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Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Wednesday February 21, 2007, at 7:00 p.m.

Present:

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

Also Present:

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

Supervisor Cardinale: "Okay, I'd like to call the meeting to order at a few minutes after seven. This is the town board of February 21st, delayed a day because we were at the Association of Towns convention.

I'd like to start with the Pledge of Allegiance. If you could lead us, Mitch, please?"

(The Pledge of Allegiance was recited, led by Mitch Freedman).

Supervisor Cardinale: "Okay. We have a presentation to make before the meeting begins.

Corporal Cedric Brown, would you come up, please, and (inaudible) of the Military Order of the Purple Heart, please come up, and (inaudible) Director.

We are very happy to start the meeting this evening with, I think the first- (inaudible) has come from Albany to actually present the Purple Heart military award to Corporal Cedric Brown and then both myself and Bill Jones on behalf of Supervisor Skip Heaney will present proclamations acknowledging this event.

So without further adieu, let me shake your hand and let me- and let me ask Rick do move forward. I would point out that Cedric is a Southampton resident who is a product of the Riverhead school district. So we like to share him."

(Unidentified): "Okay, the United States of America to all who (inaudible). This is to certify that the President of the United States of America has awarded the Purple Heart established by Gen.

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George Washington at Newburgh New York August 7, 1782 to Corp. Cedric Brown, United States Marine Corp."

Supervisor Cardinale: "Well done. Thank you."

Unidentified: "Thank you very much. I'd just like to say a few words. I am very honored and proud to be here on behalf of the town of Southampton, supervisor Heaney and other members of the town board. I'm also honored because I happen to be a veteran so it's a very special occasion for me to stand before a veteran who has given so much to his country that this evening he's receiving the Purple Heart for an injury that he sustained while serving out country.

I normally wear an American flag on my lapel and much to my chagrin, on the way over here I noticed that it was gone and I must have taken it off for some reason and I don't know why— but I had my pin on and underneath it, it says Celebrate Freedom. And I love that pin. It's my favorite American flag pin that I've ever had in my life and I love it because it says something that's really important to me and that I think that we as Americans should do more often in a more visible way and that is to celebrate freedom and there's no greater way than when you do that and you celebrate the freedom that we have because we're so darned lucky to live in a free society and a free country.

And we know that we are lucky and we know that we can celebrate freedom because of the service of people like Corp. Cedric Brown. So (inaudible).

And I'm here to celebrate this Purple Heart for his service and his injury sustained. But I also have another connection with Cedric and that is his aunt Ivy Brown, I'm the director of human services in the town, and Ivy happens to work in our senior services division and I have to say I'm surprised that this isn't his second Purple Heart because I know that for someone to have an aunt like Ivy (inaudible).

I'm not going to read this entire proclamation. I'll just do the summation here which really sums it up and I really can't say it any better.

Therefore, Be It Resolved, that the town board of the town of Southampton in grateful appreciation does hereby publicly recognize Corp. Cedric L. Brown, United States Marine Corps for his courage, bravery and distinguished and noble service to our country, Semper Fi.

Congratulations."

Supervisor Cardinale: "We are in Riverhead as well very proud of you as a product of the Riverhead school district and as a reminder to all of us of the fact that we've got great things to accomplish in this country with great young men like you.

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One of the things I often say speaking of people who have demonstrated courage and demonstrated faithfulness to the country brings to mind right outside there's the bust to our Medal of Honor winner here in Riverhead and what I say each Veteran's Day is that people like him and you show us our possibilities and we have great possibilities for the future because of people like you.

So I'm very pleased on behalf of the town board to present this proclamation from the town of Riverhead reciting that you have received the Purple Heart medal established by George Washington in 1782 and awarded to those members of the military killed or wounded in action against an enemy of the United States and that you were deployed to Iraq in support of the war on terrorism on May 3rd of '05 and while serving as (inaudible) team leader and gunner was seriously wounded on May 8, 2006 and awarded (inaudible) the Purple Heart for the wounds you received on July 26, 2006.

We proclaim today, the board and I, February 21, 2007, Cedric L. Brown Day in the town of Riverhead. And I think the board wants to shake your hand and we'd love to hear if you have anything to say—we'd love to hear it."

Cedric Brown: "I just want to thank everybody for coming out and just remember that there's more people over there (inaudible) and thank you very much."

Supervisor Cardinale: "Okay, we're going to proceed and I ask that one of the members of the council offer the minutes of the town board meeting of February 6th and another second."

Councilwoman Blass: "So moved."

Councilman Densieski: "Second the motion."

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

Barbara Grattan: "Who offered them?"

Councilwoman Blass: "I did."

Supervisor Cardinale: "Barbara and seconded by George."

Councilman Bartunek: "Eddie."

Supervisor Cardinale: "Eddie, I'm sorry."

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

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Supervisor Cardinale: "Reports, please."

REPORTS:

Tax Receiver
Total collections to date
\$55,804,718.54

Police Dept.
Monthly report for
December
and January

Sewer District
Discharge monitoring
report
for January, 2007

Barbara Grattan: "That concludes Reports."

Supervisor Cardinale: "Applications, please."

APPLICATIONS:

Special Event
Riverhead Relay for Life
-
June 15-16, 2007

Railroad Museum of LI - Sept.
27 and 28 - folk festival and
hobo gathering

East End Humanities
Council May 27, 2007 -
street
painting festival

Barbara Grattan: "That concludes Application."

Supervisor Cardinale: "Correspondence, please."

Barbara Grattan: "There is none."

Supervisor Cardinale: "Public hearings now scheduled for this evening are two, one at 7:05 and one at 7:10."

Public hearing opened: 7:20 p.m.

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Supervisor Cardinale: "We'll start with the 7:05, for consideration of an amendment to Chapter 108 Article LIV, Village Center Section 108-290. Could you tell us about this one, please, Dawn."

Dawn Thomas: "This proposed amendment to the Village Center zoning use district would exclude as a prohibited use an office on the ground floor. So it would permit offices on the ground floor in the village center zoning use district."

Supervisor Cardinale: "Okay. It is 7:20, the hearing was to begin not sooner than 7:05. I'd like to take comment from anyone who wishes to give comment on this. Bob?"

Robert Kozakiewicz: "Good evening, Mr. Supervisor, members of the Board, Bob Kozakiewicz. I can see that Dawn struggled with the same sort of thing that I did when I first read this legislation. I was saying what are you trying to do? But as you got a chance to look at it, it in fact is allowing professional offices on the ground floor within the village center zoning."

I'm here to speak in favor of it. I did drop off a letter earlier, I wasn't sure if I was going to be able to come back which was not the greatest letter but I wasn't sure if I was going to get here.

I do offer my comments on behalf of a client, Old Town Builders. They're a south fork company that as the name implies are construction company by a namesake. They want to establish a presence in the north fork and they want to take the concept of a construction company and add to it allow for architectural services to be incorporated and to provide a showroom to allow for interior design to show their trim work off and to do something that's a little bit more in line with professional officers. It's a good use.

As pointed out in the letter, the village center zoning in the Jamesport area would allow this use to be there, allow them to establish a presence. Most of the buildings in that area are single story structures so without this change they would need a variance to allow them to get relief from having to locate on a second floor.

As I was getting into— someone put me on to the fact that in the Carolinas for example, the Outer Banks, this sort of thing is already going on where real estate firms, real estate brokerage houses, actually offer as an ancillary service, construction services, so this is sort of a little bit of the other way where construction service would offer a professional office type of use.

I think it's a good use. It's something that would benefit the area and I ask you to adopt the change which I understand is sort of a

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second prong housekeeping measure that was done in 2006 already. So thank you."

Councilman Dunleavy: Thank you."

Supervisor Cardinale: "Thank you. Is there any other comment on this proposed change? If not, I will keep it open for potential written comment for the file until Friday, let's see today is the 21st, right- Friday, the 2nd, I guess, March 2nd, at 4:30.

Okay, it's now 7:23 and I'm closing this public hearing for verbal testimony."

Public hearing closed: 7:23
left open for written comment for
10 days to March 2, 2007

Public hearing opened: 7:25 p.m.

Supervisor Cardinale: "And moving onto the second scheduled for 7:10 which is a hearing anticipated for the consideration of an amendment to Chapter 108 Article XXVI for- relating to site plan review and approval.

Would you summarize this change, please?"

Dawn Thomas: "Yeah, this proposal would simplify the site plan review process for existing commercial buildings with floor areas of greater- no greater than 4,000 square feet. It would allow the administrative review to be done by the planning department but the statutory requirements in the zoning ordinance relating to site plan would still be adhered to."

Supervisor Cardinale: "Good. Okay, before I open this hearing for comment, I want to acknowledge Jim DeLuca who is here with his class from Farmingdale State College. Jim's a resident of the town and also a former employee of the town, one of our- who has gone far since leaving us, and we want to acknowledge their presence and if you have any questions, feel free to ask and maybe later on we can have you make some comments.

But I'll start the hearing, this being 7:25, if anyone wants to comment on the site plan review change that we're proposing in this section. This came out of the small business committee and we're anxious to hear public comment.

And if we don't get public comment verbally, I will leave this open for written comment. One of the areas of written comment I'd

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like to hear is- and I know he was in the city until late today at that Association of Towns convention is from the building inspector who I don't think has expressed his opinion on this change yet, so maybe we'll ask Leroy to submit something.

I'm going to leave this open if there's no verbal testimony again until March 2nd, 4:30."

Councilman Densieski: "Phil, I just wanted to add something for the record. This legislation was born in the small business advisory committee, voted on unanimously and overwhelmingly supported by the committee. And I just wanted to thank them for their help."

Supervisor Cardinale: "Thank you. Summary of- yeah, she did a summary- "

Councilman Densieski: "One paragraph, Larry."

Supervisor Cardinale: "-- and we'll be discussing this I'm sure with Leroy at the work session tomorrow. I want to get his take on it. But basically what I think this does is it adds to- except as otherwise provided site plan review (inaudible) specifically not be provided for and then it adds this exception.

And what it is trying to do is to unbundle the red tape to the extent possible consistent with good planning for the smaller applications and get them on a faster track without unnecessary fees.

So I'll leave this open until 4:30 on March 2nd for written comment. We'll be discussing it tomorrow. I'm going to break it to the board, but actually the work session begins at 9:00 tomorrow to 11. So you're going to be out of here late tonight and back early tomorrow I'm afraid."

Councilman Densieski: "Thanks, Phil."

Supervisor Cardinale: "Yeah. Sorry about that."

Public hearing closed: 7:26 p.m.
Left open for written comment for
10 days to March 2, 2007

Supervisor Cardinale: "Okay, that ends the two hearings at 7:26. We have a modest agenda tonight because most of us were away for Sunday, Monday and Tuesday for the Association of Towns conference. There's about 30- I think 37 resolutions. We'd like to take comment from anyone who wishes to make comment upon those

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resolutions now because we're going to consider them and then we're going to open it up for general comment.

If there's no specific comment on the 36 or 7 resolutions, I'll have the town clerk call them and we'll consider them."

Resolution #143

Councilman Densieski: "Purchase and installation of recreation modular building at Stotzky park budget adoption. So moved."

Councilwoman Blass: "And seconded."

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

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

Councilman Densieski: "I'm not sure if this is the best plan but I didn't come up with any better, so I'm going to support it. Yes."

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

Resolution #144

Councilwoman Blass: "This is a personal services budget adjustment. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #145

Councilman Bartunek: "Budget adjustment for personal services. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #146

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Councilman Dunleavy: "All right. With an amendment in the Resolve portion. It says a copy of this resolution shall be delivered to Valerie Marvin. We're going to take her out of the resolution. And the resolution will say authorizes suspension of employee without pay. So moved."

Councilman Densieski: "Second the motion."

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

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

Councilman Densieski: "Yeah, I first saw this resolution about an hour ago because I was in the city also. I got stuck in a homeland security terrorist action, with a couple hundred police, we got stuck in traffic. So I got back here late."

But I understand-- so I did talk to the supervisor about this about an hour ago and he said that our attorneys advise us that it's a procedure that's always followed not to pay the employee. I think it's a bad policy to not pay the employee until there's anything proven. But this is the resolution we have here. I think it's a mistake to do it this way, but I will vote yes."

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

Resolution #147

Councilman Densieski: "Amends Resolution 117. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #148

Councilwoman Blass: "Just a question. George-- "

Councilman Bartunek: "I had messages on the phone and I didn't check and see if Meg got back to me about the questions you had raised. The concern that we had with this is they've gone through the preliminary rehiring testing, that was all. I don't know if it was resolved or not."

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Councilman Dunleavy: "I would just like to amend these to make sure that they did the drug testing."

Councilwoman Blass: "How would we-- you mean postpone them or-- we couldn't amend it."

Councilman Bartunek: "We could amend it."

Councilwoman Blass: "Well, do we know. Not if we don't know if (inaudible)."

Councilman Bartunek: "But couldn't we amend this and say that the hiring would be contingent upon them-- "

Councilman Dunleavy: "Right. Because this is February-- this is February 22nd."

(Some inaudible discussion)

Supervisor Cardinale: "All right. So what you want to do-- "

Councilman Dunleavy: "We'll find out tomorrow."

Supervisor Cardinale: "-- is at the Resolve clause, the first Resolve clause, that effective on the indicated date he's appointed subject to clearance of all requirements including drug testing. Right?"

(Some inaudible discussion)

Supervisor Cardinale: "Okay. So on each of the next three, we're making that-- making that clarification, that it's subject to the receipt of those test results."

Councilwoman Blass: "Appoints bus driver in the seniors program. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #149

Councilman Bartunek: "Appoints a bus driver in the seniors program. So moved."

Councilman Dunleavy: "And seconded."

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Supervisor Cardinale: "As amended with the additional language."

Councilman Dunleavy: "As amended."

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

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

Resolution #150

Councilman Dunleavy: "As amended appoints automotive equipment operator in the highway department So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #151

Supervisor Cardinale: "Before you go on, Barbara was pointing out that the three that we- the bus drivers, would you make sure, Barbara, that they are copies to the accounting department as well?"

Barbara Grattan: "Sure."

Supervisor Cardinale: "Okay, thank you. Sorry, go ahead."

Councilman Densieski: "That's okay. Appoints George Prete a part time recreation aide for the youth sports to the recreation department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #152

Councilwoman Blass: "Authorizes the fire marshal to attend seminar. So moved."

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Councilman Bartunek: "I would second that. I guess (inaudible). I'm just kidding. I will second that."

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

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

Resolution #153

Councilman Bartunek: "Offers support to the New York State legislature for the imposition of special development or impact fees on building permits for new construction or the substantial improvement of existing construction for the purposes of (A) community facilities, (B) traffic mitigation and (C) school facilities. So moved."

Councilman Dunleavy: "And seconded."

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

Councilwoman Blass: "Discussion."

Supervisor Cardinale: "Yes. Please."

Councilwoman Blass: "I just have a question. Does this relate at all or is it affected by our already collecting park and rec fees? This is asking for an impact fee for community facilities. We're offering support to collect that? Do we do that with our rec fees already?"

Supervisor Cardinale: "Well, you know we talked about this and I looked at how this came to be on the agenda with this next one here. They need a home rule request and then if it's passed which is a big if, then it would come back for a referendum vote. So it might have some- this particular language- her question is it inconsistent with - in some towns maybe not but in or town we do collect certain fees already. We may have to adjust the language in passing it."

Dawn Thomas: "I'm just looking at the proposed legislature- "

Supervisor Cardinale: "Yeah, you want to speak a little louder because- "

Dawn Thomas: "Sorry. The- if you look at page 3 of the legislation in paragraph 6- "

Supervisor Cardinale: "Yes."

Dawn Thomas: "-- it talks about community facilities and it's referring to- it looks to me and I'm just doing this quickly, police services, fire services, emergency services, libraries, museums,

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recreations including youth services, senior services. So, yeah, of those recreation might be a conflict with what we have but the others would not be anything that we currently collect impact fees for."

Councilman Densieski: "Is this time sensitive, do we know? This is the first time I've actually seen the legislation."

Supervisor Cardinale: "Yeah, it's fine with me if you'd like to- this is simply a request from I think it was Sen. Thiele, State Senator Thiele. Why don't we discuss it tomorrow?"

Dawn Thomas: "Okay. Table it?"

Supervisor Cardinale: "Yeah."

Councilman Bartunek: "I'd like to make a motion to table Resolution 153. So moved."

Councilman Dunleavy: "And seconded."

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

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

Supervisor Cardinale: "Yes, to table."

Barbara Grattan: "The resolution is tabled."

Resolution #154

Councilman Dunleavy: "Offers support to New York state legislature to enforce the provisions of the 2% transfer tax on real estate transactions. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. This is a similar request but less I think complex, just indicating that we would have some enforcement power to make sure we collect what we're entitled to."

Moved and seconded. Vote please."

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

Resolution #155

Councilman Densieski: "An order calling for a public hearing Riverhead Sewer District lateral sewer main - Best Western Hotel complex. So moved."

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Councilwoman Blass: "And seconded."

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

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

Resolution #156

Councilwoman Blass: "Classified action and declares lead agency on special permit of Ric Scott, Suffolk Theater, and calls for a public hearing. So moved."

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

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

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

Resolution #157

Councilman Bartunek: "Classifies action and declares lead agency on special use permit of Irene and Etham Tahir and calls for a public hearing. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #158

Councilman Dunleavy: "Authorizes publication of display ad regarding attendance at Suffolk County police academy. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #159

Councilman Densieski: "Authorizes the town clerk to publish and post a help wanted ad for assistant town engineer. So moved."

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Councilwoman Blass: "And seconded."

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

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

Resolution #160

Councilwoman Blass: "This is an authorization to publish advertisement for meat and poultry. So moved."

Councilman Bartunek: "I'll second that."

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

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

Resolution #161

Councilman Bartunek: "Authorization to publish advertisement for food. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #162

Councilman Bartunek: "Authorizes town clerk to republish and repost public notice of public hearing to consider a proposed local law to amend Chapter 47 entitled Bays and Creeks of the Riverhead town code. So moved."

Councilman Dunleavy: "And seconded."

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

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

Councilman Densieski: "Take ten, yes."

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

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Resolution #163

Councilman Densieski: "Authorizes the town attorney to establish a credit line. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #164

Councilwoman Blass: "Authorizes the town clerk to advertise for bids Riverhead Sewer District and the Riverhead Scavenger Waste District for removal of sludge cake. So moved."

Councilman Bartunek: "Is that with (inaudible). I'll second that."

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

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

Resolution #165

Councilman Bartunek: "Authorizes the town clerk to advertise for bids for the Riverhead Sewer District and the Riverhead Scavenger Waste District grit and screening removal. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #166

Councilman Dunleavy: "Authorizes the town clerk to publish and post public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, Section 108-129 Site Plan Review. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #167

Councilman Densieski: "Authorizes the town clerk to publish and post public notice of public hearing to consider a proposed local law for an amendment to Chapter 3 entitled Appearance Tickets of the Riverhead town code. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #168

Councilwoman Blass: "Authorizes the supervisor to execute a license agreement with Aeros Cultured Oyster Company to allow the installation of floating upweller systems also known as FLUPSY in East Creek marina. So moved."

Councilman Bartunek: "Second that."

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

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

Resolution #169

Councilman Bartunek: "Authorizes the town clerk to publish and post public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, Agriculture Protection zoning use district (APZ). So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded. Question."

Councilwoman Blass: "I was just going to ask if we have any golf courses in RA 80 zone which would apply to."

Supervisor Cardinale: "Rick, we've discussed this at great length. Are there any golf- existing golf courses in RA-80?"

Councilwoman Blass: "That this would maybe apply to as well."

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Rick Hanley: "I think not."

Councilwoman Blass: "Okay."

Rick Hanley: "The three that exist within the APZ are the two that are in question presently in front of the planning board and Long Island National and Calverton Links is within an industrial district and Friar's Head is in RA-80. RA-80."

Councilwoman Blass: "RA-80."

Rick Hanley: "Yes. But that one- "

Councilwoman Blass: "But there would be no potential to have this apply to RA-80. I was just- I know that because golf courses and clustering and the agricultural operations are also permitted in RA-80, I just wondered if there were any other golf courses north of Sound Avenue which could somehow be a part of this as well when we're only considering those in the APZ."

Rick Hanley: "I wrote this with respect to the APZ because that's where the two courses - where the planning board is dealing with subdivision. However, I think you're correct. I think there are golf course clustering provisions in other districts. What I'd like to do is hear it, get the public to respond to it and then we can housekeep in terms of all the other- I think it has to go in the clustering ordinance and a number of other- I just wanted to get the language straight for the board."

Councilwoman Blass: "Okay."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Yeah. I know- if we get the public comment and determine to go this route- "

Rick Hanley: "Right."

Supervisor Cardinale: "-- we'd have to make a similar adjustment in the RA-80 statute."

Rick Hanley: "And the clustering ordinance itself."

Supervisor Cardinale: "And the clustering ordinance. Okay, thank you."

Councilwoman Blass: "Thank you."

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Rick Hanley: "Just a note. The Friar's Head is a special case to a certain extent because in the SEQRA review for the change of zone and special permit that was issued for Friar's Head, they studied "X" number of residential buildings so I think they are basically held to that number whatever it was, so that's just a note."

Councilwoman Blass: "And the Baiting Hollow Club has no additional opportunity (inaudible)."

Rick Hanley: "Which one?"

Councilwoman Blass: "The Baiting Hollow Club."

Rick Hanley: "Baiting Hollow Club is presently in for a subdivision but not using yield from the golf course."

Councilwoman Blass: "Okay."

Rick Hanley: "It's on a separate parcel."

Councilwoman Blass: "Okay, thank you."

Rick Hanley: "Sure."

Supervisor Cardinale: "Okay. With that clarification, let's move on."

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

Councilman Densieski: "Yes, to a public hearing."

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

Resolution #170

Councilman Dunleavy: "Approves extension of subdivision bond on Morgan Creek Development a/k/a Map of Roanoke Landing, road and drainage improvements. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #171

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Councilman Densieski: "Grants the Wading River Historical Society an exemption from real property taxes for the 2004-2005 assessment roll. So moved."

Councilwoman Blass: "And seconded."

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

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

Councilman Densieski: "We're trying to buy our way into heaven. Yes."

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

Resolution #172

Councilwoman Blass: "It's a resolution and consent approving the dedication of a highway known as Sigal Avenue Extension, Millbrook Gables. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #173

Councilman Bartunek: "Supports Peconic Bay Medical Centers building and renovation program. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #174

Councilman Dunleavy: "Approves Chapter 90 application of the Riverhead Central School District, American Cancer Society Relay for Life. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #175

Councilman Densieski: "Adopts a local law to amend Chapter 58 entitled Dogs of the Riverhead town code, Section 58-4 Redemption of impounded dogs. So moved."

Councilwoman Blass: "And seconded."

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

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

Councilman Densieski: "We've seen this resolution many times. We saw George's chapter. Yes."

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

Resolution #176

Councilwoman Blass: "Adopts a local law to amend Chapter 108 of the town code of the town of Riverhead entitled Zoning Chapter 108-130 site plan review. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #177

Councilman Bartunek: "Approves a fee schedule of John Raynor and Associates. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #178

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Councilman Dunleavy: "Adopts a rate schedule for Dunn Engineering Associates, Norton Brothers-Dunn and AKRF for downtown redevelopment GEIS and urban renewal plan updated 2006-2007. So moved."

(Inaudible comment)

Supervisor Cardinale: "Which one was that? Since you're paying it, I think you can make a comment. Why don't you come up to the microphone please. This is approval of the rate schedule for one of the engineers that Apollo is paying as part of three engineers- is that it- as part of the SEQRA process, the generic environmental impact statement process down in the Main Street renovation area."

Don Scunda: "Hi. Don Scunda from Weber Law Group (phonetic). I'm the partner representing Apollo. I was just curious since I haven't heard of this. Has anybody spoken with Apollo since Apollo is paying?"

Supervisor Cardinale: "No. But this is routine each year with any of the engineers and we did- you'll notice on the Raynor ones that we limit the maximum engineer principals can receive to 165 and this does meet the criteria, the Dunn Engineering firm, that it's each of their principals are less than 165. But with that- that is the only criteria that we generally imposed and we've asked (inaudible) to look at it."

Now, I don't know if it's time sensitive but this would be not only- this rate schedule that we just adopted for both Dunn and for Raynor would be for any work that the town does."

Don Scunda: "That was really my question- that was it directed at a specific project?"

Supervisor Cardinale: "No."

Don Scunda: "Because that's the way it was (inaudible) in the resolution or whether it's what everybody would pay for."

Supervisor Cardinale: "It would be what everyone- if we want to use this firm, this would be the rates that we're certifying as payable for this year and then- but not just for your project, we're not sticking it to you."

Don Scunda: "All right. But, you know, the way the resolution is stated is it's directed at my client. The question is, is it directed at my client, number one- "

Supervisor Cardinale: "No. But- and we'll amend- did we vote for this yet? We didn't. Why don't we amend that to make that clear?"

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This would be the rate schedule for any projects they work for the town on including the one you happen to be paying for."

Don Scunda: "All right. Then I don't have a problem with that."

Supervisor Cardinale: "Thank you. Okay, before we pass this- "

Councilman Dunleavy: "I make that motion as amended."

Supervisor Cardinale: "Okay and we're going to add at the top, where it says adopt a rate schedule for Dunn Engineering-Dunn and AKRF for the GEIS and urban renewal plan update- "

Don Scunda: (Inaudible)

Supervisor Cardinale: "Yeah, and any other projects."

Councilwoman Blass: "You know what we could do? We could just copy the John Raynor Associates one and just substitute the name because it's just the generic- it's approve the rate schedule."

Supervisor Cardinale: "No, because it's a different rate schedule."

Councilwoman Blass: "Well, I mean, I'm talking about the body of the resolution. Whereas, we have this consulting company and whereas the fee schedule is acceptable and- "

Supervisor Cardinale: "But I think- oh, I see what you're saying. Yes. Okay."

Councilwoman Blass: (Inaudible)

Supervisor Cardinale: "What Barbara is pointing out is that we- the Whereas clauses address the Riverhead Renaissance project specifically and then the Resolve says the town adopts the attached rate schedules for the subject project."

We would also have to- and I think the easier way to do it is just to say on- that the Resolve clause, Barbara, that the town hereby adopts the attached rate schedules for these three engineering firms for the subject project undertaken in '06 and '07 and any other projects of the town during this period. He just wants to make sure he's not paying higher rates, and he isn't. Okay?"

Don Scunda: "Thank you."

Supervisor Cardinale: "Thanks."

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Barbara Grattan: "Got you."

Supervisor Cardinale: "Okay, with that amendment, could we have a vote?"

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

Resolution #179

Barbara Grattan: "Resolution to pay bills is 179."

Councilman Densieski: "So moved."

Councilwoman Blass: "And seconded."

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

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

Supervisor Cardinale: "I have one other that was given to me by Laura later in the day having to do with execution of a runway use agreement with South Bay Apparel (inaudible) upon the usual requirements but \$2,000,000 in insurance rather than I think the five that was originally sought, that was after discussion with the insurance advisor and allowing a monthly fee of 500 rather than 1,000.

This was discussed at some work sessions a few weeks back. If anybody has any problem with it, we'll put it over. But if we don't, I'd like to get it passed to I can tell them they've got a runway use agreement, so it's-- the only two changes from the normal is the 500 a month and the 2,000,000 in liability.

So, and we'd have to give that--what's the next number-- 180. Okay, so that's-- if we could have-- "

Resolution #180

Councilman Densieski: "I'd like to move Resolution #180 which authorizes the supervisor to execute runway use agreement with South Bay Apparel. So moved."

Councilman Dunleavy: "And seconded."

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

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

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Supervisor Cardinale: "These are of course I think for a limited period, six months, so they do not require the usual qualified and eligible because they're a license agreement."

Okay, with that last resolution, we are completed with the resolutions. We are now going to take any comment that anyone would like to make generally preferably on something within our purview but- "

Councilman Dunleavy: "Can I just say something, please?"

Supervisor Cardinale: "Yes, please."

Councilman Dunleavy: "I just want to say, we passed a resolution tonight, the attendance at the Suffolk County police academy. And that's for our part time police officers. So anybody that wants to be a part time police officer in the town of Riverhead, you apply at the Riverhead police department for an application and, Chief, they pay- it's on their own time going to the police academy? It's on your own time going to the police academy, but we wish for a lot of people to apply for this position. And it's a good training if you want to become a police officer in the future. Thank you."

Supervisor Cardinale: "Yeah. We should put that on the website. John, if you could talk with Trina maybe about that, maybe, we'll put that up on the website."

Yes?"

Ed Purcell: "Ed Purcell, East Main Street, Riverhead. Route 58 is maintained by the county?"

Supervisor Cardinale: "It's a county, yes."

Ed Purcell: "Last week on Valentine's Day, I took a little trip to- took my better half out to dinner to JR's Steakhouse and I'd like to compliment the state on how well they did the roads that they maintained and the town on the roads they maintained. The county on the other hand, Route 58 was as if they didn't even touch it. There were- it was a mess and it was very dangerous to drive on. And I know you don't deal with- I guess it's Flanders Road between the jail and the- "

Supervisor Cardinale: "Yes, Flanders Road."

Ed Purcell: "Yeah, Flanders Road between the jail and the- 495. That's also county."

Supervisor Cardinale: "Right."

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Ed Purcell: "That was terrible. Is there anything you can do to light a fire underneath them so that when we do have weather problems such as the other day, that they'll do an adequate job because they did not, not at all. It was very dangerous driving on Route 58 that day. The other roads were fine. You know, if the other roads weren't fine, I wouldn't say anything but the other ones were."

Supervisor Cardinale: "I'm glad you brought it to my attention. I can speak with the county."

Ed Purcell: "Yeah, because it's invariable-- as I told my better half when she came back from work, I said do not ride on those two roads, go down West Main Street, that's safe. Because she works in Hauppauge and I work in Nassau, so on the way back you have to drive certain roads otherwise you may have an accident because the county doesn't do their job. Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "All right, I'll speak with them. Thank you. From-- any other comment? Yes, Jim."

Jim Flood: "Jim Flood, Aquebogue. I've been following this Ski Valley deal-- "

Supervisor Cardinale: "Snow Valley."

Jim Flood: "Snow Valley, thank you. And it's extremely confusing to me."

Supervisor Cardinale: "You're not the only one."

Jim Flood: "My question to you is how long-- I have a bunch of questions, but how long was-- were we negotiating or talking to this Snow Valley people before you had the meeting here at the work session?"

Supervisor Cardinale: "We didn't negotiate very long with them. We like to take the matters to the public and let them present to the public. That was actually the first presentation to the public and I think they had seen us once or twice previously to set up the presentation."

Jim Flood: "And who were they dealing with?"

Supervisor Cardinale: "They were dealing with Chris Kent and Andrea Lohneiss, CDA director."

Jim Flood: "Okay. Did any kind of red flag come up when they started to talk about a 50 story building at that site? Fifty

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stories, that's, you know, 500 feet. That seems to be an awfully large building right next to a runway. It seems almost unimaginable."

Supervisor Cardinale: "Yeah, that was discussed and there was a way of positioning it on the property and still is which would not interfere with the runway. That was one of the questions that was discussed."

Jim Flood: "Now, Mr. Stewart, did anybody investigate Mr. Stewart before the meeting? Did anybody Lexis-Nexus him? Did they look into his company? Did they-- was there any due diligence whatsoever before the 19 lawyers and engineers came that day?"

Supervisor Cardinale: "I don't honestly know but I do know that he was represented by engineering firms and legal firms that represented that they were-- that they were representing him and that he was a substantial investor. And I'm still not sure whether he is or isn't, but the qualified and eligible sponsorship hearing is way down the line.

You first have to present the idea, which is what they were doing, and only then if we say this idea is consistent with our zoning and would be acceptable there, only then do they have to prove if the capital is available and that they are qualified by experience in developments of similar size and complexity. So that would be well down the line from where we are."

Jim Flood: "But there was a trail of Mr. Stewart having some kind of problem in Connecticut and Pennsylvania and obviously he has a project that looks like it's going bad in Turkey right now, or it looks a little bit shaky.

When you say that he's represented by lawyers and by engineers, these lawyers and engineers are, first of all they're lawyers and so they're representing their client, but I googled the company and I think it was in the Edinborough Times (phonetic) they said there was a change of chairmanship in that company. And that took me about 17 seconds. And then I started to google other things and you could see where these names and the companies were starting to pop up.

And so now we have this Mr. Stewart who has less money in the bank than most of us have in equity in our homes here in Riverhead. You know, bringing this project that appears to be made out of (inaudible) as far as I'm concerned.

And I'm wondering why we're even entertaining or why we are going down the road toward a qualified and eligible sponsorship when the man in his own words said, and this is what amazed me, well I'm not the chairman of the company anymore, but I can call myself anything I want as far as Stewart Marketing International is concerned when I'm not in

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Scotland. Well, that to me in itself is enough to just throw the bum out to tell you the truth.

This project, a 500 foot building next to— close to or in proximity to an active runway, from a man who appears to be not what he appears to be, I'm extremely skeptical at this entire project. And I'm wondering— you know, I'm wondering why we're even spending another minute with this man who appears to be a hoax, you know. This whole project appears to be a joke.

He left people in the dust up in Connecticut according to Newsday, and he left people with problems in Pennsylvania. This Turkey deal seems to be going down the tubes and I don't believe we should spend another minute. I mean we have Lexis-Nexus in the town attorney's office. If we had Lexis-Nexus'd him and taken a look at his financials for his company which you could probably find on the internet. You could go through Dun and Bradstreet, you could go through the English version of Dun and Bradstreet, you could do a bunch of stuff in due diligence before, you know, lawyers and engineers show up with this 500 foot monstrosity that they're going to put— that's going to be overlooking the final resting place of half Long Island's veterans. There is going to be this ski slope. And I just don't understand why we're even proceeding.

I think Bobby Goodale used to screen out all these crazy lunatics that came here and gave us all sorts of stuff that never flew. Bobby did a good job doing that and we should have done a little bit more due diligence before we even invited him here. Because it's almost another embarrassment to us as far as I'm concerned.

I sat and watched the whole thing on television and I was not impressed, not impressed at all."

Supervisor Cardinale: "You will be pleased to know that the materials that we would— the whole board would like to see additional materials before we speak to them again. However, I think it unwise to foreclose any possibility before it's fully investigated."

Jim Flood: "Did they make a money offer? Because I know that when you— "

Supervisor Cardinale: "Yes, they made— "

Jim Flood: "-- you had spoken to them and they said they would come with an offer in a few days."

Supervisor Cardinale: "Yes."

Jim Flood: "And did they?"

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Supervisor Cardinale: "Yes."

Jim Flood: "Are you prepared to disclose that?"

Supervisor Cardinale: "Ninety million."

Jim Flood: "Ninety million for how many acres?"

Supervisor Cardinale: "Ninety million for 750 acres."

Jim Flood: "I have another question now. Mr. Kent does a lot of these negotiations. I'm going to pose a question to you. Can you unequivocally state that Mr. Kent does not practice law during normal working hours? Does he spend from 9:00 to 4:30 in this building where normal people work every single day, 9 to 5, can you unequivocally state that he does not practice law in his law office or take time out of his day for short periods or longer periods of time to do other stuff, other than town business?"

Supervisor Cardinale: "I rely with Chris, as I do with all of the employees on their time sheets which are filled in and they show that in his case he works a great deal more than 35 hours a week."

Jim Flood: "I'm saying does he work normal business hours for the town?"

Supervisor Cardinale: "He works normal business hours for the town."

Jim Flood: "Nine to five?"

Supervisor Cardinale: "Well, he also works a lot later than five."

Jim Flood: "Well, so does everybody else in the real world. So- "

Supervisor Cardinale: "Well, yeah, but not in the town and that's one of the unique things about the council people and the deputy supervisors and the department heads, they actually work well in advance of a five o'clock, and sometimes come in early.

Like, for example, right now, you'll note it's 8:00 and we have department heads in the room, we have the council in the room. So people do work other hours than nine to five. Yes."

Jim Flood: "Mr. Kent's stipend, how much is that? He has a salary and then a stipend over and above his salary. Do you know what- "

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Supervisor Cardinale: "I don't-- I believe it's \$5,000."

Jim Flood: "And what is that for?"

Supervisor Cardinale: "It's for the work he does supervising the EDZ and the coordinator of the EDZ."

Jim Flood: "And how many hours does he spend for the \$5,000 that he makes?"

Supervisor Cardinale: "Well, he's the supervisor so you can probably ask him. He's not here right now."

Jim Flood: "I'd ask him but he's not at the town board meeting, he's the deputy town supervisor so-- "

Supervisor Cardinale: "Chris is away so in case you were wondering-- "

Jim Flood: "I don't see him at very many either, so-- "

Supervisor Cardinale: "-- he went skiing with his family. So you are over five minutes so if you don't have any further questions."

Jim Flood: "It's rare that you ever cut anybody off with the five minute rule."

Supervisor Cardinale: "In your case I can make an exception because I think you're opening up the political season about nine months earlier than it needs to be opened."

Jim Flood: "No. There's just a lot of questions, Phil, that we need to be answered. But I'll cut off the five minutes and I'll see you in two weeks."

Supervisor Cardinale: "I appreciate that, that you honor that."

Jim Flood: "Thank you."

Supervisor Cardinale: "Is there any other person that would like to make a comment on anything? Yes."

Don Scunda: "Don Scunda, again, partner in Weber Law Group. Not only do I represent Apollo, but I represent Snow Valley as well."

The previous speaker-- I'd just like to state that I don't know where he gets the basis of his what he claims to be facts, but I certainly as an attorney, would recommend that before you call somebody a hoax, before you call somebody a quote unquote bum, before

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you engage in libelous slanderous comments, I suggest you have facts to back this up rather than mere hearsay.

We at Weber Law Group have spent an awful lot of time representing reputable on Long Island, not just in Riverhead. I strongly suggest again if you have facts, please present where you independently found them. I can assure you that the reputation of the firm and my personal reputation having practiced law for over 35 years, I don't represent people that I know to be a hoax. I do not represent people that I know to be bums. Neither do any of my partners who have probably better reputations than I have.

I will say that as Supervisor Cardinale said before I would even impose upon the board to set aside time to have a (inaudible) hearing, we will present to the board long enough in advance for them to review it, any and all financial information that we feel is pertinent, any and all engineering information about the project that we think is pertinent, and the board can then decide whether or not they wish to have a (inaudible) hearing.

This is not something that we demand, this is something that we're requesting and if the board feels that our client is not of the ilk that the town of Riverhead wants to deal with, we'll have to accept that.

As far as your statement about the project being 50 stories near a runway, let me assure you that I have spoken with the FAA and before I presented it to the town board and the CDA, I got clearance from the FAA as to what we would have to do regarding markings of the building during construction including cranes that are over 500 feet high, and marking and lighting the buildings when they're completed.

We don't take any project like this lightly. We don't present anything to any town much less the town of Riverhead who we greatly respect, without during our homework in advance. So I strongly suggest anybody that has objections, please hold them until the entire story comes out. Do not judge anything that you read in the papers. As Mark Twain said the reports of my death are greatly exaggerated.

We've been in touch, we know, the government of Turkey is still behind the project in Turkey. We have been given— our client has been given 45 days to comply with some prerequisites, some preconditions that the town of Riverhead would have as well. No government, whether it's a town government, a national government, a county government, would simply hand over property to anybody without having certain conditions such as you must produce a certain number of jobs, we want to know that you have a certain number of dollars to complete the construction.

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We're well prepared, we're well informed. We know what we have to do to make the town of Riverhead happy. We're not going to do something that's going to embarrass our client, that's to embarrass the board or the town or me personally."

Supervisor Cardinale: "Don, can you wrap this up?"

Don Scunda: "If anybody has an issue- "

Supervisor Cardinale: "Because I know that Jim would like to make a comment and I would like to keep that real brief."

Don Scunda: "Go right ahead."

Supervisor Cardinale: "Thank you very much."

Don Scunda: "Thank you."

Supervisor Cardinale: "Jim?"

Jim Flood: "I appreciate that Mr. Weber-- "

Supervisor Cardinale: "Mr. Scunda from the Weber law firm."

Jim Flood: "Mr. Scunda from the Weber law firm, it's a fine law firm. And I understand that they are an excellent law firm which is probably- since they're an excellent law firm, a very smart law firm, and they've taken a very large retainer in order to represent Mr. Stewart who- the reason I feel strongly about Mr. Stewart is because he stated and he represented himself as the Chairman of Stewart Marketing International Limited and, in fact, he is not the Chairman of Stewart Marketing International Limited. He is no longer the Chairman of that and yet he said to the- and this is something I learned in Newsday, maybe- I don't know if Newsday has left here, but what Newsday said was that he can represent himself as anything he wants while he's in the United States of America. To me that's ridiculous.

And so, you know, first of all, the Weber law firm can come out here and we believe in free speech in Riverhead and when I speak my mind it's, you know, we don't want an up west law firm coming back and saying, well, you know what, that could be slanderous or libelous when we're having a vigorous debate here and a debate that's going to go on and on and on. So if they want to threaten me with a lawsuit or try to shut me up a little bit, that's not going to happen because he opened the door when he said that he was the chairman of that company and he was not. And he misrepresented himself right from the beginning. Thank you."

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Supervisor Cardinale: "Yeah, as long as we're on the subject, are you aware, Don, that it's my understanding that Mr. Stewart has removed himself from the company and from this proposal in order to shed any lack of credibility on the project."

Don Scunda: "Well, let me just before I answer that question."

Supervisor Cardinale: "Yeah."

Don Scunda: "My statements about having facts was in no way a threat about a lawsuit, number one, and it was no way directed against you personally. I'm talking to the general public. Before anybody makes a decision, people should have facts. That's number one."

Number two, being categorized as an up west law firm, as you know, Mr. Supervisor, I live about 10 minutes away from here. I'm not an up west guy. I'm a neighborhood guy. I may not look like it, I may not speak like it, I may now, you know, whatever, but I'm, you know, I'm just a guy. I happen to be a lawyer. My office happens to be west just as the gentleman talking about the roads says he works in Nassau. I don't think that makes him an up west guy. That's, you know, (inaudible).

As far as Mr. Stewart, I think when Del Friedline (phonetic) was here as well with us, with HOK Architecture, with Cameron Engineering, all of whom are still involved, excuse me, Del was introduced as the CEO for North America. Riverhead happens to be in North America, Turkey is not. Mr. Stewart has decided that he will remain involved with the project in Turkey and Del Friedline who again is the CEO for North America, will be participating at the front line in the Riverhead project should that come to fruition."

Supervisor Cardinale: "Thank you. I had just learned that this evening. That's why— I don't even think the board was aware of that."

Don Scunda: "Again, the Turkey project is not, despite, again, the rumors of its demise by the press, that is far from true. I'm sure being the political beasts that all of you are, the opposition party in Turkey has obviously taken upon anything that they can read, believe it or not, from Newsday, the opposition party has taken, you know, whatever it read in Newsday and has seized upon the moment (inaudible). They seized the day and decided that since a reporter who shall remain nameless reported something in Newsday and it's an American newspaper, it must be the gospel. So they're feeding off of each other much as the reporters both in Turkey and here claim that the projects are feeding off of each other. I find it ha-ha, mostly amusing, but, you know, there's nothing to the rumor that the Turkish project is dead."

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Again, as I stated before, we meaning Stewart not me personally, Stewart has been given 45 days from this past Saturday to comply with the remainder of the conditions precedent to being given the property. The deeds were there ready to be handed over in a formal ceremony as you know we spoke about, and Stewart International Marketing rejected the deeds because they were subject to certain conditions. They said we'll comply with the conditions, then we'll take the deeds. Rather than taking the deeds and attempting to comply with the conditions subsequent."

Supervisor Cardinale: "Thank you."

Don Scunda: "That's basically all I can say."

Supervisor Cardinale: "Thanks. Thank you both. I have some sympathy and agreement with each of you. I would like to take further comment from anyone who cares to give any. Jim, did you want to say something to or about your class? I appreciate your bringing them here each year and I hope we didn't bore them too much."

Jim DeLuca: (Inaudible)

Supervisor Cardinale: "Can't blame Jim, he wasn't lecturing."

Jim DeLuca: (Inaudible)

Supervisor Cardinale: "Okay. We can make a few comments since I see— and then we'll take— but they want to go home to dinner."

On the downtown project, Don Scunda here is counsel to— "

(At this time, the CD ended)

Meeting adjourned: 8:25 p.m.