

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, February 6, 2007, at 7:00 p.m.

Present:

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

Also Present:

Melissa Giguere,	Deputy Town Clerk
Dawn Thomas, Esq.,	Town Attorney

Absent:

John Dunleavy,	Councilman
Barbara Grattan,	Town Clerk

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

Barbara Blass: "-- relationship. But what I'll appreciate and take with me for the rest of my life are two things that you've taught me in the very recent past and the first one is the true meaning of forgiveness and the second one is the power of prayer. So I thank you and I wish you luck honey."

Supervisor Cardinale: "And a well deserved applause and we thank you again. I know that it's no surprise to anyone who knows Town Hall and Madelyn, part of the reason and a large part of the reason that she elected to retire were health concerns and just a short time ago- what night was that- on New Year's Day that Madelyn- like many of the people in the town on occasion in deep trouble and needed emergency assistance, and she got it, and that's one of the reasons that she's here to smilingly tell us of her retirement and look forward to other good days.

So I wanted to bring up those people who were instrumental in making certain that Madelyn made it through that difficult period and they are Donna Klug, Emergency Medical Tech; Jennifer Kelly, Emergency Medical Tech. If you'd all come up. The- Russell Holmes, Emergency Medical Tech and Alex Caceras, Emergency Medical Tech.

Also in addition to those four individuals- I know Madelyn is going to say something about what occurred, yeah, please come on up

and get in here.

There were also— there was also a dispatcher who was instrumental in helping, Candy— Candy Ulmet and if she's here, please come up. And there was also three— two police officers— three police officers actually, Brian Clements, Doug Geraci, Patrick McDermott and one paramedic, Ray Bonner who I don't know if he's here but I know he's represented by his chief who's here.

So there were in all four EMT's, a paramedic, three police officers and a dispatcher who made it possible for her to be here. And I'll let Madelyn tell that story."

Madelyn Sendlewski: "Boy, I can command some attention, can I? I just would like to say first of all as your town assessor stepping down after 17 years, that I want to thank all of you folks, and I know many people who watch the televised meeting, and I just want to say thank you to all of you for honoring me with the distinction of winning four elections and being able to serve you. It was truly my pleasure and my honor.

And I hope that the person that fills my shoes is certainly worthy of them and works real hard because we work for you and that's the thing that no government official should be allowed to forget, that we work for the public.

It has been my pleasure to serve you, meet you, thank you so many of you for all your phone calls, your cards, beautiful cards and well wishes.

Now turning my attention from myself for a moment on to these wonderful faces right here. What Phil does not know and for that reason did not mention, I had to have a visit again last night from our emergency medical technicians. They were called to my home. They were called on New Year's Day when I thought this is going to be my year for my well being and I was looking forward to the year joyously. I had my disability papers in, I have had diabetes for almost 30 years and it is having some impact on my life and my job was suffering and it was not fair to my co-workers or my office staff.

So I did make a difficult decision but once I had made it, I was very much at peace with it.

On New Year's Day, I went into congestive heart failure and to put it quite bluntly, I was dying. I can remember looking into the eyes of some of these people and begging them to save me and if it wasn't for a very sweet voice, I think it was Jennifer telling me you're breathing, you're going to live, you're going to make it. But

they knew that I was in trouble and I knew that they knew it.

But I cannot tell you the assurance that I received by just looking into their eyes or hearing Doug yell out, it's me, it's Dougie, I'm here, holding my hand. Because when you're like this and you can't breathe and you know your heart is going, you are scared, you know.

I had made my peace with God on my front porch on the stretcher and quite frankly was ready to face my Maker and my eternity if that's what it was going to be. But in essence, I guess none of us is ready at that moment, and they saved me. They were used as instruments by God. As angels, they came to my home.

One week later, they were back to take me back to the hospital. I fell into insulin shock. Never has happened to me before, so, once again, they got to take me up to the hospital and then last night they came to my home. We were very fortunate that it did not result in a ride up to the ER. I've taken up enough time. It gets pretty bad when the nurses go past you and say, hey, Madelyn, how are you doing? And I didn't want to take up space or taxpayer dollars if I didn't have to.

Last night, one of the gentlemen commented, I was with you two years ago when we took you to Stony Brook when— comatose, so I've had my trials and maybe that can further explain in a little more detail why I am exiting the position.

But I have to tell you that it was God that used each one of these people and, you know, we forget about them, and I want to say to Chief, my buddy, what— how great it is to be able to call 911 and get a local voice who goes home from work and calls you at the hospital to see if you're okay. And I didn't get special treatment because I'm Madelyn Sendlewski. I'm one of like all of you. I was in trouble and they knew it.

And they were wonderful. These folks give us their time, their energy. I'm in love with our police force. I always did want to be a cop but— and I think they deserve recognition and I had requested of Phil, my last request before I leave, I want to honor these folks. And he was gentleman enough to say, yeah, we're going to do that.

And I just want to say thank you so much to each of you and God bless you and don't ever get discouraged or stop what you're doing. They see accidents; they see death; they see things that many of us will never have to see. And I think that we sometimes forget when we hear those sirens, you know, what are they confronting, what are they going through.

And I want you to know I will never forget. And every time I hear a siren I will say a prayer for you as well as whoever you are helping because you did indeed save my life and you are used by God and I thank you very, very much for all that you do for our town.

So I will further let Phil present the certificates because it is in essence a Supervisor's award. And thank you, Phil."

Supervisor Cardinale: "Well, thank you, that was a beautiful testimonial to our emergency medical techs and our paramedics and our dispatchers and our police department.

Chief Hagermiller, please come up, I meant to bring you up earlier because you have three of your men being honored tonight and that's a tribute to you as well.

These are certificates of merit and appreciation for the knowledge, quick response time and compassion shown in helping to save the life of Madelyn on January 1, 2007. I'd like to present them to Patrick McDermott, Brian Clements, and Doug Geraci. And I will- maybe I can get a little help from my board members in getting them- Officer McDermott, thank you so much for your efforts and I think my other colleagues have the other two.

And stay right there because we're going to- we have four emergency medical techs here, Alex Caceras, Russell Holmes, Donna Klug and last but not least, Jennifer Kelly. So I have- Alex, I want to give you this. Alex is a neighbor and I know he's done wonderful work that evening and in the past and hopefully in the future. Thank you so much. Thanks a lot, Alex. And if you could help me as well with the presentations of the others? Jennifer, let me present this again for your knowledge and response time and compassion that evening and always. Thank you. And this will be taken and given to Donna.

And, finally, we have Ray Bonner who was the paramedic and I know that you're here to accept that in his behalf and we want you to bring our thanks and gratitude to him.

I really want- you can't say enough to thank you not only for Madelyn- I think one of the most pertinent things that Madelyn said and I am absolutely convinced this is absolutely true. That had it not been Madelyn or any one of use, the same response, the same knowledge and the same compassion would have been demonstrated and for that we can only say thank you and mean it sincerely."

Madelyn Sendlewski: "And, Phil, if I could add one thing. I want to say thank you to Chief Hagermiller who flew me to Hartford Hospital for a kidney transplant and through all of this, that

(inaudible) is doing just fine."

Supervisor Cardinale: "That's great. That's great. And you stay well. Thank you. And thank you all for coming in. We appreciate you being here.

Before we get started with the rest of the meeting, we also tonight are going to honor someone else in the community who's been of great service to us in a different way. Sal Mastropolo, if you can come up.

Sal has been a frequent attendee at these meetings but more than that, he comes early, he picks up the resolutions and he helps us to make certain that we don't make proof reading and other foolish mistakes in the passage of resolutions that are not properly stated.

He was honored, as some of you may know, on the back page of the— what section was it, Sal, the life section, the Long Island section of the Sunday Newsday not too long ago and they said it very well what I'm trying to say tonight that he helps us to avoid errors and he helps us to keep the record right historically for what the town is doing.

I would like to offer you one thing in addition to this certificate of appreciation and merit and that is when you come in early, because I know he does come in early and he works in this room reviewing the documents, I would like to have you be more comfortable so you could use my office any time you come in because usually I'm here and if I'm not, the door is open. So, please, make yourself comfortable. It's got a nice comfortable chair and if you're going to do this, you might as well get a little comfort and a few perks here and there because you certainly— he's doing this as a volunteer, he's getting no compensation, and he's doing it well.

So I'd like to give this certificate of appreciation, merit to Sal for his unwavering efforts to ensure that all of the town of Riverhead board resolutions are accurate, grammatically and substantively correct and for all his hard work and dedication.

Thank you very much, Sal.

If you would like to say something like maybe we should be, you know, take a grammar course or something, go right ahead."

Sal Mastropolo: "No, the only thing I will say is you're going to offer me your office, if you can have the copy, my set of the resolutions in there so that as soon as I get here, they're available, I would appreciate that."

Supervisor Cardinale: "That's good. I will do that. And we'll get you an extra set and it will be sitting right on my desk. And so thank you again for everything you've done and please take this and help us out tonight as well."

Sal Mastropolo: "I will. Thank you."

Supervisor Cardinale: "Thank you. And we have Melissa substituting for Barbara Grattan, the Deputy town clerk, and we're going to do this- 7:20, we're going to do this in record time and efficiency she assures me."

We have four town board hearings, not one of which has any profound significance from the outset, and we have about 41 resolutions, so let's get started.

We'd like to approve the minutes of the town board meeting of January 17 and the special board meeting of January 25th. Can I have an offer of the minutes and a second?"

Councilman Densieski: "So moved."

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

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

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

Supervisor Cardinale: "Now-- I meant to ask if anyone on the board has any announcements or committee reports or anything they'd like to say, fire away or cut in later. Reports, could you tell us about them, Melissa?"

REPORTS:

Tax Receiver	Total collections to date \$55,216,952.23 Annual report for utility collections for 2006 Utility collections report for January, 2007, \$375,257.22
Building Department	Monthly report for January, 2007

Town Clerk	Annual report for 2006 Monthly report for January, 2007 total collected: \$8,470.73
Fire Marshall	2006 yearly report
Sewer District	Scavenger waste gallonage report for 2006 Sludge volume survey for 2006 Discharge monitoring report for December, 2006
Industrial Development Agency	Adopted budget for 2007
Bid Report	Gateway East Subdivision - opened 1/23/07 - five bids were received Alessio Pipe - \$38,817 Roy Wanser - \$42,285 Merrick Utility - \$49,000 Bancker Constr. - \$60,880 Excavation Services - \$67,900

Supervisor Cardinale: "Applications, please."

APPLICATIONS:

Special Events	Railroad Museum of Long Island - August 25 & 26 - 10 am to 5 pm, 7 th Annual Railroad Festival
	Wading River Civic Association - Duck Pond Day, May 6th at 12 noon to 4:00 p.m.

Supervisor Cardinale: "Correspondence, please."

CORRESPONDENCE:

Charles & Deborah Brown	Regarding proposed changes in Town status from Class 2 town to a Class 1 town
Michael & Jodi Giglio	Regarding classification of the town

Tom Ferris

Regarding the apprenticeship program

Martin Sendlewski

Regarding 209 East Main Street extension of site plan approval

Supervisor Cardinale: "You did all that brilliantly. All right, public hearings, we have four in number, 7:05, 7:10, 7:15, and 20, it being 7:24 we can call them all finished and go-- no, we will call the 7:05."

Public hearing opened: 7:25 p.m.

Supervisor Cardinale: "-- which is for consideration of an amendment to Chapter 108 entitled Zoning recreation fees and the town attorney, Dawn Thomas, will summarize what this is proposing."

Dawn Thomas: "This proposed local law would amend Chapter 108, specifically Chapter-- Section 108-130 which is site plan review to add the requirement for payment of park and recreation fees on applications for residential development that are subject to site plan. So those would be apartments and townhouses and the fee applied would be \$5,000 for recreational uses in the town per each unit."

Supervisor Cardinale: "Okay. That's the proposal. If there is comment, I would be pleased to take it now. If there is no comment, I will-- I intend to leave this open for written comment for 10 days, through actually-- yeah, 10 days, through let's see, today is the 6th, 7th, 8th, 9th, -- 16th, February 16th at 4:30 p.m.

Okay. No verbal comment being offered at this time, I'm leaving it open for written comment to the 16th at 4:30 p.m."

Public hearing closed: 7:26 p.m.
Left open for written comment for
10 days to February 16, 2007 at
4:30 p.m.

Public hearing opened: 7:26 p.m.

Supervisor Cardinale: "And I'm moving to the second hearing at 7:26, it being scheduled for 7:10, it being designed to consider a local law amending Chapter 58-- my favorite subject-- Dogs concerning the redemption of impounded dogs. Could you tell us what that is

proposing?"

Dawn Thomas: "This local law proposes to amend Chapter 58, specifically Chapter 58-4 of the town code and it would add a fee of \$20.00 for dogs redeemed that do not have an active rabies vaccination."

Supervisor Cardinale: "Thank you. Is- I didn't hear it actually because I- what does it do again?"

Dawn Thomas: "It adds a fee of \$20.00 to our redemption fees for dogs that are redeemed that do not have an active rabies vaccination."

Supervisor Cardinale: "If they don't have an active- up to date on their immunization rabies shot, they've got to pay \$20.00 more to get them back."

Dawn Thomas: "Correct."

Supervisor Cardinale: "Anybody feel very deeply about that subject? If not, I am delighted and you have reassured me of your sanity. Okay, so that's- 7:27, we're going to close this for verbal testimony since no one wishes to make verbal testimony on the record or indicate on the record verbally an opinion, leave it open for 10 days to allow any written comment in the unlikely event somebody gets deeply involved in this subject."

Public hearing closed: 7:27 p.m.
Left open for written comment for
10 days to February 16, 2007, at
4:30 p.m.

Public hearing opened: 7:28 p.m.

Supervisor Cardinale: "And move onto the third hearing which is scheduled for 7:15 p.m., it being 7:28, we'll start it. The consideration of a local law amending Chapter 108-56 entitled signs. And could you tell us what this is proposing?"

Dawn Thomas: "Yeah. This proposed local law amends Chapter 108 Section 56.1 E5 to extend the amortization period for nonconforming signs from two years to seven years."

Supervisor Cardinale: "That- and that is designed to attempt to assure that at the end of seven years, some of the unsightly and preexisting signs would be brought into conformity."

Is there any statement of anyone here in regard to that proposal? If not, again, I will leave it open in case someone has not been able to make it tonight and wants to comment before we consider the legislation and I will keep it open as always to 4:30 on the 16th of February."

Public hearing closed: 7:29 p.m.
Left open for written comment for
10 days to February 16, 2007, at
4:30 p.m.

Public hearing opened: 7:29 p.m.

Supervisor Cardinale: "And move at 7:29 to the next hearing scheduled for 7:20 for the consideration for a local law amending Chapter 108-207 allowance for inclusion of regionally significant projects, this having to do with the economic development zone, it's a downtown area and at EPCAL.

Would you give us a summary of what that's about?"

Dawn Thomas: "Yes. This adds to the town's allowance for inclusion of regionally significant projects. The businesses that are being added to that section are Blue and White Foods LLC which is located in Farmingdale; Custom Woodwork LTD which is located at- or Heritage Wide Plank Flooring located at Pulaski Street; and V.C. & N. Packing Inc. located in Wyandanch."

Supervisor Cardinale: "Okay. This hearing having been set for this purpose, is there a comment from anyone in regard to any one of those proposals- to include any one of those projects as a regionally significant projects which are not within the Empire Development Zone designated areas but which will be sponsored as part of the regionally significant project section of the EDZ law.

If not, again, I'll leave it open in case somebody has a comment until the 16th of February at 4:30 and call the hearing closed at 7:30."

Public hearing closed: 7:30 p.m.
Left open for written comment for
10 days until February 16, 2007, at
4:30 p.m.

Supervisor Cardinale: "That was very efficient, but now we have resolutions to consider, 42 of them on the town side and one, the first one of the CDA side. Is Andrea in the room at the moment? The first resolution which is a Community Development Agency budget adjustment is of course a CDA resolution. She's going to give me the correct number. Number 1, that's a good number. So the first one, 102, should be indicated as, yeah, 102 in the resolutions is being re-designated #1 of the CDA because it's a CDA resolution.

All of the other ones, are we going to leave them alone and then you'll find a 102 to stick in or do you want to move them down one? All right, we're going to move every one of them after that- 103 becomes 102- so the last resolution 142 is going to be re-designated 102."

Councilman Densieski: "Phil?"

Supervisor Cardinale: "Yes?"

Councilman Densieski: "Couldn't somebody withdraw 102, pass it as CDA Resolution 1 and withdraw it as resolution #102 and that way the numbers would be- "

Supervisor Cardinale: "Yeah, okay, why don't we do that? Well, no, because if you- yeah, I guess you could do that."

Councilman Densieski: "We're going to withdraw it as a town resolution and make it a CDA resolution."

Supervisor Cardinale: "Okay, let's do it that way. We're going to 102 as a town resolution and do what we should have done in the first place, make it a CDA resolution.

Okay, with that bit of little technicality being resolved, we have resolutions on the table. If anyone has a comment on any one of them, we will take comment. Sal?"

Sal Mastropolo: "Sal Mastropolo, Calverton. 103."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "First of all, correct the spelling in the title."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "And I have a comment. This resolution authorizes the transfer of \$15,000."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Okay? The very next resolution is the transfer resolution with the from and the to and the amount of \$15,200. Shouldn't they- "

Supervisor Cardinale: "Yeah, they should coincide so we need to amend- "

Sal Mastropolo: "Either change- "

Supervisor Cardinale: "-- it's 15,2 and we will amend 103 to that effect. Thank you."

Sal Mastropolo: "Okay. Then the very next resolution, 105, says transfer \$12,500 and 106 says \$13,300, so change 105."

Supervisor Cardinale: "Now you're talking about 105, right?"

Sal Mastropolo: "Yeah."

Councilman Bartunek: "Department is also misspelled there."

Supervisor Cardinale: "Yeah, 13,3. The purpose of these resolutions, we had already- was that it was supposed to cost I think 15, but it cost 15,2 for the bollards and it was supposed to cost 12,5 but cost 13,3 for the exercise stations. So we're amending to conform- "

Councilman Bartunek: "I spoke with Lori (inaudible) about this and I don't understand, Sal, why she did it this way because I suggested what she should have done is- it should have been amended, the resolution, the original resolution- "

Supervisor Cardinale: "That's correct."

Councilman Bartunek: "-- and for some reason she thought that this was okay to rescind the original estimate of cost and then (inaudible) a resolution for the increased cost. So, you know, what difference would it make?"

Sal Mastropolo: "It just seems inconsistent if you're approving a certain number and then you're changing it in the next resolution."

Supervisor Cardinale: "Well, you know, the interesting thing about that is, George is right. It's a silly way to do it. We won't do it in the future. We'll simply amend the resolution when the numbers are off. But if you look at it, 103 and 105 are rescinding resolutions so they don't need to be changed because they're rescinding the old one. 106 and 104 do have the correct numbers in it.

But if you are confused, that's understandable because so are we but since they're here, we'll pass them that way.

How are you, John? You missed all the pictures of Madelyn. We'll have to bring her back-- yeah, I remember, I saw it, it's very nice."

Sal Mastropolo: "126."

Supervisor Cardinale: "26, yes?"

Sal Mastropolo: "126."

Supervisor Cardinale: "126, I'm sorry."

Sal Mastropolo: "Should this resolution have the maximum price that you're going to pay for that property? I mean it talks about taking that piece of property with eminent domain but there's no mention of what the maximum price you're going to pay for it is. It just seems that it would-- "

Supervisor Cardinale: "Yeah. This is prepared by outside counsel, Frank Isler, so I'm going to go with what he's given us. We do have an appraisal of what we understand the value to be. This is the piece of property on Peconic Avenue."

Sal Mastropolo: "Right."

Supervisor Cardinale: "But if it isn't in there, I believe there probably is a subsequent resolution in which you will see the price because we'll have to authorize the price."

Sal Mastropolo: "Okay. 127."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "On the third page, the very last paragraph, THIRD, that the characteristics of the proposed use are not such that its proposed location would be unsuitably near a church, school, theater, recreational area, or other place of public assembly.

And my issue is that that is right next to the Charter School and this special permit allows for a convenience store and every convenience store that I know in a gas station sells alcohol and it would now be right next to the school. So shouldn't there be some sort of statement in here that says that contingent- you'll give them approval but there's a contingency that they don't sell alcohol in that convenience store."

Supervisor Cardinale: "That's an interesting question. I don't recall actually- this was discussed ad nauseam this issue- this application but what the greater concern was when we discussed it was the gas being near, gasoline station being near the school. And we were convinced by evidence presented that this particular gas station had so many safety devices, being a brand new gas station, that the fire issue would not be unsuitably (inaudible). I don't think we ever considered- "

Sal Mastropolo: "I think there's a state law that says you can't sell alcohol within a certain distance of a school."

Supervisor Cardinale: "That's an interesting question."

Councilman Densieski: "A church. I never heard a school."

Supervisor Cardinale: "Does- "

Sal Mastropolo: "Yeah, but that was there before the gas station is going in, that preexisted and before the school was there. This is now a school is there and you're going to put a gas station right next store and a convenience store. I don't know whether they're going to sell alcohol or not but I know that every convenience store that I've gone into in a gas station sells beer and that's right next door to the school. And the school exists already. The gas station doesn't."

Supervisor Cardinale: "I have very little- I have some confidence in the new generation, this is an elementary school from kindergarten to sixth- to fourth grade. So I hope they're not going in there and ordering a brewski at that age, but I get your point. They are going to have to comply with state law and it's an interesting- I think Barbara was saying it had been discussed at least briefly."

When we pass the resolution or consider the resolution, I'll ask if there's anybody that wants to amend any conditions but I think that most of the board is satisfied that state law will control that situation."

Sal Mastropolo: "Okay. 128, you're missing a word in the first sentence."

Supervisor Cardinale: "128."

Sal Mastropolo: "Yeah."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "Add the word notice after public. In the attached public notice."

Supervisor Cardinale: "Okay, got it."

Sal Mastropolo: "And that's it."

Supervisor Cardinale: "Thank you very much, Sal, appreciate it."

Sal Mastropolo: "Appreciate it."

Supervisor Cardinale: "Okay, any other comment on the proposed resolutions that we anticipate bringing forth now? Yes."

John Ciarelli: "John Ciarelli. I know Mr. Mastropolo has been here during the numerous public hearings that we've had on this issue and that was the time to address these concerns. This is outside the hearing process and I know that the applicant is going to comply with state law."

The proposed resolution really restricts their operating hours and this issue should have been raised during the public hearing (inaudible)."

Supervisor Cardinale: "Thank you. Any other comment on any one of the resolutions we're about to consider?"

Is Andrea in the room? Well, what do we need Andrea for? Think of it that way. If she's right outside, have her come in, otherwise I'll call it on the CDA side myself.

We're going to open the meeting-- we're going to adjourn the meeting of the town board."

Meeting adjourned

Meeting reconvened

Supervisor Cardinale: "Reopen the Town Board meeting and ask that Melissa call 103. Oh, and I'm also going to ask someone to call 102 which is designated a town board resolution and ask that it be withdrawn."

Councilman Densieski: "Okay, I'd like to move that Resolution 102 of the Riverhead Town Board be tabled- withdrawn. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded to withdraw it as a town board resolution having just adopted it as a CDA resolution."

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

Resolution #103

Councilwoman Blass: "Rescinds authorization of the accounting department to transfer park and recreation funds for the installation of timber bollards at Stotzky park, as amended. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #104

Councilman Bartunek: "This is a budget adjustment for installation of timber bollards at Stotzky Park. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #105

Councilwon Blass: "Rescinds authorization for the accounting department to transfer park and recreation funds for the installation of exercise stations at Stotzky Park as amended. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #106

Councilman Densieski: "Installation of exercise stations at Stotzky Park budget adjustment. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #107

Councilwoman Blass: "Accepts the 5% certificate of deposit of Verderber Garden Center, Inc. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #108

Councilman Bartunek: "Authorizes the release of performance bond of Sunken Pond Estates, Inc.. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #109

Councilman Bartunek: "Authorizes the town clerk to publish and post a help wanted advertisement for traffic control officer. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #110

Councilman Densieski: "Accepts the retirement of highway maintenance crew leader, Bill Czech. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Bartunek, yes; Blass."

Councilwoman Blass: "Yes. And I wish Mr. Czech a wonderful retirement and thank him for his services."

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

Councilman Densieski: "Thank you for your service, Bill. Yes."

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

Supervisor Cardinale: "Yes, the same. He served well, the town, we thank him and I vote yes."

Melissa Giguere: "The resolution is adopted."

Resolution #111

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

Councilman Bartunek: "Seconded."

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

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

Resolution #112

Councilman Bartunek: "Appoints chairman-- chairperson for the

Zoning Board of Appeals, that's Fred McLaughlin. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #113

Councilman Bartunek: "Appoints Brenda Prusinowski as Vice Chairperson of the ZBA. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #114

Councilman Bartunek: "Supports recommendation of Agricultural Advisory Committee to seek state and federal funding for agricultural fencing. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #115

Councilman Densieski: "Reappoints members to the Suffolk County/Town of Riverhead Empire Zone Administration Board. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #116

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

Councilman Bartunek: "And seconded."

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

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

Resolution #117

Councilman Bartunek: "Appoints John Wherry as building inspector to the building department. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #118

Councilwoman Blass: "Reappoints Georgette Case as the town historian. So moved."

Councilman Densieski: "Second the motion."

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

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

Councilman Densieski: "Yeah. It's my pleasure to support Georgette, she does a great job down there. Yes."

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

Supervisor Cardinale: "Yes, she does, and I vote yes as well."

Melissa Giguere: "The resolution is adopted."

Resolution #119

Councilman Densieski: "Appoints automotive equipment operator in the highway department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #120

Councilwoman Blass: "This resolution amends Resolution #9 which incorrectly set the police chief and the police captain's salaries. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #121

Councilman Bartunek: "Appoints a call in assistant recreation leader for the teen center to the Riverhead Recreation Department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #122

Councilwoman Blass: "Appoints a part time recreation aide for the teen center to the Riverhead Recreation Department. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #123

Councilman Densieski: "Setting salaries for call in assistant recreation leaders for the teen center for 2007 in the Riverhead Recreation Department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #124

Councilwoman Blass: "Accepts the retirement of Madelyn Sendlewski as assessor for the Town of Riverhead. So moved."

Councilman Bartunek: "And seconded."

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

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

Supervisor Cardinale: "Yes, with our thanks."

Melissa Giguere: "The resolution is adopted."

Resolution #125

Councilman Bartunek: "Order calling public hearing for the Riverhead Sewer District extension to the Riverhead Sewer District to be known as Blackman Plumbing Supply Co., Inc. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #126

Councilwoman Blass: "The resolution adopting findings and determination to Article 2 of the Eminent Domain Procedure Law regarding acquisition of 48-52 Peconic Avenue, Riverhead, reputed owner Antonio Militello, Suffolk County Tax Map 0600-128-6-85.3, Riverhead, New York. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #127

Councilman Densieski: "Grants special permit petition of 1998 Peconic LLC - gasoline service station. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. I have a question on this. Rick, on the conditions #1, there was a lot of discussion about- in fact, I think we had an engineer that was hired at the expense of the applicant to study the traffic issues."

Rick Hanley: "Yes."

Supervisor Cardinale: "And the only condition I see is that no site plan approval shall issue prior to the approval of a curb cut and New York State highway Route 25 improvement design by the State Department of Transportation."

Rick Hanley: "Correct."

Supervisor Cardinale: "I'm aware that there can be no imposition because they control the state highway within 50 feet of either side of Edwards, but I had understood in our discussion and maybe I'm wrong, that we were going to utilize the benefit of the expert that these gentlemen paid for and indicate what improvements we desired and, of course, they would be irrelevant unless approved by the State Department of Transportation."

Rick Hanley: "You're- actually, you're correct, Phil. We got a preview of what the state is going to require which is going to be one access point for ingress and egress as well as a widening of the road for a left hand turn into the facility. We didn't describe that in the resolution per se because we know that a work permit is coming from the DOT, eventually at site plan which will address the access and the widening."

So I didn't think it was important necessarily to put that in because we don't have a final approval from the state yet."

Supervisor Cardinale: "So the state- you've seen a preliminary approval- "

Rick Hanley: "Correct."

Supervisor Cardinale: "-- and they address the ingress and egress that we've discussed."

Rick Hanley: "Yes. The state is going to require that the applicant widen or create a left hand turn lane from the light at Edwards to the easterly property line of the site."

Supervisor Cardinale: "And-- "

Rick Hanley: "Restripe the road essentially."

Supervisor Cardinale: "As far as the improvements to the intersection that-- "

Rick Hanley: "There are no improvements to the intersection."

Supervisor Cardinale: "So the state is not going to-- "

Rick Hanley: "No."

Supervisor Cardinale: "-- insist upon them or necessarily permit them."

Rick Hanley: "Right."

Supervisor Cardinale: "So that if we were to put a condition that, yes, this project should go forth but conditioned upon the improvement of the intersection and subject to, of course, the consent of the Department of Transportation-- there's been a determination that would not work, that would not-- because they're not going to- "

Rick Hanley: "They're not going to require that, correct. And if we wanted to do that, we would have to estimate the cost of the improvements and we would have to apportion it between this applicant and other applicants within the area."

I believe that a function of the approval of-- if we ever get to that point-- of the F-1, might provide the impetus to get the improvements at that intersection in terms of left hand turn lane northbound. But this particular project did not warrant in the state's view, improvements to that intersection. All they want is that turning lane."

Supervisor Cardinale: "So were we to include it as a condition subject to-- it can't be done unless the state authorizes it, because it's their intersection at the road and 50 feet in- "

Rick Hanley: "That's correct."

Supervisor Cardinale: "-- you've made a decision by the manner in which you've written up condition 1 or I guess Dawn may have helped you prepare it."

Rick Hanley: "Dawn and I wrote it."

Supervisor Cardinale: "-- that it would be pointless to put that so there was a lot of wasted conversation is what it comes down to."

Rick Hanley: "Yes, it was. This resolution was submitted to our consultant and he's approved it as is."

Supervisor Cardinale: "And he's approved it that way--"

Rick Hanley: "It was recommended that the town board adopt it."

Supervisor Cardinale: "-- and I would like the public to know that because if we were to impose as a condition of our special permit a- improvements to the roadway, it would be just wasted verbiage because we already know that the state is not going to insist upon those improvements."

Rick Hanley: "Correct."

Supervisor Cardinale: "Okay."

Councilwoman Blass: "I have a question."

Supervisor Cardinale: "Yes?"

Councilwoman Blass: "Two things, Rick. There was a letter back in 2004-- I think I gave you a copy of. There was representation made by the Department of Transportation that they were going to-- was the term sequence the lights or phase the lights--"

Rick Hanley: "Phase the signals."

Councilwoman Blass: "Phase the lights. Did we ever know that they did that?"

Rick Hanley: "No. I haven't verified that."

Councilwoman Blass: "Okay."

Rick Hanley: "I guess what we could do, as you know, this is merely a special permit approval which would allow us to go further

with the application regarding the site plan. So maybe we could pursue that further in the site plan review."

Councilwoman Blass: "Okay. And the only other comment is that we probably should indicate that the planning board and the building department get copies of the resolution. I know they would eventually get them- "

Rick Hanley: "Yes."

Councilwoman Blass: "-- the resolution now calls for the applicant to get a copy as well."

Rick Hanley: "We should amend that then. It should be applicant, town attorney and the planning board."

Councilwoman Blass: "Planning board. Thank you."

Supervisor Cardinale: "I'm about to vote yes on this resolution relying on everything you just told me but I cannot help but point out that the article that was in Newsday on Sunday, this past Sunday, you may have seen it concerning the department of transportation which Eric Alexander- Vision Long Island, indicates that the worst offender as to smart growth principles on Long Island is the Department of Transportation and they were actually talking about this stretch of Route 25 commencing at William Floyd and going to the town line, our town line."

Rick Hanley: "Our town line."

Supervisor Cardinale: "But the reason I'm relying on you when I vote yes on your statement that putting the condition in which I'd like to see in here would be pointless because we already know it will not be enforced by the Department of Transportation."

Rick Hanley: "Right. Phil, when you say the town line, you mean the Brookhaven line?"

Supervisor Cardinale: "Riverhead line. Brookhaven line."

Rick Hanley: "The Brookhaven line at Riverhead."

Supervisor Cardinale: "From William Floyd to there, they were discussing the Department of Transportation's failures in that stretch of roadway. So this is just about five miles further down so they're continuing their tradition apparently."

Councilwoman Blass: "There's that other one just prior- right

over the Riverhead line, Wading River-Manor Road where the gas station is. That's the other major--"

Supervisor Cardinale: "That's another major bad intersection, yes."

Councilwoman Blass: "-- bad intersection, just over the--"

Rick Hanley: "Yes. The state has not really been cooperative with respect to some of these intersections-- Wading River-Manor Road, Edwards Avenue, they're all in need. They rate at F from all movements and I think it's time for the DOT to start to pursue making improvements on their dime on these roads."

Supervisor Cardinale: "Okay. Thank you. With that discussion, can we-- it's been moved, it's been seconded. Can we call a vote?"

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

Supervisor Cardinale: "I'm going to vote yes. I would-- the first condition is going to stay as it is for the reasons stated. I'd like to point out also that one of the reasons that this special permit is being approved is because there are uses that are permitted. I was convinced by the arguments of the applicant that there are permitted uses that would be more onerous than this in that zone and which would not have the advantage of being conditioned as this use is being conditioned. So I vote yes."

Melissa Giguere: "The resolution is adopted as amended."

Resolution #128

Councilwoman Blass: "Authorizes the town clerk to publish and post public notice to consider a local law providing for rules and regulations for use of the runway at Calverton Executive Park. So moved."

Councilman Bartunek: "Seconded."

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

The Vote: "Bartunek."

Councilman Bartunek: "Good work on this, Barbara. Yes."

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

Councilwoman Blass: "Thank you, George. Yes."

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

Supervisor Cardinale: "Yes. And I'm very pleased and appreciative of the work that's been done. I'm looking forward to the hearing. It's something that's overdue to get done. Yes."

Melissa Giguere: "The resolution is adopted."

Resolution #129

Councilman Bartunek: "Authorizes submission of application for a community based Habitat Restoration Project through Fish American Foundation and NOAA Restoration Center. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #130

Councilwoman Blass: "Classifies action and declares lead agency on special permit of Ira Chernoff and refers petition to the Planning Board. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #131

Councilman Densieski: "Releases security of Joyce Wood in connection with the subdivision entitled The Woods at Wading River road and drainage improvements. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #132

Councilwoman Blass: "Approves the Chapter 90 application of Railroad Museum of Long Island (Riverhead Railroad Festival 2007). So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #133

Councilman Bartunek: "Approves a Chapter 90 application of Wading River Civic Association for Duck Pond Day on May 6th. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #134

Councilman Bartunek: "Accepts irrevocable letter of credit of Gendot Homes, Inc. subdivision entitled Gendot Homes, Inc. - Osborne Avenue water key money. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #135

Councilman Densieski: "Accepts irrevocable letter of credit of Gendot Homes, Inc. subdivision entitled Gendot homes, Inc. - Osborne Avenue for park and recreation fees and improvements. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #136

Councilwoman Blass: "This awards a bid for the transmission improvements at Sound Avenue contract G of the Riverhead Water District. So moved."

Councilman Bartunek: "And seconded."

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

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

Supervisor Cardinale: "Yeah. This resolution and the one that follows it which spends almost \$600,000 is essentially one-half of the system improvements on 1.1 and change that we had a presentation and hearing on a short-- some time back for the Water District. I vote yes."

Melissa Giguere: "The resolution is adopted."

Resolution #137

Councilman Bartunek: "Awards bid for the transmission improvements at Sound Avenue contract E Riverhead Water District. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #138

Councilwoman Blass: "Awards a bid in connection with the Gateway East subdivision Riverhead Water District. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #139

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

Councilwoman Blass: "And seconded with discussion."

Supervisor Cardinale: "Moved and seconded. Discussion. Rick, we had discussed this and I think we had corrected a few typos which made this first paragraph make no sense and it said logical protection and it said--"

Rick Hanley: "I hope it's corrected at this point."

Supervisor Cardinale: "Yeah, and, so I'm comfortable with the language but I wanted Barbara to take a look at it and make sure she had no other changes. I made the changes- "

Rick Hanley: "I think we had two typos, wither instead of either, and- "

Supervisor Cardinale: "There's a couple of typos- "

Rick Hanley: "-- protection instead of projection. I think the important part of this is the inclusion of the water column as well as the bottoms of the sound."

Supervisor Cardinale: "The original sea bottom and waters. So we'll go to hearing on it and see how we do."

Councilwoman Blass: "Okay."

Supervisor Cardinale: "Okay. With those changes- "

Rick Hanley: "This is the first time in my life- in my professional career that I'm actually zoning something that's fluid."

Supervisor Cardinale: "Right. Together with the bottom of it which is not. Okay. With that discussion, may we have a vote called?"

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

Councilman Densieski: "I have a question."

Supervisor Cardinale: "Yes."

Councilman Densieski: "It says under special permit use, it says water dependent uses. Is that described somewhere in our code or- "

Councilwoman Blass: "We had a definition- "

Supervisor Cardinale: "Do we have a definition? I know- "

Rick Hanley: "My recollection is when we went to hearing the first time, I did author a definition of water dependent use but I have yet to find it, so that's a good question, Ed, and I think prior to the hearing we should have some research done on that. But I think I remember writing something."

Councilman Densieski: "Shouldn't it be included?"

Rick Hanley: "I think we already went to hearing on it. That's what I believe."

Supervisor Cardinale: "Okay."

Rick Hanley: "So I want to do the research on that."

Supervisor Cardinale: "That's important for obvious reasons."

Rick Hanley: "Right."

Supervisor Cardinale: "Okay, thank you."

Councilman Densieski: "I'll vote yes for the public hearing."

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

Resolution #140

Councilwoman Blass: "Authorizes SCS Engineers, P.C. to proceed with landfill capping design and cost estimate. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Yes? Do you have discussion?"

Councilwoman Blass: "One quick discussion. Yes, I asked Kenny this afternoon, Item #3 in the first part of the professional services- after he read it, he said it actually should be omitted

because it is included in the compensation for services."

Supervisor Cardinale: "Item #3- "

Councilwoman Blass: (Inaudible)

Supervisor Cardinale: "Right here. #3."

Councilwoman Blass: "And he initialed the fact that he (inaudible). After that, it should be removed."

Supervisor Cardinale: "The whole paragraph. Okay, Melissa, on the second page as she was just saying, the #3, delete it and make #4 #3, #5 #4 and #6 #5 and in that amended format is how we're going to pass it. Okay, as amended, has it been moved?"

Dawn Thomas: "I just have a question. Are you amending the scope of services- "

Supervisor Cardinale: "Cost of professional services."

Dawn Thomas: "Why?"

Councilwoman Blass: "Because he says- it's cost of services, compensation for services. If you read it- he says, if you read it, it's actually- "

Supervisor Cardinale: "Yeah, you want to verify that you agree- we'll take a second for you to do that. That the proposed reason for deletion is that it repeats 2."

Councilwoman Blass: "We're not asking them to come up with- to do (inaudible). They're not doing that."

Dawn Thomas: "Okay."

Councilwoman Blass: "He initialed it."

Dawn Thomas: "I just wanted to make sure because on the scoping, there's a 3 and I wanted to make sure- okay."

Supervisor Cardinale: "Okay, as amended-- it's been offered and seconded."

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

Councilman Densieski: "I think everyone would agree that in a perfect world reclamation would be the best end result for the landfill. Unfortunately it's just not financially possible. The town

has already wasted about \$40,000,000 taxpayer dollars and still has about two-thirds of the landfill full of garbage.

When you're spending money at a rate of \$35,000 a day, it sure does add up. So now it appears that RFP's, debate and much discussion that the fiscally responsible thing to do is to cap the landfill. This resolution will award a design contract to an engineering firm to design the most cost efficient cap possible.

Three qualified firms responded to our request, D&B, SCS and McLean (phonetic). All three have done cap designs and all three came to the town and made good presentations for their companies. So why are we choosing SCS, a company that is charging \$100,000 more than McLean Associates? Is it because someone has determined that since they are so cheap, they can't possibly give us the best design? Or isn't it possible that the other companies are just too expensive?

The fact is that McLean has done 12 successful caps. Doesn't the town have an obligation to take the lowest responsible bidder? Or is \$100,000 such a piddly amount that we shouldn't worry about it?

Maybe we're not taking the lowest responsible bidder because several years ago McLean Associates predicted that Riverhead would not be able to reclaim the landfill for the amount of money being bantered around. In hindsight, McLean Associates was right about that one.

The fact of the matter is there was no fiscal restraint in the past at the landfill and it looks like we're going down the same path once again. It was just over a year ago when political candidates were yelling from their soap boxes under budget and ahead of schedule. How did that work out?

In closing, SCS is a good firm who will give us a good job. But I believe the firm that bid \$100,000 less could do the same job. So I'm forced to vote no."

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

Supervisor Cardinale: "One of the important things about the addressing of the landfill issue is to-- is to have a board that is thoughtful and united. And this-- and also accurate.

First off, we're not spending anything per day at the moment and haven't for the last six months. Since we shut down the landfill, one of the better moves this board has made, shut down the operation. We're not-- and we're also incidentally not making a final decision of any type as to the direction of this board as to the landfill issue which has been hovering over the town since 1990 and a court order was

issued in '94 and the decisions to proceed were made in '02 and '03, eight years later.

The reason that we're going with SCS which is not really that extraordinary a move as John Stefans and others who have sat through these hearings knows, from News Review, is because we asked for three indicated not to exceed numbers. All these engineers are going to charge by the hour and they charge very well. And we asked that we get a not to exceed number.

One of the engineering firms indicated 160 plus survey costs; another, this one, 255 plus survey costs; and yet another 315. But they're not giving anything away. They're charging by the hour so what happens is you simply-- if you get a lower price, you get less hours devoted and both our inside engineer, Ken Testa, and our outside consultants, FPM, recommended we take this proposal for the 255, the medium price, because it allowed sufficient hours to explore variances to the cap design which might save us not tens of thousands but hundreds of thousands of dollars. So that's why we're doing this. It's very logical. And I hope that they do a great design.

I would also caution people not to think that just simply because we've authorized this cap design tonight, that we've made a final decision on anything. There is still research being done. But Eddie is right that the preliminary numbers we've seen on reclamation would suggest that if we're going to reclaim and move from the site by truck to another holder thousands of miles away down south someplace or out west someplace, that the cost would be prohibitive. There may be another alternative that we're also exploring whereby we wouldn't have to do that transport.

So I'm going to vote yes. I think it's the right move at this point."

Councilwoman Blass: "May I make a comment, Mr. Supervisor very quickly?"

Supervisor Cardinale: "Sure."

Councilwoman Blass: "The idea that the \$40,000,000 that was spent thus far was wasted is a point that should be clarified. When we get construction cost estimates for a cap, even those that were received during the entire investigation stage of the landfill process, they were construction costs. They did not include whether it was Springs Fireplace, Montauk, Southold, Huntington. None of those cost estimates include site preparation work.

A lot of the work that was done up there would have to have been

done. We were 100 feet over onto neighboring properties that garbage could never have been moved and put on top of the landfill. We know that as a fact.

I've asked repeatedly because I knew this comment would come up and will probably come up until I get the answer that I asked our engineers for, how much of that material would have had to have been removed had we decided to cap from the very beginning. And I think you'll be very surprised at the amount of material that would have to have been moved and the cost associated with it.

So I just wanted to clarify that point. That \$40,000,000 was not wasted money. A lot of that material— a lot of that money would have to have been spent in an initial cap should we have gone that way.

Thank you."

Supervisor Cardinale: "Okay. Well, that was fun anyway because out of 43 resolutions, we had to at least discuss one. So that's 140. Can we go to 141, please?"

Resolution #141

Councilman Bartunek: "Classifies action and declares lead agency on special permit of Carpet One Floor and Home Corp. and refers petition to the Planning Board. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #142

Melissa Giguere: "Resolution 142 pays bills."

Councilman Bartunek: "So moved."

Councilman Densieski: "Second the motion."

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

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

Supervisor Cardinale: "Great. Is that the last resolution we're considering?"

Melissa Giguere: "Okay. We've considered all resolutions, had all hearings, and now we'd like to take all comment that you'd like to make preferably on something that's relevant and that we can do something about. Come up, please, Sal."

Sal Mastropolo: "Barbara, can you- "

Supervisor Cardinale: "Yes?"

Sal Mastropolo: "Barbara, can you clarify one thing? You made a statement. Did the initial cost- the initial expense of \$40,000,000, did we take the garbage off the neighboring property?"

Councilwoman Blass: "Yes."

Sal Mastropolo: "Okay. Because I just wanted to make sure.

Can we go back to 103 and 105 because- "

Supervisor Cardinale: "Yes."

Sal Mastropolo: "-- we used the word rescind and the only place in those two resolutions that you find the word rescind is in the title. If you read the Therefore and the Whereases, the therefore authorizes the accounting department to transfer the money. Only in the title does it say rescind. So that begs the question, were you rescinding a previously authorized resolution or were these resolutions to authorize the money. I think rescind doesn't belong in the title because the verbiage in the resolution never mentions the word rescind. It always says authorizes."

Supervisor Cardinale: "Yeah, I think you are right. This was repetitively done and also not well done. Let me just look at it for a moment, Sal, to make sure we readdress it if necessary."

(Some inaudible discussion)

Supervisor Cardinale: "You're right, we'll address it in the next meeting. Thank you."

Sal Mastropolo: "Thank you."

Supervisor Cardinale: "Any other comment on any other matter before us, we'd be pleased to take. If there is none, I'd like to urge anyone who can to come tomorrow. There is a special work session of the town board commencing at 1:00. The first hour devoted to (inaudible)-- what's the name of that company exactly- the Reckler

offer (inaudible) in any event. It's a large industrial space company on Long Island for the property at EPCAL. And then the next two hours to a presentation on the recreational side by Stewart International for a sports theme park and training center which is really quite exciting. And they'll have a team of 12 people from Europe and a number of other places. So in this room at 1:00 tomorrow.

Thank you for coming this evening and get home safely and stay warm."

Meeting adjourned: 8:17 p.m.