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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, 200 Howell Avenue, Riverhead, New York on Wednesday, February 20, 2008 at 7:00 p.m.

**PRESENT:**

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

**ALSO PRESENT:**

Barbara Grattan,	Town Clerk
Dawn Thomas,	Town Attorney

Supervisor Cardinale: "Okay. This is the February 20<sup>th</sup> meeting of the town board. We'd like to begin it by the Pledge of Allegiance. So Tim Gannon will lead us in his inimitable fashion."

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

Supervisor Cardinale: "Thank you. Excuse me a second. Okay. I would like to begin the meeting and fortunately for all of us we do not have any ceremonies but we do have Reports so we're going to approve the minutes of the February 6<sup>th</sup> meeting. Would somebody offer them please?"

Councilwoman Blass: "So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded to approve the minutes of February 6th. Vote please."

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

Supervisor Cardinale: "Would you give us Reports, Applications and Correspondence please?"

**REPORTS:**

Receiver of Taxes	Total collection to date: \$59,303,218.91
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Police Department	Monthly report for January
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**APPLICATIONS**

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Special permit Kroemer Ave. Holdings LLC  
Kroemer Ave. - Interior  
alteration of industrial  
building for warehouse

Special permit East End Arts Council - May  
25 - street painting festival

Parade permit Street painting festival

Parade permit Everett Robinson, Canoe Lake Road,  
Calverton, June 28<sup>th</sup> - wedding

**CORRESPONDENCE:**

A. Benners, Timothy and Rita Re Jamesport Development LLC  
Connors, Martin Walicki,  
Bill and Ellen Allen

Dale Young and Re: the submission of letters  
Constance Stelzer of Retirement effective  
March 29, 2008

Barbara Grattan: "That concludes Reports, Applications and  
Correspondence."

Supervisor Cardinale: "Thank you. Public hearings are  
scheduled for 7:05 and 7:10. It being 7:14, we can commence the  
7:05 hearing."

Public hearing opened: 7:14 p.m.

Supervisor Cardinale: "Which is for the consideration of a  
local law to amend chapter 92 entitled Streets and Sidewalks. I  
think this is the excavation statute. Is that correct? No. What  
is- maybe Dawn, you could then summarize this?"

Councilman Dunleavy: "Yeah, this is the excavation of the  
streets."

Councilwoman Blass: "But it's not the excavation chapter."

Supervisor Cardinale: "But it's not the other one? It's  
excavation of streets."

Councilman Dunleavy: "When you open a road- "

Supervisor Cardinale: "Road openings. Okay, now I've got  
it."

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Councilman Dunleavy: "Yes, when you open a street or a sidewalk."

Supervisor Cardinale: "This is an amendment of our statute regarding opening up the streets in order to allow us to obtain a permit fee. Is that correct?"

Councilman Dunleavy: "They're going to have a fee."

Supervisor Cardinale: "In order- if we have to cut up the streets to put wires and things in.

You want to comment any further on it or is that basically it?"

Dawn Thomas: "Other than that the fee would be \$200.00 which would accompany the application for the road opening permit and an extension of time would require an additional fee of \$50.00."

Supervisor Cardinale: "Okay. So if you want to open up the street to put in the wires, I guess, you've got to pay two hundred bucks or to do anything else but then you've got to put the street back the way it was."

Dawn Thomas: "Correct."

Councilman Dunleavy: "And there's going to be a performance bond that the superintendent of highway is going to determine."

Supervisor Cardinale: "Okay. And this is recommended by highway, right? So if you've got to- if you want to cut around with the street, you've got to put up a performance bond, pay a fee of \$200.00 and put it back the way it was to get your bond back. It makes sense actually.

Anybody want to comment? Yes, please come up."

Patrick Fedun: "Is this the town streets or the county and the state?"

Supervisor Cardinale: "Only town. And, Barbara, you had a question."

Councilwoman Blass: "I do. I guess Dawn, the existing statute under Article 2, 92.8, indicates a violation of that particular article shall not exceed \$250.00 and then at the end under 92-14 penalty for offenses, they talk about violations of the local law shall not be less than 250 or exceed 500. So is it just that particular article within the entire local law that can't exceed 250 but anything else is 500?"

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Dawn Thomas: "It would be a violation of Article 2 which would be damage to surfaces and then the violation of the local law would be anything in that."

Councilwoman Blass: "Other than- "

Dawn Thomas: "I'm not sure why- "

Councilwoman Blass: "Yeah."

Dawn Thomas: "But- "

Councilman Dunleavy: "Well, I think- the way I read this, see if I'm correct, that penalty is for obstructions, if you don't clean the sidewalk of snow or debris, then they can fine you up to \$500.00 for that."

Dawn Thomas: "That's for any violation of anything- "

Councilwoman Blass: "It says anything in the local law."

Dawn Thomas: "-- in the chapter, and then there's a second section saying a violation of the portion of the local law which would be Article 2 which shall be punishable by not to exceed 250 and that's basically deposit or dirt or damage to the surface- road surface or the highway."

Councilwoman Blass: "So maybe should 92-13 say violation other than for that Article shall- I mean I don't know, I just didn't know from a legal standpoint if it's- "

Councilman Dunleavy: "Well, I think there's an out here because it says between two and five and it's \$250 for Article 2."

Councilwoman Blass: "No, actually it's inconsistent, John, because one says not to exceed 250 and one says not to exceed 500 so that's- "

Dawn Thomas: "And one talks about Article- 92.8 is a violation but the prior section, 92.7, talks about being a misdemeanor versus 92-13 which is a violation. There's a difference in the (inaudible)."

Supervisor Cardinale: "To the extent that it needs clarification, you'll advise us. Right?"

Dawn Thomas: "Yes."

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Supervisor Cardinale: "All right. Let's take a look at it in between now and when we pass it. I'm going to leave it open for written comment- if anyone has any other comment at this point, I'd like to take it. If not, I'm going to leave this open for written comment through Friday, 4:30, 2/29. And, Dawn, if you have anything that you'd like to tell us, please advise us and we'll amend to clarify, make it more straightforward.

Okay, this is going to close now at 7:19 for verbal testimony."

Public hearing closed: 7:19 p.m.

Left open for for written  
comment to February 29, 2008

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Public hearing opened: 7:19 p.m.

Supervisor Cardinale: "We'll start the 7:10 p.m. hearing which it is now 7:19 for consideration of a local law to amend Chapter 64 entitled Fire and Prevention of the town code.

Could you summarize what we're considering in this hearing, please?"

Dawn Thomas: "This provision proposes that we add a section to our fire prevention permit fees for the modification of fire detection alarm systems. It adds a fee of \$100 for the first five devices and a modification of existing fire detection alarm systems in excess of- devices shall be treated as an installation so we're not- we're going to put that back to a new installation if we have more than five devices installed, new devices installed or modified.

And the same with a water based fire protection systems. So a sprinkler system and- "

Supervisor Cardinale: "This came out of the fire marshal or- "

Dawn Thomas: "It's additional fees for- correct- modification of existing fixed pipe extinguishing systems and also exhaust systems for removal of smoke and or grease laden and other vapors, there's a fee of \$100.00 for each of those systems."

Supervisor Cardinale: "Okay. So is there anyone is the audience that would like to comment on the fire marshal's recommendation of adjustment of certain fees associated with his fire inspections?"

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If there is, please come forward. If there is not and you have an insight and want to share it, I'll leave it open for written comment through Friday, February 29<sup>th</sup>, close of business, and I will note that the 7:21- and I'll close this hearing."

Public hearing closed: 7:21 p.m.  
Left open for written comment  
to February 29, 2008

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Supervisor Cardinale: "I know there's someone in the audience John told me who is doing a report on town board meetings, local democracy in action, something like that. How are you? I don't know if you picked the right meeting, this is an off day. We are meeting on a Wednesday rather than a Tuesday. We're having two rather uneventful hearings rather than some that fill the room at times with controversy. We usually meet Tuesday. We're meeting today because we were in the city on the Association of Towns training center- training meeting for two days. So maybe you have to come back to get a little better flavor, but welcome anyway.

So that completes our two rather unexciting public hearings for the evening.

We have equally unexciting resolutions I'm afraid because we first saw them about noon today when we got back here from New York City, so there's nothing too particularly controversial on, but we would like to take comment from anybody in the audience on any one of the resolutions which are numbered 136 through 164. It's even very few resolutions. Normally we would have something in the neighborhood of 50 or 60 resolutions. So it's a quiet meeting.

Anybody want to comment on any of those resolutions, we'll take that comment. If there is no comment, I will have Barbara call the resolutions, we'll consider them, take action on them and then open it up for general comment, the meeting."

Resolution #136

Councilwoman Blass: "This is a budget adoption in connection with the building department trucks-- purchase of them. So moved."

Councilman Buckley: "Seconded."

Supervisor Cardinale: "Moved and seconded. Barbara is going to make it through this meeting with her voice-- I hope your voice makes it through.

Moved and seconded. May we have a vote please."

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

Resolution #137

Councilman Buckley: "Militello condemnation budget adoption. 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 #138

Councilman Wooten: "Youth bureau grant allocation budget adjustment. 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 #139

Councilman Dunleavy: "Town of Riverhead authorization to discard fixed assets. 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 #140

Councilwoman Blass: "Mr. Supervisor, I'd like to table Resolution #140 pursuant to a recommendation from Mr. Zuckerman."

Supervisor Cardinale: "Yes. Second, please."

Councilman Buckley: "Seconded."

Supervisor Cardinale: "Moved and seconded to table for discussion with council. Vote please."

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

Resolution #141

Councilman Buckley: "Reclassifies a recreation position. 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 #142

Councilman Wooten: "Appoints a Community Development program technician. 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 #143

Councilman Dunleavy: "Modifies terms and conditions of employment for Dawn Thomas, town attorney. So moved."

Councilwoman Blass: "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 #144

Councilwoman Blass: "Authorizes payment of a stipend to paralegal assistant. So moved."

Councilman Buckley: "Seconded."

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

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

Supervisor Cardinale: "We did add-- "

Councilwoman Blass: "We did, okay, all right. Thank you."

Supervisor Cardinale: "Moved and-- I vote yes on this as well."

Resolution #145

Councilman Buckley: "Sets the terms and conditions of employment for Annemarie Prudenti, Deputy Town Attorney. So moved."

Councilman Wooten: "Seconded."

Supervisor Cardinale: "Moved and seconded. There's one clarification that-- at paragraph 1 on sick leave. It should read 10.5 instead of 14. With that, it's been moved and I believe seconded."

The Vote: "Wooten."

Councilman Wooten: "Yes, as amended."

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

Councilman Dunleavy: "Yes. These next three, well these are all for our town attorney's office and I think we have one of the better town attorney's offices now in the state and to keep our attorneys, I think we have to do these because people are trying to steal them from us.

So I vote yes."

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

Resolution #146

Councilman Wooten: "Is this the same correction on this sick leave?"

Supervisor Cardinale: "Yes."

Councilman Wooten: "Setting the terms and conditions of employment for Daniel P. McCormick, Deputy Town Attorney. So moved."

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Councilman Dunleavy: "And seconded."

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

The Vote: "Wooten."

Councilman Wooten: "Yes, as amended."

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

Resolution #147

Councilman Dunleavy: "All right. The same amendment. Setting terms and conditions of employment for Harold A. Steuerwald, Deputy Town Attorney. 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 #148

Councilwoman Blass: "Appoints automotive equipment operator in the Highway Department. So moved."

Councilman Buckley: "And seconded."

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

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

Supervisor Cardinale: "Yes. This is one of I guess what will be four hires in the Highway Department and I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #149

Councilman Buckley: "Appoints automotive equipment operators in the Highway Department. So moved."

Councilman Wooten: "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 #150

Councilman Wooten: "It appoints members to the Riverhead Farmland Preservation Committee. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Wooten, yes; Buckley."

Councilman Buckley: "Just like an appointment I voted for last month, I know I'll probably be criticized for supporting George, but like last month's I know George, I know he's experienced, and I know he has the support of the Farmland Select Committee. I vote yes."

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

Councilman Dunleavy: "Yes. I think both these people, George Bartunek and Jeff Rottkamp are two excellent people for this Farmland Select Committee. So I vote yes for both of them."

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

Resolution #151

Councilman Dunleavy: "Authorizes fire marshal to attend training course. 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 #152

Councilwoman Blass: "Appoints a justice court clerk to the Justice Court. 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."

Councilwoman Blass: "Yes. Can we just take out the word for in the third Whereas because I think it looks like it's supposed to be followed by something but I don't think it actually is. Whereas, the position was also duly posted for."

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

Barbara Grattan: "Want to take it out?"

Councilwoman Blass: "Yes, please, thank you."

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

Resolution #153

Councilman Buckley: "Accepts a resignation of a school crossing guard. So moved."

Councilman Wooten: "And seconded."

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

Councilwoman Blass: "Question, please."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "I'm just wondering why if the retirement was back in December, 2007, why we're doing it now."

Supervisor Cardinale: "Yeah, that's a good question."

Councilwoman Blass: "Unless it's a wrong date."

Supervisor Cardinale: "Chief- Capt. Smith. Do you know on Robert Smith, we have a retirement date for a school crossing guard effective December 6<sup>th</sup>. Is that accurate or did he just recently retired?"

Councilman Buckley: "It's probably a resignation instead of retirement. They don't retire."

Supervisor Cardinale: "That's correct. And you can see that from the caption. So why don't we change the word to accepts the resignation? That would be on the first now therefore. He's a part time worker that's resigning. Correct? So Robert Smith, effective December 6."

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Barbara Grattan: "You've got it. Okay."

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

Resolution #154

Councilman Wooten: "It reappoints Marjorie Acevedo to the Board of Assessment Review. 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 #155

Councilman Dunleavy: "Authorizes the supervisor to execute a license agreement with Norman Osit Charter Fishing Board. 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 #156

Councilwoman Blass: "Decrease of fees for East Creek Dock for the 2008 boating season. So moved."

Councilman Buckley: "And seconded."

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

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

Councilman Dunleavy: "Yes. I just want to say we're decreasing the fees because we're not going to fix the dockage up this year. It's not going to be fixed up until next year and so we're reducing it \$5.00 a foot for the boaters there. I vote yes."

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

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Councilwoman Blass: "Yes. Construction is commencing in October of this year so there will be some inconvenience but it will not be finished until next year.

Yes. My vote is yes."

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

Resolution #157

Councilman Buckley: "Adopts a local law amending Chapter 108 entitled Zoning of the Riverhead town code, Article VII accessory apartments. So moved."

Councilman Wooten: "And seconded."

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

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

Councilman Dunleavy: "Yes. I think Riverhead is moving forward with this accessory apartment code and I just hope we get some affordable housing out of it.  
I vote yes."

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

Councilwoman Blass: "Yes. I'd like to make a comment though, quickly."

Supervisor Cardinale: "Sure, please."

Councilwoman Blass: "I know it's-- the effective date is generally with the filing of the Secretary of State and normally we put it in there, so I'm just wondering if we shouldn't add it, the effective date."

Dawn Thomas: "You can-- if you don't, it's automatic (inaudible)."

Councilwoman Blass: "Oh, is that-- okay."

Dawn Thomas: "If you want to make it longer than that, you can do it. If not, it will (inaudible)."

Councilwoman Blass: "Right. I think the concern is that perhaps as of tomorrow people will be submitting applications and I think we would want to make sure everybody knows that it's actually not-- "

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Dawn Thomas: "Well, do you want to just add (inaudible)."

Barbara Grattan: "No, I'll tell her to do the resolution tomorrow first thing."

Supervisor Cardinale: "Okay. Very good."

Dawn Thomas: "Once they receive it, I've learned that the filing is just that they have to receive it in the mail (inaudible)."

Councilwoman Blass: "Okay. Then the only other thing I would ask the board is that we need to make sure we have a sitting board members to review the applications in place by the time we start processing-- "

Supervisor Cardinale: "Right. We should start talking about that tomorrow maybe. I'll keep it out for that purpose."

Councilwoman Blass: "Okay. Thank you. My vote is yes."

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

Supervisor Cardinale: "Yeah. I vote yes and I applaud the board's unanimous action."

Barbara Grattan: "That resolution is adopted."

#### Resolution #158

Councilman Wooten: "Adopts a local law amending Chapter 101 entitled Vehicles and Traffic of the Riverhead town code, it's mostly right only around the circle, Jamesport and no turn of red. Section 101-7 entitled Turns. So moved."

Supervisor Cardinale: "Second please."

Councilman Dunleavy: "I second it. It's a correction. It's no turn on right-- on red signs that are located around our schools."

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

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

#### Resolution #159

Councilman Dunleavy: "Approves Chapter 90 application of East

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End Arts & Humanities Council, Inc. 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 #160

Councilwoman Blass: "Extends the bid contract for dry hydrated lime (calcium hydrozide). So moved."

Supervisor Cardinale: "Second please."

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 #161

Councilman Buckley: "Authorizes the town clerk to post and publish the attached notice to bidders for the town of Riverhead annual construction contract. 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 #162

Councilman Wooten: "Authorizes legal action against the owners, tenants, occupants and mortgagee of the property located at 156 Union Avenue, Riverhead, New York. So moved."

Supervisor Cardinale: "Second, please."

Councilman Dunleavy: "Oh, second."

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

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

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Councilman Dunleavy: "Yes. This is again-- this is our rental laws and I think we're doing a great job. Every meeting we have at least one or two of these that we're authorizing to go to Supreme Court with. So I vote yes."

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

Resolution #163

Councilman Dunleavy: "Approves Chapter 90 application of the American Cancer Society, Riverhead Central School - relay for life. 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 #164

Councilwoman Blass: "Motion to pay bills."

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."

Supervisor Cardinale: "That completes the resolutions before us. We would like to take comment on any matter that anybody in the audience would like to comment on. So please come up and tell us what's on your minds."

Ed Purcell: "It's on, okay. What's the latest on the new Wal-Mart up on Route 58? I haven't heard anything or seen anything in the paper on it. Is it going to be built?"

Supervisor Cardinale: "It's in- it's approved as you know but as you also know, litigation often follows approvals."

Ed Purcell: "Yeah, I know."

Supervisor Cardinale: "So there was litigation filed and there is not a stay but they have not made application for a building permit to my knowledge either. Although they could do that

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and take their chances on winning the litigation. They may be determining otherwise to finish out the litigation before they start."

Ed Purcell: "Also I see in the paper all the time about downtown Riverhead. How soon before-- the new plan from Apollo are you going to get it?"

Supervisor Cardinale: "I hope very soon because as you are about to point out I think, we-- a request for assistance and condemnation is meaningless unless we at first have reviewed and approved the plan. On my desk, I noticed that Mr. Davis had called about 6:00 this evening. I had asked that within the next two weeks, we set up a presentation -- a public presentation to the board and the public on the south side what they had in mind, precisely what stores.

I believe it will be as everyone I think also believe, similar to what they proposed on the waterfront which would be retail and restaurants on the bottom floor and condos above, but we haven't seen it yet. So within the next two weeks, I have asked them to make a presentation."

Ed Purcell: "Yeah, hopefully it's condos, not apartments."

Supervisor Cardinale: "I know. We've talked about that. I would prefer that, too."

Ed Purcell: "Yeah, absolutely. Then maybe we can have some champagne after we-- yeah-- "

Supervisor Cardinale: "Let's hope they get something built. I'm very pleased with the Culinary Arts Institute is actually serving breakfast and lunch. I've eaten there, it's good.

The Chamber of Commerce is meeting there next Tuesday, the executive Round Table met there last week in the evening so they get out around 10:00 so there's actually people on Main Street 'til 9, 10 o'clock. The students are there until 10:00. The place is open from 7 to 7 in front. It's relatively inexpensive and quite good. That's probably the only concrete manifestation of possible progress."

Ed Purcell: "I know we now have George Schmelzer Park up there on West Main Street."

Supervisor Cardinale: "Yes."

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Ed Purcell: "Do you think maybe we could at least get somebody up there with a weed whacker, at least knock down some of the weeds so it doesn't look so- "

Councilman Buckley: "Within the last two weeks, because I asked a few weeks ago and they did clean up a lot of debris and as far as I know, they did cut back some of the brush."

Ed Purcell: "Yeah, I haven't been down there."

Councilman Buckley: "So within the last two weeks."

Ed Purcell: "And a couple of months ago, with Mr. Dunleavy, we went and looked at the recent signs for Welcome to Riverhead and the one thing that I see are missing from those signs that used to be on the old sign is noting all the organizations that are in town, such as the Lions, the Rotary, the Masons. And there's no sense of community. It's more of a business sign as opposed- "

Councilman Dunleavy: "I think that's what it is right now."

Ed Purcell: "You know, we should have some place in town so people know it's a community not just some place as a business."

Supervisor Cardinale: "That's a good point. I've seen them and I like those signs."

Ed Purcell: "Yeah, they're everywhere. Every town has them that I now of."

Supervisor Cardinale: "We'll also take the opportunity to point out that Monday at 6:00 p.m. on the 25<sup>th</sup>- is it the 25<sup>th</sup>- yeah, the 25<sup>th</sup>, the three service clubs in town, Rotary, Lions and Kiwanis, at Indian Island, are hosting the state of the town address and it will be on TV the following day. So anybody that wants to hear it on Monday is invited, 6:00 at Indian Island. You have to pay for dinner, I think it's \$20.00."

Councilman Dunleavy: "Twenty-five."

Supervisor Cardinale: "Twenty-five. First hundred, \$25.00 each. But it's going to be on TV the next day."

Come up, please."

Patricia Holland: "Hello, Patricia Holland, Northville Beach Civic Association."

Supervisor Cardinale: "How are you?"

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Patricia Holland: "I'm fine."

Supervisor Cardinale: "Good."

Patricia Holland: "I was contacted by a couple of people who belong to our association because they know that I go to these meetings and their question was about a cell tower. They said there was a cell tower that was supposed to be put up near the Holiday Express on Route 58 and they want to know is it definitely a no or is it something that we have an open hearing about?"

Supervisor Cardinale: "There's-- we did look into that at the work session. There is one issue that we're getting-- I hope we're getting an opinion tomorrow on. It's not actually a cell tower, it's an antenna and we believe that-- we had referred it to the planning board for a recommendation and their recommendation was to refer it back to us. And then before we set it up for a hearing for a special permit, we looked at it and we said we're not sure we can entertain it because it's not for a cell tower which is what is permitted but for an antenna on top of a building and they're checking to see, legal, whether the whole concept of a cell tower which was passed in 1999, I think Chris Kent was instrumental in drafting it with Dawn. You were there then weren't you?"

Dawn Thomas: "No."

Supervisor Cardinale: "Just before you--the prior town attorney and I think the idea was not to have antennas on buildings but to have towers upon which a number of antennas could be set. So it may be that we cannot review that because it's not in proper form."

Patricia Holland: "So they have to resubmit it?"

Supervisor Cardinale: "As a cell tower proposal as opposed to an antenna proposal."

Patricia Holland: "Okay, thank you."

Supervisor Cardinale: "Any other comments from anybody? If not, we're going to get Barbara home because she's not going to make it otherwise."

We're going to be back here in this room at 10:00 tomorrow morning for a work session. So you're all invited back. And this is, I think, the quickest meeting we've had with more of the same we hope.

Thank you and we'll see you tomorrow at 10:00."

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Councilman Wooten: "Move to adjourn."

Meeting adjourned: 7:43 p.m.