

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, August 7, 2007, at 2:00 p.m.

Present:

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

Also Present:

Barbara Grattan,	Town Clerk
Dawn Thomas,	Town Attorney

The Pledge of Allegiance was recited

Supervisor Cardinale: "Okay, we're going to come down and do a few things before we start. Okay. Can you hear me? Well, it's as good as it gets.

Well, okay, we have a couple things to do this afternoon. One is to proclaim the Employee of the Quarter and the other is to proclaim National Night Out. So I'd like to start with Employee of the Quarter. If those on the Labor/Management Committee could come up and if the honoree, Michael Lech, if you could come up as well.

Okay, this is great. We've got the-- each quarter and for each year we designate an employee who has performed well enough to earned the distinction of Employee of the Quarter and Employee of the Year respectively. We have a committee that does that, Labor/Management, made up of Michael Reichel, Chairman; Maureen Lind, Chairwoman; Maryann Tigue (phonetic); Maryann Wowak Heilbrunn, Gina Chue (phonetic); Kerry Fenton; Judy Doll, Barbara Grattan and myself. Did I miss anybody? And Meg (inaudible), and Ray Coyne. Thank you.

Okay. So now that we've got that done. If I practice, I'll get it right. The Employee of the Quarter is Michael Lech from the Sewer Department and I have a proclamation which I'll read in a moment to honor him, and I would like Michael Reichel, his immediate supervisor and head of the Sewer Department to tell us a little about why he won and why he deserves to win."

Michael Reichel: "Thank you. Mike started back at the Sewer District in the late '80's. A couple years after that he was transferred over to the Water Department and found out that the grass wasn't always greener over there and how good he had it. Mike transferred back to Sewer.

Since that time, he's taken over the night shift, he runs a great operation, and anything that's asked of him is always done professionally, correctly, without and hassle. You give Mike the ball and he'll run with it. And he's great to have as an employee; he works well with all of his other fellow employees, and definitely a great choice. Thank you."

Supervisor Cardinale: "Thank you, Michael. Mike, if you'd come on over, I'd like to--first of all, I'd like to say that I've learned--I've been taught to be more precise, how important every-- the employees are and the department heads are to getting anything done and they can't get anything done unless you do it for them, so it's an appropriate thing to do to honor those employees that really do the job and there are many of them in this town.

This proclamation acknowledges that by saying that you've been a valued employee since 1989, that you were quickly promoted to Maintenance Mechanic III because you are qualified and because you have a strong work ethic. That you're now-- you attended plant operator school in 1999 and received the New York State license as a wastewater treatment plant operator. And you were given the responsibility for managing the night shift in 2000 and you've been doing that and doing a lot else for Michael and he and we appreciate it.

You also found time to volunteer as a firefighter with the Riverhead Fire Department and any free time you might possibly have, you also enjoy boating and golfing, which I'll have to talk to you about. Because my theory is if you're a good golfer, you can't possibly be a hard worker because you need too much time practicing. Just in golf. Okay, that's okay, then.

As a result of your hard work and dedication, the Labor Management Committee saw fit to name you the Employee of the Quarter for the second quarter of 2007 and I, together with the town-- I, as supervisor, together with the town board add my congratulation and theirs to you for your accomplishment. Thank you."

Michael Lech: "I'd just like to thank the board and the

committee for this honor. It's a nice privilege. I've got to thank the guys that I work with, you make the job so much fun. I appreciate all of you. Mike, Tim, I couldn't ask for two better supervisors either. Thank you all."

Supervisor Cardinale: "Thank you. And Michael, this comes I think with a day off- I think a day off and a bond. I just want to make sure- he didn't mention it and I just want to make sure that, you know, we've got to do that. It's the right thing to do.

And, also, right out front there's a plaque and you're going to be on it and we truly, we cannot thank you enough for the hard- you and others who have been keeping the town moving forward. So thank you."

Michael Lech: "Thank you."

Supervisor Cardinale: "Thank you. And I think the town board wants to shake your hand. Thank you.

Thank you to the labor management committee. They meet every month and actually gets things done. We have a number of events to keep the people active socially involved and also work ethic involved, so thank you.

The next presentation we have before we get into the meeting is one we do every year for National Night Out and also we acknowledge the kids. Where are those- oh, there they are, right there- we acknowledge the kids for their contest, the poster contest. So, why don't you come on up, because I know the police department, Lt. Boden, Capt. Hagermiller, are going to help me out on this because they are instrumental in running this program. And instrumental in sponsoring this program year after year. How many years has it been? Year after year for 17 years is Robert Donnegan (phonetic) from what's the company- Schwing Electric (phonetic). Okay.

I'm going to- I'm about to proclaim you, but before I do, maybe you can tell us a little bit in English about the 24th annual National Night Out and what Schwing does to help us get that done every year."

(Unidentified): "All right. This is the 24th annual National Night Out. The Riverhead police department has been involved in all 24 of them. It's a national program as the name kind of hints towards where every year, the first Tuesday of August, neighborhood watch groups throughout the country get together in a show of unity that

they're out there, they're keeping their eyes open, they're turning their lights on, they're trying to keep their neighborhoods safe.

The Riverhead Police Department Crime Prevention Unit has been promoting neighborhood watch and National Night Out and crime prevention for a long time, and this is part of our promotional thing. We get neighborhoods that have block parties which we'll be visiting tonight. We have eight neighborhoods that we're going to be going to.

Bob Donnegan of Schwing Electric has been involved with us, like you said, since the beginning, well 17 out of the 24 years anyway. He has a crew, they come out with us, we have McGruff (phonetic) the crime dog, which McGruff we might have to give a break to tonight, it's a little bit warm. But we have all kinds of prizes to give to the children. We have give-a-ways and raffles, lightbulbs, all kinds of things. So the block party is kind of a nice thing.

But as a kickoff to it every year, we have a poster contest that we do in conjunction with the Riverhead summer recreation program at the Jamesport Community Center. And the posters on the sides there are posters that the children did and it's always a tough choice to try to pick the winners. I'm not an art critic and this year it was tougher than usual. But we did pick them and it looks like most of them are here.

I'm going to announce the winners real quickly but first I'm going to give the microphone to Bob Donnegan in case he wants to say a work."

Bob Donnegan: "Thank you. This is really a pleasure for us to do this. All our employees turn out at night. We go around to all these block parties. We felt it was a real way once we first came here, which was about 17 years ago, to give something back to the community that we felt a part of. And it's been a lot of fun.

Probably the biggest challenge we have is choosing which toys. We've never-- in 17 years, we haven't duplicated toys that we give out. And we give out the lightbulbs. Our whole idea is keep your lights on and we'll help you by giving out free lightbulbs. It's something that we do and for us it's a lot of fun and a real pleasure.

So thank you very much for allowing us to do this with the town board and I expect to see all the town board with their toys practicing, you know, stress management is really good."

Supervisor Cardinale: "Before I forget to do this, first of all, I really think this is a great program. While associated with the board as a councilperson and now supervisor, I've attended a number of these and it does exactly what we need to do in Riverhead, which is to build a sense of community, to weave a stronger fabric of community in the town so that we can be what we want to be which is a small tightly knit group that cares about the town and cares about each other.

The proclamation reads that the National Association of Town Watch is sponsoring a unique nationwide crime, drug and violence program. Tonight, August 7, National Night Out, is the 24th annual providing a unique opportunity for Riverhead to join forces with thousands of other communities in promoting cooperative police community crime prevention efforts.

Schwing Electric, and more specifically Bob Donnegan, play a vital role in assisting the town and the police department through joint crime, drug and violence prevention efforts and in supporting this National Night Out 2007 locally.

It's essential that all of the citizens of the town be aware of the importance of crime prevention programs and the impact that their participation can have in reducing crime, drugs and violence in our town.

Whereas, police community partnerships, neighborhood safety awareness and cooperation are important themes of National Night Out, I, as supervisor, on behalf of the citizens and together with the town board, join Schwing Electric and the police department's crime prevention unit in supporting this annual night out, tonight, August 7, and proclaim today National Night Out Day in the town of Riverhead.

So with that, I'd like you to take that and our thanks.

And I'd like you to give these kids their awards."

(Unidentified): "I think we'll do the 7 to 9 year olds first-group. All right. What we're going to do is start from third. We did three places for each age group. Like I said the choices were very difficult. You know, it's amazing how the kids pick up on the theme of crime prevention and keeping themselves safe and always walking with friends and keeping lights on and stuff like that. So I think we're winning the battle. We're making everybody aware of potential dangers out there and it will be a much safer community down

the road, for sure.

Thanks to the board for your continued support. Chief, thank you for your continued support for crime prevention in the town of Riverhead.

For the seven to nine year old group- and I know, I think most of them are here. Third place winner is Kyle Bruswitz, if he's here."

(Some inaudible comments)

Supervisor Cardinale: "You've got to stay up here. And, also, before you go back and (inaudible). After you get your prize and your envelope, You've got to shake my hand and then you're going to go over there and shake those people over there, and then come back here so we can get your picture."

(Unidentified): "Hopefully they'll want to do the contest again after all this.

All right, the second place winner in the seven to nine year old age group, is Bria Foster. All right, and the first place in the seven to nine year old group- and I hope I say this right, Kamil Wojtas. Congratulations.

All right, now we have the 10 to 12 year old group. Third place in the 10 to 12 year old group is Kaitlyn Talmadge. Second place in the 10 to 12 year old group is Davron Porter. And the 10 to 12 year old first place winner is Marise Danowski.

Once again, I'd like to give the kids a nice round of applause. They did a great job."

Supervisor Cardinale: "Thank you for these National Night Out shirts. I will wear it always. We should put them on. I'm putting it on as soon as I get out of here. Tomorrow is Polish Day at the Senior Center in case you would like to come by. But you have to be 55- 62, something like that. No, it's tomorrow. Yeah, tomorrow. At noon.

Barbara Grattan is playing the accordion and the town board is singing in accompaniment. This is a must not miss or a must miss depending upon if you've heard us. A must miss. Really, what are we singing? Oh, we're going to sing (inaudible), which is better than trying to spell it but we're going to sing it. You'll have to tell me

the words. It's just one word. That's good.

Okay, moving right along. We'd like to call this meeting to order and ask that someone offer for approval the minutes of the July 17th and July 26th board meetings."

Councilman Densieski: "So moved."

Councilman Bartunek: "And seconded."

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

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

Supervisor Cardinale: "Congratulations again to the Employee of the Quarter, Michael Lech, and we've already proclaimed National Night Out. So how about the Reports, please."

REPORTS:

Tax Receiver	Utility collections report for July, 2007 - total collected \$273,729.02
Town clerk	Monthly report for July, 2007 total collected \$10,098.92
Police Department	Monthly report for June, 2007
Fire Marshal	Monthly report from Jan 1 to June 30, 2007
Building Department	Monthly report for July, 2007 Total collected \$136,966.00
Juvenile Aid Bureau	Annual report for 2006 Monthly report for Jan to May 2007
Bid Reports	Police uniforms opened 7/23/07 One bid received - Charles Greenblatt, Inc. Landscaping Items for the

Town of Riverhead opened
8/6/07 - two bids received
Ivy Acres which was \$25,000
and Decorative Gardens -
\$46,385

Barbara Grattan: "That concludes Reports."

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

APPLICATIONS:

Fireworks permit

Riverhead Business Improvement
District - Aug. 10th 9 pm
Grangebelle Park

Special Event

Southbay Recreation, Inc. -
Aug. 27 to 31 - summer camp
for children

Southbay Recreation, Inc. -
Amended dates for soccer camp
Aug 20 to Aug 24 (orig. Aug
6 to Aug 10)

East End Arts - Sept 8th
Carriage House grand opening

WSHU Public radio - Sept. 9th
at Paumanok Vineyards -
fundraising dinner to benefit
WSHU

Hallockville - Sept 29 and 30
Hallockville Museum

East End Rowing Institute -
Oct. 13 - rowing race on
Peconic River

Darkside Productions, Inc. -
Sept. 28 - Nov. 3rd - haunted
house

Barbara Grattan: "That concludes Applications."

Supervisor Cardinale: "Correspondence."

CORRESPONDENCE:

Jamesport-South Jamesport
Civic Association Extending thanks for the grant
of \$5,000 for the South
Jamesport beautification
project

Regarding the re-examining the
zoning regulations for the
rural corridor zone on Main
Road in Jamesport

Burke & Sullivan, P.C. Regarding adjournment of the
Vintage Square qualified and
eligible hearing

Barbara Grattan: "That concludes Correspondence."

Supervisor Cardinale: "You don't have the Vintage letter, do
you with you?"

Barbara Grattan: "No, I don't think so."

Supervisor Cardinale: "Okay. Yeah, I think that that would be
great, thank you.

Any committee or town board reports of any sort?"

Councilman Densieski: "Yeah, Phil. I just want to make a
comment that we're going to pass a resolution tonight in reference to
fireworks. We're going to have two Friday night shows following the
Friday night concerts and East End Arts, one on August 10th; one
August 17th sponsored by the BID and two local businesses, one
Atlantis Marine Aquarium and the other is Tweed's Buffalo Bar who are
actually footing the bill so that the folks in Riverhead can have free
fireworks. So it's this Friday and next Friday on the Riverhead
waterfront. I hope everybody comes down."

Supervisor Cardinale: "Great. That will be- I'm sure that will
be fine and I think we're having another one in September so we're
going to keep people, I hope, downtown.

The public hearings scheduled- as she's getting the letter on the first one, which will be adjourned at the request of Vintage. I'll move to the final one, the 2:25 hearing is not going to move forward, so if anyone is here for that, it's going to be withdrawn because apparently there's some question on that transaction going forward.

As regards the 2:00 p.m. continuation of the Vintage Square qualified and eligible hearing, when I receive it, I'll make the letter available, but they have requested an adjournment for 30 days so we're going to mark it over to the first meeting in September which I believe is the 5th of September, the Wednesday that week because of the holiday on Labor Day. That should give them a month which is what they requested to put together additional information which is necessary to support the qualified and eligible sponsorship hearing and I have the letter so I'll read it into the record and ask that Barbara make it a part of her file.

It was received July- it was dated July 30th, received July 31st.

Dear Supervisor: At the conclusion of the July 17, 2007 testimony in the above matter, the hearing was continued to August 7, 2007 2:00 p.m. calendar for submission of additional information requested by the Board.

That information is being gathered at this time and as counsel- this is John Sullivan, counsel to the Vintage Square, counsel and the parties organizing information are in the midst of planned summer time vacations, the applicant is hereby requesting an adjournment of 30 days together, organize, collate and present the information in an orderly fashion to the board.

Thank you for your cooperation.

So that's what we'll do.

The second hearing which is scheduled for 2:05, p.m., it being 2:35, we can commence now.

Public hearing opened: 2:35 p.m.

Supervisor Cardinale: "It is for consideration of the purchase of development rights on 39 plus or minus acres of agricultural land owned by Shoreline Development Corp. located on Sound Avenue in Wading River for a price of \$96,000 per acre. Are you going to present this, Dawn, or is Anne Marie. Yeah, okay, so we are missing the Peconic

Land Trust rep but we can, I think, do this without them if necessary. And I think Anne Marie Prudenti is going to come in and present this one and the 2:20 and the 2:25. I'm sorry, you're right. She'll be doing the 2:05 hearing and the 2:20 hearing. And while we're waiting for her to come in and gather her files, maybe you can get her. We'll start the 2:20 hearing.

So I'm going to adjourn the 2:05 hearing for a moment to re-open and I'm going to call it 2:37."

Public hearing adjourned: 2:37 p.m.

Public hearing opened: 2:37 p.m.

Supervisor Cardinale: "And I'm going to open the hearing of 2:15 for the proposed later sewer main of Route 58 Hotel Plaza and have Frank Russo, the H2M representative do this hearing. Go ahead."

Frank Russo: "Yes. I did present this once before. Subsequent to that, we had a meeting with the developer, the applicant, and he pointed something out to us which does make sense. So I'd like to re-present a couple things.

This is the Browning Hotel on Route 58 across from the mall, approximately seven acres or so. It consists of approximately 920 feet of sewer and five manholes. There are two phases, Phase 1 being the Hilton Garden Inn, 114 room, and Phase 2 being the Marriott Residence. Hilton Garden has a 57 seat restaurant and the Marriott Residence has a 70 seat for a total of 42,000 gallons a day.

It's true that the applicant will be paying fees. At the prior hearing we had also said that the Tanger pump station would be upgraded also and as it was pointed out to us, the phase of Tanger, the one that's currently on the sewer system, is not anticipated to be connected, at least for the short term.

So until that happens, the pump station actually does have capacity to handle the 42,000 gallons a day.

So based on that, the cost was revised and the total estimated project cost would be paid by the applicant, would be \$770,000. That's an estimated cost."

Supervisor Cardinale: "As opposed to? What was the original figure?"

Frank Russo: "The original number was \$1,185,000. And that included the upgrade of the station."

Supervisor Cardinale: "Which- the upgrade of the station which would be necessary for the Tanger center if- when it goes onto sewer. Is it on sewer at all right now?"

Frank Russo: "No. Two is sewer, one is- "

Supervisor Cardinale: "Okay. So when 1 goes on, the upgrade would be necessary."

Frank Russo: "Exactly."

Supervisor Cardinale: "When is 1 going on?"

Frank Russo: "I have no idea."

Supervisor Cardinale: "Does anyone? Is there any requirement that it go on once- at a point in the foreseeable future?"

Michael Reichel: "They were originally approved before the sewer was extended out by the Suffolk County Health Department for the sanitary system on site."

Supervisor Cardinale: "Right. Yes."

Michael Reichel: "Since that time, we extended the sewer out to accommodate Tanger II. Only one of the buildings in Tanger I hooked up so that he could build another building in the center of Tanger I has a tradeoff. The only reason that he would look to connect up the sewer is if his system was to start to fail or if he needed to do a tradeoff for something else."

Supervisor Cardinale: "Okay. So if I get this correct and this is important that- I wasn't here then. Tanger I was permitted to build without sewer and there is nothing in the approvals of Tanger I that required them to connect to sewer when available."

Michael Reichel: "Not as far as I know."

Supervisor Cardinale: "Okay. I'd like to make sure of that by

talking with Dick Ehlers before we make a decision on this because this— we have in our— we have already authorized \$1,185,000 fee which would be reduced by our action if we concur with you to 770 which is, if my arithmetic is correct, that's 230 plus 185, so it's \$415,000, which we would be giving back. You know how painful that is for me.

So let's make sure we're not making any errors because if there's a requirement that they do connect, now would be the time. Okay."

Michael Reichel: "That's correct. The applicant is also going to be responsible for a connection fee charge of \$273,000. So that's the no net increase fund that goes to pay for nutrient removal projects for the sewer district."

Supervisor Cardinale: "But those fees— that fee would not change."

Michael Reichel: "That is correct."

Supervisor Cardinale: "So the only change would be the 415 which in justice you believe they are entitled not to pay because your anticipated cost is not valid. I want to make sure you're right on that before we make this decision. Okay?"

Frank Russo: "Yes."

Supervisor Cardinale: "Thank you."

Frank Russo: "Thank you."

Councilwoman Blass: "Can I ask a question?"

Supervisor Cardinale: "Yes. And Barbara had a question."

Councilwoman Blass: "In the event that the other portion does go through for Tanger, would we be required to have another hearing on the same map and plan?"

Frank Russo: "I believe so. Because at that point, the cost would probably change at that point."

Councilwoman Blass: "Okay. Thank you."

Supervisor Cardinale: "Just to make sure— I want to make sure I clarify what you just said. If Tanger desires to connect, we would,

of course, have a hearing on Tanger but we would not be hearing this again."

Frank Russo: "No. That's correct."

Supervisor Cardinale: "If we give back the 415 or do not collect it, we have forever more given up our right to collect it. Hence it is a relatively significant decision. Right? We'd have a hearing on Tanger, of course, but not on this."

Frank Russo: "That's correct."

Supervisor Cardinale: "Okay. All right. Any other comment from the public in regard to this 2:15 hearing? If not, if you'd check that and please let me know, Michael, and Frank, and I'll let the board know and then we can act. And the sooner you get to us, if we get the info, we can act on it at the next board meeting. Great, okay."

So if there's no further comment, I'll leave it open for written comment until Friday, a week, which I believe is-- well, I guess if today is the 7th and tomorrow is the 8th, the 17th, Friday, the 17th at 4:30 for written comment. That takes care of the 2:15."

Public hearing closed: 2:44 p.m.
Left open for 10 days for written
comment to August 17, 2007

Supervisor Cardinale: "Do we have-- okay, well, then we'll continue onto-- we handled the 2:00 p.m. We are now up for the 2:05 and the 2:20. The 2:25 is withdrawn."

So let me start with the 2:05, I will re-open that hearing."

Public hearing re-opened

Supervisor Cardinale: "For the consideration of the purchase of development rights on 39 plus or minus acres of agricultural acres owned by Shoreland Development Corp."

I will answer the question if anybody who cares has got in their heads. Is there an attorney here incidentally for this project? Anybody? Oh, come up, Charles, you can tell me. Because you can be

the first speaker before- as Anne Marie is getting her file because she was anticipating having Peconic do this.

We're paying too much money, of course, but I believe there's a reason for that. I think this map is ready for filing- "

Charles Cuddy: "This is a map that's prepared to be filed. That's correct."

Supervisor Cardinale: "So you have a final approved map?"

Charles Cuddy: "We have a final approved map and it has to be signed and it can be filed. Yes."

Supervisor Cardinale: "Okay. It's Health Department approved, town approved?"

Charles Cuddy: "Yes. Absolutely."

Supervisor Cardinale: "Okay, yeah- "

(Inaudible comment)

Supervisor Cardinale: "Great. Then we can- would you ask her to bring it in? Okay. Since we're waiting for Anne Marie anyway, why don't you go ahead and say what you'd like to say?"

Charles Cuddy: "This is a 39 acre lot that would have- if it were developed, would have 19 new homes on it. It has an existing home on it, has existing greenhouses on it, has been farmed for years, and if it were developed as I said, would end up with 20 homes on it."

At this point in time, the developer/applicant thought it would be appropriate to retain it as a farm and I believe the surrounding community also thinks that it's appropriate that it be retained as a farm, otherwise each corner of the area that we know as Hulse Landing would have essentially development on it because the other areas up there are being developed. So this would preserve this 39 acre parcel.

And I think even though the price as you say is high, that high, based on what could be done with the land. And therefore we ask that the town approve this particular preservation and purchase of development rights."

Supervisor Cardinale: "Thank you. The- I'm going to hold that hearing at that point until Anne Marie comes in and presents what she'd like to present and she'll- and I'll move to- and I don't want to open the 2:20 until she comes in. So I can because it's anytime after, I can move now to comment on the resolutions while we're waiting for Anne Marie to get herself prepared.

Sal, why don't you come on up?"

Sal Mastropolo: "Sal Mastropolo, Calverton. Resolution 722. I guess I have a question. There's no consistency in the copy lists. Should both the personnel officer and the office of accounting be copied or does one eliminate the other if you copy the personnel officer?"

Supervisor Cardinale: "There is no consistency in the copying. You want to know if-- "

Sal Mastropolo: "Should both be on the copy list?"

Supervisor Cardinale: "The personnel officer and who."

Sal Mastropolo: "And the office of accounting."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Okay. So then add the office of accounting."

Supervisor Cardinale: "It can't hurt and we will. They actually are in the same complex, but we'll put it in."

Sal Mastropolo: "One is finance and one is personnel."

Supervisor Cardinale: "That's right."

Sal Mastropolo: "723, the same thing. Add the office of accounting. 725, add the office of accounting. 726, the same thing. 730, add the personnel officer. 731, add the personnel officer. 734, add the office of accounting."

Supervisor Cardinale: "Your operating theory being if we're going to give it to personnel, we ought to give it to accounting. Right?"

Sal Mastropolo: "Right. Because they have to establish

payroll."

Supervisor Cardinale: "Right. Which somebody-- is Meg here? No, she isn't. I'll tell Meg."

Sal Mastropolo: "735, on the public notice, second paragraph, add the "v" so it's vendor. That's going to go in the newspaper. Contractor slash vendor. The "v" is missing."

Supervisor Cardinale: "Vendor, okay. And ender. Keep them guessing."

Sal Mastropolo: "743, the very last line down at the bottom of the page, the date is wrong, July 23rd. It probably should be August 23rd, since the notice has to be-- "

Barbara Grattan: (Inaudible)

Sal Mastropolo: "Okay."

Supervisor Cardinale: "Is it August? Okay."

Sal Mastropolo: "744, the same thing."

Supervisor Cardinale: "Okay. I'm proud of you, George."

Sal Mastropolo: "745, on the retainer, it probably should be whatever the date is of August, 2007."

Supervisor Cardinale: "Well, okay, August, you're right."

Sal Mastropolo: "751, okay, assumes that the public hearing which is at 2:05, is going to get approved. And my comment is that 96,000 is too much for that land and I'll bring up some other comments when you go to the public hearing."

Supervisor Cardinale: "Oh, I should have asked. That's a good point. Thank you. I should let the public make comments on those hearings since Prudenti is obviously preparing. She's going to be really prepared when she gets in here."

Sal Mastropolo: "752."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Can you explain what an administrative leave is? Is that like a personal leave? Is it sick time, is it vacation? Is it paid or unpaid? I mean, are we paying for somebody's participation in union activities?"

Supervisor Cardinale: "Yes. That's what administrative leave is."

Sal Mastropolo: "By law we have to?"

Supervisor Cardinale: "By contract we have to."

Sal Mastropolo: "Okay."

Supervisor Cardinale: "Although there may be some discretion to be perfectly honest. By tradition we do for this particular one."

Sal Mastropolo: "I can see if it was a day, but that's four days."

Supervisor Cardinale: "Yeah, that did occur to me the first time I approved it with the boards. But I think, you're right, it's an annual event and we typically do approve it and we're asked to approve it which would suggest that we don't-- would not necessarily suggest that we don't have to approve it. Do you happen to know? Yeah. We understand it to be contractual so I was correct in the first place."

Sal Mastropolo: "All right. 753, the third paragraph down, now therefore be it resolved, there's like five words too many in there. That the BID-- for, the, that, the BID. So take out for, the, that, the BID."

Councilman Bartunek: "One more time, Sal."

Sal Mastropolo: "Take out from the word BID- from the word for to the word BID."

Councilman Bartunek: "We got it."

Supervisor Cardinale: "For, that- for, the, that. Yes. Thank you."

Sal Mastropolo: "758. I guess my question here is do we charge a fee with the application for the fireworks permit? I don't see

anything in this resolution about a fee but I see a whole paragraph about how we're going to pay overtime for buildings and grounds, the police department, the highway department, the sanitation department and the fire marshal. Okay?"

Supervisor Cardinale: "Yes. To answer your- "

Sal Mastropolo: "Who's paying- is the BID paying that expense or is the town paying the expense?"

Supervisor Cardinale: "I'm glad you pointed that out because we had extensive discussion at the work session about this. One, the BID is paying the \$5,000 to Bay Fireworks which I believe is the fee for the presentation- "

Sal Mastropolo: "That's for the fireworks."

Supervisor Cardinale: "In this event, as with every other event as a matter of fact downtown, including the fireworks we had- was it July 4th, is that when we had the fireworks? July 6th. The town does have expenses associated with maintaining order at the site and safety at the site but it's- we did research on this last year and because it struck me when we had that outside group do that big event, you know the fireworks event.

No town apparently charges for the police- charges back police and safety personnel. So we don't either. But we have discussed whether that policy should change. At this point, any event that is run downtown or in any other part of the town, generally we do not charge back police and safety personnel nor does anybody else that we know. Any other town. So we're actually making arguably a bigger contribution to this event than the BID."

Sal Mastropolo: "That's right. I'm sure it's going to cost us more than \$5,000."

Supervisor Cardinale: "Right. So that's what we're discussing at the work session."

Sal Mastropolo: "761. I think you want to add the accounting department, the Riverhead water district, and possibly the town attorney on the copy list."

Supervisor Cardinale: "The water department and the town attorney. Okay. On the copies."

Sal Mastropolo: "769, take out the fourth Whereas. It says Whereas, due for its not for profit status. South Bay is definitely for profit. And the very next paragraph says they pay the appropriate Chapter 90 fee."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "Take out the fourth Whereas paragraph. It says not for profit."

(Inaudible comment)

Sal Mastropolo: "What? South Bay, well then, take out the very next Whereas because that says South Bay Recreation, Inc. has paid the appropriate Chapter 90 application fee. So which one is it?"

Supervisor Cardinale: "Right. One of them has to be wrong. Unless you mean by appropriate zero."

Sal Mastropolo: "Well, since when is South Bay Recreation, Inc. not for profit?"

Supervisor Cardinale: "I don't know if it is or isn't. So. He just said it."

Sal Mastropolo: "They are for profit."

Supervisor Cardinale: "I have no idea. What's the- "

Sal Mastropolo: "Is there a separate corporation that runs- "

Councilwoman Blass: "South Bay Apparel."

Sal Mastropolo: "No, wait, wait. There's South Bay Apparel, but then isn't there a South Bay that runs the indoor- "

Supervisor Cardinale: "Sportsplex."

Sal Mastropolo: "Sportsplex, and there's another corporation called South Bay Recreation, Inc.?"

Supervisor Cardinale: "Who knows this file? Did you know it? Do you know how this file sets up or can you ask them to check it? Yeah, could you ask if it's a not for profit or it's a profit

corporation? If the fee was paid or if it wasn't? Then we can clarify. He did pay a fee. Well, then let's-

Sal Mastropolo: "I think they charge for that summer camp."

Supervisor Cardinale: "Well, what are you trying to do, make me give it back if it's not for profit? Let's not ask any further questions."

Councilman Densieski: (Inaudible comment)

Sal Mastropolo: "Well, one of the two Whereas' is wrong. Either it's- it can't be waived if he's paid it."

Supervisor Cardinale: "Okay. So he did pay the fee, you're sure of that. He did pay the fee."

Sal Mastropolo: "So then take out the Whereas."

Supervisor Cardinale: "Okay. So you're saying he paid it in error if he's not for profit is his point. So it must be a profit making corporation and I'm not asking any further questions because I have \$200.00 and I'm a happy man. You can make that a profit making corporation. That's what we're going to do. Because we would never have taken the \$200.00 if it wasn't a profit making corporation."

Councilman Bartunek: "Just delete it."

Supervisor Cardinale: "Okay. Keep going. Thank you."

Sal Mastropolo: "774."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "On the notice of public hearing. Okay? It says- it doesn't have the exact time. It says 2: with no time, and all the rest of them had a posted time for the public hearings."

Supervisor Cardinale: "Could you verify the times so we can put that in, please, Barbara, that's your second question."

I appreciate your comments. Anything else."

Sal Mastropolo: "That's it."

Supervisor Cardinale: "Thank you very much. Any other comment from the public on these resolutions? If not, I would like to— I would like to find out if Anne Marie is still conscious. Is she? If she doesn't come in in about two minutes, then we're going to consider these resolutions and then go back to the hearing. In fact, ask her if she needs 10 minutes. Yeah, tell her she's got 15 minutes because I'm going to do these resolutions. Yeah.

We're going to get a time for that hearing and then we're going to move forward with the resolutions and then we're going to re-open the public hearings because Anne Marie will be ready then. And then we're going to take comment from any member of the board that cares to make comment on something that maybe we have some say about. Okay, what time? 2:35.

Moving right along can you start calling?"

Resolution #717

Councilman Densieski: "Town of Riverhead installation of a fence at stake park budget adjustment. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #718

Councilwoman Blass: "It's a budget adjustment for the recreation parking lot. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #719

Councilman Bartunek: "Buffer zone protection plan grant acceptance and budget adoption. There's a minor change here in the

first Whereas. The town desires to accept- "

Supervisor Cardinale: "Desires of accepting?"

Councilman Bartunek: "Of acceptance or to accept."

Supervisor Cardinale: "Okay. Desires to accept."

Councilman Bartunek: "So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #720

Councilman Dunleavy: "Sanitation department budget adjustment
So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #721

Councilman Densieski: "Main Street improvement program budget
adoption. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #722

Councilwoman Blass: "Approves the request for leave of absence.
So moved."

Supervisor Cardinale: "Before we vote- "

Councilman Dunleavy: "I have a question."

Supervisor Cardinale: "Yes, Chief, I had asked Trina but you may know, October 1st on Palmer's administrative leave? I asked Trina to verify because I thought it was October 1st. It says Sept. 15th. Let's see, who's here that knows how to walk. Bill, could you verify for me. Thank you. Okay, let's put that aside for a moment because I thought it was October 1st, so let's do it right."

Resolution #723

Councilman Bartunek: "Promotion to assistant superintendent of recreation in the recreation department. So moved."

Councilman Dunleavy: "And second. And I congratulate her."

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

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

Supervisor Cardinale: "Yes. And congratulations to Kelly who will now be assistant superintendent."

Barbara Grattan: "The resolution is adopted."

Resolution #724

Councilman Dunleavy: "Ratifies appointment of chief of accountant. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #725

Councilman Densieski: "Accepts retirement of a police officer. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Dunleavy, yes; Bartunek."

Councilman Bartunek: "Yes, and I wish-- I wish I could wish him success in his future endeavor."

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

Councilman Densieski: "Yeah, I'm going to wish him good luck in his future endeavors. He was police officer of the year 2005 and I think he's been a good public servant. It's Timothy Buckley, and I wish him good luck and I accept his resignation. I vote yes."

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

Supervisor Cardinale: "Yes. I'm going to vote yes, thank him for his service and he's been an excellent police officer I am told and another few years wouldn't be a bad idea. But he desires to resign so I thank him and I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #726

Councilwoman Blass: "Appoints a seasonal traffic control officer in the police officer department. So moved."

Councilman Bartunek: "Seconded."

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

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

Supervisor Cardinale: "Excuse me a second. Do we have a date? It is correct. It is September 15th. Okay so you can call that anytime."

Barbara Grattan: "All right, so you can call that anytime."

Resolution #722

Councilwoman Blass: "Approves a request for a leave of absence. So moved."

Councilman Bartunek: "Seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes. And I want to wish him all the luck."

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

Supervisor Cardinale: "I have mixed motions here, too. He's- I hope he doesn't like his job because I'd like to get him back but I vote yes to approve the three month leave of absence."

Barbara Grattan: "The resolution is adopted."

Resolution #727

Councilman Bartunek: "Amends resolution 654. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #728

Councilman Dunleavy: "Accepts resignation of two anti-litter committee members. These members were great and they moved out of the area so they had to resign. So moved."

Councilman Bartunek: "I'll second that."

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

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

yes; Cardinale."

Supervisor Cardinale: "In fact, they moved to Florida and they wanted to know if they could come back for the litter pick up weekend so that's the kind of devotion-- "

Councilman Bartunek: "By the way, are you going to be here that day or are you going to be in Florida?"

Supervisor Cardinale: "Why don't you let me know the weekend. I'm planning a trip to Washington.

I-- what did I do? I just voted-- "

Barbara Grattan: "Did you vote yes?"

Supervisor Cardinale: "Yes."

Barbara Grattan: "That resolution is adopted."

Resolution #729

Councilman Bartunek: "Ed wants me to call this one. Appoints members to the anti-litter advisory committee. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "This is almost like an opening is available and we scooped up here."

Councilman Bartunek: "It's a very popular committee."

Councilman Densieski: "George did a good job on that one."

Councilman Bartunek: "Nothing else."

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

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

Resolution #730

Councilwoman Blass: "Accepts the resignation of a seasonal

clerk from the Riverhead Recreation Department. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #731

Councilman Bartunek: "Ratifies the appointment of a seasonal clerk to the Riverhead Recreation Department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #732

Councilman Dunleavy: "Authorizes the attendance of a police officer to training. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #733

Councilman Densieski: "Authorizes the supervisor to execute a stipulation with Local 1000 AFSCME, AFL-CIO, Riverhead Unit of the Suffolk Local #852. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #734

Councilwoman Blass: "Ratifies the terms and conditions of employment for Christine Hubbs. So moved."

Councilman Bartunek: "And seconded. We are going to- "

Councilwoman Blass: "Did you want to discuss it or- "

Councilman Bartunek: "I think we are going to make a motion to table this possibly until Thursday work session. There's a couple- "

Councilwoman Blass: "Yes, a couple questions."

Supervisor Cardinale: "Okay, if that's the case. The personnel committee is advising to table this. Let's table."

Councilwoman Blass: "Okay. Withdraw the motion to approve and make a motion to table Resolution 734."

Councilman Bartunek: "And I'll second that."

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

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

Resolution #735

Councilman Bartunek: "Authorizes the publication of advertisement requesting general contractors and tradesmen to apply as vendors for the town of Riverhead home improvement program. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #736

Councilman Dunleavy: "Authorizes submission and publication of

notice of JAG grant application for funds to purchase a highway patrol vehicle for the town of Riverhead police department. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #737

Councilman Densieski: "Determines office space for title examiners to be a professional office within the DC-1 zoning use district. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #738

Councilwoman Blass: "Authorizes the fire marshal to participate on building code technical subcommittee. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #739

Councilman Bartunek: "Grants a special use permit of Irene and Etham Tahir Pink House bed and breakfast. So moved."

Councilman Dunleavy: "And seconded."

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

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

yes; Cardinale, yes. The resolution is adopted."

Resolution #740

Councilman Dunleavy: "Accepts 100% security of John Damianos (Jason's Vineyard, Inc.) certificate of deposit. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #741

Councilman Densieski: "Authorizes the town clerk to publish and post public notice for public hearing regarding a local law to amend Chapter 52 entitled Building Construction of the Riverhead town code, Section 52-20 enforcement of uniform fire prevention and building code for government buildings and activities. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #742

Councilwoman Blass: "Awards bid for police uniforms. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #743

Councilman Bartunek: "Order calling public hearing electrical service upgrade at plant No 12, Riverhead Water District. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #744

Councilman Dunleavy: "Order calling for a public hearing test well program, Riverhead Water District. So moved."

Councilwoman Densieski: "Second the motion."

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

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

Resolution #745

Councilman Densieski: "Appointing the firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP special counsel with respect to litigation with Henry B. Silverman Melissa Silverman and others. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Just a question. I think— did you see if these were the correct hourly rate that we had posted?"

Supervisor Cardinale: "Yes, thank you, John. We have moved to \$175. Is that correct, Dawn, on the hourly rate, or are we still at 165? Yes, 165. Then amend the 175 to 165. We probably will be moving in January but we're resisting until then. So, thanks. That's 165, as amended. Could you move it?"

Councilman Dunleavy: "And I think the other ones have to be amended also, for the correct one. So can we just approve this— "

Dawn Thomas: (Inaudible)

Supervisor Cardinale: "No. Those rates are okay. We- our maximal rate though is holding at 165. That's our only change."

Councilman Dunleavy: "And the associates at 150 and 85 for- "

Supervisor Cardinale: "Paralegals. That we've approved before. As long as the top rate is no more than 165. Okay."

Councilman Dunleavy: "Okay."

Supervisor Cardinale: "Thanks."

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

Resolution #746

Councilwoman Blass: "Authorizes the town board to approve a boundary line alteration between 201 Howell Avenue and 718 East Main Street for purposes of obtaining additional parking for the Riverhead building department. So moved."

Councilman Bartunek: "And seconded."

Councilwoman Blass: "Discussion."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "I think the title should be changed to authorizes the supervisor to execute the necessary closing documents in connection with the boundary line because the town board didn't approve the boundary line, the planning board did."

Supervisor Cardinale: "That's right. I think- you are here- you want them to approve- to authorize me to execute- "

Councilwoman Blass: "The deeds and the necessary closing documents. It's in the resolution itself but we're not- "

Dawn Thomas: (Inaudible comment)

Councilwoman Blass: "Well, then because the planning board did actually approve it. And the notice says that the town board approves

it."

Supervisor Cardinale: "Yeah, but we have to sign off as owner, is that what you're getting at?"

Dawn Thomas: "Yeah."

Supervisor Cardinale: "So is this intended only for that sign off as- "

Dawn Thomas: (Inaudible comment)

Councilwoman Blass: "However you deem it necessary."

Supervisor Cardinale: "Okay. Authorizes the closing of title regarding the boundary line alteration. Okay."

Councilwoman Blass: "Okay. And, Dawn, the notice, does it have to reflect the same change, the public notice of adoption? Okay. I move 746 as amended."

Councilman Bartunek: "And seconded."

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

Resolution #747

Councilman Bartunek: "Reappoints engineering consultant and approves attached fee schedule. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded. I did get the '05 schedule and they were inflation increases. I was able to verify that. It may be sitting on my desk, I meant to give it to you, you know, to the board members."

Councilman Densieski: "It's not 5% or whatever it was?"

Supervisor Cardinale: "No. It's less, I believe, but I want to verify."

Councilman Dunleavy: "Is this the- "

Supervisor Cardinale: "Nobody is in here. Chief, could you ask Trina to pull off my desk the 2005 schedule from FPM and give me five copies? Thank you. All right, let's put that aside and keep going. 748."

Resolution #748

Councilman Dunleavy: "Resolution and consent approving the dedication of highways known as Crescent Court, Waverly Court and recharge basin Darren development Crescent on the Sound. Vote please."

Councilman Densieski: "Second the motion."

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

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

Resolution #749

Councilman Densieski: "Approves the Chapter 90 application of the Hallockville museum farm and folklife center. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #750

Councilwoman Blass: "Authorizes the town clerk to publish and post a public notice for a local law to consider an amendment to Chapter 18 entitled Code of Ethics of the Riverhead town code. So moved."

Councilman Bartunek: "And seconded."

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

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

Supervisor Cardinale: "751, we can't reach, put that aside for a moment."

Resolution #752

Councilman Dunleavy: "Authorizes the CSEA President to attend delegates meeting and I think that should be president and vice-president. Shouldn't it? Because Matt's a vice-president."

Supervisor Cardinale: "That's interesting."

Councilman Densieski: "It should just be vice-president."

Supervisor Cardinale: "CSEA vice-president. Yeah, we want to—we want to authorize only one individual and that would Matt. So make the caption read vice-president. Thanks for picking that up. Thank you."

Councilman Dunleavy: "It says vice-president, but then it says president on the bottom. Wait, it says vice-president and then on the bottom it says president. Which one is it?"

Supervisor Cardinale: "Well, I'm looking at— when you say president— oh, president, I see."

(Some inaudible discussion)

Councilman Bartunek: "So all you do is in the title— in the title you put vice-president then and it makes everything okay."

Councilman Dunleavy: "Right. Put vice-president. So moved as amended."

Supervisor Cardinale: "Moved as amended with the vice-president addition or insertion of vice. Vote please."

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

Resolution #753

Councilman Densieski: "Awards bid for large quantity asphalt placement contract. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #754

Councilwoman Blass: "Adopts local law to amend Chapter 108 of the town code of the town of Riverhead entitled Zoning Section 108-121 Uses - hamlet residential zoning use district. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #755

Councilman Bartunek: "Authorizes the release of a performance bond for Walgreen's drug store. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #756

Councilman Dunleavy: "Authorize attendance of assessor at seminar. So moved."

Councilman Densieski: "Second the motion."

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

The Vote: "Dunleavy, yes; Bartunek."

Councilman Bartunek: "I was just curious who this was in the assessor's office. Who is attending. I couldn't- "

Councilman Dunleavy: "I think it's going to be the chairman."

It's always the chairman."

Supervisor Cardinale: "Oh, it's Laverne. Yeah, it is the Chair."

Councilman Dunleavy: "It's always the chairman."

Councilman Bartunek: "Not that it matters, yes."

Councilman Dunleavy: "And we're going to be reimbursed anyway."

Councilman Bartunek: "Right."

Supervisor Cardinale: "It's good to hear it. Okay."

Councilman Bartunek: "Yes."

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

Resolution #757

Councilman Densieski: "Approves the Chapter 90 application of Church of the Harvest for a basketball tournament. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #758

Councilwoman Blass: "Approves the application for fireworks permit of Riverhead Business Improvement District for the dates August 10th and the 17th. So moved."

Councilman Bartunek: "And seconded."

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

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

Councilman Densieski: "Yeah, I just think it's appropriate once again to mention the two people that are paying, private businesses, that are paying for this, Atlantis Marine Aquarium and Tweeds. So, yes."

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

Resolution #759

Councilman Bartunek: "Authorize the offer pursuant to Section 303 of the New York State Eminent Domain Law in connection with the condemnation of 48-52 Peconic Avenue, SCTM # 0600-128-6-85.3, Riverhead, New York. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #760

Councilman Dunleavy: "Authorize town clerk to publish and post public notice to consider the purchase of development rights of a parcel located in the town of Riverhead purported owners PF & E Associates, Inc. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #761

Councilman Densieski: "Extends the bid contract for electrical motor emergency repair/replacement Riverhead Water District. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #762

Councilman Densieski: "Awards bid for Demchuk Estates and Fedun Estates Riverhead Water District. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #763

Councilwoman Blass: "Order establishing Ext. No. 85 Riverhead Water District Mastro Realty. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #764

Councilman Bartunek: "Order establishing lateral water main Riverhead Water District North Wind Homes, Hulse Landing Road, Wading River, New York. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #765

Councilman Densieski: "Awards a bid for the extension No. 88 Osborne Acres, Riverhead Water District. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #766

Councilwoman Blass: "Authorizes town clerk to publish and post public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, Section 108-73 Permits. So moved."

Councilman Bartunek: "And seconded."

Councilman Dunleavy: "And seconded. Sorry."

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

Councilman Bartunek: "An echo in here."

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

Resolution #767

Councilman Bartunek: "Ratifies the authorization of the town clerk to post and publish a notice to bidders for the purchase of one new Holland TN60DA 4 wheel drive tractor and one new Holland TC45DA 4 wheel drive tractor. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #768

Councilman Dunleavy: "Approves Chapter 90 application of Larry's Lighthouse Marina for a boat show. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #769

Councilman Densieski: "Approves Chapter 90 application of Southbay Recreation, Inc. So moved."

Councilwoman Blass: "And seconded."

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

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

Supervisor Cardinale: "Yes. You were going to change it to that one change, that it's a for profit."

Barbara Grattan: "Yes."

Supervisor Cardinale: "Thank you."

Barbara Grattan: "The resolution is adopted."

Resolution #770

Councilwoman Blass: "Authorizes the town clerk to publish and post a public notice to consider a local law for an amendment of Chapter 101 entitled Vehicles and Traffic of the Riverhead town code Section 101-3 Stop and Yield intersection, railroad crossings, parking fields. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #771

Councilman Bartunek: "Authorizes the town clerk to publish and post public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhed town code Industrial A zoning use district - special permit uses. So moved."

Supervisor Cardinale: "Second please."

Councilman Densieski: "Second the motion."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Oh, this doesn't contain the list that we saw."

Supervisor Cardinale: "That's the next one, John."

Councilman Dunleavy: "Oh, that's the next one?"

Supervisor Cardinale: "We're on the first one."

Councilman Dunleavy: "Okay, so moved."

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

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

Resolution #772

Councilman Dunleavy: "I just want to add to non-toxic gases, helium."

Supervisor Cardinale: "Okay."

Councilwoman Blass: "Is that- "

Supervisor Cardinale: "What we were going to do, John, and I know you were going to check this and you can still do so- "

Councilman Dunleavy: "He hasn't got back to me."

Supervisor Cardinale: "-- up until when? Okay, it's the 5th of September actually, the hearing, so you need to get a list of anything that has not been included as a non-toxic gas within the definition."

Councilwoman Blass: "Well, this list came from the fire marshal and was approved by the fire- and I don't know if it's actually considered- we could ask him but that list came from him."

Councilman Dunleavy: "When he was here- "

Supervisor Cardinale: "That's probably the safer way to do it at a public hearing, and then if we want to add anything, we will do so subsequent to the hearing. We're going to leave it and then we're going to have a hearing and then we'll do what we have to do."

Councilman Dunleavy: "Authorize the town clerk to publish and post public notice to consider a local law to amend Chapter 108 entitled zoning of the Riverhead town code definitions non-toxic gases. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #773

Councilman Densieski: "Classifies action and declares lead agency on special permit of Historic Village of Jamesport and refers petition to the Planning Board. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #774

Councilwoman Blass: "Authorizes town clerk to publish and post

notice to consider a local law to amend Chapter 108 of the Riverhead town code entitled Zoning Section 108-56 Signs."

Councilman Bartunek: "And seconded."

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

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

Resolution #775

Barbara Grattan: "Resolution to pay bills, No. 775, Councilman Bartunek."

Councilman Bartunek: "So moved."

Councilman Dunleavy: "Seconded."

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

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

Supervisor Cardinale: "We have one add on and you also - call 747 again and I'll take the add on."

(At this time, the disk stopped recording)

Supervisor Cardinale: "-- Okay, you're ready? Okay, we're going to- we have 747 moved and we are calling a vote now."

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

Supervisor Cardinale: "We're going to hold 751 until after the hearing and the last one is the add on which is 776, which grants the change of zone petition of East River Equities LLC which this was a technical map correction which that is the Millbrook Business Center. They are across the street on East Main Street, where in I think all but one of the buildings was in the business zone and this would allow that to be incorporated into the business zone so that they would all be in the business zone because they're all business buildings."

Would somebody move it? How about you, George?"

Councilman Bartunek: "I make a motion- grants the change of zone petition of East Riverhead Equities, LLC. So moved."

Councilman Dunleavy: "And seconded."

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

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

Supervisor Cardinale: "Great. So we have completed the resolutions before us. Anne Marie- except for 751 which we're going to hold out and return to after we- perhaps, after we have a hearing.

Anne Marie, you wanted to- I want to reopen the hearing that is scheduled for 2:05."

Public hearing re-opened: 2:05

Supervisor Cardinale: "Which is the consideration of the purchase of development rights 39 plus or minus acres agricultural lands owned by Shoreline Development located at Sound Avenue, Wading River at \$96,000 per acre. Mr. Cuddy has commented and now Anne Marie, I know that you're anticipating Peconic Land Trust but I assume they incorrectly thought the meeting was this evening, so remind yourself to call them and tell them we just saved a few hundred bucks."

Anne Marie Prudenti: "I will. All right. So, briefly, I'm sure Mr. Cuddy covered this. This property located on the north side of Sound Avenue, east of Hulse Landing Road, the appraisal is at \$96,800.

What's significant about this particular parcel is it's adjacent to approximately 120 acres of preserved land on the opposite side of the roadway. In addition as I've advised this board, part of the price reflects the fact that this had gone for subdivision approval and had actually received final approval.

In addition, I can tell the board that I know there are individuals that wanted to come to the board regarding this purchase that are present."

Supervisor Cardinale: "Well, what's significant to me about

this which I'd like to note, is that the county is paying 70% of it."

Anne Marie Prudenti: "That's correct."

Supervisor Cardinale: "If I was paying for the whole thing- I discussed with Anne Marie just before, I might be inclined to re-open the price. I don't think we should give a bonus because the map is filed because if it was going to be such a profitable endeavor, he wouldn't be offering it to us for sale."

Also, I don't know why we would consider adjacent a piece that is open across the street. Why would this add to the view? So we'd have it on both sides for a little bit?"

Ann Marie Prudenti: "Correct. The vistas are beautiful along Hulse Road."

Supervisor Cardinale: "But if you're looking across the street, you can't look on the other side anyway. I think we should only buy on one side of the street at a time. But other than that-- other than that, I'm not going to mess this up because the county very- the county has been very generous lately because we carry them, Mr. Amper. He was complaining that we're carrying too much of the load. The county is now rewarding us for having carried the load when their program was down by doing a lot of 70/30's with us. And I don't want to mess up that pattern."

In any event, we now want to take public testimony of anyone like- I know that you'd like to comment, please do, and then anyone who wishes to follow, please do."

Sal Mastropolo: "Sal Mastropolo, Calverton. First of all, for the record, the property is on the south side of Sound Avenue, not the north side."

Supervisor Cardinale: "Always good to know what you're buying. I confuse east, west, north, south all the time."

Sal Mastropolo: "The 39 acres, does that include the house, the old Finn (phonetic) house that's on the corner or is it the property behind that going south towards 25A?"

Supervisor Cardinale: "Anne Marie, can you answer that?"

Anne Marie Prudenti: "It's all vacant."

Supervisor Cardinale: "It certainly doesn't include a house."

Sal Mastropolo: "Okay, well. First of all, it's not- it's not all vacant because is the sales office included on that property? So there's a sales office and there's two renovated barns which house construction equipment, okay, that the developer uses. Okay?"

So my question is, if this purchase goes through, okay, what happens to the sales office that's in the renovated building, okay? It used to be a flat roof farm worker's house. They put a gable on it, they put two bird house- two dog houses on the top, they put a back porch on it and it's now a sales office. Okay? With an entrance from Sound Avenue. They re-sided the two barns. They re-roofed the two barns. It's very nice looking now. They use it for construction.

My question is, if you sell the development rights, what happens to the sales office? Does it remain there?"

Supervisor Cardinale: "Mr. Cuddy, would you come up and answer that question? I was- I am- and maybe while you answer that question, Charles, could you clarify for us. I am assuming that this is all vacant land with nothing but maybe a barn and I assume no barn. Could you tell us what's on the property?"

Charles Cuddy: "The barns will be vacated in the sense equipment will be removed. The sales office will be taken off. It will be removed from the site so that what will be left will be the barns and any greenhouses that are there. And right now they've been taken down so I guess that they're not- "

Supervisor Cardinale: "The greenhouses are temporary and hence gone?"

Charles Cuddy: "And are gone, yes."

Supervisor Cardinale: "So we wind up buying the development rights- "

Charles Cuddy: "It will have barns on the property."

Supervisor Cardinale: "But the development acreage we're buying incorporates land- "

Charles Cuddy: "That's right."

Supervisor Cardinale: "Upon which two barns stand--"

Charles Cuddy: "That's right."

Supervisor Cardinale: "-- which would in their present condition be emptied and committed to agricultural use."

Charles Cuddy: "Yes. That's correct."

Supervisor Cardinale: "That's what he's really asking. He wouldn't want to see a real estate office on agriculturally preserved land."

Charles Cuddy: "Absolutely that's to be removed."

Supervisor Cardinale: "Nor would the county I imagine, nor us. That's good. That's what we wanted to know."

If we buy the development rights, your client is going to be retaining, Charles, the agricultural rights, and he is going to want to do something with that land. Right? Like farm it?"

Sal Mastropolo: "The land is currently leased."

Supervisor Cardinale: "To a farmer."

Sal Mastropolo: "To Andrews--"

Supervisor Cardinale: "Who will farm it."

Sal Mastropolo: "-- who's on the north side."

Supervisor Cardinale: "And who will use the barn."

Sal Mastropolo: "Well, he doesn't use the barns. He has his own barns on his own property."

Supervisor Cardinale: "Then the barns will be useless to him. Okay, but they'll be there anyway. Okay, any other questions from anybody?"

Sal Mastropolo: "The only other question-- the only other comment I have is I still think we're paying too much even though the county is sharing it. Okay? There's a glut of houses on the market in the town of Riverhead, okay? The other two corners, the northwest

corner and the southwest corner are not going to be developed. One of them is the Peach farm and the other one is Lewin's new blueberry fields. Okay?"

Supervisor Cardinale: "As always, I think you make a good point and I will illustrate it for you as I did for Anne Marie.

If you have two acre zone and you want to produce a lot, you need around 2.4 acres. If your agricultural rights are worth 90, your acreage price is 120 approximately. Therefore, to obtain a lot, you would need approximately \$290,000 worth of land, then you would have to do all your improvements, your roads, your sumps, your soft costs.

That would mean that your lot price would have to be- Charles, you can help me out- 350. And I don't know anybody that can sell lots for 350.

But I think what we're seeing here, Sal, and I talked about it with our staff, is- we've got a lagging market. Incidentally, the assessed- the equalization rate for our town, went from 11.5 or so to 10.6 which means according to the lagging market, the rate- the values are going up still because you really don't see it for about a year and a half or two years.

So that's what's happening here. We're getting appraisals that are no longer valid in the current market but you can't help it because unless you get some sales where people break the price, you're not going to get the appraisals to support a lower price. But if I were a farmer, I'd be selling development rights."

Sal Mastropolo: "Okay. How do you justify \$96,000 an acre to him, \$90,000 to Manzi on Riley Avenue and 88- "

Supervisor Cardinale: "Eighty three."

Sal Mastropolo: "Eighty three thousand, okay, on Main Road? I mean, I just think- you've gone up too fast."

Supervisor Cardinale: "I agree with you."

Sal Mastropolo: "Okay."

Supervisor Cardinale: "Eighty three was pulled out though- "

Sal Mastropolo: "I wonder if that's why he pulled it out."

Supervisor Cardinale: "They want 96."

Sal Mastropolo: "That's right."

Okay, yes, sir."

Charles Cuddy: "Just to point out two things here. The town has consistently paid from Jamesport, actually right through Calverton, \$90,000- "

Supervisor Cardinale: "Right."

Charles Cuddy: "-- for vacant acreage. So this is not a big stretch when you're talking about- and I want to point out the second thing to you. That across the way, on Hulse Landing Road, from this site, is a site that's being developed with 48 lots, so it may be the intelligent thing to try and preserve this area here because that's going to be a large subdivision and next to that will be another small subdivision of half a dozen lots. So there's going to be more than 50 homes on the other side of the road. So it may be wise to preserve this site."

Supervisor Cardinale: "I think you're right. I think Sal's right, too and more importantly we're a minor partner here, but the county thinks they're getting a bargain incidentally, but then again, they are the county."

Charles Cuddy: "That's right, they do. Thank you."

Supervisor Cardinale: "Thank you. Anybody else have a comment? Yes, ma'am, please come up."

Athanasia Atsidis: "Hi. My name is Athanasia Atsidis, and I just wanted to let you know that we live across the street from where this development rights is, and we just wanted to express our comments, my father and I, that we'd like to see the land preserved."

Supervisor Cardinale: "Thank you. And we're going to do that."

Athanasia Atsidis: "Thank you."

Barbara Grattan: "Can I have your name, please."

Athanasia Atsidis: "I'll spell it for you. First name is A-T-H-A-N-A-S-I-A. Last name is A-T-S-I-D-I-S."

Barbara Grattan: "Thank you."

Athanasia Atsidis: "Thank you."

Supervisor Cardinale: "Any other comment from members of the public? Anne Marie had one last question. You have this on for consideration tonight for a vote or this afternoon. Is there time urgency or are you just being super efficient?"

Anne Marie Prudenti: (Inaudible comment)

Supervisor Cardinale: "No. You have the adoption- I'm sorry, you have the authorization of the purchase on today. And usually- "

Anne Marie Prudenti: (Inaudible comment) --"on the 17th and so today we accept. That's what I'm pointing out is I think there must be an error because the public notice was on July 17th and today it's on (inaudible)."

Supervisor Cardinale: "I thought we just did a hearing. Okay, if we just did a hearing, it is unusual for us to purchase the day we do the hearing."

Anne Marie Prudenti: "Correct."

Supervisor Cardinale: "Why are we doing it? That's my question. That's what I'm asking. Why is the resolution in there?"

Councilman Dunleavy: "She said it was a mistake."

Anne Marie Prudenti: "I think it was an error. It was on for the 17th, July 17th. I'm trying to say (inaudible)."

Supervisor Cardinale: "You mean you think this is the second hearing on it? I don't think so. Maybe you're right though. Did you have another hearing, Charles? You would know. No. This was the one that had the posting problem. Okay. So we had a posting problem. We did not do the hearing, we re-set it. So, therefore, shouldn't we do this-- I mean, why should we do it this week? Just because we're behind already. What do you think? What? Go for it."

(Some inaudible discussion)

Supervisor Cardinale: "No, no. That's- we're not having that public hearing."

The reason this is before us today as a resolution, the same day as the hearing, is because the original hearing was supposed to be (inaudible). But we're having that one in a minute. But that one is the first time on. This one was actually on for a hearing three weeks ago. We adjourned it, or withdrew it, and re-advertised it for this week. Therefore, it would ordinarily, in the ordinary course of things, be adopted this week. Probably the county would like us to do it because they're moving along. Is that basically it?"

Anne Marie Prudenti: "And I believe Shoreline Development would also like this to proceed because they have certain bonding issues and fee issues pending before the planning board, and unless and until this is approved by this board, they would technically have to submit those- "

Supervisor Cardinale: "So are you urging us to consider it now?"

Anne Marie Prudenti: "Yes, I am."

Supervisor Cardinale: "Okay. For the reasons stated, she'd like us to consider it so let's return- let's end the hearing, unless there's further comment, and I'm going to take it. If there's any further comment, please come forward. If there isn't, I will end the hearing, and consider it closed."

Public hearing closed: 3:48 p.m.

Supervisor Cardinale: "And let's return for the last resolution of the evening- of the afternoon for the Resolution 751."

Resolution #751

Councilman Bartunek: "Accepts the offer of sale of development rights for Shoreline Development Corp. So moved."

Councilman Dunleavy: "And seconded."

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

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

Supervisor Cardinale: "Yes, for the reasons indicated.

Okay, that completes the resolutions. I have one more hearing. Anne Marie, would you come forward, please. And let me call that hearing."

Public hearing opened: 3:48 p.m.

Supervisor Cardinale: "It is the 2:20 hearing. It is for the consideration of the purchase of development rights on 31.0 plus or minus acres of agricultural lands owned by Richard Manzi, located on Riley Avenue at \$90,000 per acre.

Just to make clear to the public, the— we have an appraisal on the one we just purchased, right? And the appraisal supports the price we're paying or more but it does support at least the 96.

How about on this new hearing that we just opened, it being 3:50, do we have an appraisal on the Manzi piece?"

Anne Marie Prudenti: "Yes."

Supervisor Cardinale: "What is that?"

Ann Marie Prudenti: "Brunswick did an appraisal and Todd did an appraisal."

Supervisor Cardinale: "And what does that show?"

Anne Marie Prudenti: "Approximately 90 per acre."

Supervisor Cardinale: "Okay. We're not utilizing any— we're not utilizing any discretion here in going above the appraisal?"

Anne Marie Prudenti: "No."

Supervisor Cardinale: "Okay. I wanted to ask that so the public is aware that we're not chasing these pieces. We're buying them for the appraised value. And my earlier comments, Sal, I think are valid though but we have a lagging— we have lagging comparables and that's why we're getting these appraisals. Go ahead."

Anne Marie Prudenti: "This piece was highly recommended by the town of Riverhead Farmland Committee. It's north of Middle Country Road. It is contiguous to a parcel of property where the town of

Riverhead owns the development rights and it is also adjacent to a 20 acre parcel of open space.

Currently this parcel of property is partially fallow and it appears that some of it may be used for sod at this time.

Again, it's \$90,000 per acre— "

Supervisor Cardinale: "And again it's a 70/30 split with the county?"

Anne Marie Prudenti: "Correct."

Supervisor Cardinale: "And it's development rights, leaving the agricultural rights intact."

Anne Marie Prudenti: "Correct."

Supervisor Cardinale: "May I take any comment from the public that anybody would like to make?"

If there is no comment, this one I can leave open for 10 days until 4:30 on the 17th for any written comment anyone wishes to submit to the clerk and that ends the hearing we began at I guess it was actually about 3:48. It's now over at 3:51, and it's open for written submissions to the 17th at 4:30."

Public hearing closed: 3:51 p.m.
Left open for 10 days for written
comment to September 17, 2007

Supervisor Cardinale: "That's it for the hearings. Thank you, Anne Marie for standing in for Peconic Land Trust."

We are not at the point where we can take comment on any matters that are within our discretion. Anyone have a comment, please come up, if you have a comment, please come up. Sal, you are going to comment and I'm going to let this gentleman comment."

Sal Mastropolo: "He can go first."

Supervisor Cardinale: "Okay. Thank you."

Henry Silverman: "Henry Silverman, 267 Peconic Bay Blvd. As you know, that's my mailing address Riverhead.

As you also are aware, I am a teacher in Riverhead, my wife is an educator in Riverhead, my daughter is also an educator. My son just returned from college to live with us.

The problem is we don't have a house because of the town.

We all grew up in Riverhead, live in Riverhead, we are deeply rooted in the community and we are deeply wounded by what the town of Riverhead has done to us.

The other times I spoke publicly in front of you on April 17th and June 4th of this year, I was hoping would have some resolve but it hasn't. My goal is to get a certificate of occupancy on our home that we've deserved since July 19, 2005.

As per your resolution that you just passed, No. 745, once again, your homework should have been done a little better being a teacher. There is a large problem with the law firm that you just appointed. They've been very active for over- I want to say well over a month but there's a great problem here. Two of the partners in the law firm are neighbors. One recused himself from the case in court already. Another member of the law firm is a member of the HOA that twice has put a fence up across our driveway.

I think we have another problem. My family has been restrained from our home since it was completed in July of '05. You have a New York State court restraining order against my family. We cannot use, occupy or maintain our new home.

Now we have significant damage to our dream home. Because we could not maintain it, now we have frozen pipes, black mold, dead landscaping, storm damage to the siding. Most of all that's disturbing to us is the vandalism and the theft. All because of your actions in violation of our civil rights.

We have a problem. Dawn Thomas is well aware that a member of her group is a member of the dubious Wells Creek Homeowner's Association. That person works for her. That's a problem.

My neighbor, William Coyle, has been investigated and is being investigated by the Attorney General- excuse me, the Inspector General's office for his unethical action in misuse of the public

trust for private gain. We have a problem.

As recently as today, I received another phone call from the Office of the Inspector General inquiring about William Coyle's most recent activities in the Silverman matter in the division of the New York State Division of Human Rights.

We have appeared in New York State Supreme Court numerous times. We now know why so much time and taxpayer money and emphasis has been placed on my pre-existing driveway and boat dock. It's all for the financial gain and for the dubious Wells Creek Homeowner's Association.

Riverhead town has unethically represented these neighbors. Our neighbor, William Coyle, profits from the decision of the court taking our boat dock.

The decision in court for the dubious Wells Creek Homeowner's Association to take control of my boat dock has helped William Coyle for he is now selling his home for \$1.2 million dollars claiming deeded boat rights on my property with the help of Riverhead town.

This misappropriation of money and time spent by the town attorney's office so far has been over my boat dock and driveway while we've been out in the cold.

We've done ethics complaints against Leroy Barnes and George Bartunek but Riverhead town Ethics Board addresses their behavior, excuse me, will not address their unethical behavior.

Because you spot assessed three of my properties in the town of Riverhead, you have raised my taxes \$6,000 on this house that we're restrained from, you now turn me down of my tax grievance. What is the process for? What is the Ethics Board for? What is it?

You raised my taxes \$2,000 on another piece of property in town of which four acres of the property you are flooding without due compensation. And I've brought this up for a year. You did do an appraisal. I have a copy of the appraisal the town did. I only got offered I believe it was under \$6,000 an acre.

Now the county— now the county will not buy the development rights from me in a most recent letter I got because they said the property is under water. It's your town road runoff going through pipes that were put in without permits, without anything, onto my

property. So at this point, condemn my property that you're flooding up on Sound Shore— excuse me, Penny's Road and Sound Avenue, condemn it and I'm happy to take the \$96,000 an acre. But your water is no longer welcome there.

You have raised my taxes considerably on the house my recently deceased mother lived in because the town of Riverhead, I feel, has retaliated against me again.

Riverhead town has ordered the spot assessments against all the properties I own in the town of Riverhead, raising the taxes on every one of them considerably.

You are one again aware that my neighbor, Willian Coyle, has written letters on New York State Supreme Court letterhead for his own personal gain and we feel he has influenced Leroy Barnes, Dawn Thomas, DEC, and now the New York State Division of Human Rights.

I want to be compensated for my land you took. I want— and I also want most of all, my certificate of occupancy, and that's right now our prime goal.

The house has passed all phases of construction, passed the building department inspections. We've submitted all necessary papers. Enough. We want the CO.

I want Riverhead town attorney's office to stop representing my neighbors in their dubious homeowner's association about my pre-existing driveway and my boat dock.

The matter of ownership of my boat dock should not be the concern of the town attorney's office, especially when such conflicts of interest of Dawn Thomas' office and the New York State Supreme Court conflicts.

The Riverhead town attorney's office tells you that I am not making any effort to resolve this matter when, in fact, we've done nothing wrong. Your attorney's office has a court date arranged for next Thursday to deal with what? They're dealing with the contempt of court against me, against us, excuse me. Against my family the contempt of court.

Riverhead town is not interested in settling this matter issuing us a certificate of occupancy. The contempt of court matter was fabricated to discredit my family in retaliation of us standing up for

our rights, both in the New York State Division of Human Rights and our up and coming federal lawsuit against the town.

Okay. Back to the original question. Why won't you issue the Silvermans a certificate of occupancy? Our home passed inspection July 12, 2005. I've paid all my assessed- highly assessed taxes. If I asked George Bartunek why is Riverhead town harassing me this way? His answer to me was it's because you're Jewish.

Riverhead town's sheer lack of compassion for my family has wounded us. The wound will some day heal but the scar will be left forever."

Supervisor Cardinale: "Thank you. Okay. The- we are constrained and restrained in regard to our response because this matter is in litigation. But just so the public understands, Peter Cohalan, the ex- the former county executive, present Supreme Court Judge, has issued orders, not the town of Riverhead, keeping you out of your home and determining the ownership of that dock.

And just for the record, on behalf of the board, I reject as inaccurate virtually everything you just said. That's it. You had more than five minutes, we were very tolerant. But I would like Sal to have his chance to comment."

Henry Silverman: "I thought I could respond to a comment made- "

Supervisor Cardinale: "No. You got to speak for 10 minutes. Go ahead, I'm not going to cut you off, Henry, but I just want you to know that because we listen silently, does not mean that we agree."

Henry Silverman: "But I think enough already and just, the town did issue that restraining order through the courts. The court didn't come out of left field and draw up that paper. That was drawn up by your town attorney's office. Fact."

Supervisor Cardinale: "It would have no value unless the judge agreed and signed it, after a hearing."

Henry Silverman: "But where did it come from? The bottom line, it came from the town."

Supervisor Cardinale: "The court request- we requested it and the court could have thrown it out and said we were wrong and said we

were right. That's what happened. So your dispute is with Mister-Judge Cohalan, not with the town of Riverhead."

Henry Silverman: "But we still see this board-- this board could have not passed this resolution two years ago and we wouldn't be here now. This is so wrong. The town has spent way too much money. The Silvermans have spent too much money. But bottom line is what does the taxpayers of Riverhead in the end get out of this? And we can't even sell the house to get out of town. If you really want the Silvermans-- I emphasize the Silvermans out of town, we need a CO to sell a quite expensive house. And I don't think you really want to be in federal court.

All we want is the CO. It's simple. And now you know offers are being made now where if we drop federal and state human rights division cases, you'll give us the CO. I have trouble with it. All we want is the CO, so let's move on and thank you."

Supervisor Cardinale: "Okay. That is also inaccurate. As far as I know, there is no civil rights case filed and in every case we settle, we demand a general release. That's what we want in this case like in every other case."

Melissa Silverman: "Hi. My name is Melissa Silverman and my mailing address is 267 Peconic Bay Blvd. I'm restrained from that house and Riverhead town is not issuing us a certificate of occupancy.

They're basing their facts on things that have nothing to do with us receiving our certificate of occupancy and I would like to get our certificate of occupancy and look into the facts of everybody in the town and everything on the case.

Thank you."

Supervisor Cardinale: "Thank you. Our attorney happens to be here-- but unfortunately we can't speak with you without your attorney. I encourage our attorney publicly to work with your attorney towards an equitable resolution and settlement of this matter. That's the position of the town board. So we'd like to see that happen, Henry. I do agree with you in that this has gone on enough but I'd like our attorneys to speak.

Sal, please come up."

Sal Mastropolo: "Sal Mastropolo, Calverton. A couple of

comments. One is you passed a resolution today to go out for bids on tractors and I should have brought it up in the comments on the resolutions but by adding a brand name in there, you eliminate competition. Okay?

If you're going out for bids on tractors, you should going out for a bid on a 19 horsepower 2 wheel drive tractor and allow all of the companies to bid on those tractors, like John Deere, New Holland and whatever. Unless there's a specific reason why, you know, the maintenance department wants New Holland tractors."

Supervisor Cardinale: "Bill, did you hear that? Would you check into that before we go out to bid? Thank you."

Sal Mastropolo: "Another thing. I'd like to see the town look at the combination of purchase of development rights and clustering. Okay? I still have an issue with that North Wind Homes which is right behind me, okay. I don't think we should be able to combine the purchase of development rights and clustering which results in lots that are less than three-quarters of an acre.

We're at two acre zoning, okay, and they manage to combine the two and they're going to wind up putting houses up on about one-third of an acre lots, okay. And I don't think that's reasonable in the town."

Supervisor Cardinale: "They-- you know, one of the things, I think you know this because we've discussed it. But one of the less expensive ways of protecting farmland is to cluster as much as 100% of the construction on 30% of the lot-- of the acreage. So if you had a 100 acre lot, you could build 40 houses. You put the 40 on 30 acres. That's generally accepted as a wonderful idea. I don't think you agree with that though, right?"

Sal Mastropolo: "Well, I think from the value point of view, okay, the houses should be on a minimum lot size and I think one-third is too small."

Supervisor Cardinale: "Yeah, I agree with you. I think-- we're thinking three-quarters is what-- "

Sal Mastropolo: "Well, that's what I said. It shouldn't be-- if you combined the two, the lot should not be less than three-quarters of an acre. But yet they managed, you know, they're going to wind up putting up like 24 houses on like one-third of an acre lot."

Supervisor Cardinale: "I see."

Sal Mastropolo: "Okay. So I'm just saying that the town board should consider if you're going to combine clustering and purchase of development rights, the yield should not yield lots smaller than three-quarters of an acre."

Supervisor Cardinale: "Barbara has something she wanted to say."

Councilwoman Blass: "I just want-- what do you mean-- I'm trying to ask-- like you to clarify if we are considering combining those two."

Sal Mastropolo: "Well, the property behind me, okay, was 27 acres."

Councilwoman Blass: "Okay."

Sal Mastropolo: "Which should have yielded 13 houses. They bought development rights, okay, or they're going to buy development rights which is going to allow them to build one house on every acre. Now they're clustering and they're putting 24 houses on about 11 acres and leaving two farm lots with 16 total acres. So they're going to put 24 houses on 11 acres. Those lots are going to be about one-third acre is size."

Supervisor Cardinale: "Right. You know what's-- that's one acre zoning. If you do 70% cluster on one acre zoning, you're going to get that."

Sal Mastropolo: "That's what I'm saying. So in other words, if we look at proposals that include clustering and purchase of development rights, the lot should not be smaller than three-quarters of an acre."

Supervisor Cardinale: "You really mean transfer of development rights. That's what's confusing Barbara. Transfer he means. If you had a two acre zone and you transfer and make it a one acre zone, you do a 70%, you're going to wind up with your houses on three-tenths of an acre. You're exactly right. And you think that's a bad thing and I understand and I understand your point."

Sal Mastropolo: "Yes."

Councilwoman Blass: "But he mentioned purchase and that's what I-- "

Supervisor Cardinale: "Right. That's what confused everybody."

Sal Mastropolo: "Sorry, I didn't mean to confuse you."

I've been watching some of the meetings on television and I think if we're going to film any meetings including the planning board, the zoning board, all of the speakers should be miked. Okay? It's terrible to listen to a planning board meeting and have Rick talking in the background without a mike or Vince Cardiello (phonetic) talking without a mike because you hear half of a conversation and you don't hear all of it. I don't know what you can do about it, but I think we should be doing something about it."

Supervisor Cardinale: "Yeah. We are-- in fact, yesterday I had a discussion with-- to get some help on that to assure better quality. We are thinking about some equipment that would be here at all times and also maybe some other than-- we have all volunteer staff. Perhaps somebody like they have in Southampton that would oversee getting better quality on the program. So I understand what you're saying."

Sal Mastropolo: "All right. Another issue is at the beginning of every year, okay, you do certain administrative things, okay, like you pass a new salary plan for everybody. Okay?"

Supervisor Cardinale: "Right."

Sal Mastropolo: "We never address the revenue side of the stream. I think at the beginning of every year, the town should increase all of the town fees, okay, to adjust for COLA, cost of living increases. You do it for the salaries, why not do it on the revenue side?"

For example, like the \$2.00 per yard for sand, okay, that should be adjusted every year. Building permits should be adjusted every year to recognize the cost of living increases so that the revenue goes up every year, okay, just like the expenses go up every year."

Supervisor Cardinale: "I think that's a very self-evidently good idea which we ought to do."

Sal Mastropolo: "Okay. Last but not least, okay, I tried to get an answer on the town-wide reassessment. I sent an e-mail and I

got an answer which was non-committal so I sent another e-mail back and said you didn't answer my question. Are we going to do it and when are we going to do it? So now I'm going to ask publicly. Are we going to do a town-wide reassessment and when are we going to do it?"

Supervisor Cardinale: "Yeah, I would like to answer that question clearly. What you asked is what is the status of the town-wide reassessment. With the pending sale of 300 industrial acres in EPCAL, the town will have funds available to pay for the town-wide reassessment which was an issue we had discussed.

State law mandates reassessments on a periodic basis and Riverhead is in violation of that law. The board has responsibility to order such reassessment. I would appreciate written response.

I responded as I have stated repeatedly. It is fundamental that the real estate tax burden be fairly apportioned among property owners. The tax assessor's office has for persuasive reasons recommended for several years a full reassessment of the 16,000 parcels within the town since we are apportioning our real estate taxes based on 1979 evaluations.

As we all know, since then certain areas of the town have grown in value disproportionately to others and this fact is not reflected in current tax bills. I agree with you that good public policy requires reassessment. It is also required that any reassessment be done in painstakingly professional and deliberate manner with accuracy and precision being sought in every aspect.

That I thought was an answer. But if you want to make it any clearer-- "

Sal Mastropolo: "No, but that doesn't say are we going to do it and when."

Supervisor Cardinale: "Okay. Yes, I will do it and I will do it when I have three votes which I do not have at this moment."

Sal Mastropolo: "Well, then I'd like to poll the board right now and see what all the board members-- how all the board members feel about a town-wide reassessment. I know it's not politically to their best interests-- "

Supervisor Cardinale: "In the work sessions we have done that, but I would let them speak for themselves but my understanding is that

the -- that George and I on balance, knowing that it will be an expense, knowing that we could screw it up if we don't do it right, we believe that nonetheless it is absolutely essential for fairness that the properties upon which you tax apportionment is based be fairly valued.

On the other hand for reasons that I'll let them explain, the other members of the board do not agree. I cannot do it without three votes."

Sal Mastropolo: "Well, doing nothing is not going to correct inactivity for 30 years."

Supervisor Cardinale: "Well incidentally, just don't get too excited about the 30 years either because Mr. DeSimone has pointed out to me that other towns surrounding us including Brookhaven haven't done a reassessment in (inaudible) years. So the fact that our reassessment-- "

Sal Mastropolo: "Only seven?"

Supervisor Cardinale: "Seventy."

Sal Mastropolo: "Seventy."

Supervisor Cardinale: "Yeah. But I do believe that it-- yeah, they haven't done reassessments in many, many more years. In fact, I just got a sheet which I'd like to show you, Sal. When they moved our equalization rate that our property now after 30 years is being-- is 10.6% of its true value, our assessed value. If you look at other towns, they're 1.8% of assessed-- of real value and .9% of assessed value. So relatively speaking, we have assessed more recently than a lot.

But what we really should do is assess properly and then keep out assessments each year-- continue to assess each year so that we keep a true value of 100%. That's what we should do. I understand-- the board has discussed it fully and there are not three votes for that prospect."

Sal Mastropolo: "Thank you."

Supervisor Cardinale: "Mrs. Desposito, we have't seen you in so long. It's such a pleasure."

Councilman Densieski: "Phil, if you wouldn't mind, I don't mind responding. Just off the cuff.

I for one am not going to vote to put little old ladies out of their houses and that's what's going to happen. Because some people's taxes are going to double, that's right.

I don't think it will be fair if we do reassessment. I just think it will be different. Some people are going to go up, some people are going to go down. But most people are going to end up going up.

It's going to-- these are rough numbers that I was given. It costs about \$60.00 per home to reassess. The state give you five so we're looking at about approximately a million dollar tax increase just to do the reassessment.

I would support a state-wide reassessment where Riverhead could get a fair shake, but you are not going to get a fair shake on a Riverhead town reassessment. That's my opinio."

Supervisor Cardinale: "Okay. And that pretty much summarizes but I would say one thing. Everybody does understand that reassessment will simply reapportion who pays what based upon the value of their home today as opposed to 30 years ago. One-third will probably go up; one-third will probably go down; and one-third will stay about the same.

But there is no doubt that in the last 30 years certain homes went up more in certain areas of the town, for example, waterfront, than they did in other areas of the town. And that is not reflected in our current set up."

Councilman Densieski: "Phil, one more point. And I believe Tanger Mall and all the stores on Route 58 will go down and a lot of the residences will go up. The commercial is going to go down, residences are going to go up. That's another reason why I oppose it."

Supervisor Cardinale: "Actually, I don't believe that's accurate. PC Richard where they are putting in their new property up on Route 58, it is my understanding that that location is assessed for a real value of a million dollars. They just bought it for six million dollars and we will never be able to tax it as a-- we'll tax the new construction at true value but we cannot tax the land at the

six million dollar. We must leave it at the one million dollars value. That is a loss of five million dollars on that piece alone in real value tax.

It's a very sticky issue. You've got our positions and we'll go from there. Thanks. Go ahead, Vince."

Vince Tria: "I'm Vince Tria, I'm here as a representative of the Vail Leavitt Music Hall.

Mr. Supervisor and the Board, I want to thank you for your cooperation with the Riverhead Blues Festival, the ninth. I also would like to thank and recognize the wonderful contribution building and grounds made, the police department, the engineering department, their electrical division, and highway. Not to forget we also had deputy sheriffs there and we had state police there.

So I don't know what else to say but thank you and we have tried to reduce our dependency upon the town of Riverhead. We again-- I won't tell you how much-- but we again made some money which is used for the further renovation of the Vail Leavitt Music Hall.

Thank you."

Supervisor Cardinale: "Thank you. Any other comment from the public? Yes, on any topic relevant to us which limits it, I hope. Ah, you haven't been back in so long and you're still very welcome. Are you still a resident of our neighbor, Flanders?"

Carla Esposito: "Yes, I am and that's-- "

Supervisor Cardinale: "Well, we need the vision and wisdom of our neighboring communities. So fire away."

Carl Esposito: "Good afternoon, Carla Esposito, Flanders. A few issues.

The newspaper had Supervisor Cardinale quoted as saying he would wait for others to propose ideas concerning Route 58."

Supervisor Cardinale: "Engineers, not others. Engineers, to propose how we should best improve the capacity and safety of Route 58."

Carla Esposito: "Which I think is an error. I really think

that, you know, we live in a finite world, so there are finite ideas. And I really think that the board has to request-- you have to-- you should have visions of your own. You guys raise your hand saying vote for me, I want to sit up there, I'm creative, I've got the ideas. So I expect you to have the ideas. And I expect you to put proposals and you to be telling the engineers, this is what we want. Does it work, is it a 90% great idea? I don't want them coming up with ideas because I think their ideas-- I wrote you and e-mail and I called them all educated idiots."

Supervisor Cardinale: "Oh, was that your e-mail?"

Carla Esposito: "Yes."

Supervisor Cardinale: "I remember that."

Carla Esposito: "Because you do get educated but you know what? They do become idiots. They don't make the right choices. And I really want you to request the experiment of traffic circles. Every intersection, a traffic circle."

Supervisor Cardinale: "Every one?"

Carla Esposito: "Right turn in, right turn out, go to the next circle to double back if you have to."

Supervisor Cardinale: "You'd be going in circles."

Carl Esposito: "No, you wouldn't and don't make a joke of it."

Supervisor Cardinale: "All the way down 58."

Carla Esposito: "You would not be. You would be going down-- we just had a storm on 105 and 24, the lights went out, taxpayers had to pay for cops to go down there and direct traffic. 105-- I added that in on a little PS, while you're doing it up here, go down there, too. Tell DOT. Put a traffic circle in. People know how to go through revolving doors."

Supervisor Cardinale: "Yeah, George is going to take a look at it. John and George."

Supervisor Cardinale: "I want you guys-- talk to the people in the town and--"

Supervisor Cardinale: "How about outside of the town, like you."

Carla Esposito: "And for me because I do my work and living and shopping and schooling and library. Everything is Riverhead for me. All right? If the people back in colonial times didn't separate us into different townships, I'm sure we would be part of Riverhead township. And that's the last request I would have, is that you guys work towards annexing the greater Flanders/Northampton area away from Southampton township and into Riverhead township."

Supervisor Cardinale: "Because they don't appreciate you."

Carla Esposito: "No, they don't. And all our business is here anyway so we might as well have a voice here. I mean I do speak here but I can't vote you guys out. But anyway I really think you should put in a request for the experiment of traffic circles."

Supervisor Cardinale: "Okay. And we're putting one in. Have you been over to Middle Road? You have not been over to Middle Road? We're putting in a \$500,000 traffic circle with federal money."

Carla Esposito: "Yeah, I did see a little-- yeah I did see a little bit of Middle Road and I actually I wanted to go over to engineering and look at the blueprint."

Supervisor Cardinale: "Please drive around as many times as you like."

Carla Esposito: "Well, no, no. Because I'm wondering if-- "

Supervisor Cardinale: "When it's finished. It's not finished yet."

Carla Esposito: "-- it's well designed. See, I'm into very well designed things. I like architectural things and I can do them in a snap, whatever. Yeah, I'll probably go and look.

Okay, number two. The fire marshal Section 8 community development is over in rented space over where planned parenthood is."

Supervisor Cardinale: "Right."

Carla Esposito: "I want you to not give that landlord any rental money just because that rotten neighbor is in that complex. Anybody

should shun planned parenthood."

Supervisor Cardinale: "Really?"

Carla Esposito: "Yeah, because-- no one should counsel a person to abort a baby. You know. We should be supporting life. So the landlord should not like that tenant and all the other tenants shouldn't like that tenant so we should go away from them and let the landlord only have the one lone tenant. Can't pay the rent? Well, get rid of that rotten tenant and, you know, rent to some nice people."

Supervisor Cardinale: "So it will be a rental boycott."

Carla Esposito: "Something-- whatever. Okay. I've asked this in the past so I'm just repeating myself. I'm looking for you, the board here, to legislate verbage that landlords of downtown property have an obligation to fill their buildings with tenants or lose their rights as owner of said property. I can't say it any more clearer.

I also brought up in the past, they're talking about buying development rights. You're going up to very high prices. I brought up in the past that this body maybe has to put it on the ballot but ask everybody in the township to just come to a consensus to a realization that we can all agree upon, what percentage of the land you want developed and that is what we will have in the township. And if we agree that 70% will be deveoped and 50% of it let's say is already developed, that means only 10% more can be developed, and out of the 30% that's available, people are going to be sell it to me at this price. Oh, no, I'll sell it for less. You're going to make the prices come down. All right. You're not playing it right.

I think it's a big con with whoever comes in here and says oh, the land over there for \$96,000, the development rights, has its subdivision approval, blah, blah, blah. It's like a scare tactic. It's a con game to get you to agree for the 96."

Supervisor Cardinale: "You realize we don't ever believe any of that. We only believe the appraiser who is our independent agent. We never believe the seller."

Carla Esposito: "I have my whole complaint about appraisers and how they go to school and the whole structure on what they base appraisal prices on."

Supervisor Cardinale: "Me too, we should talk sometime, over coffee."

Carla Esposito: "It's a bunch of BS. It's BS. Unless you are going to look at true square footage and the price of lumber and a door and window and footage of pipes and electrical, I don't-- the pretend appraisal price that's oh so comparable, someone overpaid for this house here but we won't say the word overpaid, we'll just say paid this so that means this one is worth the same amount. It's BS."

Supervisor Cardinale: "My board is reminding me that it's a five minute rule."

Carla Esposito: "Yeah, okay. Great. Co-ops, single houses, great. Condos are bad ideas because landlords really need to relinquish their hold on the land. I wish that the board would petition New York State to allow smaller than 1,000 square foot houses to be built. New York State doesn't allow that. I think an 8, 900 square foot house is fine but any houses built here for affordable housing which is the only thing I think should be built anymore. I've asked this of Mrs. Lohneiss-- "

Supervisor Cardinale: "Andrea, yes."

Carla Esposito: "Andrea Lohneiss of community development."

Supervisor Cardinale: "Yes."

Carla Esposito: "All right, and I've heard nothing so I've put it out, public hearing. Houses must be built only by companies that will open financial books that will prove minimum wages of at least \$700 per week, not more than \$1,200 per week along with the overall costs for materials, insurance--"

Supervisor Cardinale: "Maybe you could end with the point that you always make--"

Carla Esposito: "-- and the cost to the consumer is not to exceed these amounts for these affordable housing and the property deed must have a 50 year cycle-- "

Supervisor Cardinale: "There it is."

Carla Esposito: "-- re-sale pricing structure to be instituted into the deed."

Supervisor Cardinale: "And it goes back to \$40,000 after 50 years remember?"

Carla Esposito: "If you can build a house for \$30,000 on a 10,000 piece of land, \$10,000 piece of land, and you've got a \$40,000 house in, for 49 years you add \$1,000 to it, the most it will ever cost is \$89,000 and that 50th year reverts back to the \$40,000-- "

Supervisor Cardinale: "That's the flourish."

Carla Esposito: "Yeah. And that needs to be created."

Supervisor Cardinale: "Okay."

Carla Esposito: "And people can create anything they want if they would do it but, you know, you're into the capitalism and--"

Supervisor Cardinale: "And the constitution sometimes is a bar."

Carla Esposito: "Capitalism is okay when we were chiseling civilization out of the wilderness. Now we have to share and be fair, all right, and owner/occupied real estate downtown should be correctly done."

Supervisor Cardinale: "Cooperation, not competition. Like in this board, cooperation."

Carla Esposito: "Quality competition is a lot better than-- "

Supervisor Cardinale: "Nobody is running against me for supervisor on this board."

Carla Esposito: "I'll run against you."

Supervisor Cardinale: "I am so happy. Cooperation, not competition. Thank you very much. Appreciate it. We had such fun, Eddie and I, last time. I would like to take a final comment."

Herb (inaudible): "My name is Herb (inaudible) but I thought I had problems. I live in Wading River, 18 Forest Lane. The topic is driving the beach in Wading River and this is-- I'll be as brief as I can."

I want to thank you for giving me the opportunity to speak here

today on behalf of the hundreds of people that hold permits to drive on beaches controlled by the town of Riverhead. I have five points. I'll be as brief as possible.

Who I am and why I may be qualified to speak on this issue, to state the historic nature of open beaches on Long Island, to define the current problem between property owners and fishermen permit drivers, to cover the public safety component of an open beach policy, and finally to make the case for one of the last, very last, affordable activities the middle class working person can do and to ask the question why does the little guy always get skewered.

First of all, I would like to state that I am no fanatical beach driving fisherman, insisting that I have every right to drive over other people's private property. I am a fisherman, I do drive on the beach, but I am also a beachfront homeowner. My backyard is the beach. And it's the very same piece of shoreline that has caused so much controversy over the last four summers.

So I feel I am positioned exactly in the center of the argument. I can see both sides.

I have a bachelor's degree in geology from Columbia University, my minor was in mining engineering, also from the school of Mines at Columbia. While on sabbatical leave from Longwood High School, I had the privilege of working for Louis Lefkowitz, the then attorney general of New York State. I was part of his EPB or environmental protection bureau which went on to become the precursor of the DEC or the department of environmental conservation.

In this capacity I was again privileged to sit in at times on the writing of the now famous tidal wetlands act. Here I met coastal geologists, professors of botany specializing in tidal marsh plants, civil engineers who had been sent back to school by Lefkowitz to become lawyers with degrees in coastal law. The categories of the various experts seemed endless.

Even the wetlands were the main topic, beaches because of their proximity-- excuse me, wetlands, beaches are usually in close proximity to wetlands, so beaches were discussed, too. The whole concept of open beaches, beach access, who controls this access, and what can take place on these beaches became part of the discussion.

It was in these meetings that I first became aware of the long history of vehicles having public access to unrestricted beaches and

how to in time, this access and openness has gradually been turned off to the general public.

Discussed was the existence of a so called cannon law supposedly enacted back in Revolutionary times or the War of 1812. It forbid the erection of fences or barricades along beaches. Why? So that calvary and horse drawn artillery could move freely along the beach, use the beach as a highway against an invasion. It was felt that this law could be expanded or modernized to secure access for emergency vehicles.

Discussed was a protocol, a definition, that gave farmers the right to search the beach with horse and wagon in order to find seaweek for fertilizer. A farmous dory fisherman in Montauk used horse drawn trailers pulling a double ended dory. They would move along the beach in search of a school of fish or shark. The craft would circle the fish with a net, the horses would then pull the net up the beach face. Dory fishing existed, I believe, into the early '90's with horses being replaced first by tractors and then four wheel drive trucks.

East end fire departments, to keep this tradition alive, operated dory rescue units that were launched from the beach directly into the surf. All these dory activities depended on one thing, beaches without fences.

The best example I can give of open beaches was the Montauk cattle drive. I heard an elderly speaker from a historical society describe the sale marsh as the commons, any town person was free to graze his cow, horse, etc. on the common ground of the marsh. Here the animals fed on what was then called salt hay. In the fall, the cattle would move to the beach of all things and driven to western Fire Island. The beach was one long continuous wide open cattle trail. Imagine a person erecting a fence to block the drive because he did not like the sight of foods on the beach.

Finally, a more modern example from the Mississippi gulf coast. A beachfront property owner moved in and immediately built a fence. No one could access the beach. The case went to court, the fence bulder won. On appeal, the verdict was overturned. It seems that there was a tradition of fishing on that beach. The judge ruled, strangely enough, that in this case tradition trumped the law dealing with private property.

Today the argument centers over what is meant by the high tide

line or the even more nebulous concept, the mean high tide line. Whatever it is, it changes every day. Property owners take the high tide on the moons quarter-- first quarter and third quarter phase. They run their fences down to this point. These high tides, sometimes called neap tides are the lowest high tides of the month. This enables the property owner to claim a large section of the beach. A week later, during the full moon or new moon phase, the tides are much higher. The high tide moves way up the beach face. The seaward end of these fences are now from five to 20 feet into saltwater and on some days, the entire fence is in saltwater.

To prove this, last year I submitted approximately 15 photos to the town attorney which showed this to be true. On May 8, 2005, the fences were so far into the water that you could not even walk the beach, much less drive the beach.

Starting in the summer of 2004, on the east side of the access ramp next to the Wading River town beach across from (inaudible) restaurant, the town placed six boulders north to south and parallel to the beach access. The homeowner adjacent to these rocks extended that barrier even further with makeshift fencing, beach debris, driftwood, and various types of litter. This made beach access at best very difficult, at worst impossible. Five to seven other beachfront peropty owners followed suit with fences that ran to the high tide line or into the sound.

When mandatory beach hours took effect, no driving between 9 a.m. and 6 p.m., beach driving became just about impossible because you now had two limitations, beach hours and the high tide.

An example would be a family that tries to go fishing at 6 p.m. They can access the beach because the tide is low. They get around the fences. When it is time to go home at dusk, they realize it's high tide or near high tide, and now they are trapped by the fences that run into the water. The wait to get off the beach could be up to two hours.

Knowing this, they cancel their plans and the property owners win yet another round. The combination of fences and high tides has reduced the number of beach vehicles to a fraction of what it once was. People say it's just not worth the hassle.

Another phenomenon is the incredible shrinking beach, it shrinks in reality, but it does not shrink in their deeds. Every year property owners, myself included, lose some beach from erosion. Yet

the fence builders point to their deeds. They point right to the deed in front of me and tell me they still own as much as 100 feet out into the water. It says so in my deed. This gives them the right they claim to stop all beach traffic including pedestrians who simply walk in front of their homes.

I said to one homeowner, why don't you put your fence 100 feet out into the water? Maybe then you could stop some boat traffic as well. Look, when your beach washes away, it's gone. You do not own it anymore. Sometimes whole houses are swept away. What does this mean? It means that the guy behind you now has beachfront property.

You are history. They don't see it that way.

This of course brings up the topic of just who really does own the beach. After 44 years of living on the beach, teaching about the beach, reading about the beach, attending meetings about the beach, working with the state on problems dealing with the beach, being involved with legal matters concerning the beach, I'm left with just one impression. After all is said and done and for all practical purposes, the town and state own the beach. At least they control what goes on there.

On the north shore, that would be from the toe of the bluff to the water, during the winter its excessive high tides smash into the toe of the bluff and the base of the bulkhead. For the state, when I was involved, the rule of thumb was if it's touched by saltwater, you might own it but we control what happens with it.

Some jurisdictions, Maryland and Delaware, in order to expand their control over wetlands, wanted to claim all the land that was touched by saltwater during the 1938 hurricane. An expert once told me that if the 1938 hurricane hit Long Island on a (inaudible) tide, (inaudible) saltwater would reach the Roy Rogers Restaurant at the intersection of William Floyd Parkway and Montauk Highway.

More examples, after the incredible storm of November 11, 1992 which was a north easter coupled with a (inaudible) tide, I lost my entire main bulkhead. In April of 1993, I started the almost impossible job of rebuilding because I do it myself. I can't afford-- immediately thereafter, I found a cease and desist notice mailed to the crumpled wreckage by the sheriff. It said that I was in violation of town codes concerning beach construction. It took eight months to get permission to continue.

When my association tried to rebuild the bulkhead that holds up our parking lot after the same storm, we ran into such red tape that the CCA tongue and groove (inaudible), by the time we got to use it, almost two years later, was dried out, bent and warped to such an extent that it was almost unusable. But the property owners build at times formidable fences, some complete with pilings that run from the bluff clear across the beach and below the high tide line. No permit to build, no apparent problems with the town or the DEC. They did what they wanted to do.

Our bulkheads ran parallel to the bluff, obstructed nobody, yet we were hammered by building codes, environmental impact studies, I think of 42 pages, permits. We were videotaped by the minions of the town engineer and held to very close scrutiny. These actions leave little doubt as to who controls the beach and this control runs from the toe of the bluff to Long Island Sound. In other words, the entire beach. So if the state or town wanted to, they could act.

Our association of 51 families is very dependent on beach access. We need it to maintain our bulkheads, out staircases, beach cleanup and social functions.

In the mid '80's, I addressed this board, right here, I stood right over there, I addressed this board trying to find the middle ground between beach drivers and property owners. At this time, the issue is not fences, but people driving on the beach during the day. Every time I saw a truck on the beach during the day, I would stop it. I explained to the driver that you were breaking the law. There is a fine and they were making it very hard on the rest of us.

I truly believe that trucks have no place on North Shore summer beaches during the day. I suggested that a chain be placed across the beach access ramp and locked at 9 am and opened at 6. That was my suggestion. For some reason, this was not done for many years. My suggestion finally came back to bite me in the butt in the '90's when they did finally put up the chain. But they gave the key to the property owner. This is like giving the key to the henhouse for the fox.

They locked me off the beach in the early morning and they locked me on the beach in the evening. At this time, I called the police. During these many confrontations, the property owners found out that I was a beachfront property owner. I own beachfront. They then offered me the key if I would stand with them against the fishermen. The policeman observing this said, my God, class warfare in Wading River.

Make no mistake about it. It is class warfare. He also was correct. After that things got worse, verbal confrontations, people surrounding your truck in a most threatening way, pieces of 2 by 4 and 2 by 6 with large spikes hidden in the beach track just waiting for the next truck. I drove over two of these devices which led to one flat tire. I showed both to the bay constable but I had absolutely no proof as to who did it. I could have done it myself. I just showed it to him to make a point.

Last year, while on a mission from the Riverhead town attorney, my friend not only was harassed by property owners, but harassed and threatened enough to leave the beach immediately and drive to Riverhead and file a police report. He was just doing something the town attorney requested.

Finally there was even more fences. To be truthful, I do not even want to drive the beach anymore. It is not worth the hassle. To this degree, the property owners have already won.

As I said before, there's a public safety factor. My wife and I have witnessed three beach emergencies right in front of our property. First was our bulkhead fire, the fire started by the children of Little Flower. They burned down a large section of the main bulkhead. They burned down two flights of stairs and set the entire bluff on fire.

Second was an overturned canoe in the cold waters of mid-June and the third was a spectacular boat explosion. In all three cases, the first responders arrived on the scene via the beach in beach vehicles. Today due to a combination of high tides and fences, this might not be possible.

I'm sorry. Privately owned beach vehicles have a long history of public service. They transported thousands upon thousands of Christmas trees to dune (inaudible) on Fire Island, 4 by 4's carried untold numbers of zone one plantings and plugs of American beach grass that were planted from Moriches Inlet west to Long Cove. I was proud to be part of this operation.

I'm sorry. In Wading River, a fishing club would sweep the beach usually at the end of April and carry off large pieces of debris such as TV sets, lazy boys, broken pieces of boats, hot water heaters, tires, rims of all descriptions, 55 gallon oil drums, anything that was too big for someone to move without a truck.

I'm sorry. Every year I do this for my association. In 2006 I had my truck loaded with 21 55 gallon contractor bags of beach junk. Believe it or not when I got down to the jetty near the town beach, a property owner, using the jetty as a choke point, had made a fence out of anything you could find. You now had to make a torturous "S" like turn to get around the base of the jetty. The old snow fencing that he used had sharp wires directly into the beach track. I asked him and I knew him, I knew this man from when he was a little kid. I asked him could he move some of the stuff just to make it a little easier. No, he said. Could you just bend the wires back so I don't scratch my truck? No. Believe me, these people take no prisoners.

Can I prove to you today right now that a south shore cattle drive existed, that salt water could reach the Roy Rogers Restaurant and a cannon law even existed, that farmers gathered seaweed in horse drawn wagons, that I drove over carefully covered spikes hidden in the sand? No. Much require weeks of research and some statements are basically he said, she said issues unprovable but collectively, everything that I said here today points to a time when the beach was open and its use was for everyone.

Did I lie? No. Did I exaggerate? No. Could I be wrong because the speaker I heard it from or the article I read was wrong? Of course.

All we are asking is first to make it a little bit easier to get on the beach from the ramp. Right now, because of the fence, it is a 90 degree turn. And it's very hard to get off.

Second, just let us sneak by during most high tides and, third, not to use the jetty as a choke point.

I would have far more sympathy for the property owners if they had bought their homes when there was no beach driving and then the town came along and suddenly started to issue permits. But this is not the case. These people purchased the land knowing that beach vehicles were there. They are in every way analagous to people who buy land next to an airport, or in Long Island's case, a duck farm, and then demand that the airport or duck farm close down because the planes are too noisy and the ducks too smelly.

We all know that money buys privilege, privilege begets access and control. When this happens, beaches are closed off, they become completely private. Please don't let this happen in Wading River.

To throw the fishing rod into the 4 x 4, drive a mile or so down the beach and go fishing, it's just about the last inexpensive recreational outlet left for the average person. No salt water license is needed, no expense of a fishing boat, just the family's SUV or pickup truck. This is truly the realm of blue collar Joe and Jane. It is this realm that a few property owners seek to claim for their own exclusive use. It seems grossly unfair that a small group of people can impose their will on the general public without the general public beach driving fisherman having some say in the debate.

All we ask is that someone in authority to literally draw a line in the sand, a line that reflects both sides, not as it is today a line drawn by the property owners alone.

I'm sorry that was so long."

Supervisor Cardinale: "Thank you. It was very educational and we are doing just that, we are drawing a line in the sand. The engineer is going to assess and he's going to get it out there I hope in the next week and that's the line that will be enforced by the town of Riverhead. Exactly. Thank you."

Meeting adjourned

Barbara Hutton
Town Clerk