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Minutes of a Town of Riverhead Board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, February 3, 2009 at 2:00 p.m.

PRESENT:

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

ALSO PRESENT:

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

Supervisor Cardinale: "Okay. All right. Is Cablevision on? Is the-- how about Vince? Oh, Vince, are we ready to rumble here? Can we start? Yes? No? It's really comforting to hear our entire fate is in Vince's hands. It's really frightening. Then again it's pretty frightening to think our fate is in the hands of this board. Are we ready to go, Vince? Are we set? Okay. Okay.

This is the February 3rd town board meeting and they stayed away in droves apparently from the meeting because the weather is so poor out there but we'd like to begin with the Pledge of Allegiance and Tristen is going to lead us in the Pledge of Allegiance."

(At this time, the Pledge of Allegiance was recited, led by Tristen).

Supervisor Cardinale: "Okay. Now we're going to make a special presentation to begin the meeting.

Okay. We have a special presentation to begin the board meeting today to Carol Delvecchio and her husband Keith and Tristen would you come up please, and also the labor/management committee, would you come up, please.

And Tim Gannon is going to wander in here from News Review maybe 20 minutes late, he may be coming in now. No, that's our other guy. O'Dell. But we want him to take a picture if you see him when he gets-- anybody, hey, Sarah, you got a camera? Thank you very much. That's good, yes. And with a little bit of luck you could be there with it.

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I'm looking for a camera so we can get it into the paper next week, you know, they want to know about the Employee of the Year. Do we have a camera? She's going to go see.

Okay. We are all gathered here to present the Employee of not the Quarter but the Year, the entire year, 2008. And we have Carol here, Carol Delvecchio, her husband, Keith, and her beloved son Tristen who led us with the Pledge of Allegiance, who is in the fifth grade and has taken a moment off to be with us today.

This is the Employee of the Year. Labor/Management selects the employee who is so honored. It is notable that none of the five town board members were among the finalists for this honor. And I know this and then I'm going to turn it over to— who is going to speak from the committee? Maureen. Okay. I'm going to turn this over to Maureen and she's going to tell you how this decision was made and why."

Maureen: "Okay. We have about 14 names on the list for Employee of the Year and the town-wide votes on it and Carol ended up with numerous amounts of votes. We don't necessarily choose by the person who gets the most votes. We usually choose by what is said about them and the reason why they were voted in.

Carol's had an astronomical amount of wonderful things said about her. She's taken over a job at the spur of the moment and handles it very well. And she really is the shining gem in the jewelry box of employees for the town. I think she's wonderful and I honestly think the town is very fortunate in having her.

So with this, she gets the town seal, she gets a proclamation, she gets a day off with pay whenever she wants that day."

Supervisor Cardinale: "Would you introduce your committee members?"

Maureen: "Yes. We have Councilman John Dunleavy; Michael Reichel from Sewer; Bill Welsh from the Supervisor's office; Meg Ferris from payroll; Judy, hiding in the back from Nutrition Seniors; Maryann from Purchasing; myself from Water; and Mr. Cardinale from the Supervisor's office."

Supervisor Cardinale: "And Bill Rothaar who is her immediate supervisor would like to say some kind words about her performance."

Bill Rothaar: "Well, I'd like to just say that the town is blessed to have almost 400 wonderful employees which makes this Employee of the Year that much more special when you're picking from a pool of that many people.

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Myself and my department know exactly how special Carol is and the work that she does. But I think what was just mentioned here is appropriate that I have a list or I have an envelope of all the comments that were made regarding Carol and I'm just going to read a few that really just are echoed throughout the rest of the vote.

Carol - an excellent person to deal with, extremely helpful all of the time. She goes on and on and on. And always has a smile.

Let's see, also. Outstanding job taking over payroll supervisor position in getting us all through our lag payroll and end of the year.

Okay. Carol took on a large task when Debbie left. Payroll is an extremely stressful department and Carol is always pleasant and helpful.

And I can read all of them but obviously they all say the same thing again and again. Not only is Carol good at what she does, she does it with a smile. She makes all the employees feel at home and comfortable and answers any questions they have and does a terrific job doing it.

So I just wanted to thank you very much, Carol, it's well deserved and a terrific job, a terrific job."

Supervisor Cardinale: "Thank you, Bill. I want to point out that Carol joined us in March of '03 and was- as an account clerk typist and she- when we lost Debbie Sorensen (phonetic) as payroll supervisor, she stepped right in at a moment that we really were in difficulty because she had left relatively suddenly. She stepped in and did the job well. She handled all the salary schedules, lag payroll that we went to, all the end of year functions, produced the W-2's in the second week of this year. And she's done a great amount of work in a quick sequence from- after being promoted.

So we thank her for that. I also have here a proclamation to go along with- doesn't she get a day off? And a hundred dollars- bond? We're not giving her the bond anymore? What's the deal, you're being cheap? Oh, wait a minute, this is really good. Employee of the Year- oh you were- oh, you have to be an Employee of the Quarter to be the Employee of the Year, is that right? You have to be one of those four or not?"

(Inaudible comment)

Supervisor Cardinale: "One of the 16. How many quarters do you have in a year? Oh, you keep a list for like the last four years? So they select the Employee of the Year out of the winners

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in the last several years and therefore you already go your hundred, you're not getting another.

Okay. This proclamation says:

Whereas, it is both fitting and proper that the town of Riverhead recognize outstanding service of its employees; and

Whereas, in order to provide a mechanism to recognize said employees and the recommendation of the Labor/Management committee the Employee of the Year program has been established;

Whereas, Carol Delvecchio has dedicated herself to the service of government and its citizens; and

Whereas, her service has exemplified the highest ideals in the expression of public duty.

I, Phil Cardinale, Supervisor, do hereby proclaim February 3, 2009 to be Carol Delvecchio Day and in recognition of her being named employee of this year, 2008, and call upon my fellow citizens to join me in recognizing her accomplished service.

And it's signed and I thank you sincerely for your service. And I also have a seal which reads Employee of the Year 2008, Carol Delvecchio.

Normally you don't get a seal unless you work for the town for 10 years and you retire. But we figure one year of extraordinary service is worth of at least 10 of the ordinary service so you get that and I thank you sincerely and the town board wants to do the same and you should say something."

Carol Delvecchio: "I thought I was getting out of that one. I just want to thank everybody because really if I didn't have you and your patience, I really wouldn't be who I am and I thank Joanie for helping me because if I didn't have her, I wouldn't have the department I have.

And I thank my son and my husband and the Labor/Management Committee and all the town employees. Thank you."

Supervisor Cardinale: "Thank you. I think many, in fact most all of the employees feel that the payroll supervisor is the most important position here including any of the town board people because that's critical to get that payroll out.

I was intrigued to learn that the Labor/Management Committee takes a look at the 16 or so most recent candidates, most recent winners or quarterly- Employee of the Quarter, and they don't go exactly by the number of votes but by what is said of them. I don't

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think I'd do well under that— under those (inaudible) in the next election if I relied upon what was said about me instead of the count. So I'll stick to the count but it's an interesting approach.

And I— does anybody else in the committee, anybody else of the board want to say anything? If not, you are supposed to shake hands with them as painful as it may be right over there. And thank you very much.

Tristen, you've got to go back to school. Congratulations, you've got a wonderful mother. She works hard and she does a good job.

Thank you, Keith and Tristen, for sharing your mother's many talents with us.

Okay. The crowd in here is making my nose bleed. We have three people here and a snowstorm outside so— and we only have one public hearing which is to correct an error. It is, that's the only public hearing.

So we would like to begin with a serious note and at the suggestion of the board members and myself, we would like to have just a moment of silence to begin the meeting. Most of you know that a previous member of our ZBA, Marty Keller and Linda Keller's son Jonathan who was injured in Afghanistan passed away this week and was buried yesterday at the Calverton National Cemetery as a returning warrior from Afghanistan where he fought for all of us.

So I'd like to have a moment of silence in his memory. He was 29 years old and he was a Wading River resident and an all around great individual from all accounts.

Thank you.

All right, we have a call to order, salute to the flag and now the approval of the minutes of the January 21st town board meeting. Can we have someone offer them, please?"

Councilman Dunleavy: "I'd like to offer the minutes of the January 21st, 2009 town board meeting. So moved."

Councilwoman Blass: "Seconded."

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

The Vote: "Wooten, yes; Buckley, yes; Dunleavy, yes; Blass, yes; Cardinale, yes. The minutes are approved."

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Supervisor Cardinale: "Thank you. Diane, would you indicate the town hall Reports, Correspondence and public hearings?"

Diane Wilhelm: "Sure."

REPORTS:

Tax Receiver	Total tax collection, dated January 28, 2009 - \$60,226,128.73
Town Clerk's Office	Monthly report for January, 2009 \$7,114.00
Building Department	Monthly report for January, 2009 \$97,831.00

CORRESPONDENCE:

Sal Mastropolo	letter regarding water run off problem at Gregory Way and Sound Avenue
Angela DeVito	letter of resignation from the Board of Directors for the IDA
John Ciarelli of	letter regarding site plan of Ciarelli & Dempssey Kar-McVeigh LLC
Jodi Bennett-Giglio	of letter regarding Pine Barrens Bennett Enterprises Overlay/District Letter regarding Chapter 108-235 -245 zoning (PRP) - planned recreational park
Martin Sendlewski	letter regarding Article XLIV of Riverhead Business (PRP) Planned Recreational Park Alliance
Robert Kozakiewicz, Esq.	Letter regarding non-disturbance areas clearing limits Letter regarding special use permit of Peter DiBernardi, The Hidden Vineyard
Raymond Maynard of	letter regarding non-disturbance

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Skydive Long Island areas
clearing limits

Lisa and Eric Wild

letter regarding removal of stop
sign on Sound Road in Wading
River Riverhead Resorts/Weber
letter regarding Calverton zoning
Law Group and pine barrens
overlay district

John B. Zollo/Eastern

letter regarding non-disturbance
Wholesale Fence at areas map
EPCAL

Diane Wilhelm: "And as a reminder, the next regularly
scheduled town board meeting will be Wednesday, February 18th, at
7:00 p.m. in town hall. And as usual you can also view the agenda,
resolutions, minutes and upcoming meetings on our web site at
Riverheadli.com."

Supervisor Cardinale: "Thank you. We- is there any committee
reports or any announcements from the board members? If so, speak
right up. If not, we have one hearing."

Public hearing opened: 2:23 p.m.

Supervisor Cardinale: "We have one hearing, and I was not
kidding when I said it was to correct an error. It is actually to
do that. The consideration of an amendment to the zoning use
district map of the town of Riverhead to correct a draftsman's error
and to correctly provide for the Industrial B zoning use district to
the exclusion of the mapped Residential RB-40 zoning use district,
as depicted upon the attached map.

It affects a parcel, one parcel actually that should have been
mapped-- allegedly it should have been mapped industrial and was
mapped incorrectly RB-40 and that was pointed out to us and we
checked the record and we're advised by the director of planning
that that was correct.

Is the director of planning here? I can't resist. I know the
counsel for the individual who brought it to our attention is here,
Mr. Cuddy. Let me take public comment; then I had a question for
you, Rick.

Charles, did you want to say something, and then any other
member of the public who would like to say anything on this?

Is it one parcel or two? Two parcels. Yes."

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Charles Cuddy: "I'll be brief because of the number of public hearings, but I just would ask that— we've discussed this a number of times and I think it was truly an error. I think that's recognized at this point and I would ask that the board adopt the proposal to change the zone to Industrial B which is appropriate and was appropriate at that time. Thank you."

Supervisor Cardinale: "Thank you. Rick, the attached map shows a larger parcel and a smaller parcel. The smaller parcel is the gas station?"

Rick Hanley: "That's correct. Yes."

Supervisor Cardinale: "And the larger parcel is the parcel Mr. Cuddy's client represents. Was I to understand this was simply an error that we didn't— we did not put it in as we're suggesting it be placed now, Industrial B. Is that— that was also some suggestion— there was some correspondence suggesting that we did— that it was done deliberately.

Have you seen that?"

Rick Hanley: "No."

Supervisor Cardinale: "Okay."

Rick Hanley: "Clearly we had a record of the work session of the board and the intention was to retain the Industrial B zoning on the property and I inspected the public hearing notice and clearly it was not meant to be in a residential district."

Supervisor Cardinale: "All right. If there's anything to— "

Rick Hanley: "I'll go over it with the town attorney before we adopt— "

Supervisor Cardinale: "Right. If there's anything that causes to alter that, please bring it to the board's attention."

Rick Hanley: "I will."

Supervisor Cardinale: "Otherwise, we'll take any other comment from the public that wishes to make comment. Otherwise, we'll— if there is— Sal, if you'd like to talk, come on up. If you don't— "

Sal Mastropolo: (Inaudible comment)

Supervisor Cardinale: "I'll close it out then and let you speak on the resolutions."

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I'm going to close this for purposes of verbal testimony and keep it open for written testimony for 10 days through a week from Friday which is what's today-- the 3rd-- today is what, the 3rd, 4th, 5th, 6th-- the 13th, Friday, the 13th, at 4:30 p.m.

If you want to put something in in writing, drop it off at the clerk's office or send it in for receipt by that time."

Public hearing closed: 2:26 p.m.
Left open for 10 days for written
comment to Friday, February 13, 2009
at 4:30 p.m.

Supervisor Cardinale: "And now we want to consider resolutions 76 through 118 and if anyone has a comment on any of these resolutions please let us know."

Sal Mastropolo: "Resolution #81."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Did the two salaries go up or down?"

Supervisor Cardinale: "The salaries went-- let's see, went up by very little.

What happened was they based their increases on the wrong salary in both instances. They didn't have the most recent salaries so I think the difference is about \$20.00 in each instance."

Sal Mastropolo: "Resolution #87."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "It says Resolved that the salaries of the following board members of various boards of the town of Riverhead. They're not board members. Those are all recreation department employees."

Supervisor Cardinale: "That's right. Salaries of the following-- strike everything after the following employees, I guess is what they are. Okay. The following employees. Thank you."

Sal Mastropolo: "Resolution #88."

Supervisor Cardinale: "Yes."

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Sal Mastropolo: "The Resolved, should be summer personnel 2009."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "Resolution #91. Take out the word certified."

Supervisor Cardinale: "One of these days we're going to get it. Okay. We checked, too."

Sal Mastropolo: "You're trying hard. Resolution #97."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Now, Therefore Be It Resolved, it makes no sense from that point on. That the within resolution. At least that I don't think so."

Supervisor Cardinale: "Is there any particular function of that paragraph at all? Dawn, you want to take a look at it? It came out of Harold's office apparently. Ninety-seven, I think that whole paragraph could be done without. Same thing on 98."

Sal Mastropolo: "And, do you not want to copy anybody on that?"

Supervisor Cardinale: "Yeah. That Now, Therefore, Be It Resolved-- ."

(Inaudible comments)

Supervisor Cardinale: "Well, we do that-- we authorize legal action in the next paragraph. So we-- would you please delete Now Therefore paragraph on both of those?"

Dawn Thomas: "Actually, you can delete the language in that paragraph-- and connect it to the next--"

Supervisor Cardinale: "Now, Therefore, Be It Resolved, resolve, resolved, after the word resolved in the second paragraph should be struck. Thank you."

Sal Mastropolo: "103."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Take out the word certified."

Supervisor Cardinale: "Okay."

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Sal Mastropolo: "104."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "Take out the word certified."

Supervisor Cardinale: "Imagine if we hadn't checked. We had 42 before we checked."

Councilman Dunleavy: "But, you know, if we take all these words out, Sal, you won't be able to get up and talk."

Sal Mastropolo: "I know. 106."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "I have a question. Is that-- is he a DJ or is that live music?"

Supervisor Cardinale: "He sings."

Sal Mastropolo: "Okay."

Supervisor Cardinale: "Not well, but he does. No, he sings fine. I'm only kidding."

Sal Mastropolo: "Resolution 111."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "The last resolved. Take out the word certified."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "113, the first Resolved, take out the word certified."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "114, the first Resolved, take out the word certified. 115, the first Resolved, take out the word certified. 116, the Be It Further Resolved, you want to forward a copy of the resolution to Kim (inaudible), recreation, personnel and payroll."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "That's it."

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Supervisor Cardinale: "Thank you."

Sal Mastropolo: "You're welcome."

Supervisor Cardinale: "Any other comment on the resolutions we're about to consider? If not, we will consider them and then we'll take general comment."

Would you begin the call of Resolution 76, please, Diane?"

Resolution #76

Councilwoman Blass: "Budget adoption in connection with- "

Councilman Dunleavy: "We have a speaker."

Councilwoman Blass: "I'm sorry."

Jodi Giglio: "Excuse me, I was here about two hours ago and Vince Tria told me the town board meeting was canceled today due to inclement weather. I'd like to know what resolutions have been passed thus far."

Supervisor Cardinale: "Nothing but that's odd because it wasn't canceled. You should really direct with Trina."

Jodi Giglio: "Yeah, I did. I called and I got a voice mail."

Supervisor Cardinale: "No. No resolutions have been passed but why don't you take a look at them and see if- "

Councilman Dunleavy: "You want to talk on any?"

Jodi Giglio: "Thank you. I'd like to see what's being proposed."

Councilwoman Blass: "We did have a public hearing. We already did have a public hearing- "

Jodi Giglio: "Yeah, I saw the public hearing. I looked that up on line and I didn't have any- thank you."

Supervisor Cardinale: "Thank you. Okay. Would you consider Resolution 76, please?"

Resolution #76

Councilwoman Blass: "This is a budget adoption in connection with the acquisition of land and building at 1295 Pulaski Street. So moved."

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Councilman Dunleavy: "And seconded."

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

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

Resolution #77

Councilman Dunleavy: "Authorization to discard fixed assets. So moved."

Councilman Buckley: "Seconded."

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

The Vote: "Wooten."

Councilman Wooten: "I'll vote yes, but we've really got to revisit this."

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

Resolution #78

Councilman Buckley: "Authorizes attendance at the 2009 training school and annual meeting held by the Association of Towns. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #79

Councilman Wooten: "Accepts the resignation of a part time site plan reviewed (Bruno Semon). So moved."

Councilwoman Blass: "And seconded."

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

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

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Resolution #80

Councilwoman Blass: "Appoints a cultural affairs supervisor (Danielle Doll). So moved."

Councilman Dunleavy: "And seconded."

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

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

Councilman Dunleavy: "Yes. This is not an addition to the town. She has been working for the town. She passed her civil service test so this gives her a provisional to a permanent appointment.

So I vote yes."

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

Resolution #81

Councilman Dunleavy: "Amends 2009 salary resolution. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #82

Councilman Buckley: "Promotion to senior account clerk typist in the accounting office (Joan Mottern). So moved."

Councilman Wooten: "And seconded."

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

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

Councilman Dunleavy: "Yes. Again, this is an overdue promotion. She's been doing the job and it's just a-- she's not in her category so we have to promote her to senior clerk typist.

So I vote yes."

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

Supervisor Cardinale: "Yes. And I appreciate John's remarks because we want to clarify that it's not a new position as he did and also that this promotion was a promotion that was essentially cleared in 2008 because we're trying in 2009 not to hire new people in view of the economy. And also not to promote for the same reason."

So I vote yes on this."

Diane Wilhelm: "The resolution is adopted."

Resolution #83

Councilman Wooten: "It extends the terms of Resolution #996 in regards to temporary clerk in the tax receiver's office. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #84

Councilwoman Blass: "Accepts the retirement of a part time senior citizen aide (Regina Rywelski). So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #85

Councilman Dunleavy: "Appoints a part time senior citizen aide to the Riverhead Senior Programs (Regina Rywelski). The young lady retired as a full time employee; now she's coming back as a part time employee and it's saving the town some money. So I vote yes."

Councilman Buckley: "Seconded."

Supervisor Cardinale: "Moved and seconded."

Councilman Dunleavy: "Oh, we didn't vote?"

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Supervisor Cardinale: "Actually we did second it, did we not?"

Diane Wilhelm: "No, we hadn't done anything."

Supervisor Cardinale: "Okay, moved and seconded for a vote then."

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

Supervisor Cardinale: "Yeah, again, John is correct in pointing out that this is a-- not a new appointment. This person is a part time senior citizen aide. The idea is we're saving \$6,000 by bringing her back on as part time and she's happy with it and so are we because we're saving \$6,000.

So I vote yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #86

Councilman Buckley: "Amends 2009 salary resolution. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #87

Councilman Wooten: "Sets salaries of various recreation employees for the year 2009. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #88

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Councilwoman Blass: "Sets salaries for 2009 part time call in recreation positions for the Recreation Department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Councilwoman Blass: "I'm going to abstain because my-- one of my children occasionally works in that capacity. So I will abstain."

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

Resolution #89

Councilman Dunleavy: "Resolution to correct the terms and conditions of employment for Daniel T. McCormick, Deputy Town Supervisor-- oh, Attorney. Excuse me, so moved."

Councilman Buckley: "I'll second it."

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

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

Councilman Dunleavy: "Yes. This benefits the town of Riverhead, so I'm voting yes for it."

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

Supervisor Cardinale: "Yes. This corrects an overstatement of sick leave so I vote yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #90

Councilman Buckley: "Appoints members to the handicapped advisory committee. So moved."

Councilman Wooten: "Seconded."

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

The Vote: "Wooten, yes; Buckley."

Councilman Buckley: "Before I vote yes, I have to say that one of these members that we're officially appointing has been

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serving on the committee for at least the past year. She's been showing up so much so that I already thought that she was a member of the committee. But now we're-- I guess we're making it all legal and I want to thank her for her year for not being an official member but now we make Karen Boxsell (phonetic) and Bill Andes official members of the Handicapped Advisory Committee.

So I vote yes."

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

Resolution #91

Councilman Wooten: "Authorizes the town clerk to post and publish a notice to bidders for fertilizer and lawn chemicals. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #92

Councilwoman Blass: "This is an authorization to publish advertisement for food and meat products for the town of Riverhead. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #93

Councilman Dunleavy: "Authorization to publish an advertisement for diesel fuel for the town of Riverhead. So moved."

Councilman Buckley: "Seconded."

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

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

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Resolution #94

Councilman Buckley: "Extends bid contract for removal of household hazardous waste. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #95

Councilman Wooten: "Extends bid contract for disposal of demolition and construction debris. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #96

Councilwoman Blass: "Extends bid contract for disposal of municipal solid waste. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #97

Councilman Dunleavy: "Authorizes legal action against the owner, tenants, occupants and mortgagee of the property located at 806 Osborne Avenue, Riverhead, New York, as amended. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #98

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Councilman Buckley: "Authorizes legal action against the owners, tenants, occupants and mortgagee of the property located at 2939 North Wading River Road, Wading River, New York. So moved."

Councilman Wooten: "Seconded."

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

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

Councilman Dunleavy: "Yes, as amended."

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

Resolution #99

Councilman Wooten: "Authorizes release of developer money PBL Estates. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #100

Councilwoman Blass: "Authorizes the supervisor to execute a license agreement with Southampton Oyster Company to allow the installation of a floating upweller system (FLUPSY) in East Creek. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #101

Councilman Dunleavy: "Authorize the Supervisor to execute a license agreement with Aeros Cultured Oyster Company to allow the installation of a floating upweller system (FLUPSY) in East Creek. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #102

Councilman Buckley: "Authorizes the Supervisor to execute a license agreement with East End Oysters to allow the installation of floating upweller systems (FLUPSY) in East Creek. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #103

Councilman Wooten: "Authorize the town clerk to publish and post a public notice for a local law to consider amendments to Chapter 101 of the Code of the Town of Riverhead entitled Vehicles and Traffic. So moved."

Councilwoman Blass: "And seconded."

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

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

Councilman Dunleavy: "Yes. I'll vote for the public hearing."

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

Resolution #104

Councilwoman Blass: "Authorizes the town clerk to publish and post a public notice for a local law to consider amendments to Chapter 101 of the Code of the Town of Riverhead entitled Vehicles and Traffic. So moved."

Councilman Dunleavy: "And seconded."

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

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

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Resolution #105

Councilman Dunleavy: "Authorize the town clerk to publish and post a public notice for a local law to consider amendments the Chapter 108 entitled Zoning of the Riverhead Town Code (Article VIII - accessory apartments. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #106

Councilman Buckley: "Authorizes the Supervisor to execute an agreement (Thomas Parris). So moved."

Councilman Wooten: "And seconded."

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

The Vote: "Wooten."

Councilman Wooten: "Yes, if Phil will sing with him the next time he sings. Yes."

The Vote (Cont'd.): "Buckley, yes; Dunleavy."

Councilman Dunleavy: "Yes. This guy does provide nice music for the seniors when they have their dances. So I vote yes."

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

Resolution #107

Councilman Wooten: "Authorizes the adoption of the Suffolk County Multi-Jurisdictional Multi-Hazard Mitigation Plan. So moved."

Councilwoman Blass: "And seconded."

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

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

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Resolution #108

Councilwoman Blass: "This resolution authorizes the Supervisor to execute agreement to resolve action with contractor retained to perform work at Calverton Enterprise Park. So moved."

Councilman Dunleavy: "And seconded."

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

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

(Some inaudible discussion)

Resolution #109

Councilman Dunleavy: "I'd like to table Resolution-- what are we going to do? We're going to amend it?"

Supervisor Cardinale: "It's Peconic Bay Medical Center not Central Suffolk Hospital."

Councilman Dunleavy: "Okay. All right. Ratifies the supervisor's execution of a lease with Peconic Bay Medical Center for lease of park benches. So moved."

Councilman Buckley: "Second."

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

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

Resolution #110

Councilman Buckley: "Declares significance of action on renovation of East End Arts Council Greenspace Walkway. So moved."

Councilman Wooten: "And seconded."

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

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

Resolution #111

Councilman Wooten: "Determining that the County of Suffolk's installation of safety netting along the north side of the driving

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range located at Indian Island Golf Course, located on Riverside Drive, Riverhead, New York, will not be subjected to the zoning requirements of the town of Riverhead. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #112

Councilwoman Blass: "Adopts a local law to amend Chapter 101 entitled Vehicles and Traffic Article VIII, parking permits for handicapped persons, Section 101-33, expiration and renewal of permits. So moved."

Councilman Dunleavy: "And seconded."

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

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

Councilman Dunleavy: "Yes. It's extending a two year to five year so these handicapped individuals do not have to come in every two years. I vote yes."

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

Resolution #113

Councilman Dunleavy: "Awards bid construction of plant #15 contract F - fence installation Riverhead Water District. So moved as amended."

Councilman Buckley: "And seconded."

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

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

Resolution #114

Councilman Buckley: "Awards bid construction of Plant No. 15 contract WM - water main installation Riverhead Water District. So moved."

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Councilman Wooten: "And seconded."

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

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

Resolution #115

Councilman Wooten: "Awards a bid construction of Plant No. 15 Contract W - well construction Riverhead Water District. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #116

Councilwoman Blass: "Accepts the resignation of Kim Hasty, Senior Park Attendant in the Riverhead Recreation Department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #117

Councilman Dunleavy: "Resolution to pay bills. So moved."

Councilman Buckley: "Seconded."

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

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

Resolution #118

Councilman Buckley: "Authorizes the filing of an application for New York State assistance form the household hazardous waste state assistance program and signing of the associated state contract under the appropriate laws of New York State. So moved."

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Councilwoman Blass: "And seconded."

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

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

Supervisor Cardinale: "Thank you. That concludes the resolutions. I'd like to take comment on any matter that anyone here would like to address the board within its purview, please come up. Yes."

Gail Waller: "Hello, my name is Gail Waller. I'm from Nassau County. I've already met with your lovely Councilman Wooten and Chief Hegermiller who- does this come off?"

Councilman Dunleavy: "It comes off. Just pull it up. There you go."

Gail Waller: "Okay. You can hear me now. Who has been more than lovely to me. I guess you can call me an animal rights activist. I've been involved in your community. I spoke with your office but not with you, Supervisor Cardinale, last year about some problems some girls brought me into.

I've been an activist in Southampton, North Fork, different groups, pro and con against the groups. I've been involved with a group called RSVP who opened up some concerns to me about Riverhead.

Unfortunately Riverhead had a very bad reputation in their shelter and I'd like to tell you since I've been out here and after meeting with Councilman Wooten and Chief Hegermiller I'd like to put that to rest because I believe you're running a lovely community. Your shelter was better than I thought. The dog control officers and the attendants have been more than lovely.

I've contributed some monies and I'm going to read something to you which would sum it up a little bit better. But I was more scared to being involved after the things I was hearing in your community and which turned out to be untrue and I was very pleased to see how well your community is run in my opinion."

Supervisor Cardinale: "Thank you."

Gail Waller: "My name is Gail Waller and I'm here to speak about a dog named Frances. I'm sorry, Councilman Wooten you've heard this and Chief Hegermiller has heard this and the advisory committee, who had been suffering in the Riverhead shelter until the 14th of December.

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The dog was taken by a dog control officer while in the custody of a gentleman holding her on a leash. The recommendation of your doctor was possibly to euthanize humanely. To kill is to deny any living creature of life in any manner. No death is humane especially if any living creature is not so maimed nor diseased.

A municipality has the right to adopt, redeem or euthanize. However, whenever you have responsible citizens who could help these animals to survive, one makes it so difficult for a possible result, it is extremely troublesome. Yet your shelter allowed a gentleman and his wife to visit Frances yet would not adopt the dog or take it to a doctor. This I see as a couple who would have been irresponsible dog owners.

As Dr. Turetsky (phonetic) has said, this was aggravated cruelty and the dog is doing fine now thanks to Dr. Turetsky.

However, some dogs are not so lucky. Recently my attorney, Mr. Feldman, spoke to Dawn Thomas when I learned that my name was being used in stipulations written by her deeming dogs dangerous.

As a donor and only a donor of RSVP and other 501-C-3's, I was told that with no knowledge to me, my name was being used as an adopter and other people were signing their names to the stipulation with my name without knowledge to me.

Anytime I take a dog or adopt a dog as owner of record, that dog remains in my custody until the day the dog dies because I am—and only I trust myself as a responsible dog owner with dogs that have issues, which most of mine do, and they are all wonderful and loving God bless without incident.

However, Miss Thomas has no authority to write a stipulation to confine or euthanize a dog that is deemed dangerous unless under NYCRR Section 78, you meet proper requirements which shall only be by a judge or a municipal justice.

Miss Thomas is working outside the scope of her authority in my opinion such as (inaudible). Only a judge or a justice can deem a dog dangerous and since December 14, 2004, will no longer be permanently confined or euthanized unless there was a protracted loss or impairment of a bodily organ, disfigurement, or an injury that could have resulted in death.

You must then file an order with the department of agriculture, signed by a judge or justice and usually the bites and rabies requirements must be reported to the department of health, and as I understand, they were not.

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The laws are made not usually to be broken. A veterinary behaviorist or a board certified behaviorist must be the one to evaluate the dog, not a veterinarian. And if that be true and the dog was deemed dangerous, (inaudible), or confined to a leash in public or muzzled.

And under 117, the licensing and fees that are derived from adoptions, are usually used by a municipality and are supposed to go for humane education for responsible dog ownership.

Since Frances, a dog #239 Clementine, was discovered in your shelter since December 3rd with two severely broken legs. The sheriff brought the dog in after bringing her to East End Emergency. Dr. Lombardi evaluated this seven month old as unadoptable and to be euthanized if there were no surgeries.

Two families wanted to adopt her but were discouraged because Dr. Lombardi said the dog had a grim future without surgery which was true.

With the help of Councilman Wooten, Mary, Chief Hegermiller, Shawn, Rick and Lou whom I might add have all been personable, wonderful and concerned, the dog was delivered to a doctor by them at my expense. The doctor felt the dog needed severe surgery and needed a specialist. Animal control offered to help but I at my expense had the dog delivered to my friends who are specialists. Her name is Clementine now, dog #239.

Her left femur has been fixed and we are awaiting a hip replacement on the right leg because the dog's bones were so severely broken that a replacement was required. The doctor is trying to donate as much as possible but has cost me \$5,000 so far and will probably approach 10,000.

The dog's already running around and playing in the therapy department but no one has yet investigated yet a license plate tracked a gentleman with a van sitting selling dogs to Deer Park.

You also have a dog named Hennessey right now sitting in your shelter and Mary was kind enough to call me and I funded the heart worm for the dog at Mattituck. I believe they called RSVP and there was no response from them until later. So I paid for this dog. I am a resident of Nassau County. She's back in your shelter. Lou was very kind. She's doing very well and I understand there is an adopter for this dog.

However, the dog needs a second treatment which I've offered to fund because government money technically is not supposed to be used on these dogs per February 15th and then the dog is supposed to be neutered on March 20th in Kent and there's a man awaiting the

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adoption of the dog and probably won't be the end of March and I'm looking for resolve to see if I can pay and fund the dog, heart worm and neutering and if Miss Thomas could write something in a paper saying he would honor it and take the dog back if the dog were released to him now.

I'm afraid we'll lose him as an adopter if the dog has to sit in the shelter for two more months.

So as you can see to date between RSP and your shelter dogs, my donations will exceed over \$22,000 this year toward your dogs in Riverhead and it was my pleasure.

I went to the advisory committee and learned someone appointed had surrendered their own dog and under the law, Article VII, technically your shelter is not a dumping ground for people's pets. Government money was only supposed to be used for animals running at large. However, most municipalities take them in rather than supporting and teaching responsible dog ownership.

Under 10 NYCRR New York State Health Law, the municipality has a responsibility to monitor the euthanasia and adoptions at the shelter. Under Article VII an adopter is a natural person solely to harbor a dog as a pet. Under Article XXVI, an unwanted animal is different than a companion animal or pet. A pet is an animal that is stroked and adorned and lives in the home or on the premises of the owner or the person in custody thereof.

Yet dogs have been released to rescue groups and put in barns or sent to homes where owners recently ended up in jail. I don't agree with Linda Mosca all the time. However, she works very hard and just wants to get dogs out of harm's way.

And here's where a disconnect comes. You make it very difficult, Miss Thomas, to get dogs out. I'm not saying you personally or maybe you're advised to, to get dogs out yet you call these people for help because government money isn't supposed to be used. It's a two way street here. I do agree that the animals rather than be killed be spared and if somebody has resolved at their expense to send them to a sanctuary. Or if there's a problem, you call them in.

But I don't always agree with them and as a matter of fact, I will be funding your community and no longer giving funds to them because I'm very displeased with where the money is going in my opinion that I'm giving to them.

I don't see a lot of people other than Linda, I've been down to your shelter. I don't see anybody working with your animals other than a man named Ray. So I'm very displeased and I personally

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developed a very nice rapport with Chief Hegermiller and Councilman Wooten. I've given him a contract written by Tom Souzzi who wrote one to privatize a shelter is Glen Cove and I just wanted to explain.

I work with interpretation. I'm in real estate; I'm in commercial real estate and- in shopping centers, and with my family and my sister's here also, and I do this as a hobby and I donate my own money and I work with interpretation of state law. I've sued Southampton. We've all come on the same page. I donated \$18,000 to them after we became friends after I sued them and we both are working together and I work with other communities.

And you have to understand, to privatize a shelter is to save the taxpayers money. A certain amount of money I can tell you the good and bad of most of them, but what I wanted to tell you is from what I've been seeing right now, I've been scared into giving money to groups and I was very pleased to see the way that your shelter was running and the screening that your shelter was doing.

However, I do disagree, Miss Thomas, because if there is a way, I know you spoke to my attorney, Mr. Feldman, which cost me quite a pretty penny.

There is a way to get a dog out. I would like to help you. And I told Chief Hegermiller and I haven't taken any deduction. If I can fund an animal or an animal in need of help, I would like to do that for your community.

Thank you."

Supervisor Cardinale: "Thank you."

Dawn Thomas: "I just want to- "

Supervisor Cardinale: "This is Dawn, as you know, Thomas."

Gail Waller: "I know."

Dawn Thomas: "-- quickly respond to a couple of your comments. Just initially, when we bring a dangerous dog proceeding, I mean I'm fully aware the courts are the only people that can decide that. The only- the agreements you might be referring to are those agreements where we have a dog that's been either surrendered or observed acting aggressively in which case we need to make very certain that the adopter is aware of the conditions they're adopting the dog under. Because our legal responsibility as the government is to make sure any danger is disclosed to someone who might be subjected to it and so that we are clear that they've accepted all responsibility for it.

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Those are the agreements that we do. We don't determine dogs are dangerous. We indicate in the agreement that it might be dangerous and that the person who is adopting it has been made aware of specific incidents where the dog may have acted in a particular way. That's all."

Gail Waller: "Miss Thomas, may I correct something, please? And I thank you very much for that comment.

I disagree with that. I've read the papers and what it says is you've taken it upon yourself ultra vires, which is working outside the scope of your authority, to deem a dog, not maybe, dangerous."

Dawn Thomas: "I don't have the authority to do that. I've never done it."

Gail Waller: "But you have. My name was used in the stipulation. So it was changed, it was taken out in the final stipulation, in the rough copy."

Dawn Thomas: "Only because RSVP told me that you were adopting the dog. That's the only reason we put it in there."

Gail Waller: "But Miss Thomas, isn't it interesting Miss Mosca is not my power of attorney."

Dawn Thomas: "I'm aware of that- "

Gail Waller: "Okay. So why was it there was no line- the only thing I ever spoke to you a few years ago was about a dog named Sweetie and I offered to give you this stipulation on a dog that was deemed dangerous that came out of Brookhaven that was sent to a place called Silver Streak and was allowed to be lifted and then adopted out.

What you said in the papers, these dogs are to be permanently confined, never to be adopted out, and you have no authority under the law to do that."

Dawn Thomas: "I don't make a determination. It's an agreement that the adopting party signs. It's an agreement between the town and the adopting party where they represent to us that a dog that may have acted aggressively or actually bitten a person and jeopardized someone's safety agrees to take the dog under the condition that they make sure the dog is confined properly, muzzled if necessary, adopted to a place where it's not going to be euthanized- "

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Gail Waller: "Miss Thomas, may I interrupt? You have an obligation and you can only do one thing. You can redeem, adopt, or euthanize a dog. If you'd like to euthanize- "

Dawn Thomas: "Right."

Gail Waller: "May I finish? You may have blood on your hands. However, you work outside the scope of your authority, ma'am, I do this professionally, I know what I'm doing."

Dawn Thomas: "I know, but you're not letting me finish."

Gail Waller: "I am letting you finish, but it's not the truth. I read the paper. It cost me \$2,000 to hire an attorney for this also when it could have been used on a dog."

When somebody comes to you and says Miss Waller who has a deep pocket is going to be the adopter of the dog, I'm not stupid. I'm quite clever. Is going to be the adopter of record of the dog, you have an obligation to call Miss Waller and you have an obligation to leave a line for Miss Waller to sign."

Dawn Thomas: "We've had this conversation- "

Gail Waller: "So- no, I have not. You did not have the courtesy of calling me back. You had this conversation with my attorney. Okay."

Dawn Thomas: "That's right. I had a very kind, friendly conversation with your attorney."

Gail Waller: "At the end, when you apologized."

Dawn Thomas: "He asked me if- first of all, RSVP represented to me that you were sponsoring a dog financially."

Gail Waller: "And how- okay."

Dawn Thomas: "So an agreement was never signed and you couldn't possibly be responsible. It was just a recitation that they- "

Gail Waller: "How could Miss Waller be the adopter? How could I be the adopter?"

Dawn Thomas: "You weren't. You weren't. It was RSVP and they represented that they have contacted you and that you- "

Gail Waller: "Never did."

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Dawn Thomas: "Okay. Well, that's what they told me."

Gail Waller: "Nobody contacted me."

Dawn Thomas: "I'm sorry. That's what they told us."

Gail Waller: "So, Miss Thomas, let me ask you as an attorney. If that's what they told you, okay, don't you think it was your obligation to have somebody call me and see if it was true, number one; and number two, if it said Miss Waller, the dog will be delivered to Miss Waller, just like you sent a record to Mr. (inaudible) to sign the paper, don't you think there should have been a line legally for me to sign?"

Dawn Thomas: "If you would have— if we would have anticipated that you would have been financially responsible. Absolutely. But that wasn't the way the agreement was written."

And we can have this conversation in the office, we don't have to have it here. And I would respectfully disagree with some of the comments that you've made— "

Gail Waller: "Yes. But here's the problem that I have. And please don't— "

Dawn Thomas: "First of all, I don't make decisions about euthanasia. It's a town policy."

Gail Waller: "Right. But what it said in there is a dog control officer witnessed a dog being aggressive. If there were a bite, how come none of these dogs were reported to the New York State Department of Health? There are no dogs reported."

Dawn Thomas: "Most of the time there are."

Gail Waller: "Not most of the time. In a court of law there are. And you don't take a veterinarian and the veterinarian deem these dogs dangerous."

Dawn Thomas: "That's the committee's policy. That's not my policy."

Gail Waller: "Well, Miss Thomas, read Article VII - 121."

Dawn Thomas: "I'm familiar with the agriculture and markets law. I am."

I just want to say that in terms of the determination to euthanize a dog, that's a board decision. If they decide to adopt a dog rather than euthanize it, the person that adopts it needs to be

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clearly on notice of some potential hazard. That's all. And the people that the dog may be exposed to. That's all we're trying to do."

Gail Waller: "Miss Thomas, let me ask you. If a group comes forward and says they'd like to get the dog out and the dog has developed cage rage or hasn't had a chance and somebody is willing, and I don't know any of these dogs at all nor have I ever met them. And as you can see when I take a dog or adopt it, it becomes my dog and my dog only."

Dawn Thomas: "And we've had that conversation."

Gail Waller: "Right. But I didn't have that conversation with you."

Dawn Thomas: "Yes. We had a very lengthy conversation about the dogs that you have at your house, the difficulties that you've encountered with them, where you've adopted them from and how you- "

Gail Waller: "No I didn't. I talked to you two years ago about a dog named Sweetie. I never spoke to you."

Dawn Thomas: "And you told me all about the dogs that you've adopted and how you make sure that they're contained and that they're not exposed to the public. We had a very lengthy conversation."

Gail Waller: "I don't remember when- "

Dawn Thomas: "Well, I mean I wouldn't know that unless you told it to me, right?"

Gail Waller: "All right. So my question is I still don't understand why these dogs were adopted out with stipulations with my name in it and then taken out of that copy and now- "

Dawn Thomas: "No dog- it never actually got done."

Gail Waller: "And if you had the right to- let me just ask you something. If you have the right to euthanize a dog, I'm just curious why these dogs were ordered permanently confined."

Supervisor Cardinale: "Yeah. What I'd like to do is ask you to take it to your office. That would be more helpful and then I don't have to type this transcript up.

I would also like to take any other comments that anybody has."

Gail Waller: "Thank you."

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Supervisor Cardinale: "Thank you very much. Yes, Sal. Thank you."

Sal Mastropolo: "Sal Mastropolo, Calverton. The property that used to be the Finn property on the corner of Sound Avenue and Hulse Landing Road. It's on the southeast corner. Okay. Is now some kind of a nursery or landscaper. Okay. They've planted trees and you can see they planted trees in rows- "

Councilman Wooten: "Where is it?"

Supervisor Cardinale: "Southeast corner of Hulse Landing Road."

Sal Mastropolo: "Southeast corner of Hulse Landing Road and Sound. Okay. They're now starting to store equipment there, dump trucks, two trailers. They're now starting to store all kinds of stone on pallets.

My question is where do you cross the line from agriculture to landscaper to industrial? I mean they must have 15 pallets of stone stored on that property now."

Supervisor Cardinale: "I don't- that is a close question. I see only one person, Leroy who is not in charge of enforcement, lucky for him. Could you bring this to the attention of Kevin and company and they can take a look at it and Barbara thinks they have it up there. Okay, so we're aware of that potential violation and we're trying to figure out if it is one ourselves."

Sal Mastropolo: "Okay. Next item. Wading River Beverage moved from west of the Hess Station over to the old Danny's property on the corner of Sound and 25A. Yeah, where Sound comes into- "

Councilman Dunleavy: "There used to be a beverage place."

Sal Mastropolo: "Yes. But he has- during the holiday season was one thing. He had lights all along the top of the building."

Supervisor Cardinale: "Still has them."

Sal Mastropolo: "Yeah, now he has white ones. Okay."

Supervisor Cardinale: "I saw them the other night."

Sal Mastropolo: "I thought we had dark skies rules and we have all kinds of rules as far as signs and lights and stuff. I mean is he permitted to have the lights all along the- "

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Supervisor Cardinale: "I'm glad at least you waited until after Christmas. You're complaining if some guy has Christmas lights up- "

Sal Mastropolo: "No. I didn't complain about the Christmas lights."

Supervisor Cardinale: "White Christmas lights all year round. Okay. I don't know. Is that a violation? What do you think? I leave them on all year round myself so I don't have to put them up every year but I don't put them on. But I don't put them on. So I did see that the other night and it is rather garish, yes."

Sal Mastropolo: "Okay. Next subject. I recall when we had the public hearings about Schenk Fuels going in, there was all kinds of concerns about traffic and stuff on 25."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "And I could swear that one of the items that was brought up was that there was going to be no left hand turn coming out of the gas station to go west on 25. Well- "

Councilman Dunleavy: "I have to agree with you. And there is supposed- I thought they were supposed to put a left turn, another lane, on 25, too, to get into the station and I see that neither has been done."

Sal Mastropolo: "That's right. And how did he get a CO if he's got left hand turns out of the gas station so you can go west on 25?"

Councilwoman Blass: "Well, we should probably check the conditions of the approval to make sure it got in there."

Supervisor Cardinale: "Right. That would be the special permit conditions, correct?"

Councilwoman Blass: "The site plan."

Councilman Dunleavy: "The site plan."

Supervisor Cardinale: "Did we do site plan there? Okay."

Councilwoman Blass: "I don't know if we did. No, the town did."

Councilman Dunleavy: "As I recollect, I agree with you. I think we have to look into the site plan to see what his approval was."

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Supervisor Cardinale: "I will talk with Rick Hanley and ask him. Would you just tell me what the two are that you wanted us to check?"

Councilman Wooten: "Left hand turn."

Supervisor Cardinale: "Left hand turn."

Councilman Wooten: "And westbound traffic out of the- "

Supervisor Cardinale: "Left hand turn west out of there and what was the other one?"

Councilman Dunleavy: "And he's supposed to have a turn lane on Route 25."

Supervisor Cardinale: "Turn lane on Route 25. And what are we- and with Finns it's different. There are two things that- I do recall the discussion, oh God, do I recall that discussion, it took so long, that whole thing.

But there were conditions attached to the special permit and then there were conditions attached to the site plan. And we'll check and see if any of those conditions are being violated."

Sal Mastropolo: "Okay. Last item. This is a little different. The farmers are letting produce rot in the field and given the situation we've had with some of the soup kitchens, can't we do something as a town to get the farmers to donate the stuff that they're letting rot in the fields before it starts to freeze and rot for the soup kitchens?"

I mean, Lewins, for example, has acres and acres of rotting cabbage and brussel sprouts and all kinds of other vegetables rotting in the fields over the wintertime. I'm sure that stuff could be used by the soup kitchens at the various churches if they were to pick it and just haul it over to them."

Supervisor Cardinale: "Yeah. That's precisely I think actually the problem. But, yeah, I think that would be great. But just the picking is the problem. A lot of farmers I understand let it rot in the fields because the nutritional stuff goes back into the soil and they don't have to pick it and they don't want to have to pay somebody to pick it. So if we could get somebody to pick it, I'm sure they'd be very happy to let us pick it. I think that's the problem."

Councilman Dunleavy: "Yeah, but all we can do is ask. We can't tell them to do it. We just ask them to do it. It would- it's a good idea."

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Sal Mastropolo: "Oh, I know that. Right. I'm just saying it's a good idea as a town.

Thank you."

Supervisor Cardinale: "Thank you, Sal."

Councilwoman Blass: "Thanks, Sal."

Supervisor Cardinale: "Okay. Is there any other comment? If not, we thank you for coming and we look forward to seeing you at the next meeting."

Meeting adjourned