

1/21/2009 Minutes

Minutes of a Town of Riverhead Board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Wednesday, January 21, 2008 at 2:00 p.m.

**PRESENT:**

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

**ALSO PRESENT:**

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

**ABSENT:**

Timothy Buckley,	Councilman
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Supervisor Cardinale: "Yeah. You're ready to go? We are at the Wednesday, January 21<sup>st</sup> meeting and we're going to begin. It is on Wednesday because of the holiday on Monday and I'd like to begin with the Pledge of Allegiance and Dave MacNee will lead us. Thank you, Dave."

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

Supervisor Cardinale: "Okay. We would like to note that Tim Buckley's wife had a death in the family so he will not be with us this evening and our thoughts and prayers are with his family."

We'd also like to make-- have the members of the board make any announcements or committee reports they want to.

I know you have something."

Councilman Wooten: "I do have something on behalf of Tim. He asked me to read this tonight. It's a-- the Riverhead Scout troops are having a food drive on Saturday, January 31<sup>st</sup>. It's from 7:00 a.m. in the morning until 2:00 p.m. It will be outside the Waldbaums, the Stop and Shop, 7-11, King Kullen, in both Riverhead and Wading River and the mission is to stuff an Agway truck and the truck is on loan from the Talmage family with as much food as they can collect for local food pantries."

The economy being such as it is, they have been struggling to keep up with the need and the kids want to help out. So food can be dropped off to the troops outside each of these stores or they can be brought right to the Agway truck that will be parked at the King Kullen in Riverhead. And that's on the 31<sup>st</sup> of January."

Supervisor Cardinale: "Thank you. Okay, we also would like to approve the-- yes, you had an announcement. Go ahead."

Councilwoman Blass: "The energy advisory committee is hosting a presentation by Clean Air New York which is a subsidiary of the New York State Department of Transportation. It's here at town hall January 28<sup>th</sup> at 7:30 p.m. and they're going to be discussing ways that we could as individual citizens improve air quality.

Thank you."

Supervisor Cardinale: "Thank you. Okay, we'd like to approve of minutes of the January 6<sup>th</sup> meeting. Could we have one of the council people offer them and-- "

Councilman Dunleavy: "I move the minutes of the January 6<sup>th</sup> meeting. So moved."

Councilwoman Blass: "And seconded."

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

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

Supervisor Cardinale: "The town hall reports, the notice regarding fire department election and the correspondence, would you go through that, please?"

Diane Wilhelm: "Okay."

**REPORTS:**

Tax Receiver	total tax collection, dated Jan. 20, 2009 - \$57,754,865.84 total utility collections 2008 annual report - \$4,140,575.84
Town clerk's office	Annual report 2008 - \$122,198.28
Sewer district	influent gallonage report for 2008 Discharge monitoring report December, 2008

Town historian                      annual report for 2008  
Police department                  monthly report for December, 2008  
Juvenile Aid Bureau                monthly report for December, 2008  
Supervisor Cardinale:        "Okay, and- keep going."

**FIRE DEPARTMENT NOTICES:**

Jamesport Fire District  
Commissioners results for  
December 9, 2008 - Joel  
Lazarus elected to a 5 year  
term commencing January 1,  
2009

**CORRESPONDENCE:**

Stephanie Bail, President  
re letter of thanks to the  
Wading River Historical  
town board for voting in  
Society favor of the  
creation of Wading River  
Historic  
District

Peter Danowski, Jr., Esq.  
Re comments on proposed  
amendments to zoning RB-80,  
RA-80, APZ

Darlene Sujecki  
re letter of discrepancy  
Calverton with her water  
bill

Maria and Dimas  
re letter of thanks to the  
Kanakoudas, Mt. Sinai, NY  
town clerk's office

James Csorny, Wading River  
re letter of resignation  
from the Riverhead IDA

Supervisor Cardinale:        "Thank you. I would like to note that  
#71 on the resolutions is mis-designated. It should be a CDA  
resolution so it's going to be re-designated CDA #3 and called at  
the beginning of the resolutions.

1/21/2009 Minutes

And we have an add on at 77 which is the authorization for me to sign the agreement sub-license to permit Open Arms for 90 days to use the railroad station to feed lunch to those who are in need. So that is going to become 71.

So I wanted to make those announcements so people can comment.

I also would like to take comment on the resolutions because I would like to wait five minutes and open up all three of the first hearings together, 7:05, 7:10 and 7:15. We'll have an introduction to explain what they're about by the town attorney and our GIS supervisor and then he'll have some presentations about what they're about.

So we have five minutes to take comment. I should begin by a comment to the clerk which is Resolutions 43, 44, 45, 59, 61, 62 and 65 you've corrected?"

Diane Wilhelm: "Yes."

Supervisor Cardinale: "So that Mr. Mastropolo is not here anyway, doesn't have to announce that. It's not certified, it's regular copies.

And if anyone wishes to comment on any resolution we're about to consider, why don't you take five minutes here to open up those comments and then we'll open up the hearings one, two and three.

So if anyone has a comment on resolutions, let me know. If you don't have a comment- if there's no comment on the resolutions which we'll do after the hearings, I'll take general comment as well for the next five minutes before we open up the hearings. So, does anyone have- Dave, I know you have. Maybe we'll get you out of here early that way."

Dave MacNee: "This is about the park you guys want to build. All right. Now, Mr. Wooten starts off and he says he wants to restore people's faith in the government. How? You know how he's going to do it? He's going to do it by throwing not his money but the taxpayers' money for yet another park.

We've got plenty of parks. We just lost another \$200,000 in taxes for this park. That park goes right to the water. That's really valuable property. All right. And you know, I'm almost sure I remember Apollo's plans had a park in it with an ice skating rink in it.

Now I'd like to talk about our great board here. All right. Councilman Tim Buckley, he's not sure what he wants to do. And

1/21/2009 Minutes

that's the best one. And Barbara Blass agrees with Mr. Wooten's vision and thinks they have exhausted their options. Give me a break, Barbara. There's plenty of things could have been done here and nothing's been done. All right.

And then we go to Dunleavy. Sometimes you have to spend money to make money. But not his money. He's going to spend our money and lose \$200,000 on the taxes.

After going through what I went through in this town, number one with Okeanos, what a mess that was. Just awful. Everything this board touches from day one was a mess. Okay. Except for what we've done-- in the last board we had was a good board. This board stinks, absolutely horrible. All right.

Now, after going through Okeanos, and I have to say God bless Bisset and Petrocelli (phonetic) for rescuing Atlantis from what it was going to be.

Then we went on and we bought the (inaudible) building and what a debacle that was. And last but not worst losing over \$1,000,000 on the theater. And I want to ask you guys, what right do you have asking us for 15 and 20 million-- I took that from the newspaper, that's what they thought it would cost-- when people are losing their jobs, 401K's, they're losing their cars, they can't pay their bills and some people are losing their homes. All right.

And you want to take our money and throw it away. All right. Give the people of Riverhead a break, will you? Twenty million for a park. I think not.

I believe Mr. Wooten and Buckley voted for condemnation for Vintage. I'm pretty sure. Oh, you didn't vote for it."

Councilman Wooten: "Didn't vote anything for Vintage."

Dave MacNee: "You didn't vote for it?"

Councilman Wooten: "No."

Dave MacNee: "But you want-- you would want to go and vote for condemnation for Mr. Gordon's buildings if he wants to-- "

Councilman Wooten: "Nobody's preventing Mr. Gordon from doing anything on his property."

Dave MacNee: "Huh?"

1/21/2009 Minutes

Councilman Wooten: "Nobody's preventing him from doing anything with his property. The fact is he hasn't done anything with his property. He can do whatever he wants with his property."

Dave MacNee: "Yeah. But you had said in the paper that you would okay condemnation to sell- "

Councilman Wooten: "I wouldn't do it for private entity but I would do it for public."

Dave MacNee: "I can't hear you."

Councilman Wooten: "I wouldn't do it for a private entity. I would be in favor of doing it for a business- "

Dave MacNee: "But you are. If you look further off at what you said, you said after the condemnation of Mr. Gordon's building, then the town could sell some parcels with small shops and an apartments. Now, what is the difference whether you condemn it and sell the whole parcel to Apollo or you sell parcels for small shops and apartments? There's no difference. There's no difference at all that I can see. I'm not a lawyer- "

Councilman Wooten: "I'm going to let you read into the record, but you have a lot of misstatements so I'm not going to sit here and debate with you because you don't really have the facts. But go ahead and read your statement."

Dave MacNee: "You hear that Timmy? Okay. The whole thing here is Tim-- "

Councilman Wooten: "Jim."

Dave MacNee: "-- you and the Republican party and four other people, they just want to take credit for this because we're going to come up to an election and something like that, and they say, oh, see what we did. We got the thing going. You know."

Councilman Wooten: "Sounds like (inaudible) to me."

Dave MacNee: "So much for partisanship and so much for working for the people of Riverhead because you don't give a damn about the people of Riverhead evidently. Okay?"

Now, going to Apollo, Apollo I believe acted in good faith and he secured- securing, and I believe overpaying- I think they paid \$4,200,000 for Swezeys. That was way over what they should have paid."

Supervisor Cardinale: "That was the Woolworth building."

Dave MacNee: "Woolworth, I'm sorry. Yeah, okay."

Supervisor Cardinale: "That is the price."

Dave MacNee: "Okay. Then they paid \$850,000 for the urban renewal study that we didn't have to pay. Okay? Now, that was pretty nice and, you know, that's what business is supposed to do. They want to make money, they've got to pay out money. Not the town has to make money to lay out money."

Then they did the urban renewal study and then they had plans for what they wanted to build and I'm 90% sure the plans had an ice skating rink and a park.

Now, Wooten wants to restore people's faith in government. Let the board work together. You guys are so- I swear to God, this thing should have been done. It was almost done already and what happens is you guys didn't work together and now you want to go for RFP's. Here, good. No new RFP's, all right?

You want to go for new. Is that redundancy or what? We have a guy that's in here ready to go. I don't know if he's ready to go- "

Councilman Wooten: "Yeah, right, you don't. You (inaudible)."

Dave MacNee: "If I was Apollo, I would have kissed this thing good-by and taken my losses and gone. All right?"

Councilman Wooten: "And you think they haven't?"

Dave MacNee: "Huh?"

Councilman Wooten: "You think they haven't?"

Dave MacNee: "What?"

Councilman Wooten: "You think they haven't?"

Dave MacNee: "Well, I don't think they have, no. No. I think they've got a lot of money invested in this thing already. Well, we'll see. You tell me. Did they leave or didn't they?"

Councilman Wooten: "What have they done? You tell me."

Supervisor Cardinale: "Apollo is going- they own the north side, they're tearing it down within the next two months and they're building a seven story building inclusive of two hotels, Marriott products, a spa, a catering facility and retail. That is going to

1/21/2009 Minutes

happen. If you don't believe them, ask their attorney, he's sitting in the audience."

Councilman Wooten: "Believe me, I hope it does."

Supervisor Cardinale: "And Apollo is meeting with me on the 30<sup>th</sup> of January to try to get what I think you are asking us to do, a private partner to assist us in the development of the south side because I think you're telling us you don't want a park, you want some development and revitalization."

Dave MacNee: "Apartment houses, people down there."

Supervisor Cardinale: "I understand what you say."

Dave MacNee: "The parks are good by the waterfront but not that park. Especially not for \$20,000,000. You know? People can't pay what they need to pay now."

Now another thing you would do here, it's time to get something downtown and you guys just aren't putting it together. I'll tell you. The last board put three big projects together, all right? And this board has probably killed two of them. Anyhow, what you should do and I guess it's up to you, Cardinale, is try to get Gordon and Apollo together and get them talking.

Gordon should be ready to talk now because I have— "

Councilman Wooten: "He is."

Dave MacNee: "-- commercial property upstate and I had a buyer last year and we were a little separate. Well, God almighty, now there are no buyers, there's nothing. Okay? So I should have taken it while it was in hand."

And this guy, Gordon, trying to hold up Apollo, I think it's going to cost him dearly. Because if you go into condemnation now, he's going to be way behind the eight ball.

The property prices of commercial have dropped precipitously and I can tell you for sure that they have because I have it. Now this would be a lot better than condemnation for everybody so we'll see what you can do, Mr. Cardinale— Supervisor Cardinale.

For some unforeseen reason if they have to go to condemnation and unforeseen because I don't think Gordon could win a condemnation, but if he took it, it would be a long time and then the town would have to pay the highest price if he won. I don't think he can win but it's going to be a long drawn out affair.

1/21/2009 Minutes

So you guys should have had this Gordon and Apollo working together if Apollo wants it. All right?

Then you know if Gordon won, the town would have to pay the higher price, pay the attorney fees and interest on that money.

And another thing, before you go into the condemnation, I would definitely as a businessman think it very smart having a private business to take control of the property. As soon as you've got it in your hands, that goes to a private company. Okay?

Now, as far as Bill London, another loser. (Inaudible), he's got it all wrong. The town shouldn't make a significant investment at all. This is a democracy; it's not a socialist state. The government may help business and we need to do that. This is veto, all right, but not be in business.

But there's one or two little things that you could do there except where it has made an agreement with a business to share in some of the profits of that business. Now that's legal. Okay? But as far as (inaudible) wants to go here, it just— he's out of the box, too.

There's just one other thing I'd like to say, and that's, Mr. Cardinale, did you get a check from— "

Supervisor Cardinale: "Yes, we got— I hope to see it in tomorrow's paper. We got a million dollar check from Riverhead Resorts last Friday morning and there's a total of \$3,000,000 already received and if they were to pull out of the deal between now and December 14<sup>th</sup>, which is the closing date, they would have to leave \$3,000,000 of the four and a half million in deposit with us so we would have received \$6,000,000. That's clear and they have complied with their requirements and we thank them for that.

If they intend to go forward after December 14<sup>th</sup> but are not prepared to close, they have to pay us \$2,000,000 for every three months that they extend up to five extensions. And they have done everything they promised to do in the contract and I must commend them for that despite this economy."

Dave MacNee: "I'd like to make a point quick point on that. That all that stuff has been gotten done by the past board and there's two people on this board tonight that were on that past board that aren't doing what they did last time. That's for sure.

Thank you for your time."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Can I just say something?"

Supervisor Cardinale: "Yes, please."

Councilman Dunleavy: "I want to thank you for your comments, except there's a couple things.

I don't know what two deals you're saying that we didn't get through and we— or went down the drain.

The other thing is that we want a partnership in that land across the street. If we can get Apollo to partnership with us, that's great, and that's why we're asking the supervisor to talk to Apollo and see if they will partnership with us— they've stopped. They're not building on the south side, they're only building the hotel on the north side. But if they'll partnership with us on the south side, it will be a great deal for them, it will be a great deal for the town of Riverhead."

Dave MacNee: "Are you a socialist or do you live in a democracy state? We're not supposed to— this thing we did with this \$750 billion dollars put us in (inaudible). Now that's not the way this situation works. A double deal where you're in with a business is not a good thing. The way it's here is a good thing. You say okay, you really want this business, okay. Here's the deal that you can make. And another business comes in, Reckler comes in and he says no, we'll do this and the other business says, no, we'll do this. Okay? And finally you come out with where the company says (inaudible). That's fine. But what you're doing now, you're being part of a business (inaudible)."

Councilman Dunleavy: "Government has to partnership with private industry to make things go forward."

(Inaudible comments)

Supervisor Cardinale: "Okay. Thank you, Dave."

Public hearings opened: 7:25 p.m.

Supervisor Cardinale: "We're now ready to begin the hearings that were to begin from 7:05 to 7:15. I'd like the introduction of those hearings, we have staff members here, one being the town attorney; one being the supervisor of the geographic information system, to begin the presentation and to introduce the three hearings for 7:05, the consideration of a local law to amend 108 zoning Article XXV Pine Barrens Overlay District; 7:10, consideration of a local law to consider the adoption of a map designating non-disturbance areas clearing limits pursuant to the Pine Barrens Overlay District town code Article XXXV for the former Naval Weapons Industrial Reserve Plant now known as EPCAL; and final

1/21/2009 Minutes

at 7:15, for consideration of a local law to amend Chapter 108 entitled zoning Article XLIV Planned Recreational Park District Sections 108-235 through 108-245 of the town code.

Could you introduce that please, Dawn, and then could you show us what you've got on the GIS?"

Dawn Thomas: "Sure. Rob and I have worked on an audio/visual presentation type because the presentation does include some maps and we thought it would be helpful for the public and the board to understand the local law proposal better with the maps overhead.

The proposed local law tonight, and this would be the 7:05 public hearing and the 7:10 and they are together because the first proposed local law is an amendment to the text of our pine barrens overlay district which is 108-175 and the second, the 7:10 public hearing, is proposed and it would be to consider the adoption of a map which would be referred to in the earlier public hearing.

The proposed local law and the map are intended to clarify the application of the town's pine barrens overlay district clearing standard on parcels within the compatible growth area of the pine barrens in the town of Riverhead.

And we have the EPCAL property and that property would be specifically affected."

(Some inaudible discussion)

Dawn Thomas: "Okay. Okay. The map that you're currently looking at is a map of the EPCAL property and the map in green is the core preservation area. The balance of the EPCAL property is included in compatible growth.

Because the change and the map that we're proposing would directly affect the EPCAL property, we're going to give you some graphics that are helpful in explaining it.

Currently the town's pine barrens overlay district zoning requires that 35% of all parcels within the compatible growth area remain in a natural state or undisturbed. The basis for the clearing limit set forth is set forth repeatedly in the pine barrens act, the pine barrens comprehensive plan, and the town's overlay district zoning.

Some of the goals that are set forth in those different pieces of legislation are two discourage piecemeal and scattered development within the compatible growth area, to encourage the creation of corridors between existing publicly owned parcels, to maintain contiguous blocks of pine barrens vegetation, to limit the

1/21/2009 Minutes

amount of new clearing, and to encourage preservation in areas that are contiguous to other open spaces.

Those goals along with other preservation measures have created large expanses of open space parkland and preserved farmland in the town. And you can see the map here shows the EPCAL property in the center and all these parcels that are indicated in that lighter green color are all publicly owned or preserved— already preserved parcels.

The parcels in the lighter green areas to the south and also where Calverton National Cemetery are, are also publicly owned or preserved properties, all within the pine barrens region.

Since the EPCAL parcel still is one— since EPCAL is still effectively one parcel with the exception of the Burman piece which is cut out in the center, the town is considering creating the 35% clearing limit on the overall EPCAL parcel.

The reason that the board is considering this action is because one of the things that we learned in the Burman subdivision is that when the land was parcelized, the application of the 35% preservation areas becomes piecemeal and you can see on this graphic, the middle section is the Burman subdivision. You can see the lot.

The hatched portions of those lots that are circled in green are the parcels that have already been redeveloped within the Burman subdivision and those are the 35% non-disturbance areas that have been set aside by the planning board.

Because the piecemeal effect is being created through the lots, one of the things that we considered was because we still have one overall large lot, it might be more appropriate and more consistent with the pine barrens act to preserve 35% of that overall balance parcel.

The map that we're proposing which is what you see here, in the hatched areas is the 35% of the overall EPCAL parcel that remains intact which would be preserved. The areas that are in the hatched part would be non-disturbance areas and those would be applicable to anybody who wanted to apply to develop the land.

I guess the object is to further the goals of the pine barrens act, the town's overlay district, and the comprehensive land use adopted by the pine barrens commission which is to preserve the more contiguous areas and to avoid the piecemeal result which we've been experiencing.

In addition to and this is the Burman subdivision. You can see the lots that are existing there. Some of them have been developed. The ones that will be developed are also required to each preserve 35%, and if you go to that chart. This is the chart that's been adopted in connection with the Burman subdivision plan. It's called the comprehensive development plan and it actually sets forth for each lot in the subdivision all the development standards including the clearing, limitations in the green area. The total clearing limitations are 35%.

So in addition to the town's preservation as shown on the hatched map, we also have the Burman preservation areas, some of which are already implemented because the lots have been developed; some of which will be implemented when those lots are developed. That comprehensive development plan is etched in stone because it's part of that subdivision map.

And one of the good things about this map and what we're doing with what we're proposing is it gives the developers clear notice of what they are obligated to do in terms of development standards.

Lastly, we've done some calculations just to show— in the blue area what would be preserved overall and the total EPCAL area site is 2,910 acres. The undisturbed area in blue is a total of 1,042 acres which equals 35.8% of the total EPCAL area.

The Burman undisturbed area that's already been applied is 176 acres— I'm sorry, that's included in what's blue. The additional acreage that will be preserved pursuant to the Burman subdivision and the comprehensive development plan is 176 acres. And in addition the town zoning requirements will generate another 435 acres of open space landscaped or re-vegetated areas.

Ultimately when the property is fully developed, we could realize a total preservation areas or you know vegetated— between open space, re-vegetated, non-disturbed acreage of 1,477 acres which totals 49.7 of preserved area."

Supervisor Cardinale: "Thank you. Would you— there is— that was an introduction I think as to the first two which are both are an amendment to the zoning— to the pine barren overlay statute and attachment of a map which would show in map form the contiguous areas of open space.

Can you tell us a little bit about the text change, that is the 7:05 and also the text change at 7:15 and then we'll take public comment."

Dawn Thomas: "The text change— at 7:05, the text change to the pine barrens overlay district would simply add some preface

1/21/2009 Minutes

language which would more specifically identifies the goals of our pine barrens overlay district which is to maintain unbroken contiguous areas of undisturbed vegetation which protects both habitats and helps to ensure continued proliferation of flora and fauna in those areas.

And in addition the text change would add new language in section 9 which would identify the map that we're discussing, which map would specify what areas at the EPCAL parcel would be left non-disturbed, which 35% would be left undisturbed.

And in addition just to clarify that larger land subdivision maps outside of EPCAL would also be designed to encourage preservation of large unbroken blocks.

The text changes is really a clarification of what we understand the law to require and I think it will give us a better result."

Supervisor Cardinale: "Now when we had the hearing initially there was complaint that the map was not available. So we've now made it available and having simultaneous hearings.

I- another issue that was raised at that time when we decided to do a subsequent hearing was whether the pine barren commission will be receiving a copy of this for their review.

Is that your intention or- "

Dawn Thomas: "Yes."

Supervisor Cardinale: "All right. They will be receiving a copy of this for their review. So I wanted to clear those two items up.

And the last thing, there was a recreational park district change. Did- I don't know if you did and I missed it, but did you summarize that?"

Dawn Thomas: "No, I hadn't done that."

Supervisor Cardinale: "Would you do that, please?"

Dawn Thomas: "The planned recreational park zoning was adopted originally in 1999 and was the result of the town's reuse study for the EPCAL property. It was adopted in conjunction with the planned industrial park district.

One of the issues that had come to our attention over time is in the application of the zoning to the properties contained numerous sub-districts and the sub-districts contained minimum

acreage sizes and a lot of other requirements which when you applied it to the property, were frankly very difficult to understand.

And rather than continue the sub-district format, we felt it might be more appropriate being that we're getting more applications for single use developers to remove the sub-district requirements and instead consolidate the permitted uses and development standards into a shorter more concise statute.

So what you have today is a repeal of the entire former planned recreational park district zoning and the reason we did it that way was because the line throughs and underlines would have been so extensive, it would have been very difficult to understand. Instead we replaced it will very more condensed language.

The uses have not been changed, the development standards have not been changed. They have just been consolidated and duplications have been removed. So it's much simpler to understand and hopefully to apply and for developers to understand."

Supervisor Cardinale: "Thank you. In essence the sub-districts are not useful and they're being deleted but the uses and density and everything else remains the same."

Dawn Thomas: "That's correct."

Supervisor Cardinale: "Okay. Is there a comment- "

Councilman Dunleavy: "Can I ask one question?"

Councilwoman Blass: "A question."

Supervisor Cardinale: "Yes, please. And then I'd like to call for comments. Go ahead."

Councilwoman Blass: "I have a question. Rob, if you would go back to the overlay map, please. And indicate if you could for me where the active runway is? No, the map with the blue- yes, the public hearing map actually. That one.

Where is the 10,000 foot active runway? And that is 10,000 feet."

(Inaudible comment)

Councilwoman Blass: "And that's the full extent of the runway depicted?"

1/21/2009 Minutes

Rob Hubbs: "The runway is right up here, if you can see my pointer. And then the taxi-way is on this side. The runway (inaudible)."

Councilman Dunleavy: "Yeah, but I think the runway goes all the way down to the white. Keep going up. Keep going up. Keep going up. Right there. That's where the runway ends."

Rob Hubbs: "This is (inaudible)."

Councilwoman Blass: "So the map pre-supposes that the runway will be shortened?"

Dawn Thomas: "I think that's a possibility in the future. The potential is there."

Councilman Dunleavy: "Okay. And I just want to ask you one question. On your calculations of 1,400 acres, does that take into account River Resorts open space that they're going to leave on their side."

Dawn Thomas: "It doesn't take into account specifically any project. What it does take into account in addition to— and I just want to get to that number."

Councilman Dunleavy: "I think they're going to leave a lot of open space. I thought that it was going to bring us up almost to 1800 acres that were going to be open space."

Dawn Thomas: "It's possible that a project could provide additional open space but based on our zoning, the additional open space or vegetated areas that would be required would be on top of the 1042 that we are proposing. The 176 that will result from the Burman buildout would be an additional 435. So our zoning in addition to the pine barrens overlay requirements would generate another— at least 435."

Supervisor Cardinale: "Could you show us that? Your figures are close but not exactly what he has on his slide. Put that slide on and I'll ask the question I understand what you're asking."

What she just said is accurate but I'd like to add something to it. If 35.8 is the space that is uncleared as shown in the map that was on the advertisement, the Burman undisturbed area you have 14.28, that does not include— what is that?"

Rob Hubbs: "What that means is the 14.2 acres already included in our calculations so it's not that we're adding a number twice. The Burman— it's 14.2 (inaudible). All the other 35 acres that were in that chart, are already included in."

Supervisor Cardinale: "Are included in what figure?"

Rob Hubbs: "Are included in this- "

Supervisor Cardinale: "Okay. So you showed the open space in the Burman subdivision that is already underdevelopment- when they located it, but there is open space in the chart on the Burman development. Did you include that in the 35.8?"

Rob Hubbs: "Yes."

Supervisor Cardinale: "Okay. The 14.28 is what?"

Rob Hubbs: "The remaining- "

Supervisor Cardinale: "Space that is not shown."

Rob Hubbs: "-- space that is not shown but will be added (inaudible)."

Supervisor Cardinale: "Is not shown on the map because they don't know where it's going to be yet. They know it's going to be on the lot, they just don't know where. Then there's additional undisturbed area of 201. Where is that coming from?"

Rob Hubbs: "That is the potential from any of the developments- "

Supervisor Cardinale: "The Riverhead Resorts development and you have a plan for Rechler."

Rob Hubbs: "Correct."

Supervisor Cardinale: "And between those two plans we have, you're anticipating 201."

Rob Hubbs: "At least 201."

Supervisor Cardinale: "Which is probably going to be more if I understood it correctly because I thought it was at least- and that's what John was getting to, that there was at least 300 acres of open space in the Riverhead Resorts conceptual site plan."

Councilman Dunleavy: "Yes."

Supervisor Cardinale: "You only credit 200 from both the Rechler which only has about 40 anyway, right, and 160. So you're crediting about half of that. There might be as much as another 150 acres in that 201 if their conceptual site plan is finally passed."

1/21/2009 Minutes

And the re-vegetated area which Mr. Amper will point out is not exactly the same as undisturbed, where is that coming from?"

Rob Hubbs: "That is also from the two sites for landscaping and further improvements."

Supervisor Cardinale: "As they finish the projects, they're going to re-vegetate areas. So if you include all of that, you're up near 50% uncleared or re-vegetated but there is the additional 150, not 300 but 150 is potentially in addition to what you're showing."

Rob Hubbs: "Correct."

Supervisor Cardinale: "Okay. Thank you. Okay. Dick, you want to comment? I'm sure others do."

Richard Amper: "Thank you and happy new year. I'm speaking tonight on behalf of the coalition for open space at EPCAL."

Diane Wilhelm: "Can I have your name, please?"

Richard Amper: "Yes. It's Richard Amper. And the coalition for open space at EPCAL is a group of 28 environmental and civic organizations who are working to ensure that environmental protection as well as quality of life impacts are thoroughly considered in the review of the enormous development proposals at the Enterprise Park at EPCAL- at Calverton.

Our testimony is given in opposition to the proposed amendment to Chapter 108 of the town code including the adoption of a map of EPCAL Calverton undisturbed open space which is the subject of the public hearing before the board tonight.

The proposed local law states that the town board wishes to clarify the provisions regarding where clearing is prohibited and where it may be allowed on the 2,920 acre EPCAL site quote before ownership of the affected lands pass from the town of Riverhead.

We remain concerned that these amendments are designed primarily to allow the 190 million dollars in land sales by the town to Repecal LLC and Riverhead Resorts to proceed and to facilitate the approval of those mega-projects and the excessive clearing and coverage they would bring without interference from town zoning.

Despite the reassuring findings and legislative intent in the proposed amendments, we do not believe that the town has done the environmental due diligence that is required before it can determine the amount and location of open space necessary to protect the ground water, the Peconic River Estuary, the Long Island Sound

1/21/2009 Minutes

Estuary, freshwater wetlands on and down gradient of the site specifically the Calverton Ponds and rare and endangered species and their habitat especially grassland dependent bird species and tiger salamanders.

In addition, we are adamantly opposed to the idea that the town's proposed map of EPCAL Calverton undisturbed open space could be modified at the will of this or future town boards by resolution without a public hearing or a SEQRA determination.

We do not believe that this is in the public interest or in conformance with the state environmental quality review act.

Coast (phonetic) has prepared a more appropriate preliminary based on whatever information is available, open space plan for EPCAL, and there is a copy attached to this documents which I will share with you.

And this proposes to protect 52%, that is 1,364 acres total of the compatible growth area within the fence, including 94 acres already protected within the Burman subdivision. Our calculations exclude the 400 acres or so of the core pine barrens in this area which can't be developed under the New York State Pine Barrens Protection Act.

The town proposed to only protect plus or minus 1022 or 35% of the area within the fence at EPCAL and its calculation includes the already protected 400 acres in the core and a narrow non-contiguous swath within the Island Water Park site.

Now, the town's proposal leaves out hundreds of acres of significant habitat that must be protected to facilitate the survival of the rare and endangered species on the property as well as the protection of the re-use drinking water. I know that's important to all of you.

It's too late for the town to treat all of the land at EPCAL as one parcel for the purposes of designating a 35% area. If the town had wanted to take this approach, it should have done this environmental due diligence and created open space reserved areas before it sold or entered into contract to sell large portions of the site, approved subdivisions and the site plans and constructed the town's sports park.

The use of zoning now to impose a master plan without regard for existing ownership and development is improper and provides a disjointed and segmented review.

While nearly all of the land that the town proposes to protect is included on the attached Coast open space map several significant

1/21/2009 Minutes

areas are not protected by the town's map of EPCAL Calverton undisturbed open space.

In particular, the grasslands along the western and eastern runways and in the area where the runways converge. And since the proposed zoning amendment in Section 108-1799A states that those areas contained on said map where land clearing is not prohibited may be cleared, there's no reason to believe additional open spaces will be protected during the site plan and the subdivision process.

Without having first comprehensively inventoried and mapped all of the freshwater wetlands and flora and fauna at the site and created a habitat conservation plan for the New York endangered species and specifically we're referring to the short eared owl and the tiger salamander have already been documented on the site, how can the town determine what areas may be cleared and developed and what areas must remain untouched?

Now the town is on notice from the New York State Department of Environmental Conservation that it will require a habitat conservation plan as part of the SEQRA process for the Repcal and the Riverhead Resorts project.

We believe that all of the proposed development projects within EPCAL together with the proposed zoning amendment and map should be reviewed together comprehensively within the same SEQRA process.

Finally, there is no definition of clearing versus non-disturbed areas to which the supervisor referred to a moment ago, in this section of the town code. If the groundwater habitat and natural resources in the pine barrens are to be adequately protected as required by the Pine Barrens Protection Act, then— and the land use regulations under the town zoning are to be clear, it is essential that these items be defined, made specific.

We certainly agree with the premise of protecting large continuous blocks of open space at EPCAL. However, we believe that allowing 65% of the EPCAL site to be cleared as proposed would destroy significant natural resources required to be protected by Article 57 of the New York State Environmental Conservation Law.

It's imperative that the amount and location of clearing be carefully planned and reviewed. To date, that has not yet been done.

We urge the town to conduct comprehensive SEQRA review on the proposed zoning change and map along with the Repcal LLC and the Riverhead Resorts projects. Such a review would include a comprehensive inventory of flora and fauna, the habitat conservation plans for rare and endangered species as required by the DEC,

1/21/2009 Minutes

flagging and mapping of freshwater wetlands and then a determination of the amount and location of open space necessary to protect significant natural resources on the site.

That's the position of the coalition. I want to actually share copies of- "

Supervisor Cardinale: "Yeah, I appreciate that. And if the clerk could get it, it will help her get it into the record.

Okay. Thank you. Can we take other comment, please? Anybody else who would like to make a comment on this? Yes, sir, come up and indicate your name, please."

Pat Hennigan: "Good evening. My name is Pat Hennigan. I'm the president of the Ridge Civic Association and although not a resident of the town of Riverhead, being right over the border, what happens here has a significant impact on our town and our hamlet.

We are also a member of the coalition of open space and that's part of what I'm here to speak with.

As a member of the coalition and Ridge being the gateway to the pine barrens, we're extremely concerned with the way this map has been laid out without concern to where animal habitats are.

What happens here can set precedents that are dangerous to the wildlife that is native to the pine barrens and we urge very strongly that before this map is adopted, that suitable inventories be done on the wildlife there in order to prevent- for Riverhead down the line, issues with wildlife and also to prevent the possibility of setting a precedent that would have devastating effects on the pine barrens.

Thank you."

Supervisor Cardinale: "Thank you. Any other comment, please."

Sy Gruzer: "Good evening. Sy Gruzer from the Weber Law Group, attorneys for Riverhead Resorts.

Three short comments on the text of the PRP zoning amendment. One in section 108-236, in section A permitted uses in the lodging facilities section. The reference in the first line with regard to cabins and cottages, the reference to timeshares and fractional ownership appears to be misplaced. It's currently set forth, it applies only to cabin and cottages. I think that should probably be up on the line, the caption lodging facilities. That's a structural substantive comment.

Two other objections. On section 108-236 I2 there's a requirement at least one deciduous tree for every 20 spaces shall be required within the parking lot. I think— it is our position that the requirement, we certainly want to have trees in the parking lot. We think the current requirement illuminates too much of the parking area and we would ask that it be considered to relax that standard.

And, finally, in 108-236J, I'm sorry 108-237-19B, restriction against additional vehicular access points along Swan Pond Road. Also we think that that restricts the flexibility in developing the development. I would ask that that also be considered for revision."

Supervisor Cardinale: "Thank you. Is there any other comment? Please come up."

Martin Sendlewski: "Good evening. Martin Sendlewski, Calverton.

Just in reviewing the proposed code amendment, the verbiage. The only thing that I'm a little bit surprised about that I think should be addressed and I'll give a copy of this to the town clerk to enter into the record.

The chart here, I basically did a graphic and the green line on the right represents the height of the proposed project for Riverhead Resorts. The red line on the left indicates the height that you're allowing in this adoption of the zoning.

You are basically 230 feet short on the allowable height versus what the permitted heights is. So if you're writing zoning and amending it based on the selection of the Riverhead Resorts project, which I believe is the point here, it would seem that you may want to reconsider that height so that the height in the code matches the height of the proposed project."

Dawn Thomas: "Just so you're aware, Marty, the reason that we re-wrote the code wasn't based on a particular project. We left all the development standards identical to what they had been. We just rearranged the structure to make it easier to use. That's all."

Supervisor Cardinale: "Okay. Any other comment? Come up, please."

Bob DeLuca: "Good evening, Supervisor Cardinale, Members of the Town Board. My name is Bob DeLuca and I serve as president of Group for the East End and we are a member of the Coalition for Open Space at Calverton.

I won't restate what Mr. Amper stated. But just one thing that comes to mind and I want to leave you with this thought. For those of us who are very concerned about the future of that site and what might go on there, and one of the greatest struggles that we have is coming to try to understand that the town is a legitimate objective reviewer of this project and not a partner with the project. And that's come up over and over again.

And, you know, when you look at this map, obviously, you know, you take a quick look and you see that it completely excludes the Riverhead Resorts project among the area that's going to be protected.

I would only suggest that everybody would feel an awful lot better if there was a clear justification as to why these areas were picked, how they were picked, and the sensitivity with which decisions were made about the potential impacts to justify this position beyond that we decided to circumscribe a map around the Riverhead Resorts property.

I think a lot of folks would feel better that the board had done due diligence as was suggested before. And the other thing is because of this proposed zoning amendment basically says from time to time the town board may change its mind and change this map, it seems to me that whether Riverhead Resorts was there or not, you would want to have some sort of legitimate justification for the public as to why you picked what you picked so that a future town board couldn't come in and say, well, this is one of those times and now we're going to take the open space and move it over here or move it over there.

The reality is the better framework that you set for why it is that you do what you do gives the public confidence that you did it for the right reason. It also ensures that the zoning code over time will much more likely be something that people can put their trust in and I would be very concerned about a project of this magnitude and a change of this magnitude being subject to the whim of some future board whether I was concerned about Riverhead Resorts or not.

The bottom line is, if you can't substantiate the basis for the open space that you chose, I feel that you haven't met the criteria that you have basically listed here as the reason why you want to consolidate the open space that you do.

So obviously we're very concerned about Riverhead Resorts. There's no question that the definition of where we put the open space involves a number of trade offs. You as a town board need to be able to demonstrate that the trade offs that you think were appropriate are based on something.

And we know that there are threatened and endangered species that are out there and if you chose to not protect that because you want to protect something else, we can have that discussion. But if I were on the board, I would certainly want to let the public know that there was due diligence, environmental review and some basis for where we ended up when we come up with this map.

So anyway, I would ask you to really think about that and certainly thank you very much for your time in considering those comments."

Supervisor Cardinale: "Thank you and we'll consider them. Do you have a comment?"

Councilwoman Blass: "I do. I have a question. Mr. DeLuca, maybe you can help me with something because I'm really looking for some basis for some of the areas that are being protected as well.

I know that tomorrow there is going to be a public hearing on the open space plan for the State of New York and in that plan I looked at it very carefully, but I could not find a map that accompanied the proposed designation of 800 acres of grassland habitat at EPCAL. It just seemed to be described in terms of the reason for the protection but it didn't land itself of any particular spot that I could tell.

Could you describe to me where those critical 800 acres are?"

Bob DeLuca: "Basically I think and I believe that there was a map that was included with the original open space request for the space, and it's not all specifically included on this site but it extends off into the undeveloped areas to the north and east of the Calverton Cemetery and then down to what is essentially the center of the Riverhead Resorts property, you know, where the runways which they don't show up there, but where the existing runways are on the property now."

Councilwoman Blass: "Did I understand, is it off-- some of those 800 acres are off the EPCAL site?"

Bob DeLuca: "Yeah. My recollection is that it's roughly 800 acres and it includes the grasslands, thank you. If you look off of the site sort of to the north there, you'll see obviously you know this area, this other grasslands to the north. And my recollection when I looked at it, it was months ago, but my recollection is that there's properties both off and on and it's a general, as with many of these things, it's a general area based on habitat type more than, you know, lot line boundaries."

Councilwoman Blass: "Normally the map, I looked for the map in the document itself and I didn't see it and I don't know if it should be included because generally they are. But I appreciate the fact that you shared that information with us. Thank you."

Bob DeLuca: "And I just want to say that I think one of the things that, you know, whatever was going to happen on this property, you all need to just consider whether or not the contiguous open space moniker always applies or whether you have to look at the other things that are going on and in this particular case there are other things going on and we just want you to consider that."

Councilwoman Blass: "Actually, when I was asking for information, I was asking also did the 800 acres have to be contiguous and the answer I received back was no, not necessarily. So if this is not really as well defined or based on some scientific justification, you know, then we're on the same page only on different sides of the discussion."

Bob DeLuca: "Yes and how you define what's contiguous in the areas that you want to be contiguous. I mean some people would say we need the contiguous grasslands over the contiguous pine barrens."

Bottom line is you don't have to take my word for it. I think that the Nature Conservancy, and I think, but again, I think the town is best positioned to do this and I don't think it has been done for your map and I would encourage you to do it before you adopt it."

Councilwoman Blass: "Thank you, Bob."

Supervisor Cardinale: "And I'd like to ask a question. If we didn't pass this, we just didn't do anything on the map and the change, is the pine barrens— the clearance standards that are part of the performance standards of the pine barrens plan and part of our own code, say that— as I understand it, 35% of the lot must be— must remain uncleared. It doesn't say where. It doesn't say to protect a particular species."

I think we're confusing the SEQRA process with what we're doing tonight.

What we're doing— if we did nothing, the law that we are trying to respect allows— insists that 35% of every lot remain uncleared. It doesn't say that you have to specify the reason why it's this 35%. It just says to developers, don't show us maps that have more than a 65% clearing. That's what we're dealing with in this amendment if I understand it correctly.

1/21/2009 Minutes

All the other things that have been said I agree completely with that they should all be considered as part of the Riverhead Resorts project and part of an enormous SEQRA project that we'll all be talking about for the next two years.

But that's not what's happening tonight. We're— your choices are as follows if I get this. Let's do nothing and then we do 35% uncleared on every lot wherever we sit fit. Or we say let's look this as a whole piece and put the 35% in an area that is— that would get better— would get better protection than doing it piecemeal.

We've shown you what happens when you do it piecemeal on the Burman parcel. If you want us to continue to do that, we could but that serves no purpose that I know of from the environmental or any other standpoint.

All the other things that Dick is talking about, you're talking about, we agree with you. We should do all of that. But that's part of a SEQRA process which Riverhead Resorts fully knows is going to be in for the next 24 months. But this has nothing to do with that."

Dawn Thomas: "And additional open spaces might be required pursuant to the SEQRA process."

Supervisor Cardinale: Yeah. Additional, that's the line you were trying to give me before. Additional open space we acknowledge will probably be required as part of the SEQRA process. But this isn't that. This is simply showing where the 35% of open space required by the pine barrens performance standards is going to be."

Bob DeLuca: "My only comment would be I would ask you to look at the legislation in front of you because it says that the purpose of the article that you're talking about adopting is to provide consistency with the goals of the pine barrens plan and it enumerates that goal."

Dawn Thomas: "That's the only standard. It doesn't specify that you have to chose one area or another."

Bob DeLuca: "Well, absolutely. But if I could, the goals that you're supposed to be looking to meet here, there's about 15 enumerated topics including rare and endangered species and all these other things.

So I'm only saying that if you adopt this map or some other map, the public ought to be able to understand that these 15 or 20 objectives were accomplished by that map with some reasoned elaboration as to how it happened.

And it— whether it's Riverhead Resorts or anything else, the bottom line is whatever is going to happen there— "

Supervisor Cardinale: "I understand what you're saying but maybe I'm wrong. But if a developer comes in on a smaller piece and shows 35% uncleared, that's it. You can't question where he's leaving it uncleared as long as there's 35% uncleared. Am I wrong on that?"

Dawn Thomas: "Well I think the planning board could dictate where it would be, for instance if one part of the lot was."

Supervisor Cardinale: "But that's part of the SEQRA process."

Dawn Thomas: "Right. Well, it's— with regard to the overlay, it would be part of the site plan."

Supervisor Cardinale: "But the performance standard is 35% uncleared."

Dawn Thomas: "Correct."

Supervisor Cardinale: "It doesn't say— "

Dawn Thomas: "If the lot was consistently vegetated throughout, right, it would be dependent upon— "

Supervisor Cardinale: "The— that factor what you're talking about, what is the— what open— what areas need to be cleared— uncleared in order to protect an endangered species, in order to protect other factors, that's all part of the SEQRA process, not part of this."

Bob DeLuca: "But doesn't your zoning follow a comprehensive plan and the comprehensive plan is a statement of goals and the zoning flows from that. So what I'm saying is that the zoning here flows from a policy statement of which there are 15 mor more articulated conditions and that's where you want to make sure that whether the developer has to show you something or not, that your adopted zoning regulation basically reflects a series of goals articulated in the pine barrens law subsequently adopted by you locally and then added to your zoning code."

Supervisor Cardinale: "I'd like to look at it a little more simply. We do have a zoning code. It has been accepted by the pine barren commission, it has been reviewed and it resulted in the Burman."

If you want to oppose this and I heard opposition, you're going to wind up with what we got which is clearly worse than what we're proposing from everybody's standpoint.

That's not perfect, I'll grant you that. But it's better than what the pine barren commission already approved which results in the mess that the Burman subdivision is as far as open space. It's just got little pieces all over the place and that got through. This is going to be certainly an improvement over that and then we're going to have two years to argue about all these SEQRA aspects.

In a perfect world I agree with you, but this is hardly that."

Bob DeLuca: "Well, I thank you very much for considering it and I hope that you just understand that I'm just trying to get your zoning to be as close- the SEQRA process is much easier if it's close to the zoning."

Supervisor Cardinale: "Right. You're saying we've got to do it sometime, why not do it now. Okay, thank you. I agree. I understand."

Councilman Dunleavy: "Thank you."

Councilwoman Blass: "Thanks, Bob."

Supervisor Cardinale: "But we've got to get this done."

Dawn Thomas: "The SEQRA process that resulted in the original adoption of the overlay district is- "

Supervisor Cardinale: "Yes, Sy, do you have a comment and then anyone else- "

Sy Gruzer: "I just want to- my understanding and my reading of the code and the commission land use plan is exactly what you were stating. Under the current town regulations, we would come in as long as we provided and we need to distinguish between open space and non-cleared space."

Supervisor Cardinale: "Right."

Sy Gruzer: "This is 35% non-cleared."

There's going to be a lot of additional open space on the site. With the non-cleared, the only thing we need to do as you stated is to identify 35% non-cleared and it could be anywhere. You do wind up with dis-contiguous small pieces. Clearly this does provide contiguousness.

I'd also note that on the Riverhead Resorts parcel it encompasses the areas of the property that are within the current

Wild Scenic and Recreational River boundary. It also provides- it also encompasses the areas that are adjacent to the two tiger salamander ponds and provides a contiguous pathway between those two ponds. That extent certainly does meet the goals of the land use plan."

Supervisor Cardinale: "How much-- of the Riverhead Resorts piece, there is property there that is shown as not to be cleared. Is that correct?"

Dawn Thomas: "I don't have the map."

Supervisor Cardinale: "That's what he just said."

Sy Gruzer: "Along the bottom- if you want, I can go up- "

Supervisor Cardinale: "Yeah, would you show us? The property that you're buying that this will result in your not being able to use."

Sy Gruzer: "It runs from here across to here."

Supervisor Cardinale: "Okay. You're buying that but- that area, but for various reasons, you can't use it."

Sy Gruzer: "It can't be cleared, that's correct."

Supervisor Cardinale: "Great. Good deal. Glad you're not my lawyer. And you're still paying? Buying property you can't use. Okay. Go ahead."

Nick DiPiero: "Hi. My name is Nick DiPiero. I really didn't come here tonight with the intention to speak but you guys kind of make me speak.

I walked in- "

Supervisor Cardinale: "Make sure you're speaking on this hearing, I hope."

Nick DiPiero: "Yes, I am. I'm speaking on this hearing. From what I heard, that the runway is going to be shortened. Okay. Is that correct?"

Supervisor Cardinale: "No. No, that's not correct."

Nick DiPiero: "That's not correct?"

Supervisor Cardinale: "No, that's not correct."

1/21/2009 Minutes

Nick DiPiero: "I thought I heard Barbara Blass say that before."

Supervisor Cardinale: "No. The runway- what she said was if you look at where the open space is, instead of- I'm sorry, the uncleared space, we have the option in the future to consider utilizing that area there as other than a runway but we haven't made any decisions or we haven't even had a discussion about it yet."

If that 33,000 square foot- 3,000 linear feet of runway were not in use and instead the runway was 7,000 feet, that would permit the development of another three-quarters of a million square foot of property which is very valuable property.

So some boards should consider at some time that fact but we're not because we have enough trouble trying to address what we already have on the table."

Nick DiPiero: "So the intention at this time is not to shorten the runway?"

Supervisor Cardinale: "Is to leave it just as it is. Yes."

Nick DiPiero: "Okay. Well, that leads me to another question. When the Navy gave this property to Riverhead town for one dollar, okay, what was the stipulation about that 10,000 foot runway?"

Supervisor Cardinale: "None that I'm aware of. Is that true? We could close both runways, keep both open, keep one open. What we're doing now is keeping one open and closing one."

Nick DiPiero: "And if the reality ever comes to pass that that runway will be shortened because I can kind of see it because you know the old saying, the devil is in the details. Who will pay for that demolition of that portion of the runway?"

Supervisor Cardinale: "If- I don't- in the future if that would happen, not the town for sure. A developer would buy it with the understanding that it would be shortened, that he would have to deal with it. That he would not use it obviously."

Nick DiPiero: "And then it would be approximately be 7,000 foot."

Supervisor Cardinale: "About three-quarters of a million square feet of industrial use could be- that is not presently useable would be used."

Nick DiPiero: "Does anybody use that runway right now?"

Supervisor Cardinale: "Not too many."

Nick DiPiero: "I don't think so because the way I see it the town has use at your own risk and I think anybody would be foolish to use a runway with that kind of stipulation."

Supervisor Cardinale: "You're- yes, you're absolutely right. That's the old argument that it's not getting used either because the town isn't making it as attractive as it can be to use or because there's nobody that wants to use it. But whatever the reason is, not many people use it. That's correct."

Nick DiPiero: "Well, with those guidelines, who would want to? So why don't you put that whole 10,000 foot runway up for sale which I think would be a foolish move, but why-- I think eventually the town is going to look into that situation because nobody is using it, so why not sell it?"

Supervisor Cardinale: "Well, for one thing if you paid attention, you'd know that Rechler, part of his deal is to have access to those runways and he's trying to use those runways as part of his industrial park. If that enhances his park and Burman's park and Riverhead Resorts use of the property if they should use it, and it becomes a productive runway, the town would be very happy."

The people that can use the runway are only the people under our code that have property owned or leased at that site. So the only use that's ever going to come is from the Burman park, the Reckler park, Riverhead Resorts which would require a zone amendment because technically they can't right now, only the industrial parks can use that runway.

So if we have enough use, we'll keep the runway. But 10 years from now, if we don't have enough use some board will probably look to see whether the property would be more valuable without the runway and that would be consistent with the discharge of our obligation to the public to utilize the property to the best benefit of the people of the town."

Nick DiPiero: "Okay. I do pay attention and if the runway is not being used and if the runway is owned by the town of Riverhead, why doesn't the town of Riverhead maintain the runway?"

Supervisor Cardinale: "Because the deal is that if you want to use the runway you pay us a runway use agreement fee and you utilize it at your own risk because there's only two runway use agreements out there. Two tenants have asked to use it and Skydive uses it."

1/21/2009 Minutes

We are not going to spend a fortune maintaining the runway for two tenants and Skydive's benefit. That would be contrary to the interests of the town of Riverhead.

And, incidentally, far afield from his hearing so keep going but tell us something about the hearing.

What the hearing's about is a suggestion for a zone change inclusive of uncleared space where the purple is there amount to 35.8% which is required by the law. That's really what the hearing is about, so please give me a comment."

Nick DiPiero: "Okay, very good. The runway was part of the hearing as far as I'm concerned because it was mentioned in the hearing that I heard before."

Supervisor Cardinale: "It is part of it."

Nick DiPiero: "And I thank you for your time."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Any other comment? Yes."

Pat Hennigan: "I want to come back to part of Dick Amper's comments earlier which was in regard to the fact that the map can be changed in the future by the board's resolution and something that was said earlier brought this to mind.

Let's just say that for example Riverhead Resorts goes in here and go through their SEQUR process and they find that right in the core section of their property 150 acres are impacted by some species and they have to protect it.

There is nothing within this to prevent the board from going, all right, (inaudible) has to be protected. I'm going to give you 150 acres out of that other 35 and I think— because there is no part in here, it's just at the board's resolution, not for public hearing. And that's something going back to Mr. Amper's comments."

Supervisor Cardinale: "That's also inaccurate. Okay. It's inaccurate. I wish it were accurate frankly but it isn't. It isn't accurate.

This is going to go to the pine barrens commission, not for review jurisdiction because they don't have it after that lawsuit, but for review under a section 57-10123 I think it is of the Environmental Conservation Law which says that if it is

substantially inconsistent, anything we're doing with the Pine Barren Plan, then they can call us on it. So it wouldn't just be a matter of what we want, it would also be a matter of consistency with the pine barren law.

So— but you're absolutely right. The reason that we made— what that says is we can change the map and exactly right. That's why we want to be able to change the map because if in fact the SEQRA process says that we can't go anywhere near a particular area, then we would like to be able to adjust the open— the uncleared area to accommodate the development of the piece which is reasonable in the view of most people."

Pat Hennigan: "And can I just say that, you know, I would recommend that this be changed (inaudible)."

Supervisor Cardinale: "Well, that I agree with you and is there any problem with that? That would be our intent, that the public would know and the pine barren commission would know."

Pat Hennigan: "And I just want to clarify that."

Supervisor Cardinale: "Okay. We'll make sure that that is reflected."

Pat Hennigan: "All right. Thank you."

Supervisor Cardinale: "Thank you. Anything else? Yes, Marty."

Martin Sendlewski: "I just had one more question to add. I was thinking about what Dawn had said after my previous comments, and the Riverhead Resorts project is talked about throughout this whole process and they're already in contract to buy the property and they have some plans that were accepted by the plan, you know, as a goal.

But yet that height doesn't match everything that everybody keeps talking about. I don't get it. I don't understand why the height doesn't match the project."

Supervisor Cardinale: "Well because you're talking about the biggest building there?"

Martin Sendlewski: "Right."

Supervisor Cardinale: "Okay. Because this change was not to accommodate their project. This change was to address the 35% uncleared areas. This is absolute proof positive that what others have said including Dick is not accurate.

1/21/2009 Minutes

Because if we were adjusting our zoning to their project, we would have put a 300 foot height deal in there. We didn't. They're still in trouble on that. They're going to have to get relief from the zoning board, the ZBA, which is not likely; or they're going to have to come back to us at some point well into the future I'm sure and ask for some sort of a zone change. That's not what this is.

We're not accommodating this zoning to Riverhead Resorts because I'm telling you in this economy, in this world, it would be foolish because the Riverhead Resorts deal, they paid us three, we got another three we're going to take off the table in December if they walk away, but is entirely possible that these deals do not survive the SEQRA process. So we're not adjusting our zoning to a deal that may or may not happen."

Martin Sendlewski: "I guess if you don't put the 350 foot height in there, at least one part of it is definitely not going to happen and that's the- "

Supervisor Cardinale: "Unless the ZBA gives a variance. Now they're going to argue as you know because as an architect, they're going to argue that you really don't- give us 350 over here but we'll be at 45 over here and on average we're at 75. How does that work? Well if they buy it, they get their variance."

Martin Sendlewski: "It just could be avoided if- "

Supervisor Cardinale: "Well maybe they talk us into that statute. Maybe they talk us into- but that's not what this is about.

Any other comment? Okay, we're going to leave this open for comment, of course, for 10 days up 'til Friday, a week from this Friday which will be what day? Let's see, today is the- 30<sup>th</sup>, thank you, January 30<sup>th</sup> at 4:30 p.m."

Public hearings closed: 8:22 p.m.  
Left open for 10 days for written comment  
to January 30, 2009 at 4:30 p.m.

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Public hearing opened: 8:22 p.m.

Supervisor Cardinale: "We've finished the three hearings. You'll be very happy to hear that the fifth hearing at 7:30 has been adjourned which, because we screwed up the notice again as usual, and we'll hear it at another date.

1/21/2009 Minutes

But the 7:25 hearing needs to be heard and it is for the consideration of a local law to amend Chapter 101 vehicles and traffic parking permits for handicapped persons expiration and renewal of permits the Riverhead town code. Is this the— yeah, this is a proposal from the town clerk's office that many towns except ours give a handicapped permit for five years so they don't have to come in, what was it every year now that they have to come in? Every two years.

We are adjusting our code to reflect that and this is not for temporary disabilities. Those are specially handled. This is for a permanent disability. Presuming you survive five years, you've got to come in five years now instead of two.

Anybody want to comment? I'm glad, because that shows that you have a heart. If there's no comment on this— oh, you want— okay."

Patricia Holland: "Permanently disabled. Patricia Holland."

Supervisor Cardinale: "Right."

Patricia Holland: "I have MS. It doesn't go away. It will be forever. Why can't I get a permanent parking pass?"

Supervisor Cardinale: "Well, until the— the proposal was to go from two to five. You have a thought on that, Diane, that you'd like to express?"

Diane Wilhelm: "Yes."

Supervisor Cardinale: "She thinks we should go further."

Diane Wilhelm: "The state only allows the town up to five years. They will not allow any further than that."

Patricia Holland: "Thank you."

Supervisor Cardinale: "But a good question. Any other comment?"

Councilman Wooten: "That is a good question."

Supervisor Cardinale: "If there's no further comment, we'll leave this open also to the 30<sup>th</sup> at 4:30 p.m. for any— to take any written comment that may not be available this evening."

Public hearing closed: 8:24 p.m.  
Left open for written comment for 10  
days to January 30, 2009 at 4:30 p.m.

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Supervisor Cardinale: "We are going to consider resolutions. We had asked for comments earlier, we got some. Anybody want to make a comment on any resolution we're considering tonight? Yes."

Matt Hattoff: "Matt Hattoff, Riverhead."

Supervisor Cardinale: "Yes, please."

Matt Hattoff: "Resolution 41. Is that part time or full time?"

Supervisor Cardinale: "41, I hope the- I hope they cleared this with you. Did you have a discussion about this?"

Matt Hattoff: "Nope. Not at all."

Supervisor Cardinale: "All right."

Matt Hattoff: "Then I would recommend that you table this resolution. I'm not going to debate- "

Supervisor Cardinale: "Okay, fine. Let's table it until- we had asked them at the work session to clear it with the union and the attorneys. I want to make sure they did, so we'll table it."

Matt Hattoff: "Thank you."

Supervisor Cardinale: "Thank you. So 41 we'll at that time have a motion to table to make sure that it's copesetic."

Any other comment on the resolutions? If not, we'll consider them. The CDA resolutions are going to be considered first."

Meeting adjourned

Meeting reconvened

Supervisor Cardinale: "Okay, that takes care of the CDA resolutions. We have now town board resolutions which the clerk will call. I should reopen the meeting of the town board. It's opened, call it."

Resolution #39

Councilwoman Blass: "Authorizes the fire marshal to attend electrical fire cause determination coruse. So moved."

Councilman Dunleavy: "And seconded."

1/21/2009 Minutes

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

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

Resolution #40

Councilman Dunleavy: "Authorizes the fire marshal I, David Andruszkiewicz-- I really messed his name up-- to attend the forensic fire scene reconstruction seminar. So moved."

Councilman Wooten: "I'll second."

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

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

Supervisor Cardinale: "I vote yes. The guy's name is David Andruszkiewicz but in fairness to John, everybody around here for reasons evidenced by John's pronunciation of his name, calls him Dave A to Z. So anyway, I vote yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #41

Councilman Dunleavy: "I move to table Resolution 41. So moved."

Councilwoman Blass: "Second to table."

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

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

Resolution #42

Councilman Wooten: "It ratifies the appointment of a wastewater treatment plant operator II, Robert Helupka. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #43

Councilwoman Blass: "Ratifies the appointment of a member to the Zoning Board of Appeals. So moved."

Councilman Dunleavy: "And seconded."

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

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

Supervisor Cardinale: "The zoning board of appeals member that's being re-appointed here, I recall was appointed in the first year I was supervisor and I have no reason to believe he's not doing a good job."

However, there are other people that have been-- that offered themselves up for the job. There's, in fact, one in the audience, Mr. Courtney who is an attorney, and whose resume I recently received and forwarded to the board."

Councilman Wooten: "I just got it today-- tonight."

Supervisor Cardinale: "Yeah. I would like a process that more-- I know that this is a position that is often simply named by the majority and that's the way it's done."

I'd like to see a process whereby we had a specific set of criteria for the ideal candidate and compared the resumes to the ideal candidate picture. That doesn't happen, I'd like to see it happen."

I know that unless the board is prepared to table it, I don't believe they are but if they are, I'd love to table it. If that isn't going to happen, I'm going to abstain for reasons stated, that I think the process could be better and I'd like it to be."

So unless we're prepared to take it up in a discussion tomorrow which I'd like, if you want to-- I have no choice because there's three votes ahead of me for abstain, so I'm going to vote no to an abstention."

Diane Wilhelm: "The resolution is adopted."

Resolution #44

Councilman Dunleavy: "Ratifies the appointment of a member to the planning board of the town of Riverhead, Louis Boschetti. So moved."

1/21/2009 Minutes

Councilman Wooten: "Seconded."

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

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

Supervisor Cardinale: "Yeah. This member was appointed five years ago actually by-- 10 years ago by a board that I sat on. There is no other applicant."

I said what I said. I mean it for all positions but it's an imperfect world. I'm going to vote yes for Mr. Boschetti."

Diane Wilhelm: "The resolution is adopted."

Resolution #45

Councilwoman Blass: "Ratifies the appointment of the chairman of the Riverhead Zoning Board of Appeals, Frederick J. McLoughlin. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #46

Councilman Wooten: "Authorizes the attendance of the 2009 training school held by the Association of Towns. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #47

Councilwoman Blass: "Appoints a member to the Animal Advisory Committee, Noreen LeCann. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Wooten."

Councilman Wooten: "I just want to point out this is actually a ratification as of January 1<sup>st</sup>. Yes."

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

Resolution #48

Councilman Dunleavy: "Sets the fees for usage of recreation and other town facilities. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #49

Councilman Dunleavy: "Authorize the town clerk to post and publish public notice of empire zone administrative board meetings. So moved."

Councilman Wooten: "I'll second it."

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

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

Resolution #50

Councilman Wooten: "Authorizes town clerk to publish and post a public notice of a public hearing to amend the town of Riverhead zoning use district map. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #51

Councilwoman Blass: "Appoints a call in assistant recreation leader (skatepark) Level II to the Riverhead Recreation Department. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #52

Councilman Dunleavy: "Authorizes amendment to Resolution #27 storage fees. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Wooten."

Councilman Wooten: "Yeah, but I thought after investigation we thought it was a computer error and actually it wasn't. (Inaudible) when it shouldn't of and I thought it was going to come down and not up."

Councilman Dunleavy: "No, no, no. It's-- our rate is \$125.00 an hour and for three hours-- "

Councilman Wooten: "Even if a guy pulls a car in-- "

Councilman Dunleavy: "Well, that was for the police department. This is for everybody else. We're discussing the police department. Our computers have to be changed for that.

This is a computer generated fee that's already in the hard copy of our computers. That has to be changed for the police department only, not for the rest of the town, if we do change it.

If we charge any less now, the town of Riverhead will be losing money and I certainly don't want to lose money if we impound someone's vehicle."

Councilman Wooten: "I thought we discussed this afterwards and I thought (inaudible) was because it was to cover costs for impoundment."

Councilman Dunleavy: "Right. It does."

Councilman Wooten: "But even if a policeman drove a car down there and put it inside the gate, the minute they did the impoundment, it would automatically charge a three hour fee-- "

Councilman Dunleavy: "Yes. Because it's a computer generated fee. It's not a hand generated fee. We have to change our computers."

Councilman Wooten: "So this may change?"

Councilman Dunleavy: "No. This is not going to change. It may change for the police department but it will not change for everybody else because these vehicles are being-- most of these vehicles are being towed in."

Councilman Wooten: "Okay. All right, well-- "

Councilman Dunleavy: "And we send our wrecker out to tow the vehicle in."

Supervisor Cardinale: "The thing that surprised me on this is first of all it's not something that I often look at, but I think you're saying that if somebody's car is improperly placed somewhere in town or has to be taken from an accident scene, that the fee for that is \$375.00.

And if that happened to me, I'd be annoyed at paying \$375.00 to have my car towed from wherever it was in town to the highway department because it seems excessive."

Councilman Wooten: "Well, one better. Your car is stolen and then they pick it up. You still have to pay the 375."

Supervisor Cardinale: "Well, in that case I can't see how they can justify 375 and if you're saying that's what the computer tells them to charge, I can't buy that either because a computer-- I mean, I should get one of those in my law office when I was practicing. You do a hundred dollars worth of work and the computer tells me to charge you 500."

Councilman Dunleavy: "No. But the whole discussion was not that we send our wrecker out and if we send our wrecked out to pick up a vehicle and impound that vehicle, it's costing the town \$375.00. If you want to charge someone to pick their vehicle up \$310,00 or \$250.00, the town of Riverhead will be at a loss of that money.

The discussion was if a police officer stops a DWI and they want to impound that vehicle and he calls another police officer which I doubt that's what happened, and they park the vehicle in front of the impound and in the morning the municipal garage employee comes in and puts that vehicle in the impound and does the paperwork, the police department again is being charged-- not the

1/21/2009 Minutes

police department but whoever picks that car up is going to be charged \$375.00. That is computer generated.

Our last comptroller hard copied that into our computer. We have to change that if we want to charge that person less than this fee."

Supervisor Cardinale: "I get it."

Councilman Wooten: "I voted yes."

Supervisor Cardinale: "You voted yes, okay. I think the public will understand this conversation if I ask John one question."

Councilman Dunleavy: "Go ahead."

Supervisor Cardinale: "John, could you-- I know you oversee the garage which now I'm being asked to believe that it costs 375 to move the car because the town did it.

It is possible that it's true because the town did it and they don't do things very promptly and efficiently and effectively. And what does it cost the town when they build back-- when they build back an oil change on my car, what are they charged for the oil change?"

Councilman Dunleavy: "All right. Well, you have to realize, this is a municipal garage. We're paying for hospitalization, lights, security. It's a department that is self-- it doesn't have a budget. It's self-sustaining. It buys parts. So, yes, everything is charged back to the department that puts the car in for repair."

Supervisor Cardinale: "Right. So if I get my oil changed down at Firestone, it's thirty bucks. What is it when I have to give it to the town garage to do it? I think it was 115 last time."

Councilman Dunleavy: "Yes. That's because-- "

Supervisor Cardinale: "Now you understand why it takes 375 to tow a car."

Councilman Dunleavy: "But you don't understand. They just don't do an oil change. They go over your tires, they go over your brakes. They do other things there when that vehicle is there."

Councilman Wooten: "They actually put the old tires on his car."

1/21/2009 Minutes

Councilman Dunleavy: "And plus most of our cars have 175,000. You can ask Leroy how many miles he has on his car. They have 175,000 miles and they're held together by wire because these garages outside wouldn't fix these cars or certify them in the condition that this town has its vehicles because we do not want to spend any money to buy any vehicles so we're re-using our cars."

Supervisor Cardinale: "Okay. You've convinced me. Let's consider the resolutions."

Councilman Dunleavy: "Everybody thinks this is a joke but they are keeping our fleet running. And we should be very proud of the four people that work in that municipal garage, they keep this fleet of vehicles that are falling apart running so our employees can use them."

Councilman Wooten: "I vote-- this has nothing against our town employees, by the way. I vote yes."

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

Councilman Dunleavy: "I vote yes."

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

Supervisor Cardinale: "I vote yes. When I leave the supervisor's office which if many have their way, it could be very soon, I would like to get into the towing business in town for 375 a tow. I vote yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #53

Councilwoman Blass: "Authorizes legal action against the owners, tenants, occupants and mortgagee of the property located at 74 Nadel Drive, Riverhead, New York. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #54

Councilman Wooten: "Authorizes legal action against the owners, tenants, occupants and mortgagee of the property located at 20 Dolphin Way, Riverhead, New York. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #55

Councilwoman Blass: "Offers opposition to the proposed changes to the public health law consolidating local registrars of vital statistics. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #56

Councilman Dunleavy: "Authorize the town supervisor to file state form TE9-A and that's for a traffic study of the speed limit on Middle Road. So moved."

Councilman Wooten: "Seconded. Yes."

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

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

Resolution #57

Councilman Dunleavy: "Authorizes the Supervisor to execute an agreement with the Galamery Company, Inc. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #58

Councilman Wooten: "This ratifies the authorization for the Supervisor to execute agreement between Town of Riverhead and Delta Computer Group. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #59

Councilwoman Blass: "Authorizes the supervisor to execute a contract agreement between the town of Riverhead and Peggy Schiefer (court reporter services). So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #60

Councilman Dunleavy: "Authorizes the Supervisor to execute no cost change order No. 1 transmission improvements at Sound Avenue and various locations Contract E-electrical work H2M project No. RDWD 06-01 Riverhead water district. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #61

Councilwoman Blass: "Authorizes the town clerk to advertise for bids installation of water main and appurtenances at Ext. No. 85 - Mastro Realty Riverhead water district. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #62

1/21/2009 Minutes

Councilman Wooten: "Authorizes town clerk to advertise for bids construction of Plant No. 15 Contract G - general and mechanical construction project No. RDWD 06-05 Riverhead water district. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #63

Councilwoman Blass: "Adopts a local law amending Chapter 108 entitled zoning of the Riverhead town code (RB-80). So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #64

Councilman Dunleavy: "Adopts a local law amending chapter 108 entitled zoning of the Riverhead town code RA-80). So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #65

Councilwoman Dunleavy: "Adopts a local law amending Chapter 108 entitled zoning of the Riverhead town code, APZ. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #66

Councilman Wooten: "Adopts a local law to amend Chapter 101 entitled vehicles and traffic of the Riverhead town code, Section 101-3, stop and yield intersections; railroad crossings, parking fields. This is Sound Road. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #67

Councilwoman Blass: "Adopts a local law amending Chapter 108 entitled zoning of the Riverhead town code, agriculture protection (APZ) zoning use district. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #68

Councilman Dunleavy: "Adopts a local law amending Chapter 108 entitled zoning of the Riverhead town code, Residence B-80, RB-80 zoning use district. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #69

Councilwoman Blass: "Declares lead agency and determines significance of action: special permit of Beacon and Verizon Wireless Wading River, Little Flower. So moved."

Councilman Wooten: "Seconded."

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

1/21/2009 Minutes

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

Supervisor Cardinale: "Just for a moment, make sure I understand this. Rick, are you here? We are-- this is considered an unlisted action, but we're pos-dec-ing it correct? And when are we scoping? Have we got a scope? We're going to now scope?"

Rick Hanley: "We're just pos dec-ing the action at this point."

Supervisor Cardinale: "Thank you. I vote yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #70

Councilman Wooten: "This awards a bid for abandoned/junk vehicles. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #71

Councilman Dunleavy: "Authorize the Supervisor to execute sublicense agreement between the Town of Riverhead as sublicensor and Open Arms Care Center, Inc. as sublicensee. So moved.

And this is to help feed the hungry at noontime."

Councilman Wooten: "I'll second it."

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

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

Resolution #72

Councilman Dunleavy: "Authorizes the town clerk to publish and post notice of public hearing regarding the special use permit petition of Hampton Jitney - motor coach terminal."

Councilman Wooten: "Seconded."

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

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

(Inaudible discussion)

Supervisor Cardinale: "Whatever happened to the Terry Girl's (phonetic) agenda item? Is that- it was noted to be- it was awaited but Prudenti held it up?"

Rick Hanley: "I wrote it and I gave the title to the clerk and the (inaudible)."

Supervisor Cardinale: "Okay. So you put it in thinking that she would have cleared it but she didn't for a reason- "

Councilman Wooten: "There's only three left. Do you just want to change- "

Supervisor Cardinale: "Move all the numbers up."

Diane Wilhelm: "Okay, so 73 then is- "

Supervisor Cardinale: "So 74 is now 73."

Resolution #73

Councilman Wooten: "73 says authorizes the town clerk to publish and post notice of a public hearing regarding the special permit of Theodora Cohen single family residence. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Wooten, yes; Dunleavy, yes for the publish and post; Blass, yes; Cardinale, yes. The resolution is adopted."

Resolution #74

Councilwoman Blass: "Authorizes an inter-municipal agreement with the Suffolk County Planning Commission regarding zoning referrals. So moved."

Councilman Dunleavy: "And seconded."

Councilwoman Blass: "Discussion."

1/21/2009 Minutes

Supervisor Cardinale: "Yes. Rick, you want to come up again? We had a question on this one, 74. Authorizes an inter-municipal agreement. Barbara?"

Councilwoman Blass: "If you look on the second page, item 3 or iii- "

Rick Hanley: "Unfortunately I don't have it in front of me."

Councilwoman Blass: "Okay."

Supervisor Cardinale: "Minor additions."

Councilwoman Blass: "Minor additions."

Rick Hanley: "This comes right from the county. This is their draft."

Councilwoman Blass: "Okay. It reads minor additions less than 1,000 square feet with on changed to use or occupancy. I assume that means no, no change, okay."

The second one says or iv, #4, site plan applications proposing less than 5,000 square feet. I'm going to read it as it's written. Site plan applications proposing less than 5,000 square feet or new or renovated floor area or less than 10,000 square feet of land disturbance."

Supervisor Cardinale: "So the first one should be an of- of new or renovated floor area and the other one should be of."

Councilwoman Blass: "I don't know if the other one is an of."

Rick Hanley: "Would you like me to get the county's, because I have it on my desk."

Councilwoman Blass: "Okay, could you?"

Rick Hanley: "Sure."

Councilwoman Blass: "And while you're there, a final question. Are they dispensing with the 500 foot distance in terms of what gets referred along- adjacent to the bay or the sound, etc.?"

Rick Hanley: "I think there's an exception that's shown."

Councilwoman Blass: "It says excepting those actions that have been given a pos dec pursuant to blah, blah, blah."

1/21/2009 Minutes

Rick Hanley: "The jurisdiction remains the same. It's just that we do not have to refer these matters."

Councilwoman Blass: "It says abutting though. And it used to be 500 foot distance is all I'm saying. Are they changing it? It used to be- "

Rick Hanley: "How does it read?"

Councilwoman Blass: "Excepting those actions that have been given a positive declaration pursuant to SEQRA or actions involving property abutting state or county parkland, the Atlantic Ocean- "

Rick Hanley: "Right. That's the use, exception. So in other words that would have to be referred if it abuts."

Councilwoman Blass: "Right. But in the past- "

Rick Hanley: "It was within 500 feet."

Councilwoman Blass: "So that is a change is all I'm asking."

Rick Hanley: "Yes."

Councilwoman Blass: "Okay, so that's actually- and nothing along Route 58? State highway is gone or county highway is gone."

Rick Hanley: "For those particular items."

Councilwoman Blass: "Gotcha."

Rick Hanley: "Okay? Just those items."

Councilwoman Blass: "Okay, so- "

Rick Hanley: "Those de minimus items do not have to be referred. But they maintain their jurisdiction."

Councilman Dunleavy: "Even along 58 or Route 25."

Rick Hanley: "Yes. Because that jurisdiction still remains. If it doesn't meet one of those tests, then it still has to be referred."

Councilman Dunleavy: "Okay."

Councilwoman Blass: "Okay."

Councilman Dunleavy: "Are you going to get it off your desk?"

Supervisor Cardinale: "Actually I think we've got- yeah, I know what it says. Site plan application (inaudible) proposing less than 5,000 square feet of new or renovated floor area or less than 10,000 square feet of land disturbance. So amend it that way, please, and we can consider it. Okay? Do you want to call it now that we've discussed it?"

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

Resolution #75

Councilman Dunleavy: "This resolution is to pay bills. So moved."

Councilwoman Blass: "Seconded."

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

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

Supervisor Cardinale: "That's the last one. Okay, so that completes our resolutions. Is there any comment that anyone would like to make on anything within our purview? If there is, we'll take it. If there isn't, we'll be glad to go home and have dinner."

Mr. Courtney. Yes, okay. Okay, good then we'll wait for her. In the meantime, we'll let you say hello. Mr. Courtney was the ZBA applicant. You're not getting the job but not that we don't love you. Mr. Courtney is a distinguished retired attorney who has had a long and- semi-retired. That means you'll take it if the money's there or what does that mean?"

John Courtney: "I'll take it without the money. In fact, this is one of the reasons that (inaudible). Took a job for the town without being compensated and I think (inaudible)."

Supervisor Cardinale: "She's coming. Kathleen we want to hear from you. No problem. But he was holding forth for you, John."

Kathleen Wojciechowski: "Hi. Can you hear me?"

Supervisor Cardinale: "Yes."

Kathleen Wojciechowski: "I'm Kathleen Wojciechowski, the person that was attacked through a reporter in a well placed article"

1/21/2009 Minutes

appearing in last week's News Review by false information obtained from certain board members.

The article used the barbaric term of bloodletting in an attempt to create the impression that certain industrial development agency board members, I as one, were tainted and as in the process of bloodletting, needed to be removed.

A fundamental right of each American citizen is the right to confront his accusers. I am here confronting you to find out what I did wrong and to understand why I was wrongfully singled out.

Councilman Buckley, Wooten and Dunleavy stated there was to be a shake up and that such action would catapult an increased volume of IDA projects into Riverhead town. This deceitful characterization is not borne true by fact.

I agreed to contribute my time to the IDA two and a half years ago. At that time, most of the Republican board had resigned en masse due to the new regulation that IDA members were mandated to file a statement of financial disclosure revealing all personal business relationships.

With the exception of two senior members, we were a new board. I attended training in Albany and had perfect attendance during my tenure despite considerable personal obstacles.

I brought my experience and knowledge to the table in an effort to help the town of Riverhead as a volunteer.

As a professional, I manage approximately \$32 million dollars worth of specially funded projects and I'm known in my field for program development, vision and creativity.

It is assumed that the intent of the proposed IDA member exchange has an obvious benefit to the residents of the town of Riverhead. I ask where is it?

Would we function more effectively with Republican registered voters serving as volunteers?

The News Review article misstates quite a bit. As it is written, it seems to say that this board has been responsible for the entire 25 years of IDA projects. This is not the case.

Let's look at the actual record. Prior to 2006, the first 25 years of IDA existence as a public benefit corporation produced a dozen projects. This is a bit less than one every other year.

1/21/2009 Minutes

In the years 2006 through 2008, the IDA initiated and concluded business on three projects, or one a year. In reality there were three completed prior to 2008.

So with what board did this agency succeed if outcomes are measured?

We the seated group, not the group who abandoned the IDA because they refused to reveal their personal finances and business relationships. And if the number of completed projects is a measure of success and the yardstick by which to decide who should stay and who should go, then we should anticipate a complete vacating of the board for the community development agency.

By your own logic, every town board member needs to be removed. Your record as CDA members is dismal and I'm being generous. The community development agency received money well over three years ago for sidewalk repair and replacement in Wading River, Jamesport and Riverhead downtown area.

The grant award remains unspent and the residents you are elected to protect take their lives into their own hands each time they attempt to walk on these disgraceful and deteriorated sidewalks.

Instead, the action taken is constant conversation about who should pay for requisite surveys, blah, blah, blah.

And where is the development? Any new tax revenues? We have no shovel ready projects eligible for federal funding as other towns do.

Talented individuals stepped forward as volunteers for the Riverhead Industrial Development Agency. These individuals are unpaid and spend a significant amount of time to benefit our community.

Before any finger pointing occurs or any judgment about the competence of these individuals is made, those rushing to imprudent and partisan conclusions need to make sure they are not soiling their own nest.

Supervisor Cardinale, I agreed to volunteer as a response to your call for civic duty. As a result, I have wound up a victim of a strictly partisan attack with no one to defend me except myself.

When anyone goggles my family name I am now associated with the phrase, remove from IDA board. I demand you correct that.

The town of Riverhead has changed and you as a board need to change with it. When you decide to reconfigure any board or

1/21/2009 Minutes

committee, a good first step would be to contact those involved with a phone call, followed it up by a letter of thanks for their service. After all, that is only common courtesy. And Tim Gannon please back check.

Finally, I started off by saying I wanted to understand why I was singled out and what I did wrong. What is your answer, council people?"

Supervisor Cardinale: "Well, first off, I want to agree with much of what you've said and we've discussed it in work session and no action has been taken by the board because we have discussed it and continue to discuss it. So nobody has taken action yet and I think you should correctly discuss the fact they should not take the action that they had thought about and I would agree completely that is true.

Secondly, the CDA did not receive money for the sidewalks. It has not received a dime from those grant funds and New York State is responsible for the implementation of those funds.

Thirdly, we have at least 15 shovel ready projects that have been made known to the federal and state governments.

However, nobody from the IDA has ever been asked to leave it who wish to serve and I think it would be a mistake and I've said that to my board and I hope they're considering my words to start now.

Secondly, I know your talent, I asked you to serve, and you have a great background as a educational administrator to the level of I believe superintendent or deputy superintendent of schools and I know that Mr. Borner (phonetic) who was- is extraordinarily talented who is another member who is mentioned and the last member, Jim Czorny (phonetic) shared your dismay apparently. He's resigned as of today.

So I think this is unfortunate. I don't think the board is going to act. I hope they do not act. And I think that it is very, very dangerous to our ability to go out and seek good volunteers for these positions if we don't treat the volunteers who come forward well.

So I agree with all of that and I'm going to let the board members say whatever they would like to say but I know tonight you will note there was no IDA resolution on the agenda."

Councilman Wooten: "I just want to say I'm sorry that you felt singled out and that's probably- I didn't write the article nor

1/21/2009 Minutes

did I proofread any article. A lot of times I read things in the News Review that I don't agree with either."

Supervisor Cardinale: "Bloodletting is all Tim Gannon. It was hid headline."

Councilman Wooten: "We did have a very frank discussion and Angela DeVito was here at a work session and we did talk about it. We absolutely did talk about it. But I didn't want any one person to feel that they were being singled out for any job performance or anything else.

So I'm sorry you took it on a personal level. It wasn't that. It was just kind of thing we're in rough times now with the town and we want the town to move forward. So we're looking at a lot of different things. But don't take it personal because there was no personal attack there. So nobody would even question your integrity. He should really write a better article."

Councilman Dunleavy: "I think your integrity is welcome and very good. It's not a personal attack on you and we never said it was a personal attack on anybody of the board.

In my opinion, it was just generally what the board did at the beginning of last year. What predicament they got themselves in and it cost the board money to get out of that predicament.

And I felt that we should start revitalizing the board because I thought that the executive director was a political appointment. Where you say you don't want to politicalize this and the supervisor says he doesn't want to politicalize this, I felt it was a political appointment and that he didn't know what he was doing. He didn't do the proper job and that I think the board because of that has to be reorganized. And that's my personal opinion."

Supervisor Cardinale: "Okay. I'd like to comment on that. I think it would be instructive if you knew that the appointment of the last executive director was unanimous on that board, unanimous, and the determination that they did not have the funds to pay in view of this economy and that they were forced to ask him to leave before his two year term was also unanimous.

So in your reasoning, John, if you're going to continue with this I think ill considered effort to purge the IDA, you better purge the whole IDA, not just three people. Because it was unanimous.

Their mistake, if you believe it to be a mistake or a political action, was a unanimous action. So why are you picking on three people? That's really- "

1/21/2009 Minutes

Councilman Dunleavy: "We wanted a little conformity 'til the new members learned what they're doing and working with four members that have been working with the board.

I think you're wrong in saying that because of economic conditions he was asked to leave because I know and I don't want to make it publicly, I know why he was asked to leave."

Supervisor Cardinale: "Well, my pertinent point- "

Councilman Dunleavy: "And you are wrong. But I don't want to bring anything up publicly because next thing you know it will be in the News Review and we'll be blamed that we're staining someone else's name."

Supervisor Cardinale: "The dangers of a public forum."

Councilman Dunleavy: "So I don't think we should bring it up."

Supervisor Cardinale: "The pertinent point, John, is that it was a unanimous action of that board and the unanimous action to let him go early. So, therefore, you've got to get rid of the whole board if you really want to be consistent.

Yes?"

Councilwoman Blass: "I just wanted to ask if there was no political motivation, I'm curious as to how the replacements were chosen because there was no discussion that we were looking or seeking to replace any individuals. We had no notice in the newspapers to find out if there was anyone who may be interested in serving in the event that we had vacancies. So I would have to assume that the names came from somewhere- "

Councilman Wooten: "Probably the way it's been done forever, Barbara."

Councilwoman Blass: "Well, then there has to be an acknowledgment that there was political motivation."

Councilman Wooten: "Maybe now is the time to change that, but it's been the way it's been done forever and you know it so don't say it's nothing new."

Councilwoman Blass: "I'm saying that there has to be an acknowledgment."

Councilman Wooten: "You know where it came from. The same that it came from last time."

Councilwoman Blass: "Okay. Exactly so I took exception with the comment that it was not political- "

Councilman Wooten: "Oh, I see. Well, I didn't make that comment."

Councilwoman Blass: "I know you didn't. I'm not addressing it at you. I'm stating if there was no politics involved, I was very curious as to how the selections to replace these individuals came about.

But having said that, I would very much- I would very much like for you to continue if you were so interested in serving because I think you do represent the town well and I don't believe that there was good cause to consider your particular removal from the IDA."

Supervisor Cardinale: "And I don't know that there are three votes that would support the dismissal of any of these individuals. If there are, then they'll have to live with that vote.

The truth is incidentally, I want to point something else out. When the board changed two years ago because the members left it en masse, the appointees now being accused of I guess political- the appointees were all voted onto that board unanimously by this board. So if- how could that be- I mean that was the time not to vote if you didn't think they were going to be appropriate.

Then you're saying they were on the board, they all act unanimously, they made a mistake so we're going to knock out three which we choose and name three without doing what Angela DeVito told us to do and she's right last week.

She said when we have an appointment, whether it's the ZBA, the planning board or a volunteer board, paid or volunteered, have an ideal candidate for a picture or statement, ask for resumes, compare it to your ideal and pick the best person regardless of party affiliation.

Then we would really be accomplishing something and I'm prepared to do that if everyone else on the board is prepared to do that for every single position. We should change the way we've been doing things around here traditionally. Let's do it."

Councilman Dunleavy: "Well I think- you said we voted for every one that's sitting on that board now. I did not vote for everybody. The only one I voted for was Miss DeVito. So I was not here when this board voted for these members of this board."

Supervisor Cardinale: "But there are five members that are on this board."

Councilman Dunleavy: "But you are insinuating that if we voted, pointed to us, that we should have not voted at that time. I did not vote for the board at that time."

Supervisor Cardinale: "I'm telling you that when the five members of the board that have been on for many years left because they felt they could not comply or would not comply with the disclosure requirements of the authority's accountability act, we couldn't find somebody to take that job and I was asking month after month after month can somebody propose a candidate."

We finally got five warm bodies that were willing to serve and everybody said great, let's appoint them because it's a volunteer job. Nobody is getting anything out of this except for disclosure requirements so everybody knows your business, education requirements so you've got to spend a day in the city being bored to heck learning about authorities, and no pay and one meeting or two or three a month to consider projects.

I don't know why you want this job frankly. I don't even know why sometimes we want these jobs. But I don't understand why you want the job but I see that you don't want to be insulted in public as being not fit for a job. And I apologize for that."

Kathleen: "Thank you for your apology. May I tell you that I work in a public agency and it was very (inaudible). I had to go explain this to my board because it gave the impression- it seemed that my judgment was (inaudible). It was a very political (inaudible)."

Councilman Wooten: "It wasn't very well reported."

Supervisor Cardinale: "Yeah. Our entire board agrees that it's all Tim Gannon's fault for using bloodletting in the title."

Anybody got any other comments? Theodora."

Theodora Cohen: "Happy New Year everyone. Theodora Cohen, a resident in town here. And I am- I think what I have to say has something indirectly to do with resolution 1 and 2 as far as the appraisals and the proposals for the properties downtown."

What I have to say encompasses the whole area as far as bringing business and people to the downtown and one of the problems is the problem with graffiti and I know it's getting out of hand because I'm noticing it everywhere, in Polish Town and Hubbard Avenue, Route 58, Mill Road. It just seems to be getting out of

control and I think perhaps we should put something in the newspaper about it as far as there being prosecutions or rewards for anyone caught doing graffiti but I'm sure you all agree with me that, you know, this is sending out a message out there and we have to, you know take- "

Councilman Wooten: "Well if you would believe the first speaker tonight then all I want to do is knock all the buildings down and there's nothing to write on."

Theodora Cohen: "Well, I know you did put something out about the property owners getting a fine for not cleaning it up. I don't think that's very fair. I think that there should be a joint effort in sending someone around, a crew or someone, you know, joining in to get it cleaned up immediately. You have to send a message right away. We're not going to tolerate, you know, these things not just, you know on Main Street but all over the town of Riverhead there should be zero tolerance for certain actions."

Supervisor Cardinale: "I certainly agree with you but I would point out and the chief is here. Chief, would you come up for a second?"

On the graffiti issue which has gotten a lot of talk and also there's a vandalism issue out there. I asked the chief to put together- I asked Lt. Peeker at a work session and he addressed this issue, for a program of how we're going to best combat this.

The graffiti issue, everybody agrees that the owners do have to clean it up immediately otherwise what happens is it spreads. It's unfortunate, it's unfair, but it's in the law that within 30 days you have to clean it up and we'll do our best to get the culprit.

In regard to the doing something more pro-active than that, Liz Stokes is, as you probably know, talking with council for unity kids, apparently it is kids and it is in part at least in great part, a part of a game that they think is fun, a computer game.

If the council for unity kids are going to do a day where they clean up these graffiti buildings, they- the theory is not to have them do that. It's a great public service. But that they will become invested and will turn in their colleagues who then go out and graffiti again because they have now invested their efforts and their work in cleaning up these buildings.

She's producing that as an idea for the council for unity, there's 200 kids strong, and I think that is a good thing that we should do and I will support it and I know the board would.

1/21/2009 Minutes

Can you add anything, chief, on this subject. I know you and I had discussed it. I've asked you for a written response as to what you think we can do."

Chief Hegermiller: (Inaudible)

Supervisor Cardinale: "And you are- I know this, that they- and I know that you also from Lt. Peeker who was here, you know what areas have been hit more than once, you know what's been written."

Chief Hegermiller: (Inaudible)

Supervisor Cardinale: "There was a report to me by- a comment to me by a member of the school districts- what are they called, parent teachers, that the police know pretty much what kids are involved and, in fact, that they have spoken with them. Do you have any- is there any truth to that?"

Chief Hegermiller: (Inaudible)

Supervisor Cardinale: "Yeah. So you may know who- so I don't know, maybe we should discuss this privately, but there must be some way to get- "

Councilman Wooten: "You think there's a chance that a teenager would be watching channel 22?"

Supervisor Cardinale: "I think the parents- or get to somebody to let them know we may not have enough to prosecute them, but we have enough to know in truth that they are doing this and if they don't cease, they will be sorry."

Councilman Dunleavy: "But I don't think we should discuss police investigations in public and how you guys are finding out who did it because they're going to stop doing what they're doing and then we're never going to- so I really don't think that this is the proper time or the proper place to discuss a police investigation."

Supervisor Cardinale: "John, I did indicate to the police chief that we would speak privately and in his judgment he didn't want to say publicly. Believe me, I'm not going to beat him up if he doesn't come clean. So everybody agrees with what you just said."

I would like to see you privately, see if there's any other ideas. Is there anything you can say publicly?"

Chief Hegermiller: (Inaudible)

Supervisor Cardinale: "We've talked about this. We want to have some action. I'll talk to you again tomorrow but I thank you"

1/21/2009 Minutes

for being here tonight. I know it's late. And we will look into that and thank you. I'm aware of the problem."

Theodora Cohen: "Mr. Supervisor, I think that you can get a message out through the newspaper that there is zero tolerance for graffiti."

Supervisor Cardinale: "Yeah, would you get that in the newspaper, not right next to the bloodletting? See they only want to do the bloodletting ones."

Theodora Cohen: "I wanted to thank the town board for their participation and presence at the sex offender forum which turned out to be very up to now very successful but I think we still have to stay at the heels of our legislators, state and county, and still participate in any meetings, and I think more residents in the town of Riverhead should get involved with this. There was a big turnout at the high school and I just don't know why Mr. Steve Levy didn't show up but I think we're going to get somewhere if we keep on going."

Supervisor Cardinale: "I think persistence is our best mechanism. You're right."

I thank you for coming this evening. We'll see you tomorrow- "

Councilman Dunleavy: "Wait a minute. Barbara has- "

Supervisor Cardinale: "Yes, Barbara."

Councilwoman Blass: "I had a question for Gary but I'll ask after the meeting."

Supervisor Cardinale: "Gary, stick around for a moment. Barbara has a question for you."

We'll be here at 10:00 tomorrow for a work session which will be on channel as well."

Meeting adjourned