

12/19/2006 minutes

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, December 19, 2006, at 2:00 p.m.

Present:

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

Also Present:

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

Supervisor Cardinale: "This is the December 19th meeting of the town board, 2:00 p.m. And I'd like to begin as always with the Pledge of Allegiance and if Tim Gannon from the News Review can remember the words, we'd like him to lead us."

(At this time, the Pledge of Allegiance was recited, led by Tim Gannon)

Supervisor Cardinale: "We have no citations, awards or heroism proclamations to give out so we can get right to work with the approval of the December 5th meeting minutes and the special board meeting of the 8th of December minutes. Could you call that- could somebody offer them to be accepted?"

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."

Barbara Grattan: "The minutes are approved."

Supervisor Cardinale: "Could you tell us what Reports have been made in the intervening two weeks?"

Barbara Grattan: "Not many."

REPORTS:

Police Department

Monthly report for October,
2006

Barbara Grattan: "That's it."

Supervisor Cardinale: "Applications."

APPLICATIONS:

Site Plan

Riverhead Plaza Shopping
Center - addition of new
facade exterior to existing
shops, not including Wal-Mart
and King Kullen

Barbara Grattan: "That concludes Applications."

Supervisor Cardinale: "Correspondence, please."

CORRESPONDENCE:

Sal Mastropolo

Re public hearing Bays and
Creeks

Jeffrey Seeman

Re Chapter 108-Article VI-
Agriculture protection zoning
use district and 108-26.1 and
108.87 cluster plans and golf
courses

Glen & A. Marie Moreland

Re FI Long Island's proposal

Barbara Grattan: "That's it."

Supervisor Cardinale: "Thank you. We have public hearings commencing at 2:00 p.m. I would like to note that Christmas tree is here only because of the efforts of Barbara Grattan, our Town Clerk. Is that correct? And others."

Barbara Grattan: (Inaudible comment)

Supervisor Cardinale: "It's lovely."

Barbara Grattan: "Thank you."

Supervisor Cardinale: "Thank you. And is there any other announcements or observations that any member of the board would like to make?"

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Councilman Bartunek: "The Anti-Litter committee is looking for a couple of new members to replace the people who are moving out of town. If anybody would be interested, we're looking for some people who would like to be very active in improving the quality of life in Riverhead."

Councilman Densieski: "Phil--"

Supervisor Cardinale: "Yes?"

Councilman Densieski: "Also, I would like to thank all the volunteers who helped out with the 7th annual bonfire. It was a pretty good night and I want to thank all the people who spent their hard, you know, time and effort to make it a nice event. Thank you."

Supervisor Cardinale: "Thank you."

Councilwoman Blass: "Thank you, Ed, for taking that on again."

Supervisor Cardinale: "I saw a moment of the tape. It looks very attractive. The tape is running on Channel 22 and if you weren't there, you can watch it and get a sense of the moment."

With- unless anyone else has anything further on committees, we'd like to call the first public hearing."

Public hearing opened: 2:05 p.m.

Supervisor Cardinale: "Which is for the consideration of a resolution to authorize the Riverhead multi-family housing corporation to initiate dissolution procedures. This is at the suggestion of our town attorney and the attorney as I understand it for the Riverhead Multi-Housing Corporation which has been (inaudible)."

Is there any question- any comment or- that you'd like to- that anyone would like to share? Yes, please come up."

Nina Stewart: "Happy holiday everybody."

Supervisor Cardinale: "Happy holiday."

Nina Stewart: "I'm Nina Stewart. I'm the legal counsel for both Riverhead Housing Development Corp. and Multi-Family Housing Corp. My co-counsel are (inaudible). Two of the board members (inaudible) are here."

This resolution being offered by the town (inaudible) pursuant to several meetings we had to discuss how best to carry on the housing program of the town.

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As you remember, these agencies— organizations are instrumentality in the town. That's why we're here today. We need your permission to go ahead to dissolve the corporation.

The only remaining program was the Doctor's Path administration which HUD has given us permission to transfer to (inaudible) Housing Development Corp. In fact, it was the original intent that Doctor's Path be a multi family project (inaudible).

So that's what the resolution today is about and we will do the appropriate filing with the state.

Just to make you familiar, for two and a half years, the board has been meeting with various board members, speaking to you and writing letters and we persevered and followed through with everything you've asked.

So our goal today because over 200 families, 93% of whom are senior citizens and people with disabilities need this program to continue. And our (inaudible) are getting very nervous that the program's funding will be somehow cut or severely restricted, that the hope today is to— this is a step in our process. We'd like to work with you to set up a work session to continue this process and answer questions the board may have in the new year.

One of the concerns is that the health insurance which the town fronts and we have reimbursed the town for, have gone up 17% and our budget, our client's budget, has not, we are having severe problems with making so those payments.

So, again, I wish you all a happy holiday on behalf of the board and if there are any questions about the resolution, the corporation (inaudible). Thank you."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Is there any other comment from any other member of the public in regard to this first hearing for consideration of a resolution to authorize the Riverhead Multi-Family Housing Corp. to initiate dissolution procedures?"

Okay, if not, it is 2:12. The hearing was begun at 2:05. I'll consider it closed for oral testimony and keep it open until, let's see, the 29th at 5:00 p.m. for written."

Public hearing closed: 2:12 p.m.
Left open for 10 days for written
comment to December 29, 2006

Public hearing opened: 2:12 p.m.

Supervisor Cardinale: "The next one- hearing is at 2:05 p.m. It being 2:12, we'll open it for consideration of a proposed local law to amend Chapter 101 of the Town code entitled Vehicles and Traffic concerning weight limits at Fresh Pond Road which weight limit is going to be what- nine tons."

Councilman Bartunek: "The signs are up there already."

Supervisor Cardinale: "Okay. Is-- there anyone have any thoughts about whether that's a good idea or bad idea? What is the weight limit presently? It's eight. So we want to make it nine. Any particular reason we're doing that? Because it should have been nine in the first place. Okay. Because the change in licensing rules. Okay. So you need a special license to operate at what level? Nine tons. But at eight tons you don't.

So it was a screw up in the beginning and we really should have made it nine to begin with. Okay. So we're correcting that.

Anybody have a comment about that? If you don't, we will keep this open also to December 29th at 5:00 p.m. for any unlikely written comment."

Public hearing closed: 2:14 p.m.
Left open for 10 days for written
comment to December 29, 2006, at 5:00 p.m.

Supervisor Cardinale: "And move onto the third and final hearing of the day which is scheduled for 2:15 and which it being 2:14, I'll have to do a tap dance for a few minutes. The- actually my clock says 2:15 but that doesn't and we're going to have to go by that clock. So why don't we take a comment in the interval from anyone who wants to comment on the resolutions which are resolutions 1123 through 1158 that we're going to consider in a few moments. If there's a resolution that you want to have a comment on, we will take it now or we'll take it immediately after I call this third hearing because it's now 2:15.

So let's call the hearing. What resolution do you want to talk about?"

(Inaudible comment)

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Supervisor Cardinale: "Yeah, well stick around then because two things, it's not— maybe save yourself the trouble, too. That resolution is not in the packet. We're going to be discussing it Thursday at the work session and probably won't consider it until either the 29th— the 29th— 27th, I'm sorry, the 27th we have a meeting. Probably not— or the 3rd of January. So we will not— we'll be considering it at the work sessions but we won't be considering it at a town board session."

(Inaudible comment)

Supervisor Cardinale: "Yeah, that would be great. That will save you the time because otherwise you've got to stick around through the comment on the resolutions and the passage of the resolutions. Yeah, so the work session is scheduled for— starts, yes, we would take written comment and we will take comment at the work session. I suggest you get here at— after 12, because we have three hours of sessions. Okay? Presentations on Thursday, on the RFP's."

Okay. So let's call 2:15."

Public hearing opened: 2:15 p.m.

Supervisor Cardinale: "The consideration of the town of Riverhead's fee simple purchase of property located on the northerly side of Riverside Drive-- Riverside Drive-- oh-- located in the code as Residence B-40 for preservation of open space for public purposes. That is the River Club property on Riverside Drive which was the subject of a press conference not too long ago with Suffolk County."

We're considering a purchase of approximately \$12,000,000, 5.2 of which we would pay— they would pay, 6.8 of which we would pay. How many acres is it Barbara? Fifty-five acres. Fifty-five, and north side and south side combined. Fifty-five acres.

Do we have any comment on the proposed fee simple purchase? We would be using funds which were obtained through the 2% Peconic Bay— CPF, Community Preservation Funds. Any— yes.

Our portion is on the north side approximately 36 acres and the county's portion is on the south side approximately 17 acres up along the river. There would be a total, I think of 40 lots and 14 docks if we were not to preserve that piece. It is important by all accounts to the estuary on the side that it is. It abuts already owned town property by of all things the sewer district on the north side.

And that's what I know about it quickly. But anybody want to comment? Yes, please come up."

Jennifer Hartnagal: "My name is Jennifer Hartnagal and I'm speaking on behalf of the Long Island Pine Barrens Society. The Long

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Island Pine Barrens Society supports the town board's preservation of the River Club property. The town has previously identified this land as a crucial parcel on Long Island's open space plan, as New York State has on its open space preservation plan and is recognized by the Peconic Estuary Management Plan and as recognized by the Peconic Estuary (inaudible).

The (inaudible) acre parcel is the largest remaining tract of land along the Peconic River Estuary. (Inaudible) is historically significant. Further, the parcel is highly sensitive to (inaudible).

The preservation of this area (inaudible) and precedent not only for the town of Riverhead but for all (inaudible).

Thank you."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Okay, please come up if you have any other comment."

Pamela Holgraff: "Good afternoon, Supervisor Cardinale, Council members. My name is Pamela Holgraff. I'm here today as a representative of Riverside Drive Association. And we are here today (inaudible) to say thank you for getting us to the point where we're at.

The parcel currently known as the River Club has had an interesting history but the ending to this story will be the one that will be remembered.

The community of Riverside Drive is certainly going to be the first to acknowledge and reap the benefit of this town acquisition. However, it goes beyond one single (inaudible). No one who has ever—no one who has any aesthetic sensibilities or environmental appreciation, has traveled along that road, beside that parcel, and not been struck by the beauty of what it is and that it still remains.

Unfortunately man takes things for granted particularly nature and they only realize it when it's no longer there, and that would be a tragedy. We believe along with many others, educated and noteworthy, that this acquisition will be one of the most significant and worthwhile Riverhead town purchases for generations.

We thank you very much for your time and your effort, all your good work that you've done on this."

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Supervisor Cardinale: "Thank you. Yes, please come up, any other commentators."

Remy Bell: "Remy Bell, 66 Riverside Drive, Riverhead. Along with Pam, I'm Co-Chairman of the Riverside Drive Association."

I just want again to commend you gentlemen and ladies for their hard effort and work, to looking at this situation and rectifying a situation that turned up a couple years ago but you're doing the right thing now and we commend you for your efforts. As Pam said (inaudible).

It's not just for us but the people who live in the community and will benefit from it directly but all the people of Riverhead on the east end. I mean, what a beautiful parcel for someone even coming from the south shore to enter Riverhead over the river and see that parcel of land preserved forever and to know that your fingerprints are on it, you help save that so, again, we just want to thank you all. And have a happy holiday."

Supervisor Cardinale: "Thank you. Yes, please come up."

Kevin McAlister: "Good afternoon everyone. My name is Kevin McAllister (inaudible)."

Obviously I've been before this board before talking about this parcel and I hope everyone actually in the summer might have seen this bay watch report that was widely distributed.

Within that report, we identified what we feel are key environmental indicators that we pay close attention to, (inaudible), shore line hardening, tidal wetlands and in particular relative to water quality (inaudible).

As you may know, the Peconic River has been classified as impaired waters for nitrogen pollution as well as (inaudible) problems.

I want to at least start off by applauding the town for taking the actions necessary to try to correct (inaudible) coming into the river. It remains vulnerable relative to nitrogen pollution and that's (inaudible) it deals really with ground water flows coming in from residential areas and beyond.

The south side is currently very vulnerable and we're trying to adjust the development that's being proposed on the south side which would inevitably place more nitrogen in the system.

Relative to this parcel, and I think, Supervisor, you identified 14 lots, (inaudible). Any way you shake it, there would be more nitrogen load coming into (inaudible) waters.

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The Peconic Estuary program through their (inaudible) plan, has recommended a no net increase in nitrogen loads just to really get the oxygen levels back up into the river where they should be to support-sustain life.

So I applaud you for doing the right thing. Again, on several fronts here, acquiring this parcel makes really good sense for quality and habitat and beyond. So keep up the great work and thank you again."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Okay. We'd be pleased to take any other comment. I'm going to leave this open for written comment through 5:00 p.m. on the 29th, Friday, the 29th. Randy is going to speak. Please come. We have one other comment at least and if there's any others, please come up."

Randy Parsons: " Randy Parsons. I'm with the Nature Conservancy. And we are very pleased to partner with the Riverhead town board and Suffolk County to protect this parcel. It wouldn't happen without the Riverhead town board taking (inaudible). And being willing to commit the Community Preservation fund which everybody knows has been extended this November (inaudible).

So I think you're acting in concert with (inaudible) and you're making a very wise as (inaudible) said, an environmentally intelligent (inaudible).

So thanks again and we hope you have more announcements some time in the future."

Supervisor Cardinale: "Thank you."

Councilwoman Blass: "Can I just publicly thank Randy and the Conservancy for their- you really did take the lead on this and we all know how much work you've been doing behind the scenes. So on behalf of the board and the entire community, it's really thanks in large part to you and your efforts, Randy."

Councilman Bartunek: "A little further comment on this. Is this on, I guess?"

When this came before the Open Space Committee, the owner of the property was adamant that there was no interest in selling the property for the preservation of open space and subsequently Barbara apparently didn't hear that and decided that she was going to have an assessment of the property- an evaluation of the property anyway. So

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she really deserves credit for initiating this whole process. Thank you very much, Barbara."

Councilwoman Blass: "Thank you."

Supervisor Cardinale: "Is there any other comment from any member of the public? If there is not, I will leave it available for public comment through written statement through 5:00 p.m., the 29th of December."

Public hearing closed: 2:26 p.m.
Left open for 10 days for written
comment until December 29, 2006 at 5:00 p.m.

Supervisor Cardinale: "And that concludes our three hearings for the day. We can now move to consideration of the 35 or so resolutions. Is there anybody who wishes to comment on any of the resolutions we are going to consider? Sal? Yes."

Sal Mastropolo: "Resolution 1141."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "My first question is what is the financial impact of that change? How many employees (inaudible)."

Supervisor Cardinale: "One."

Sal Mastropolo: "Why not wait until the end of the current contract or the end of the collective bargaining agreement which ends December 31, 2007? Why do it (inaudible)."

Supervisor Cardinale: "That's a good question. Probably we would if it weren't for the fact that this— there's only one employee involved. It's in the accounting department. As you probably know, we're restructuring that department. We're also asking some of the members including this individual to pick up extra duties, so that's the reason we wanted to act now."

Sal Mastropolo: "1142."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "What's the maximum hours per week? Usually you have— "

Supervisor Cardinale: "Yes, that's a good point. I believe John and Barbara and George, you may be more familiar with it. I believe it's less than 17 and a half."

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Councilman Bartunek: "It's 17 hours."

Supervisor Cardinale: "Seventeen hours. Part time position of sign inspector at an hourly rate of such and such for a maximum of seventeen per week. Right?"

Sal Mastropolo: (Inaudible)

Councilman Bartunek: "No."

Supervisor Cardinale: "No. There are none."

Sal Mastropolo: "1143."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "The first Resolve."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Shouldn't you have a date in there?"

Supervisor Cardinale: "Yeah."

Sal Mastropolo: "You say December, 2008."

Supervisor Cardinale: "For a two year term— for the two year term. It expires December— when, do you know?"

Councilman Bartunek: "30th— 31st."

Supervisor Cardinale: "Thirty-first, thank you."

Sal Mastropolo: "1145."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "I can't see paying (inaudible) to \$12,000 a year to have a deputy financial administrator who is going to step in case the financial administrator is not available or decides to leave. I think we have a lot of other options in the town, okay, to fill in as a deputy. For example, either the Supervisor or one of the Councilmen or even the Personnel Manager.

I mean when this was brought up the last time it was, well, you know, if something happens to the financial administrator, we need somebody to step in. Well, what happens if nothing happens? Now you're paying \$12,000 a year, right, to somebody to act as a deputy in case the financial administrator is not available.

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And the other thing is isn't there a conflict between responsibilities. Okay. She currently has a job downstairs in the computer department, right? How is that going to be impacted by quote deputy financial administrator responsibilities? Has anybody looked into that? She's going to be taking from one to give to the other and you're giving her \$12,000 more a year to do that. I think you should reconsider this resolution."

Supervisor Cardinale: "Okay. I- there are some unique circumstances surrounding this. They have been discussed pretty fully by the board.

One thing I can say is her duties would not be just as a fill in, to make you feel a little better. She would be- do day to day duties. In fact she is doing day to day duties right now in view of the crisis situation because of Jack's death, our financial administrator for 30 years. In closing out, for example, the year and assisting us in getting the tax warrants out and assisting us in all other- in other accounting duties.

Second point is it's not- we're not making a commitment here for 12 months. In fact, we're not making a commitment for anything for other than month to month and indicating a six month look back period. We're saying that we- if she serves in this position for the period January 1 through June 30th, we will pay a \$1,000 stipend per month for the extra duties."

Sal Mastropolo: "What about her responsibility to her regular position?"

Supervisor Cardinale: "Well, that's much discussed because we thought the same thing you did, that it was an odd situation and ultimately this was the compromise resolution to keep her on an interim basis rather than giving a grade level promotion- a group level promotion or some other underlying title. So I appreciate your points though."

Councilman Bartunek: "And, Sal, if you take a look at the dates, it's only for six months. It's not for a year."

Supervisor Cardinale: "Yeah, that's right. That's what I was pointing out. But, thank you."

Sal Mastropolo: "1151."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "I think from a consistency point of view, okay, (inaudible) needs to have the owner identified as the town of Riverhead (inaudible). On one page we have Calverton Sewer District.

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On the second page, you have the owner as Michael Reichel. Somewhere else you've got Calverton Sewer District (inaudible). I think you need to establish Town of Riverhead Calverton Sewer District as the owner taking Michael's name out of the second page, okay, and go through the document and make sure that— I mean if you establish it at the beginning that quote the Town of Riverhead, semi quote, Calverton Sewer District is the owner, then in the rest of the document, you can just say owner."

Supervisor Cardinale: "Right. Barbara is pointing out that on the first page that if you look at the whole sentence it's representative for the owner shall be Michael Reichel. Representative for contractor Waste Incorporated. Actually what we need is a name on the Waste Incorporated. We'll take a look at it though. I see what you're saying."

Sal Mastropolo: "I take it this whole thing is for (inaudible) up at EPCAL?"

Supervisor Cardinale: "Yeah."

Sal Mastropolo: "1156. I think you should copy Antonio (inaudible) seeing as how—"

Supervisor Cardinale: "I would think, yeah."

Sal Mastropolo: (Inaudible)

Supervisor Cardinale: "Always the last to know. We have had a number of discussions with him. But, yes, you're right. So can we copy Antonio? I think Chris Kent and he have become brothers, they've spoken so much. But we better get this to him."

Supervisor Cardinale: "1157."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "I suggest you have a second credit card."

Supervisor Cardinale: "Signature?"

Sal Mastropolo: (Inaudible) "Like, I have a credit card and my wife is the second cardholder."

Supervisor Cardinale: "Right."

Sal Mastropolo: "He's the primary cardholder, maybe there should be a second cardholder like yourself."

Supervisor Cardinale: "Yeah, in fact, there was, but then that person that we were going to name indicated that she preferred not to

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be named. So if the board has any suggestions on that, we will look into that. We should have two people. Right."

Sal Mastropolo: "That's it."

Supervisor Cardinale: "Thank you. Any other comment on the resolutions we're about to consider? If not, we will consider them and then take general comment. You want to call 1123, please?"

Resolution #1123

Councilman Densieski: "Town of Riverhead refuse and garbage 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 #1124

Councilwoman Blass: "Budget adjustment in the general fund. 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 #1125

Councilman Bartunek: "General fund budget adjustment. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. As I understand it, this is putting \$14,000 in vehicles from other funds to buy a van and it was discussed at the work session, right?"

Councilman Dunleavy: "Yes."

Supervisor Cardinale: "Okay. Moved and-- do we have a second?"

Councilman Dunleavy: "Second."

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Councilman Densieski: "We did second it."

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

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

Resolution #1126

Councilman Dunleavy: "Town of Riverhead general fund 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 #1127

Councilman Densieski: "Town of Riverhead general fund 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."

Supervisor Cardinale: "Yeah. As I understand it, this is one of those speed sign machines that somebody donated the money for."

Councilman Dunleavy: "Someone donated money to buy a second speed sign."

Councilman Bartunek: "Dick Winslow (phonetic)."

Supervisor Cardinale: "Dr. Richard Winslow and it's the foundation he administers, I imagine. Well, that's great. Because those are proven to be popular. They're often requested by communities. Now we'll have two. I vote— am I supposed to vote now?"

Barbara Grattan: "Yes."

Supervisor Cardinale: "Yes."

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Barbara Grattan: "The resolution is adopted."

Resolution #1128

Councilwoman Blass: "Resolution-- this resolution rescinds town board resolution #1084 - re-authorizes budget adoption of land acquisition for James P. Sharkey and Monique Molfetta. 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 #1129

Councilman Bartunek: "Accepts a five percent certificate of deposit of Traditional Links, LLC. 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 #1130

Councilman Dunleavy: "Accepts security of 941 Northville Turnpike (Leonard Rosenbaum)."

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 #1131

Councilman Densieski: "Accepts 5% security bond of Peconic Plaza, LLC (Teachers Federal Credit Union). So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1132

Councilwoman Blass: "Declares lead agency and determines environmental significance of acquisition of property located at Peconic Avenue, Riverhead, Suffolk County Tax Map No. 0600-128-6-85.2. 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 #1133

Councilman Bartunek: "Authorizes the chief of police to execute agreement of administrative study by the NYS Division of Criminal Justice Services. So moved."

Councilman Dunleavy: "And seconded."

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

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

Supervisor Cardinale: "Yeah. This will allow without charge a study by the state of what level of police officer if necessary for the town. And I've been looking for this and I'm glad we finally have it chief. I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1134

Councilman Dunleavy: "Authorizes the Supervisor to sub license agreement for Suffolk County Areis and tax map product. And Areis stands for Advanced Real Estate Information Systems. So moved."

Councilman Densieski: "Second the motion."

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

Councilman Bartunek: "Question on this."

Supervisor Cardinale: "Yes."

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Councilman Bartunek: "This is just financing-- the tax maps, the books that we get. That's what this is?"

Supervisor Cardinale: "This is the agreement concerning-- yeah, yes."

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

Resolution #1135

Councilman Densieski: "Authorizes the town clerk to publish and post a notice of public meetings schedule for the Farmland Preservation Committee. 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 #1136

Councilwoman Blass::: "Accepts the resignation of traffic signal maintenance supervisor. 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 #1137

Councilman Bartunek: "Adopts a local law to amend Chapter 108 entitled Zoning Riverhead town code. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes. And I think that it will help the residential properties with this-- I think it's a good idea. I vote yes."

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

Councilman Densieski: "Yeah. I'd like to thank the handicapped committee, the town attorney's office, the building department for help in this legislation. This is exempting handicapped people from having to pay fees for ramps, etc. Yes."

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

Supervisor Cardinale: "I vote yes and thank the committee and Ed's assistance as liaison. I think it's a good thing and I will vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1138

Councilman Dunleavy: "Accepts resignation of a laborer. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "You know, I think actually this was—that last one was a substitute for this— is that correct? Is Trina here?"

Barbara Grattan: "1137 is a substitute for— "

Supervisor Cardinale: "No, I'm wrong."

Councilman Dunleavy: "It's not."

Supervisor Cardinale: "Yeah, you're correct. Okay. It's the one above that. Okay, yeah, that's moved. May we have a second?"

Barbara Grattan: "Okay, that's which one, 1138?"

Supervisor Cardinale: "1138 is the Tribuzio one."

Barbara Grattan: "Okay."

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

Councilman Densieski: "Yeah, I'd like to thank Robert for his efforts in the sanitation department. I wish him good luck. Yes."

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

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Resolution #1139

Councilman Densieski: "Appoints two on call traffic control specialists to the police department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1140

Councilwoman Blass: "Authorizes the publication of a help wanted ad for maintenance mechanic II. 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 #1141

Councilwoman Blas: "Approves the stipulation of agreement. 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 #1142

Councilman Dunleavy: "Appoints sign inspector to the building 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. That resolution is adopted."

Resolution #1143

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Councilman Bartunek "Appoints member to the Riverhead Conservation Advisory Council. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes. He was just here, I guess he left before this resolution but I think George Woodhull is going to make a wonderful member to this council. Yes."

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

Resolution #1144

Councilman Densieski: "Authorizes town clerk to publish and post a notice of public meetings scheduled for the Open Space Committee. 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 #1145

Councilwoman Blass: "Appoints acting deputy financial administrator. So moved."

Councilman Densieski: "Second the motion."

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

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

Councilman Densieski: "Yeah, I have a quick statement. Everyone's aware of the loss of Jack Hansen. He's been with the town for about 30 years. In his absence, some of the staff, as a matter of fact, all the staff in the accounting department really stepped up to the plate. I think the taxpayers owe them a debt of gratitude for their hard work and they really save us money because otherwise we would have had to bring in specialists and hire consultants. But the staff members actually stepped up to the plate and did a good job for

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the town and I want to thank them. And I want to thank Lori also so I'll vote yes."

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

Supervisor Cardinale: "Yeah, I think that's absolutely accurate. And I think that we're beyond the most difficult period. And I will vote yes to this resolution."

Barbara Grattan "The resolution is adopted."

Resolution #1146

Councilman Densieski: "Awards bid for 2007 tractor (Bunker and Field Rake) for the 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 #1147

Councilman Bartunek: "Awards bid for abandoned/junk vehicles. 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 #1148

Councilman Dunleavy: "Awards bid for abandoned/junk motorcycles and mopeds. So moved."

Councilman Bartunek: "And seconded."

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 #1149

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Councilman Bartunek: "Authorizes the town clerk to publish and post public hearing to consider the proposed local law to amend Chapter 106-10 entitled Waterways of the Riverhead town code. 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 #1150

Councilman Densieski: "Authorizes the execution of a contract for New York State assistance from the household hazardous waste state assistance program also known as the STOP dates. 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 #1151

Councilwoman Blass: "Authorizes service agreement Calverton Sewer 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 #1152

Councilman Dunleavy: "Approves the application for fireworks permit of Vail Leavitt Music Hall, Inc. (December 31, 2006). So moved."

Councilman Densieski: "Second the motion."

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

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

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Councilman Densieski: "Yeah. I just want to point also that it's free, everyone is welcome to come down. Yes."

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

Supervisor Cardinale: "Yeah, December 31st, 8:00 p.m. Again, we will have fireworks at Grangibel Park to bring in the new year. Vail Leavitt is sponsoring it. It's free to the public. I hope it's good weather so we can all enjoy it. I vote yes."

Barbara Garttan: "The resolution is adopted."

Resolution #1153

Councilman Densieski: "Establishes times and dates of regular meetings of the town board for 2007. 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 #1154

Councilwoman Blass: "Approves the creation of a South Jamesport Historic District. So moved."

Councilman Bartunek: "And seconded."

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

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

Councilwoman Blass: "Yes. I just want to disclose that my mother owns property in this district. Yes."

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

Councilman Densieski: "I'd like to thank all the people that once again volunteered to, you know, to make Riverhead a better place. I think this is going to be a good thing for the area. I'm going to vote yes."

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

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Supervisor Cardinale: "Yeah, I agree and I vote yes and thank the Landmarks Committee and Richard Wines for the efforts that they've made."

Barbara Grattan: "The resolution is adopted."

Resolution #1155

Councilman Bartunek: "Approves the creation of a Jamesport Hamlet Historic District. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes. And I've got to thank Mr. Wines and his commission for doing a good job on both these districts. It's a little-- it was a lot of hard work and now they're working on-- they did Riverhead, now they're working on Wading River. So thank you. Yes."

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

Councilwoman Blass: "Yes. And it's been a pleasure working with the commission on this. Thank you."

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

Supervisor Cardinale: "Yeah, we've now have historic districts downtown in South Jamesport, on Main Road in Jamesport and I would point out that they amended the border to accommodate some individuals who objected to being included and we're now going on to Wading River where I'm sure there will be a historic district shortly. I vote yes and thank them for their effort."

Barbara Grattan: "The resolution is adopted."

Resolution #1156

Councilman Dunleavy: "Scheduling a public hearing pursuant to Article 2 of the New York State Eminent Domain Procedure Law in connection with the condemnation of 48-52 Peconic Avenue, Riverhead, reputed owner Antonio Militello, SCTM# 0600-128-6-85.3, Riverhead, New York. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1157

Councilman Densieski: "Authorizes the purchase of a town of Riverhead credit card. 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 #1158

Councilwoman Blass: "To pay bills. 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."

Barbara Grattan: "Now I think we have one coming off the floor."

Supervisor Cardinale: "Yes. We actually have two coming off the floor. The first is resolution designated 1159 reassigns principal account clerk. Second resolution 1160 which was just handed us, we've been anticipating for a while, to post and publish for a public hearing to amend Chapter 52 Building Construction of the Riverhead town code. This is the energy STAR provisions."

Dawn Thomas: (Inaudible comment)

Supervisor Cardinale: "Okay. Make sure this is the one that is in good order, Sal, and then we'll give it to the Clerk. So these are two off the floor, 1159 and 1160."

Resolution #1159

Supervisor Cardinale: "1159 reassigns principal account clerk. For the purposes of the public-- Resolve that pursuant to said stipulation previously passed principal account Janet Griffin is hereby reassigned to Group 7 Step 5A administrative salary schedule

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effective today. That's what that says. It implements the one person affected by the earlier group level change. If there's no questions on it, would somebody please move it and somebody second it."

Councilwoman Blass: "I'd like to make a motion to put 1159 or to take it off the table or off the floor, off the floor, and consider it. So moved."

Councilman Dunleavy: "And seconded."

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

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

Supervisor Cardinale: "Now we move to consider it so we should move again to vote on it. Right? Usually we do it that way but I think we should (inaudible). So let's have a motion to vote yes or no."

Councilwoman Blass: "I make a motion to Resolution #1159 reassigns principal account clerk. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes. I'm going to vote yes. This is one of the employees down at the Accounting Department that worked overtime in doing her work when we were short down there and I think they all deserve a bunch of credit for everything they did. So I vote yes to this."

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

Supervisor Cardinale: "Yes. And I think after a discussion with the Personnel Committee that the change in group from 5 to 7 is appropriate. Considering the significance of this position it should be at this level rather than the previous. I vote yes."

Barbara Grattan: "That resolution is adopted."

Resolution #1160

Barbara Grattan: "Now we're going to 1160."

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Supervisor Cardinale: "Yeah. 1160 is to post and publish for the energy STAR amendment to Chapter 52."

Councilman Densieski: "So moved."

Councilman Bartunek: "And seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes, as amended. And instead of 7:00 p.m., it's 2:05."

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

Supervisor Cardinale: "Okay."

Barbara Grattan: (Inaudible)

Supervisor Cardinale: "Yeah, I guess we should, consistency."

Barbara Grattan: "Okay, Densieski, this resolution for adoption now again. Offer it."

Councilman Densieski: "So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Now not just to consider bringing it off the floor but to consider aye or nay."

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes, with the amendment from 7:00 p.m. to 2:05."

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

Supervisor Cardinale: "Great. Okay- "

Dawn Thomas: (Inaudible comment)

Supervisor Cardinale: "Good. We might actually get some money out of it. Did you want me to- the site access agreement- okay, that concludes our consideration of resolutions. I'd like to take up comment on any general matter before our purview. Sal, and then anyone who wishes to speak follow. Yes."

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Sal Mastropolo: "That resolution you took off the floor (inaudible)."

Councilman Dunleavy: "It is 7."

Sal Mastropolo: "That's not what the resolution- the resolution (inaudible)."

Supervisor Cardinale: "That's because you have the earlier one. It should read 7 but thank you for pointing that out. Thank you. Another comment?"

Sal Mastropolo: "Yeah, one other thing. Purchase of development rights (inaudible)."

Supervisor Cardinale: "Yes, yes, that's correct."

Sal Mastropolo: "(inaudible) preservation of green space."

Supervisor Cardinale: "Right."

Sal Mastropolo: "However, we have some situations where if you purchase development rights and you (inaudible) the parcel is not that big. Unless you change the way the wording is, you can result in lots that are between a quarter and a third of an acre in size."

Supervisor Cardinale: "Right."

Sal Mastropolo: "I'd like you to consider or talk about maybe having a stipulation in there that says if you do development right purchases (inaudible), the minimum lot size has to be (inaudible)."

Supervisor Cardinale: "That's a good- and one we will consider. We actually did discuss this subject somewhat when we passed the zoning. The way it reads as I recall is that let's take 100 acres, let's say there's going to be 40 lots under two acre zoning, okay. You- the planning board seeks to cluster up to 70%, which would put 40 lots on 30 acres.

But sometimes they can't cluster that much and they only cluster 55 or 60 or something like that which would put 40 lots on 40 acres. So it doesn't often come up but on some pieces it might and you're saying that we might want to have a minimum lot size, right?"

Sal Mastropolo: "Yes."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "And if you take that scenario that you gave (inaudible)."

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Supervisor Cardinale: "Right."

Sal Mastropolo: "That you buy 50 development rights, now you have 100 houses- "

Supervisor Cardinale: "Yeah, but you can only put double- the most you can do is double the yield, so on 100 you generally would put 40 because you have to have roads and the like. So 100 goes to 40 and then- which would be two acre. You could put 80. So if you put 80 and you put them on 30 acres, I get your point, okay. Right. He means that if you double your yield, that's what it is. How are you? Good."

Phil Barbato: (Inaudible)

Supervisor Cardinale: "There isn't a decision. It was discussed as I understand it at the work session on Thursday. The town planning director was asked to draft a proposed- a resolution. We haven't seen it yet. I don't think we're going to see it, I think until the earliest- we won't see the resolution until the January 3rd meeting, at the earliest. But I had the same thought you did because I (inaudible) the Thursday meeting, I said- and I noted that the resolution said that he was beginning to draft with the town attorney. And I said share with me what I decided because I hadn't decided anything yet."

But they're working on getting us a draft so the board can then discuss it and decide what they're comfortable with and what they're not comfortable with."

Phil Barbato: (Inaudible)

Supervisor Cardinale: "There has not been a SEQRA determination. We anticipate making that at the same time as the decision. However, I've had a discussion about that issue and basically when we make the determination, we'll probably have at least a couple paragraphs on it."

Essentially we're going to be doing- we need the information that SEQRA would give us but SEQRA is not the only way we can get the information necessary to make a decision. But we will address that issue within the resolution anyway. You know, the SEQRA decision.

We have to make a decision whether SEQRA is going to be the determination of significance- significant environmental impact or not for SEQRA purposes. That will be made as part of the same resolution."

Phil Barbato: (Inaudible)

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Supervisor Cardinale: "The- we- they are looking to get as much information as they can now and we do need the information that we discussed before we can make a decision but the question is really whether we can get that information- we should get it through SEQRA, the DEIS or through some other mechanisms. But we do- we're going to have all the information necessary before we can make a decision."

Phil Barbato: (Inaudible)

Supervisor Cardinale: "December 13th it was. Who's handling that for us?"

Dawn Thomas: (Inaudible)

Phil Barbato: (Inaudible)

Supervisor Cardinale: "We'll look into that because we have outside counsel on it and we had understood that- through him that it was to be submitted on papers without the necessity of appearance. So we'll find out."

Phil Barbato: (Inaudible)

Supervisor Cardinale: "It's always good to miss the oral argument. He better be good on his papers if he doesn't come for the oral. I'll talk to him. We'll promise not to pay him for not being there, too."

Yes, Angela, would you come up for a second?"

Angela DeVito: (Inaudible)

Dawn Thomas: "I can tell you that the case that you're talking about is (inaudible)."

(Dialogue between Angela DeVito and Dawn Thomas - inaudible)

Councilman Bartunek: "I guess the only thing that would be safe to say is that there is still going to be public access to the beach. Is that- I mean- "

Dawn Thomas: "It's probably premature to say anything- "

Councilman Bartunek: "I'm not going to say anything."

(Inaudible comments from Angela DeVito)

Dawn Thomas: "Actually the lower court (inaudible), the court remanded the issue of whether the town (inaudible) is a town road (inaudible). The ownership of the road is not really (inaudible)."

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One of the litigants is no longer a litigant because (inaudible). And there was a proposal made by that person (inaudible)."

(Inaudible comments from Angela DeVito)

Dawn Thomas: "As I said the board hasn't agreed with the proposal (inaudible)."

Supervisor Cardinale: "The- this- this is difficult to discuss because it is in litigation. And here is the issue. One, from what you just heard, the question of whether it's a public highway if determined against the town, would mean that we do not have the 40 feet or any part of it. Okay.

Two, in an effort to avoid the- going to court and taking the gamble, would any member of this board consider the sale of a portion of it? That would depend logically on the assessment of our counsel and ourselves as to the likelihood of prevailing in court on determining that it is a public highway.

I am- I have looked at this case and I am comfortable that this town will win the litigation that it is a public highway and, therefore, we're entitled to all 40 feet. But nobody- that's why nobody wants to talk about it in public. Because nobody- having dealt with courts as many years as this board has, nobody wants to predict what a judge of the New York Supreme Court is going to do.

So it's difficult to- if you ask- you're really asking who among the board is willing to gamble for the whole 40 on the strength that we have a 99.9%, you know, chance of winning this. I think we do and we've discussed that when you've discussed it with me. So I would be disinclined to put- the board has a right to their own opinions on this issue. That's really where we are right now."

Dawn Thomas: (Inaudible)

Supervisor Cardinale: "To consider it, yeah."

Dawn Thomas: "Whether they consider it or not it has got to be presented to them."

Angela DeVito: (Inaudible)

Dawn Thomas: "From the town's point of view, absolutely. But the (inaudible)."

Angela DeVito: "-- our town highway department that that is a public roadway. When they plow, they are to plow that roadway and not have town personnel tell residents that is a private road. (Inaudible). So if you could communicate that information to our town highway department that you consider that piece of road at this point

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a public highway until such time that it is determined that it is not and it should be plowed."

Supervisor Cardinale: "Yeah, we'll do that. Center, south of Front Street we pronounce is a public highway pursuant to the judgment of this board and our counsel. Yeah, I think we've resolved that, have we not? We've resolved that and we'll make sure the highway department gets the message. In 1930 we resolved it."

Angela DeVito: "Every year they say they don't (inaudible)."

Supervisor Cardinale: "Probably by Mr. Schultz (phonetic)."

Angela DeVito: (Inaudible)

Supervisor Cardinale: "Thank you. Any other comment upon any matter within our purview. Yes, come up, please."

Councilman Densieski: "It's Christmas, Jim."

Jim Flood: "Merry Christmas and Happy Holidays. Jim Flood, Aquebogue. My understanding that Mr. Tria was appointed as ombudsman at a special town board meeting. Is that correct?"

Supervisor Cardinale: "Yes."

Jim Flood: "And I'm just wondering maybe you can answer me, why this is done at a special town board meeting and not at a regular town board meeting that more people could have made comment (inaudible)."

Supervisor Cardinale: "No particular reason. It just simply came up at that meeting and it also had been up at public hearing—public meetings previously in April and six months ago. So it was well discussed."

Jim Flood: "It just makes me wonder, a town board of five, when you're appointing a person as an ombudsman, I'm not sure exactly what an ombudsman does, why wouldn't the town supervisor put up a person who knows that two out of five people on the board (inaudible)."

Supervisor Cardinale: "Yeah, I agree with you, that's why I delayed it for six months seeking to obtain the votes of John and Barbara but when that wasn't going to happen, I didn't think it fair to deprive the town of labor without cost and of expertise without cost so we decided to proceed."

Jim Flood: (Inaudible comment)

Supervisor Cardinale: "Thank you, Jim. I'm still hoping to bring John and Barbara around."

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Jim Flood: "It's a very hard thing to bring John around when the same newspaper that the announcement was made, that day, the town ombudsman calls John a comedian. I mean, so— when commenting (inaudible), Mr. Tria in the News Review calls him a comedian. So I don't understand how an ombudsman can start off by insulting one of the— now, John is a funny guy, (inaudible) for many years, but I don't understand why you can insult a person in the paper as your first official comment as the town ombudsman."

Supervisor Cardinale: "Yeah, and I've been called a lot worse than comedian but did you know that Vince was called a kibitzur (phonetic) in the paper as well, that same week."

Jim Flood: (Inaudible)

Supervisor Cardinale: "I understand your point. I'm hoping that they will all work well with Vince and if they don't, I'm sure he will not be comfortable and he will not continue but at the moment, I'm hopeful that he's going to be doing some good for the town and he's not going to be doing anything much except for helping the citizenry maneuver through the town."

He's not going to interfere with anything. I've instructed Vince and he's agreed that he won't be dealing with department heads, he won't be in any managerial position. He'll simply be observing and advising us as to what he thinks would be helpful to the citizens."

Jim Flood: "He will not have access to any town files. Is that correct?"

Supervisor Cardinale: "He will have only access through FOIL as the public does. And, of course, if he's working on a project, he'll have access to the files he needs."

Jim Flood: "Is that (inaudible) access? I would believe that—"

Supervisor Cardinale: "He'll have the same kind of access—"

Jim Flood: "Let me just— he's working on a project and it involves some sensitive material, I would think that whoever is the FOIL officer for the town should also be aware that he's in those files."

Supervisor Cardinale: "He'll have the same kind of access that every advisory committee member that works as a volunteer for this town has. So every advisory committee member needs access to files for the purposes of their committee."

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Jim Flood: "So if Mr. Tria gets hurt on the job, let's say he's in town hall and he slips and falls and hurts himself, how do we- "

Supervisor Cardinale: "In the same manner as we compensate every other volunteer including the volunteers that appear for the town in every other capacity, they're all covered by workman's comp. In fact, the dog, the woman that just got bit at the dog pound in the volunteer capacity, she, too, is covered by workman's comp under the town law."

Jim Flood: "How do you put a dollar value on that?"

Supervisor Cardinale: "How do I put a dollar value?"

Jim Flood: "I'm sure if he's missing work- "

Supervisor Cardinale: "I don't know. I honestly don't. That's an interesting question. I think they may be covered only for medicals since they don't get paid."

Jim Flood: "These are questions that- "

Supervisor Cardinale: "Excuse me?"

(Inaudible comment)

Supervisor Cardinale: "I know that, but they don't have a wage so they can't compensate for a wage loss. He's working for nothing. What a guy."

Jim Flood: "Well, I still don't agree with it because in all my dealings with the town in the 19 years that I've been here, I've gone to every single department for help and every time I go into a department for help, I get nothing but the greatest cooperation. You may have to wait like everybody else does. So if Mr. Tria is ombudsing for one person and another person (inaudible) ask for his help, does that person get jumped to the head of the line? I just don't understand the reason other than the fact that- to me Mr. Tria tried to be a member of the town board and he failed (inaudible)."

Supervisor Cardinale: "Think of it this way, John. He's going to bring to me those who I can help and I can become even more effective than I already am."

Jim Flood: "Now that he's a member of the town as part (inaudible). What happened about what happened to the compensation for the Blues Festival? As the town board, are you- as a town board, are you waiting for some kind of report as to how much the Blues Festival made? Are you entitled to a report on how much the Blues Festival- "

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Supervisor Cardinale: "No. We're not. What you're confusing it is with— in the years when the BID ran the Blues Festival, the BID was an instrumentality of the town of Riverhead. We actually, as the BID— we are the BID— we, if we're running the Blues Festival through the BID management association, we were entitled to a report.

We're no more entitled to a report from the Vail Leavitt running the Blues Festival this past year than we would be entitled to a report from the Polish Festival or the Country Fair Festival. Those were private organizations that ran them and we assist, that's the real issue— we assist the Country Fair. We assist Polish town and with police presence and sanitation presence for example, and they run their events and they get proceeds in. We never know what amount, negative or positive, and then in the goodness of their heart, say for example Country Fair, they expend monies for the beautification of Riverhead.

We never see what they made and we never— we don't have a right to see it. The issue really becomes and I've said this before at work sessions, it's an interesting issue, is whether the town of Riverhead when contributing its sanitation, its building and grounds help, its police presence, should be compensated or whether they should simply generate the extra salaries necessitating for that purpose and give-- grant them which is what's happening to those organizations."

Jim Flood: "We do give in kind services that amounted to approximately \$40,000 (inaudible)."

Supervisor Cardinale: "That's correct."

Jim Flood: "Did we also pay Vail Leavitt or the Blues Festival Committee, whatever they want to call it this year, did we pay their insurance over and above that? Did we pay insurance--"

Supervisor Cardinale: "Yeah. The only cash contribution the board votes was to assist— that's right, about \$4,000 in insurance."

Jim Flood: "And we're getting that money back."

Supervisor Cardinale: "We are not getting that money back nor was that a condition of their assistance."

Jim Flood: "It was my understanding that some of the board members thought that that money might be coming back."

Supervisor Cardinale: "Then that's fine, they should have put that in the resolution because it wasn't in there."

Jim Flood: "So over and above what we do for other festivals, we gave the Blues Festival this year— "

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Supervisor Cardinale: "Four thousand. And the BID, the BID used to get as much as 10 or 15,000 but that was a while different situation. But that's correct."

Jim Flood: "Which brings me to the BID. This year the BID has \$115,000 somewhat in its budget. Last year the BID started off by paying about \$50,000 in old bills in the '06 budget for the '05 Blues Festival that couldn't be paid because I guess the Blues Festival ran out of money to pay (inaudible). So the BID started at about 50 grand in the hole last year and they were still able to do work as the BID (inaudible) with \$50,000 less in their budget and yet there seems to be another over \$50,000 on top of this budget for this year. Am I correct in that assumption?"

Supervisor Cardinale: "I think what you're-- there's two things-- the BID is the Business Improvement District which is the five of us. There's something called the BID Management Association which is commonly called the BID which is presently run by the-- Billy London, okay."

The town contracts with the BID Management Association to do what a BID is supposed to do which is to promote business downtown. What I did learn, I didn't even know this, that over the years they've taxed those people that are in the BID about \$90,000 a year. My-- but they had a greater authority to tax and my understanding is having nothing to do actually with this board, that the tax that is made-- they have imposed a tax this year. I don't know what that is. But that tax comes in-- it's going to be between 90 and 150 let's say. That is the BID's money. It's our money. We then contract with BID Management to utilize a certain amount of that money to-- most of it, to promote the downtown area.

The thing that is interesting here is this. That-- you're right, that they had half the money last year because they owed \$50,000. They only had about 100. They got through the year. The reason they got through the year is because they didn't have an employee. They had previously always had a BID executive director that was paid about 50 and change. They didn't hire him for the year, therefore, they were able to function on less money.

This year they're going-- I'm told, have a BID executive director and should become more active with the money they come in-- that we grant to them through our agreement."

Jim Flood: "Do we know who that director is going to be?"

Supervisor Cardinale: "The-- Billy London. So who's the-- no, the executive director would be hired by the BID Management Board. The BID Management Board would have to hire the executive director as

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they did the young lady that died, in office, what was her name? Vicky (inaudible). So they're going to have to go out and hire somebody and my understanding is that they're prepared to do that now because they have a fresh year of funding. So, hopefully, they'll be much more active.

Which brings up the point as who is going to do the Blues Festival this year and I leave that to them, the BID, Vail Leavitt, some other group."

Jim Flood: "I just think that, you know, we deserve an accounting for people who are using our backyard, our police department and who we pay an extra \$4,000 on top of that. As long as we pay the \$4,000 into that, I think we should have— I think we should have an eye on (inaudible). Because who the heck knows, you know, how many tickets were sold, what they spent it on, what the expenses were.

You know, I believe that as long as it's propped up by the town in any fashion whatsoever we deserve a full accounting for the money spent."

Supervisor Cardinale: "Well, I— as I said, I indicated that when we came through with the 4,000, the board was asked to put the 4,000 in, was asked— they did put the 4,000 in. They did not insist upon an accounting, perhaps that would have been a wise thing.

I discussed this— I intend to put no cash contribution into the jazz— the Blues Festival this year, and I hope the board will sustain me on that. Whoever runs it, they're on their own.

The real question is going to be in kind services. And you know on the in kind services that we spend a lot of money on, like police, sanitation, B&G, it turns out that— we did a study of the east end because I've been on this issue for a long time. And the east end does not charge back. None of the communities that have these festivals, they do not charge back their police services or their B&G services, you know their set up services. So we would be alone.

It came up with— you know the fire display that we had 4th of July with that— what was the name of that group— Wildlife Rescue. I said why don't we charge them you know for all of our in kind services and we didn't. Because we did a study of the (inaudible) community and no one else charges but it is a real issue.

Forget about what you give them in cash because we're going to give nobody anything in cash this year. But what about all the services that are not cash to them but are cash to our police officers, our building and grounds, our engineering staff who go out and work for these festivals. They are successful. They obtain a certain amount of net. And they use them for good purposes generally

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but not for town purposes. Should we be doing that? It's a very interesting question."

Councilman Dunleavy: "Can I just say something?"

Supervisor Cardinale: "Watch the work sessions. We've discussed it a lot."

Councilman Dunleavy: "Can I just say something?"

Supervisor Cardinale: "Yes."

Councilman Dunleavy: "Jim, the reason why we gave Vail Leavitt the \$44,000 for the insurance- "

Supervisor Cardinale: "Four thousand."

Councilman Dunleavy: "Four thousand for insurance was because this was the first time they were doing it. They have- they didn't have any money. The Blues Festival was taking a loss every year and they came to ask us to help them out with the insurance because they had to get the insurance before this function could go on. There was no requirement for them to pay us back, that \$4,000.

But that's why we gave it to them. I would have been nice if some of these organizations, not just the Vail Leavitt, but some organizations that we give cash to, if after they made money, it would be nice for them to come back to the town and say, okay, we've made money, you laid out cash, not in kind services, so we'll pay you back that cash that you laid out to help us get started. That would be nice. We cannot make that a requirement though."

Jim Flood: "I'm not saying we could, but--"

Councilman Dunleavy: "I think we should- "

Supervisor Cardinale: "We should give no more money and we should ask them to give it back. You're right."

Jim Flood: "My last questions is are these festivals especially the Blues Festival, did we ever do a study on what's the benefit to the people in the town? Other than a beer venue for Ed Tuccio, I don't understand, you know, how much more help went to some of the, you know, some of the businesses in the town. So I think, you know, if we're going to spend any money or spend \$40,000 for in kind services, we should have some idea of what kind of services- what kind of benefit to the existing businesses in town since it used to be a BID project, you know, how much money are we getting back for the services?"

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Supervisor Cardinale: "I agree with you."

Councilman Dunleavy: "Can I just say something else?"

Supervisor Cardinale: "Yes."

Councilman Dunleavy: "It wasn't just him. The Greek Restaurant, he had a lot of people. Anybody who was on the south side of the road that was adjacent to the— any of the affairs that we have in that parking lot, make money on a decent day. Actually the restaurant, the Greek Restaurant, ran out of some stuff because he didn't expect so many people he told me. So it's the people in downtown that do, if they're on the south side of the road, of course, people— and when it's something in the middle of 25, then people that are open on both sides of the road do benefit from it.

But these affairs are to bring people into the town of Riverhead so our store owners, not the stores on 58 because they're not adjacent to the fair, but the store owners downtown can be affected by them coming to town and seeing what our town is and what we're like."

Jim Flood: "Merry Christmas."

Councilwoman Blass: "Thank you, Jim."

(At this time, the CD ended)

Speakers:

Lester Davis re Broadwater statistics
Jennifer Hartnagal

Meeting adjourned: 3:40 p.m.