman Dunleavy: "Authorize the town clerk to publish and post a help wanted ad for a part time kennel attendant. So moved."

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Councilman Wooten: "Seconded."

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

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

Resolution #789

Councilman Wooten: "Authorizes Norton Brothers Dunn to perform survey of Main Street, Jamesport."

Councilwoman Blass: "And seconded."

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

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

Resolution #790

Supervisor Cardinale: "Yes. There is a change in language on this which reads at the second Whereas clause should read, Whereas it is necessary to obtain a structural assessment of the existing (inaudible) the extended work required. You've got that?"

With that modification, would you call it, please?"

Councilwoman Blass: "Yes. I'd like to offer Resolution 790, authorizes Martin Sendlewski to proceed with architectural design services for the cupola improvement project at the George Young Community Center. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Wooten, yes, as amended; Dunleavy, as amended, yes; Blass, yes; Cardinale, yes. The resolution is adopted."

Resolution #791

Councilman Dunleavy: "Declares Wading Woods Associates, LLC in default regarding condominium project entitled Condominium Map of Wading Woods. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #792

Councilman Wooten: "Authorization to publish advertisement for propane for the town of Riverhead. So moved."

Supervisor Cardinale: "Second, please."

Councilwoman Blass: "Yes. And seconded."

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

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

Resolution #793

Councilwoman Blass: "Authorizes the town clerk to publish and post notice of public hearing for the special permit of Maryann Diliberto. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #794

Councilman Dunleavy: "Authorizes the supervisor to execute an amended agreement authorizing the town to accept funds from Suffolk County office for the aging to supplement the town's expanded in home services for the elderly program. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #795

Councilman Wooten: "Authorizes the supervisor to execute an agreement with the Riverhead Fire District (data sharing of GIS data). So moved."

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Councilwoman Blass: "And seconded."

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

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

Resolution #796

Councilwoman Blass: "Approves-- motion to table 796."

Councilman Dunleavy: "And seconded."

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

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

Resolution #797

Councilman Dunleavy: "Approves the Chapter 90 application of Darkside Productions, Inc. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #798

Councilman Wooten: "Approves the Chapter 90 application of Fink's Country Farm, Inc. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #799

Councilwoman Blass: "Approves the Chapter 90 application of Garden of Eve, LLC. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #800

Councilman Dunleavy: "Approves Chapter 90 application of St. John the Evangelist R.C. Church, Chinese auction - October 17, 2009. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #801

Councilman Wooten: "Approves Chapter 90 application of St. John the Evangelist RC Church for a craft fair - December 5, 2009. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #802

Councilwoman Blass: "Awards bid for calcium hypochlorite tablets. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #803

Councilman Dunleavy: "Awards bid on a 1981 Mack Model RM cab and chassis with a combination dump body. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #804

Councilman Wooten: "Adopts a local law amending Chapter 76 entitled Loitering of the Riverhead town code. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #805

Councilwoman Blass: "Adopts a local law amending Chapter 108 entitled Zoning of the Riverhead town code, Section 108-56 Signs. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #806

Councilman Dunleavy: "Adopts a local law amending Chapter 108 entitled zoning of the Riverhead town code, Section 108-60 off street parking. So moved."

Councilman Wooten: "I'll second."

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

The Vote: "Wooten, yes; Dunleavy, yes; Blass."

Councilwoman Blass: (Inaudible comment) Yes."

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

Resolution #807

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Councilman Wooten: "807 adopts a local law amending Chapter 44 entitled Agricultural Land Preservation of the Riverhead town code. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #808

Councilwoman Blass: "Adopts a local law amending Chapter 65 entitled Flood Damage Protection of the Riverhead town code. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Wooten, yes; Dunleavy, yes; Blass."

Councilwoman Blass: (Inaudible comment) "It has to do with where the maps are going to be kept. Keeping them in the clerk's office and the engineering department-- "

Supervisor Cardinale: "Either/or, yes."

Councilwoman Blass: (Inaudible comment). "Can we say the clerk's office at Howell Avenue and the engineering (inaudible). They wanted us to be very particular as to the address of where the maps are being-- "

Supervisor Cardinale: "Right."

Councilwoman Blass: (Inaudible comment)

Councilman Dunleavy: (Inaudible comment)

Supervisor Cardinale: "You wanted it at both offices. They want it at both offices?"

(Inaudible comment)

Supervisor Cardinale: "The town clerk's office at Howell Avenue and the engineering department at Pulaski. What's the number? All right. Very good. Well, it's good to have it right. Okay."

Councilwoman Blass: (Inaudible comment).

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Supervisor Cardinale: "With that clarification."

Diane Wilhelm: "We are ready then?"

The Vote: "Wooten, yes; Dunleavy, yes, as amended with the second address; Blass, yes; Cardinale, yes. The resolution is adopted."

Resolution #809

Councilman Dunleavy: "Rescinds Resolution #768 to authorize the town clerk to post and publish a notice to bidders for West Main Street comfort station renovation project. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #810

Councilman Wooten: "Authorize the town clerk to post and publish the attached notice to bidders for the town of Riverhead West Main Street comfort station renovation project. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #811

Councilwoman Blass: "Authorizes the release of developer money Fedun Estates. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #812

Councilman Dunleavy: "Authorize the release of developer money Demchuk Estates. So moved."

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Councilman Wooten: "Seconded."

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

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

Resolution #813

Councilman Wooten: "Awards bid for Peconic Avenue crosswalk improvement project. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Wooten, yes; Dunleavy."

Councilman Dunleavy: "It took a long time coming, so I vote yes."

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

Resolution #814

Councilwoman Blass: "Authorizes Dunn Engineering Associates P.C. to proceed with Grangebél Park timber pedestrian bridge design and preparation of bid documentation specifications. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #815

Councilman Dunleavy: "To pay bills. So moved."

Councilman Wooten: "Seconded."

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

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

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Supervisor Cardinale: "That concludes the resolutions before us."

Councilman Wooten: "I just want to say after reading through this resolution that was handed up earlier, certainly the cover letter, I haven't spoken to Robert (inaudible) myself, but it certainly raises a lot of questions.

But reading the resolution itself, although (inaudible), there is some wording that would have to be straightened out.

Sean, if you would deal with me, I want to look at this. There's some things that may have to be changed, but (inaudible) at work session. I promise you on that."

Councilman Dunleavy: "Can we have a- wait, wait, wait. We're not finished. Wait.

We have a special meeting on Thursday- "

Supervisor Cardinale: "We're having a special meeting on Thursday."

Councilman Dunleavy: "Okay."

(Inaudible comment)

Supervisor Cardinale: "Yes, we're having a special meeting Thursday."

Councilman Dunleavy: "Okay."

Supervisor Cardinale: "I think that this has to be referred- I think the town attorney may know. All we know, at least all I know is that we were handed a memo from Robert Lipp (phonetic) whoever he is, to the legislature, presiding officer subject, the town of Riverhead dispatchers and it is dated January- July 15th.

And a resolution that was prepared apparently by a candidate for office and I think that this should be given to the town attorney's office (inaudible)-- as to how this relates in any way to the pending referendum which was voted by majority (inaudible)."

Councilman Wooten: (Inaudible comment) "Things that concern me are located within the- "

Supervisor Cardinale: "Well, what concerns me number one, the fact that this is purported to be an emergency and the memo has existed for six weeks. I would suggest that this is more a political ploy than an emergency."

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Councilman Dunleavy: "You don't know when he received the memo though."

Supervisor Cardinale: "What also bothers me- I know it's dated July 15th."

The other thing that bothers me is why it was not brought to the attention of the legal department if it has any merit beyond theatrics before it was simply theatrically explored this evening.

I think it's pretty obvious what's going on here. I used to do this very well when I was a challenger, that's why I'm in office. So good job on theatrics. But the substance (inaudible). The one that's really familiar with this is Ann Marie Prudenti so she'll look at it tomorrow.

Does anybody have a comment on--anybody have a comment. This would be the time for the comments imposed upon us earlier."

Jodi Giglio: "Yes. I did speak to Martin Sendlewski, Phil, and he told me that you had told him that Vinny Gardiello would reach out to him to discuss why the drainage had to be designed to an eight inch rainfall when Suffolk County has not--"

Supervisor Cardinale: "We're not going- "

Jodi Giglio: "-- received more than a three inch rainfall and you're actually costing the developers a lot more money in drainage structures and that to me does not seem very business friendly."

Supervisor Cardinale: "I don't believe that that's accurate."

Jodi Giglio: "So- but Marty never spoke to Vinny Gardiello and that was his main concern with that the drainage has to be designed to an eight inch rainfall."

Supervisor Cardinale: "Okay. And we asked Mr. Gardiello and he indicated that was the standard that is appropriate and used in the county and, frankly, we don't- we're not going to listen to architects who do not have the training of our consulting engineers who are trained in engineering, not in architecture. And that's the truth."

Jodi Giglio: "Well, you know what, Phil? Vinny Gardiello reviews Marty's submissions of drainage in parking lots, so he does as a registered architect have in his capacity the right to determine what drainage is necessary. Okay."

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But Vinny Gardiello may not be as business friendly as you claim to be so you may want to look into that."

Supervisor Cardinale: "I certainly will speak with Mr. Gardiello, but I remind you that I spoke with him on this very issue and so did everyone else for the— over the last two weeks.

So why Mr. Sendlewski isn't here tonight and why Mr. Sendlewski did not speak to him over the last two weeks escapes me. If there is any error that is unintended, we will correct it.

But Mr. Gardiello made clear that is exactly what the standard is intended to be for good reasons."

Jodi Giglio: "Okay. Well, based on Marty's conversation with you, whether Vinny Gardiello would be reaching out to him or not, Marty was amazed by the fact that a resolution after a public hearing is adopted two weeks after the public hearing because that rarely happens. But anyway— "

Supervisor Cardinale: "We certainly will reconsider it if there's anything in it that's incorrect. We did consider it very carefully over the two last work sessions and the town board's will was to proceed.

As you know, I indicated I was prepared to put it off because I don't consider it critical one way or the other.

I would like to take other comments anybody would like to make. How are you?"

Ed Purcell: "I don't know. It's been a long day. I've been up in Northport.

Let's see, Ed Purcell, East Main Street."

Councilman Dunleavy: "Was it as hot in Northport as it is out here?"

Ed Purcell: "Not too bad. (Inaudible)

The new 7-Eleven on 58 (inaudible)."

Supervisor Cardinale: "Is there a new 7-Eleven?"

Ed Purcell: "Yeah. That's the resolution."

Supervisor Cardinale: "That was simply a site plan."

Ed Purcell: "That's a site plan for a new 7-Eleven."

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Supervisor Cardinale: "No. It's a site plan approving the (inaudible)."

(Some inaudible discussion)

Supervisor Cardinale: "That's a reasonable- that is a site plan for an improvement."

Ed Purcell: "Because it says 733 Route 58. That's the reason I asked."

Supervisor Cardinale: "All right. Let me take a look."

Councilman Dunleavy: "(inaudible) did put in a site plan for 7-Eleven. Yes."

Ed Purcell: "Well, that's why I'm asking. I do know that there's a new 7-Eleven going up on Route 58 but I didn't know where."

Supervisor Cardinale: "I don't know that because that would be the planning board's (inaudible). Is the town planner here? Is Rick Hanley still here? I guess he left."

Ed Purcell: "I know there's a (inaudible)."

Supervisor Cardinale: "For an additional one. It won't come to us; it will come to the planning board- "

Ed Purcell: "Right. Well, that's why I'm asking now."

Supervisor Cardinale: "That does site plans everywhere except downtown and at EPCAL. They do them all over the place everywhere else. I will- I can check that for you and let you know if there's anything pending."

Ed Purcell: "Yeah. Also, what's going on with the new building that's supposed to go up on Peconic Avenue? I see that there are new for sale signs on Club 91. Because the signs went up within the last two weeks."

Supervisor Cardinale: "Yeah. I spoke to Mr. Dickoff and Jodi Giglio is a principal in that I understand can speak to this issue better than I. But he assured me as recently as Friday that they were awaiting the appraisal- they were in contract for the purchase of those buildings. They are awaiting an appraisal of the county which would trigger the funding of \$2.5 million."

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Ed Purcell: "Yeah. Just because they just put new signs in (inaudible)."

Supervisor Cardinale: "Is there any problem— Jodi, is there any problem with that deal?"

Jodi Giglio: (Inaudible comment)

Ed Purcell: "That's why I'm asking."

Also, a couple of people have complained that the buses that drop people off for the aquarium have been parking down by the river and creating problems where some of the drivers can't see to drive around in the parking lot."

Supervisor Cardinale: "Yeah. We are aware of that and I had asked— John, you (inaudible)."

Ed Purcell: "Make sure they park maybe on the other side of Main Street."

Councilman Dunleavy: "Yeah, we're working on that and we're going to get signs and stuff to put up there. They're supposed to park on the other side. Yes."

Ed Purcell: (Inaudible)

Councilman Dunleavy: "We're working on it."

Supervisor Cardinale: "John is working to get signs up. Do we need (inaudible)?"

Councilman Dunleavy: "Well, we're going to put the signs up and just see if we can cooperate with the buses and not park there and then if we need to get— "

Supervisor Cardinale: "We're trying to do it informally."

Councilman Dunleavy: "We're trying to do it informally first, just get the cooperation of the buses."

Ed Purcell: "Okay."

Councilwoman Blass: "We were also going to (inaudible)."

Supervisor Cardinale: "Yes, and I'm sure that they would consent to that."

Ed Purcell: "Yeah. It's just something— "

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Councilman Dunleavy: "Well, if you look at that whole area, if you look at the driveway behind where the aquarium is, it says do not enter. The buses have to enter there because they have to pick the kids up on the right side of the bus. So the whole area there has to be reconfigured and re-thought about. So we're doing that."

Ed Purcell: "But I mean just behind like The Grill."

Councilman Dunleavy: "That's a whole area. We're working on the problem."

Ed Purcell: "Thank you."

Supervisor Cardinale: "Is there any other- yes."

Councilwoman Blass: (Inaudible comment)

Supervisor Cardinale: "Reconfiguration of existing building."

Ed Purcell: "Okay. Because I do deal with 7-Eleven all over Long Island, that it's common knowledge that they are going to come to- whoever they have to come to to put another 7-Eleven up on Route 58 and I was guess that that's where it was."

Supervisor Cardinale: "Thank you. Any other comment? Yes."

Matt Hattoff: "Matt Hattoff. This special meeting on Thursday, (inaudible)."

Supervisor Cardinale: "The only reason for the special meeting is to consider the passage of the Rechler scoping document. We were going to do it tonight- the approval of the scope of issues to be studied by Mr. Rechler for that project, the 300 acre industrial park at EPCAL.

We were going to do it tonight but we're having a meeting tomorrow with the EPCAL task force in Hauppauge and we wanted to give them the opportunity to have some exchange on it so we put that one item over to Thursday.

That's all that's scheduled."

Matt Hattoff: "What time would that meeting be? You might have other things come up."

Supervisor Cardinale: "Noon."

Matt Hattoff: "Okay. Thank you."

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Supervisor Cardinale: "Is there any other comment? If there is, I'd like to take it."

John Stefans: "I'd just like to— John Stefans, Riverhead. I'd just like to comment on what I see is a disturbing trend and illustrated most recently by candidate Jodi Giglio.

She was throwing it back in your face that we were not business friendly. Since when does Marty Sendlewski or anybody have permission to made demands on how codes are written?

I think this business friendly stuff, particularly the throwing it back in your face, to say oh, you said you're business friendly but you're not doing this. You're not doing exactly what we want. And I find that very disturbing.

I'm all for being business friendly, supporting business. But not in this bullying kind of way and I find that very disturbing."

Councilman Dunleavy: "John, she didn't come up as a candidate. She came up as a business person and— "

John Stefans: "I know she came up as a business person."

Councilman Dunleavy: "-- it passed the zoning code after her objections. So I mean she didn't bully us. We passed the code."

John Stefans: "I am commenting on what I find is a disturbing trend."

(Inaudible comment)

Supervisor Cardinale: "Would you please honor the no comments from the peanut gallery. If you want to make a comment, come to the podium.

So, John, did you have anything else that you wanted to say, please say it. If anybody else has a comment, please make it.

I would like to make a final comment before the meeting is adjourned.

I had a thought which is an extraordinary event (inaudible).

I believe this is the last meeting that Councilwoman Blass will be attending in her home town and mine, Jamesport. And I just wanted to begin what I know will be acknowledgment by others as we go forward, of her extraordinary service to the town of Riverhead over the eight years she's served on the council since she will not be serving as of January.

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Barbara who is another party than I throughout the time she served on this board, has had attention to detail and an honest concern for the environment that is unmatched by any other person I've served with, including myself.

So I want to thank her for that and I want to do it in her home place. And I wish Barbara would continue to serve the town and I hope she will but one thing I would like to see.

I don't believe that Barbara has been a deputy supervisor during her tenure and I would like, in a matter of honor to her, I would like her to serve as deputy supervisor from the period of September 1st through the end of the year as an acknowledgment of her service to the town and I think it's the right thing to do (inaudible).

Thank you."

Councilwoman Blass: "Does that come with a pay raise?"

Supervisor Cardinale: "No pay raise, Barbara."

Councilwoman Blass: "I thought I'd ask."

Councilman Wooten: "Can we vote on that?"

(Inaudible discussion)

Meeting adjourned: 8:45 p.m.