

1/17/2006 minutes

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Riverhead Town Hall, Howell Avenue, Riverhead, New York on Tuesday, January 17, 2006 at 7:00 p.m.

Present:

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

Also Present:

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

Supervisor Cardinale called the meeting to order.

Supervisor Cardinale: "-- with the Pledge of Allegiance. Maybe— Pete Lundberg is here tonight, can lead us in the Pledge, then we'll come down and do something we have to do in the well of the room."

(At this time, the Pledge of Allegiance was recited, led by Pierre Lundberg)

Supervisor Cardinale: "Okay, can we come down into the room for a minute?"

We have a proclamation this evening in honor of a birthday for one of our senior citizens— Honey Bruno, Alice Honey Bruno, please come up. Bring with you all of your friends and relatives who might be with you.

Congratulations."

Alice Honey Bruno: "Thank you."

Supervisor Cardinale: "You're looking well. Since our extraordinary (inaudible) and in addition to many other things (inaudible) its residents, it's appropriate for us to be honoring Alice Honey Bruno tonight for celebrating her 90th birthday today, this very day, January 17th.

So let me read the proclamation which will make clear how special a citizen of the town of Riverhead she has been.

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WHEREAS, it is fitting and proper for the residents of the town of Riverhead to honor those within the town who celebrate milestone birthdays; and

WHEREAS, Alice Honey Bruno celebrates her 90th birthday today, January 17, 2006; and

WHEREAS, Miss Bruno began teaching in the Riverhead School in 1936 and continued to educate and inspire her students until her retirement in 1978— 42 years thereafter; and

WHEREAS, Miss Bruno has been a member of the Central Suffolk Hospital Auxiliary group, the pink ladies, since 1961 and currently serves as an honorary member of the group; and

WHEREAS, Miss Bruno has been actively involved in many community organizations including the Riverhead Garden Club, the Riverhead Women's Club, and is a devoted parishoner of St. John the Baptist Roman Catholic Church; and

WHEREAS, because of Miss Bruno's dedication to our community, the town of Riverhead is a better place for all of us.

NOW, THEREFORE, BE IT RESOLVED that today, I Supervisor, together with all the members of the board, on behalf of all the residents of the town hereby honor and congratulate Alice Honey Bruno and proclaim today, January 17th, your birthday, as Honey Bruno Day in the town of Riverhead. Congratulations.

I know that the town board beginning with John wants to congratulate you. And you can say anything you ever wanted to say to the town of Riverhead at this moment."

(Some inaudible conversation)

Supervisor Cardinale: "If you would like to say anything, you're welcome to do so."

Alice Honey Bruno: "I'm overwhelmed friends and I'm really happy to be here, it's an honor (inaudible)."

Supervisor Cardinale: "Thank you for coming."

(Some inaudible conversation)

Supervisor Cardinale: "Okay. And thank you for all your service to the town, Miss Bruno.

Yes, Vince, you're not that far away. A couple more years, we'll be honoring you. At least I hope so. We can have you here on the

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90th. Let us hope that we'll both be in other places by then. Warmer, perhaps, and I want to leave it there. Okay.

The— having completed that, we should approve the minutes of the Town Board meeting of January 3rd, the first of the year. Could you call— could someone offer them for approval and someone second?"

Councilman Bartunek: "I'll move the adoption of the minutes."

Councilman Dunleavy: "Second."

Supervisor Cardinale: "Moved and seconded to approve the minutes of January 3rd. Vote please."

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

Barbara Grattan: "The minutes are approved."

Supervisor Cardinale: "And could you tell us about the Reports received since the last meeting, please."

REPORTS:

Animal Control
Yearly statistics report
from
January 1, 2005 to December 31

Police Department
Monthly report for
November,
2005

Sewer District
Discharge monitoring
report
for November, 2005

Tax Receiver
Utility collections
report for
December, 2005, total
collected \$382,926.64

Total collections to date:
\$34,948,275.22

RFP's
3 RFP's for Downtown
Riverfront redevelopment
project which was opened Jan.
10th at 4:00 p.m.
1. Spector Group
2. The Parr Organization
3. Riverhead Revitalization
LLC

Barbara Grattan; "That concludes Reports."

Supervisor Cardinale: "Okay. There were no Applications
received in that two week period. How about correspondence?"

CORRESPONDENCE:

Matthew Thorenz
Regarding comments to the
Public hearing held on Dec.
28th regarding the Historic
District downtown

Greg Fischer
Regarding the immediate
change
of zone for the Manors in
Calverton

Barbara Grattan: "That concludes Correspondence."

Supervisor Cardinale: "Thank you. We have six public hearings
beginning at 7:05 scheduled. It being 7:11, I'd like to call the
first scheduled for 7:05."

Public Hearing opened: 7:11 p.m.

Supervisor Cardinale: "Regarding the proposed lateral sewer
main of Best Western Hotel complex. We have Michael Reichel from the—
the superintendent of the Sewer District and a representative of our
engineering firm and we even have a picture. So if you will fire
away."

Frank Russo: "Good evening. My name is Frank Russo. I'm with
H2M. I'm an engineer for the sewer district. On March 24th, Best
Western made an application to the sewer district for sewer service.
This is a 10 acre site that's located at the Middle Country Road exit
of the LIE. It's an existing 100 room hotel with a 135 seat
restaurant."

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The applicant cited the addition of 66 suites to the existing hotel, a 66 seat addition to the existing restaurant, a 60 seat cocktail lounge and a 200 seat catering facility and a three story office building.

The average flow calculates using Suffolk County standards as 40,900 gallons per day.

The— although the property is located inside the boundaries of the sewer district, it is not currently service by sewers. Sewers don't exist in front of their property. So the plan is to extend the sewers on Route 58 by constructing five sanitary manholes connected to the existing pump station and about a thousand feet of pipe.

We did the analysis on the existing pump station and every facility downstream of that pump station all the way down to the treatment plant and there is no impact. The existing facilities can handle this additional flow. It's relatively minor.

The cost for the extension of the district facilities, those being the manholes and the sewer pipe, the on site collection system and the transmission system and payment of sewer district key money are the sole responsibilities of the property owner, that being Best Western.

All the approvals and permits required to install the force main from their property to this new terminus manhole that we'll be installing on Route 58 is to be borne by the applicant.

In addition, as I said the key money charge would be paid.

The total estimated project cost including all soft costs, all construction costs, are roughly \$363,000. In addition to that, the key money charge is approximately \$265,000, making the total project expense \$628,850."

Supervisor Cardinale: "Thank you. Once you get the main to where you're getting it, doesn't he have to meet you there?"

Frank Russo: "Absolutely."

Supervisor Cardinale: "How many feet is that?"

Frank Russo: "I don't know the routing that he'll be taking."

Supervisor Cardinale: "But he's got to get there and that's a substantial distance."

Frank Russo: "That's his responsibility. Correct."

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Supervisor Cardinale: "Okay. And could you repeat for us what is the proposed improvement at the site?"

Frank Russo: "Sure. This is the existing pump station right here, that's the one by the gas station by Tanger I and there's five manholes- I don't know if you can see it. There's- "

Supervisor Cardinale: "Right."

Frank Russo: "We're extending the sewers connecting to that pump station about a thousand feet west on Route 58. Their property would have the force main pump station. As I said, I don't know the routing and it would route to that manhole."

Supervisor Cardinale: "In order to service what improvements? You had read them. What- yeah, what are the improvements within their acreage?"

Frank Russo: "Sure. The additions of 66 suites they call them to the existing hotel."

Supervisor Cardinale: "Right."

Frank Russo: "A 66 seat addition to the existing restaurant; 60 seat cocktail lounge, 210 seat catering facility, and a proposed three story office building. And that's in a letter provided to Superintendent Reichel by the applicant's engineer."

Supervisor Cardinale: "And a three story office building. And the flow from that you don't- "

Frank Russo: "It's roughly 41,000 gallons, approximately."

Supervisor Cardinale: "And you did- you characterize that as no significant impact?"

Frank Russo: "That's correct. To the existing system and everything downstream of the existing system, including the treatment plant."

Supervisor Cardinale: "I have two questions. How much impact do you have to have to be significant and the second- how do you measure it? And the second question is we haven't seen any of these improvements from the standpoint of site plan or any other process."

If we approve the sewer lateral extension and don't for any reason approve all of what you just listed, it seems that we'll be going backwards here, wouldn't we? Aren't they doing the sewer extension in order to accommodate the project and how do we know that

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the project is actually going to be built? Has anyone looked at this to determine its compliance with our other zoning laws?"

Frank Russo: "I don't know the answer to that but this would- "

Supervisor Cardinale: "Michael maybe would, behind you. Mike. Superintendent of the district, Michael Reichel. Go ahead."

Michael Reichel: "Their new connection is also going to service their existing buildings as well and their current discharge system is in poor shape. They've been cited a couple times by the health department and they're going to hook up the new-- the additions as well as their current-- "

Supervisor Cardinale: "So they do it-- so the point is they do it anyway presumably."

Michael Reichel: "They probably would do it anyway but they're not required to because they have an existing system. So they're not required to. So if they get approval to go ahead and do this and they don't get the site plan approval, they can still say to the town, never mind, we don't want to make the connection."

Supervisor Cardinale: "Okay. Fine. Thank you."

Frank Russo: "To answer your question about the significant- "

Supervisor Cardinale: "Right."

Frank Russo: "Anything that impacts the existing facilities in any way, shape or form I consider significant. In other words, a pump has to be increased in size or a sewer line may have to be increased in size, none of that has to occur here."

Supervisor Cardinale: "Okay. You won't have to put any additional equipment in, in other words."

Frank Russo: "Nothing at all."

Supervisor Cardinale: "Okay. Thank you. Any other questions from the board members for either the Superintendent of the district or the engineer?"

Councilwoman Blass: "Actually I have a question for Rick Hanley but I don't see him."

Supervisor Cardinale: "I'm going to need him later anyway. So would somebody find out-- Peggy, could you make sure Hanley is available? So you have a question for Rick, right?"

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Councilwoman Blass: "Yes."

Supervisor Cardinale: "Okay. In the interval as he comes in, does any board member have any question for the first two witnesses? Otherwise let's have public comment. John you have a question?"

Councilman Dunleavy: "We're paying for the five manholes and the pipe going up to there?"

Frank Russo: "You're not paying for anything."

Councilman Dunleavy: "We're not paying for anything."

Frank Russo: "He's paying for everything."

Councilman Dunleavy: "Okay."

Frank Russo: "He's responsible for it. He's the applicant."

Councilman Dunleavy: "Okay."

Supervisor Cardinale: "I think he's coming. I think Peggy is coming in. Okay. Rick, we have a question in regard to this matter for you. This is the sewer extension."

Rick Hanley: "Yes."

Councilwoman Blass: "Rick, the question I was going to ask is that I know in this district you can increase your coverage upon connection to the sewer district."

Rick Hanley: "Correct."

Councilwoman Blass: "I'm not sure if you've seen the proposed expansion for the-- not the sewer facility but the hotel itself."

Rick Hanley: "No, I don't think (inaudible)."

Councilwoman Blass: "My question was going to be with the proposal and it's really not something you can answer right now but maybe you could look into it when you see it."

Rick Hanley: "Right."

Councilwoman Blass: "With the proposed addition to the hotel facility, would it-- the connection to the sewer district be sufficient to accommodate that coverage or would they still need development right transfer?"

Rick Hanley: "I can check that for you."

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Councilwoman Blass: "Okay."

Rick Hanley: "My recollection in the district is that the maximum coverage outside the district or a parcel not served by the district, is 10%."

Councilwoman Blass: "Right."

Rick Hanley: "Coverage within the district, served by the district, is 15."

Councilwoman Blass: "Right."

Rick Hanley: "And then coverage beyond that is up to 30 for transfer of rights."

Councilwoman Blass: "Right."

Rick Hanley: "I believe every parcel in the DRC is within the Riverhead Sewer District. Is this an expansion of the district or is this just a connection."

Councilwoman Blass: "It's actually a connection."

Rick Hanley: "It's a lateral extension. Okay. But, I'll look into that other."

Councilwoman Blass: "Thank you."

Supervisor Cardinale: "Thank you. Okay. Any public comment in regard to this first hearing? If not, I will at 7:21 declare this public hearing closed and move onto the second hearing."

Public hearing closed: 7:21 p.m.

Public hearing opened: 7:21 p.m.

Supervisor Cardinale: "Which is scheduled for 7:10. And open up the second hearing which is for the declaring- I think (inaudible) property of a portion of the water district premises located on the northwest corner of Midland Street where it intersects with Park Road in Reeves Park. Is that correct?"

Dawn Thomas: "That's correct."

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Supervisor Cardinale: "We're declaring that's available for sale and we need to take public comment before we make that decision or considering declaring it.

The property is located on Midland Street where it intersects with Park Road. How large is it?"

Dawn Thomas: "157 feet by 100 feet."

Supervisor Cardinale: "And the water district advises us that they do not have any current or foreseeable future need for it.

It's 7:22, the hearing is open. Is there any member of the public that would like to comment on this issue?"

Dawn Thomas: "Actually I want to correct that. It's 200 by 157."

Supervisor Cardinale: "Property size is 200 by 157. The location is as stated.

If there's no enormous public interest in whether we cash it in or not, we will declare this closed at 7:22."

Public hearing closed: 7:22 p.m.

Pubic hearing opened: 7:22 p.m.

Supervisor Cardinale: "And move to the hearing scheduled for 7:15 p.m. which is consideration of a local law to amend Chapter 47 entitled Bays and Creeks. The resident expert is George Bartunek here on the board who was on the CAC for many years.

George, you want to introduce what this is about, this hearing?"

Councilman Bartunek: "Phil, this is a revision to Chapter 47 that I've been working with the Conservation Advisory Council for some time. We have revised some of the definitions. We have added to the limits of the size and number of fish and shellfish that can be taken in the waters of Riverhead, and there are also some provisions about enforcing the code that's on the book for the placing of moorings.

And I think with that, Phil, what I'm going to do is ask anybody who wants to comment on this and I'll try to answer the questions as best I can if we have any questions."

Supervisor Cardinale: "I would add- Ed, the letter that you received from Lighthouse Marine- "

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Councilman Densieski: "Yes."

Supervisor Cardinale: "We probably should enter that, don't you think, into the record?"

Councilman Densieski: "Sure."

Supervisor Cardinale: "Okay."

Councilman Densieski: "He also sent another e-mail with an amendment which I don't have printed out- "

Supervisor Cardinale: "Okay. I have both letters to you dated January 14th which I'm giving to you, Barbara, to be part of the consideration of any amendments to the proposed law. And if there's an e-mail, Ed will get that to you with a clarification."

Councilwoman Blass: "Could I just state for the record that- "

Supervisor Cardinale: "Yes."

Councilwoman Blass: "-- the concerns that were raised by Mr. Galasso are in reference to what's already been adopted and that's not what's being proposed. So that's what's already on the books."

Supervisor Cardinale: "So apparently these are related in general but not specifically to this proposed law."

Councilman Bartunek: "I could add to that."

Supervisor Cardinale: "Yeah, go ahead."

Councilman Bartunek: "The comments that Mr. Galasso has made is that we shouldn't eliminate CCA treated wood for the pilings and the way that- there is a change in the proposed change to Chapter 47 where we can be a little bit more flexible about the types of materials that could be used for pilings and we added just a sentence, the provisions of the section are subject to modifications as determined by the New York State Department of Environmental Conservation.

In other words, if the DEC comes along at some date and states that CCA treated wood is no longer environmentally acceptable, then the town could revise its standards also for the type of materials that are used for construction of walks and piers."

Supervisor Cardinale: "Okay, good. Any other comment from an introduction. If not- you have a comment- "

Barbara Grattan: "I have a- someone e-mailed me, Jeffrey Stewart who wants this to be read into the record."

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Dear Barbara: I am unable to attend tonight's meeting that will address the subject of mooring fees. I wanted to let you know that as a nonresident owner whose property tax continues to increase annually, that I disagree with the fees being introduced.

I'm not sure what is trying to be accomplished, but this is not a nominal fee as it was introduced originally last year. The \$100 mentioned for nonresidents seems more like a new tax that will eventually spiral out of control. Don't we already have a Peconic Bay Transfer tax?

Thank you for conveying my opinion at tonight's meeting. Regards
Jeff Stewart and Mary Stewart."

Supervisor Cardinale: "Thank you. Is there a mooring fee indicated in the current statute?"

Councilman Bartunek: "No, there isn't."

Supervisor Cardinale: "Okay. There was a mooring- there were requirements to file but not indication of fee."

Councilman Bartunek: "That's correct."

Supervisor Cardinale: "Okay. We'd like to then take comment from the public on this."

Councilman Bartunek: "Phil, I guess that would have been a standard application fee to the CAC- I'll correct that."

Supervisor Cardinale: "Which would have been how much?"

Councilman Bartunek: "I think that's \$50.00."

Supervisor Cardinale: "Okay."

Councilman Bartunek: "I think the (inaudible)."

Supervisor Cardinale: "Okay. So currently if anyone ever did make application pursuant to a long existing statute, they would pay fifty."

Councilman Bartunek: "Yes."

Supervisor Cardinale: "Yes, please indicate who you are and fire away."

Gary Moore: "Yes, Gary Moore representing my own cottages (inaudible) Cottages, Smith Lane in Jamesport. Just to get back to

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this one little point, the fee for moorings is \$100 for individual and for business it's \$300. It's right here in the paper. I'm continuing on right now.

Now the Riverhead town is doing its best to put my small cottages out of business. My Dad started the business in 19-- mid '50's. I've already mentioned once to the town board about code enforcement trying to prevent me from using my own property for my tenants' parking. The town attorney is dealing with that right now.

The garbage fee. The garbage fee in the town of Riverhead increased by 40 to 50%. I would recommend the next time there's an increase for the garbage fee, we get some public input on it.

And now the fees for this mooring for Section 47-21 Docks, Basin and Ramps. The individual fee is \$100. A business like myself with cottages would be \$300 for a mooring. I mean, here you try to put me out of business and I read in the paper Route 58 needs a rezoning for the big business so they can make money. There's something wrong here.

During the election, we talked about-- Mr. Densieski kept mentioning the rental problem in the town of Riverhead. It's a major problem. I didn't hear one thing about moorings or docks or anything. Now I put out moorings, other people put out moorings. How is this going to affect the vegetation, plants and wildlife?

(Inaudible) with a marina in Jamesport, we have the (inaudible) Boat Company come down test their big cigarette boats, rev their engines and take off out into the water. High speed. It sounds like a 130 taking off.

And marinas, how many marinas do we have in the town of Riverhead? You've got two in Jamesport, a monster in Aquebogue and up the river, four, five or six. A whole bunch of them. And you're affecting a few moorings? All right.

Let's go from Jamesport to Riverhead. I own a house at 533 East Main Street, right next to Treasure Cove. Talk about wildlife, my house is surrounded by Canada geese every day this fall. You know what kind of a mess that makes? I can walk out to the end of my property and I see (inaudible) all over the area. There's high ones, there's short ones and medium ones. I have a permit to cut them. How about checking into this? There's short ones and mediums all around the area. The DEC takes care of that.

Now my son has an aluminum boat, 18 footer and we have a permit from the CAC. We put it on a 50 pound anchor out in the mud just east of the marina. I'm right next to Treasure Cove. Now that would be \$100 for this mooring, this anchor. Now just to the east of me, you

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have Rich Gazinski (phonetic) and a lot of other floating docks on piers out into the river. He puts his boat there, other boats there, there's one right there now. Is there going to be a fee for all the floating docks in the creeks and Waterview Terrace? That's a good point. I should have a fee for my little anchor and all these floating docks where people are tied up to, will they have a fee?

Now on the other side where we have the marina. A few years back, he stuck in three poles, Mr. Bissett, for his additional big boats. You've got three poles sticking out there. Are they going to be hit with a \$300 fee? I'll be watching this also.

And how about the houseboats? There's a houseboat across from me and across (inaudible). A nice big houseboat.

Now you've got Peconic Paddler using the river. It's a business, up and down. What will his fee be?

Now the bay constable, the paperwork to do this. I fill out forms, it goes to the Planning Board, it goes to the CAC, it goes to the town board and I've got to wait, I mean to fill this out for five moorings. I mean the bay constable is going to be swamped. I mean Allen Smith is calling for help. I mean let's not give it to the bay constable.

Now the fee, back in August, and I'm glad Barbara Blass is here because she missed the last meeting when we were talking about boats, was \$25.00. Now it's \$100.00 for an individual and \$300.00 for a business. How many businesses will be putting out moorings in the bay besides myself, possibly John Reeve (phonetic) and his cottages. I've used five moorings.

My Dad started my business in the mid '50's. We've been putting moorings out ever since. I use mushrooms. I leave them out year round. They just sit there and don't bother a thing. I take the float off, in the spring I go out and hook up again. You can't take them out. I have a 50 pound in the mud behind the river. It was all I could do for my son and I to pull that thing out of the mud and talk about disturbing the eco-culture or whatever.

Well, I really feel this whole fee business, really, is it necessary? So I'm against it and I recommend it goes back into more study."

Councilman Bartunek: "Would you like some responses to some of the questions that you raised, Mr. Moore?"

Gary Moore: "Yeah, sure."

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Councilman Bartunek: "Now I worked on this for six months and quite frankly over the weekend when I was doing a little review of this, getting ready for tonight's hearing, I looked at this and sometimes— I thought to myself that sometimes when you are working in the forest you see the trees around you but you don't see the whole picture. And it may surprise you but I agree with everything that you just said.

I have a lot of reservations about the way this has been prepared and I'm the person that did most of the preparations. So I do agree with you. And I had a conversation with the person, the bay constable today about this, the practical application of this, and we together raised a lot of concerns that you have also. So this is not a done deal— "

Gary Moore: "Well (inaudible)."

Councilman Bartunek: "I agree with you— "

Gary Moore: "-- if you were going to vote tonight, it would be a done deal and I'd like to either get with you or make recommendations that this is— I mean I have a small business and it's to the bottom of the ninth inning with it. I just can't, you know, the garbage fee and everything and \$1500 for a temporary use of my moorings is— I just can't deal with it."

Councilman Bartunek: "The bay constable just for your information, I did ask him some of the questions that you've raised here and quite frankly for the number of complaints that he gets for boat moorings where one person is kind of trespassing on the boat area of another person are so minimal, that we really have to go back and take a look at this, if it's actually impacting the environment at all. So I agree."

Gary Moore: "Well, okay, thank you very much. I read this, it was going to be voted on tonight— "

Councilman Bartunek: "No, no. It's not— "

Gary Moore: "I wanted to speak my— because here it is January. This is something that goes on in the summer time."

Councilman Bartunek: "This is only a public hearing."

Gary Moore: "Okay."

Councilman Bartunek: "We're not going to vote on this today."

Gary Moore: "Okay, thank you for your time."

Councilman Bartunek: "Yes."

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Supervisor Cardinale: "Thank you. Any other comment from the public? Yes, sir- "

Councilman Bartunek: "There's a line up."

Supervisor Cardinale: "Oh, we have a line up. Then come forward in sequence, please. Yes."

Kenneth W. Pierce: "How do you do? My name is Kenneth W. Pierce, 1800 Osborne Avenue, Riverhead, New York. The other day I think last week I cornered George in the hallway here talking about this subject that I'm bringing up here tonight."

The last time I appeared before this board, it was on weight measurements that you imposed on Middle Road and I see you increased them 60% which opens it to more traffic. I'm going to talk more about traffic on the bay tonight. You know I've been in the bay for- this marks my 21st year as a boater. I've been at the town marina 19 years. I was there when Galasso had it and I was there all the term of Smith. And you know I was there in '86 when the brown tide came in and devastated the fishing and the shell fishing. You know, and I've seen it come back, the bay has come back to life.

Last year I caught a nine and a quarter pound fluke right off of Bush's Creek (phonetic) in Laurel. To me that's a record. It made the Long Island Fisherman. I have seven copies at home. So, no, I'm not an egotist but I do like to keep the record straight.

But I also had my granddaughter out last year fishing with me and she caught a double header of legitimate (inaudible) fish. And that to me is a blessing on the bay. I caught a striped bass off of Hubbard's Park and that's on the south fork. In 21 years, I never knew a striped bass was in Peconic Bay. But that's how it's come back.

You know, years- and I go out on the other side of Robin's Island, go out to Nassau Point sometime over to Jessup's Neck and I come back home, I go around the southern tip of Robin's Island and there's a buoy there and I set my compass at 270 degrees. Two hundred and seventy degrees brings me to the bridge on 105. Right. So then on my way to the bridge, I come across buoy 2 which is the one I need to get back into East Creek. So I hit East Creek and I look at my compass and I change it around to 320 and 320 brings me to the buoy marker in the entrance to East Creek.

Now what happens now is something that has been happening slowly over the years and there's an encroachment of these pots whether they're conch or I don't know, I'm not a fisherman, I don't fish by

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traps. But they are creating a navigational hazard in the bay. You cannot keep your eyes off the water. These things are everywhere.

What I'm saying here in this ordinance, you have the authority to set where they're going to be. And I think that's been let go and it's out of control now. And if you ever ran across a buoy, a trap, you know what happens on your prop. And I had my son out there one time and I had him get underneath the water and cut the rope off. That's what happened, it binds your prop.

But there's no control at all on these things in the bay. Anywhere you go. It has to— and it's right in this ordinance that's your responsibility to make these waters safe and navigable.

And as I said to you, George, it's a situation that's gotten out of hand, that needs to be addressed, and these things can't be put on ship shod all over the bay. There has to be some sort— you know, our road signs in the bay are called buoys, you know, and what's happening— when I say that I set that compass at 320 to come into East Creek, on the rules of the road, a channel is designated as 40 feet on each side of enter. So in other words, that gives you an 80 foot channel of clear water that you can go through.

It has never been enforced and you can look it up in Chaptain's Book on Seamanship (phonetic) but the point of it is that the condition has gotten way out of hand, you know, and that's all I really have to say. It's something really that can be corrected by you, you know. You have the authority. The bay constable can do the designating and I'm looking forward to a year when I don't have to really worry about these things being in our channels. And it's up to you to designate that properly. Okay, thank you."

Supervisor Cardinale: "Thank you."

Glen Spencer: "My name is Glen Spencer. I'm an employee of Larry's Lighthouse Marina. I'm here on behalf of Alice Galasso (Phonetic) who is unable to attend tonight and Clete Galasso also. I was going to rehash a couple of the letters that you guys already have. I'll skip that.

There were a couple of other things, I guess some clarifications that I wanted to get so I could report back. One of them is concerning CCA (phonetic) wood I guess. George had said that there is going to be wording in this proposed law that CCA is going to be a useable product for the foreseeable future unless the DEC decides against that. Is that correct?"

Councilman Bartunek: "That's correct."

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Glen Spencer: "Okay. Another thing that we had on our list here was, and I don't know if this is a change or if this is already on the books, but that the pump out facilities are going to be required at all commercial facilities supplying fuel."

Councilman Bartunek: "That's already adopted."

Glen Spencer: "That is already adopted?"

Councilman Bartunek: "Yes."

Glen Spencer: "Okay."

Councilman Bartunek: "It's a matter of enforcing it now."

Glen Spencer: "Right. It's our opinion that it might not be a bad idea if there are many other large marinas that don't supply fuel, that they should also be required to have pump out facilities and the burden shouldn't be on just those of us that supply fuel."

And also on behalf of Alice and Clete Galasso, they request a work session with the board to discuss these matters further so that, you know, Larry's Lighthouse Marina, Sean from Great Peconic Bay Marina, Lorna at Treasure Cove Marina, in a joint effort to rectify and make this a workable solution for everybody."

Supervisor Cardinale: "Thank you."

Glen Spencer: "Thank you. Yes."

Sean Williams: "Good evening. My name is Sean Williams. I'm from Great Peconic Bay Marina, general manager and part owner. And some of the questions are already answered but one of the major concerns was the use of CCA material for bulkheading and dock building and I'm just not sure because what I had read in the article that it was going to be a non-permitted use for floating docks and it was only permitted for (inaudible)? Is that correct or- "

Councilman Bartunek: "That's correct."

Sean Williams: "So what about for framing for bulkheading and for the framing for floating docks?"

Councilman Bartunek: "The way this is written as I recall the planking was going to be non-CCA wood. I guess some of the hard woods that are available like from Central America and South America and the idea behind that when that was originally adopted was the cutting, the idea was the sawing of the wood would create sawdust, it would get into the water. You have a greater surface area of the planking where you could have leaching into the water and there was a feeling that

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the pilings were— there would be a lot of leaching initially maybe during the first six months that they're in place, but according to the scientific reports that we have, after that the environmental impact is not that significant. That was a reason why it was written that way."

Sean Williams: "So as of presently, the use of CCA for the construction of floating docks is a non-permitted use?"

Councilman Bartunek: "That— it is not permitted. Just for the pilings."

Sean Williams: "Because I don't see an alternative or a cost effective alternative for the construction of floating docks and for the framing of bulkhead. And I've had some discussions with people from the DEC and I've had some reports from them and I talked to Jake (inaudible) at Sea Grant (phonetic) and some other people and from all the studies that New York State has done and the DEC, they have found no harmful effects to aquatic life from the use of CCA material in the saltwater environment."

Councilman Bartunek: "I honestly don't have the scientific information in front of me right now to support that one way or the other honestly."

Sean Williams: "Okay."

Councilman Bartunek: "The feeling— the attitude was now just for the record, this has been in— as part of Chapter 47 for at least probably four years and the idea, again, was that there are alternatives. You have synthetic materials, you have plastics, you have the hardwoods— I don't remember exactly what the hardwoods are called, it's very expensive but they are, you know, they are similar to mahogany."

Sean Williams: "Right. They're very heavy. They're very expensive, they're very dense. They don't float number one so to build a floating dock out of something that doesn't float is hard to do."

Councilman Bartunek: "Well, you would have other floatation devices."

Sean Williams: "True."

Councilman Bartunek: "You don't depend on the wood for floating."

Sean Williams: "Right. You know, it's kind of difficult when you're starting out with something— "

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Councilman Bartunek: "As dense as that."

Sean Williams: "Correct. And as hard as that."

Councilman Bartunek: "And what about the synthetic materials? Again, they don't float."

Sean Williams: "The synthetic materials, they don't work out for the framing of the floating docks. It has a sheathing for bulkheading, it's an excellent alternative and I've been using that over the last couple of years and it worked out well. It's more expensive but it's better, it lasts longer, you know- "

Councilman Bartunek: "This is CCA treated wood that is- has a sheathing around it, like- "

Sean Williams: "It's made out of vinyl."

Councilman Bartunek: "Okay."

Sean Williams: "It's a vinyl sheath which works well for you know the sheathing but as far as the framing, the (inaudible), the pilings which are a permitted use, you know, and most importantly the floating docks, the framing for the floating docks. And the decking. I mean, there's really- I mean you can't use ACQ, it doesn't work in saltwater environment."

Councilman Bartunek: "It doesn't."

Sean Williams: "It's worse than CCA and in all the studies that I've seen from New York State DEC and from other agencies, there has been no harmful effects from using CCA lumber in saltwater environment."

Glen Spencer: "If I can interject real quick. Also a lot of (inaudible) and originally in hardwoods that you're referring to, there are no- they aren't available to the best of my knowledge in the sizes, you know, the whalers have to be six by eight inch or greater in size and the structural strength of those are not available in the sizes that you need in order to construct the bulkheading (inaudible)."

Sean Williams: "So basically in closing what I would like to say, I mean, I was under the understanding this was going to be under a vote tonight but apparently it's already been decided at one time or another. I don't know if there would be some kind of consideration where it could be changed or further reviewed and as Clint had mentioned if we could have a work session and sit down and see what we can figure out to come to some type of conclusion on this that would work out for all of us."

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Supervisor Cardinale: "I think that's a good idea and it's— since the people most affected, you know, should have a part in determining the ordinances that affect them. I think George meeting with the marina owners is a good idea. And I think George and I discussed yesterday that if there— not only anything we pass tonight, but the likelihood is as we take notes and amendments are added to this, that the final, the moor final statute ordinance will have a second hearing.

Because any change— I think you were mentioning a change in regard to the approval, we talked about this yesterday, in regard to the approval of these— I think this (inaudible) with the bay constable and CAC, and the thought is that this should be an administrative approval for the moorings for example, and Mr. Moore's point is a good one that this should be easy. Go in, pay the whatever the number is, they put it on their computer, now they know the mooring is in this spot.

So we're probably going to have another hearing is my point. So between that second hearing for the final and this, why don't you just arrange to sit down with George— "

Sean Williams: "If we can get together and have a discussion."

Supervisor Cardinale: "George and Barbara. I think Barbara is on that committee."

Councilman Bartunek: "I wonder if there is some way to get the names of all the people— Barbara, are you going to be able to get maybe some telephone numbers of the people who are— "

Sean Williams: "I can give you a call and I can make phone calls and arrange to have a time— "

Barbara Grattan: "If you can call me tomorrow."

Councilman Bartunek: "If you could leave your name and telephone number with Barbara. I would contact everybody and we would sit down and try and resolve some of the concerns that— "

Supervisor Cardinale: "There's only a couple marinas. There's what, three, four?"

Sean Williams: "Well, three large marinas."

Supervisor Cardinale: "Yeah, there's only three, really."

Councilwoman Blass: "May I suggest, George, also that as you know we've been sitting for over two years on the shoreline hardening committee with a group of representatives from all of the east end

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towns orchestrated by the Nature Conservancy and they were the ones that came up with the scientific basis for some of the original amendments we made to this chapter. So I'm suggesting that perhaps a representative from the Nature Conservancy join this discussion as well."

Supervisor Cardinale: "Thank you."

Councilwoman Blass: "Thank you."

Supervisor Cardinale: "Next comment, please."

Gary DeMar: "Good evening. My name is Gary DeMar (phonetic). I'm a resident of Riverhead and an educator in your district."

I have a couple points I'd like to make on moorings tonight. As I understand it, two of the main issues are erosion and dealing with the ecosystem. These are both important points. I did a little research on the internet and at the library. What I found out, that boats on moorings actually help to break the wash and the wakes from passing boats. This is more aesthetically pleasing than jetties or pilings in the water. This actually helps protect our shorelines.

I also found out that many towns across the country up and down the east coast are actually installing permanent moorings, permanent mushroom anchors where certain types of screws, they screw down into the ground so that day trippers are not throwing their anchors out and destroying sensitive ecosystems. They're placing permanent areas which are in certain places that are safe for anchors encouraging boaters to anchor in safe ecosystems. Maybe we should look into that in certain areas where we get high boater traffic, such as Simmons Point off Indian Island where boaters (inaudible), or also over in Flanders Bay. I think the Moose Lodge has a permanent mooring over there that's sensible. It's not getting pulled up every day.

Also with the erosion, as we're going to look into this, it is an important fact, we should look into banning the power loading of boats at East Creek Marina, pulling out there. The trailers come with winches. We should use them instead of having Grady White with two twin- two 50s off the back of it instead of giving it the gas. This undermines the soil at the end of the ramp needing- causing repairs to be made more frequently than there would have to be.

Also in turn stirs up the soil and the sediments, the pollutants that are on the bottom of marinas from overflowing gas tanks, whatever it may be. Stirs up the pollutants. A lot of marinas across the nation have banned this. I read some articles about that in Trailer Boating magazine.

I think we should also look into possibly looking at the boats that beach at the entrance to the Peconic Bay Marina, the East Creek

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docking facility. I see boats there every summer not in the water nearly every day. They pull up there, gun their engine, beach their boat and picnic. We should look into that. The bay constable is out there. Maybe we could make that for him to look into erosion.

Also about the ecosystems. If we're going to enforce this maybe we should look into other things. I noticed- I actually applied for the pump out position over the summer, the program. I didn't take the job with Riverhead because you wouldn't offer me 40 hours a week. I ended going across river working for Southampton town because they'll give me 40 hours a week. I would hear on the radio people calling for pump outs in the town of Riverhead Tuesday and Wednesday. If I couldn't make it, what are they going to do with their sewage? Dump it in the river? Dump it in the marina? If they can only get off Tuesday and Wednesday, where is it going to go? Maybe we should look into paying somebody to work seven days a week in the summer. Heck, teachers get the summer off. Maybe they're out on their boat. Maybe you should look into that.

I actually took a call, I was working in North Sea, came out to Flanders to pump out Mr. Densieski's boat. I was lucky I was on, it was a slow day, I was able to do that. Also we need to get the pump out station at Indian River back operational. I'm not sure when it went down- half the summer, it wasn't working. I saw the big sign, it was fastened to 105 bridge, pump out station was down. We need to get that going.

Also key word, in the moorings according to the paper, they would have to be removed each season. If they weren't, somebody was going to haul them out and impound them and there would be an additional fee. I believe it was \$150.00 for this. Everything that I read, moorings should be permanent. When they are permanent, there is very little damage that occurs to the environment.

The mushroom anchors are designed to sink down from under sand. This prevents them from dragging and also prevents what they call mushroom anchor spin out. This is when the wind changes direction and causes the boat to change direction, catches the chain, rope, whatever it may be, will catch the mushroom anchor, spin it around, maybe (inaudible) it, and that's when boats will come into problems and drag themselves, causing a chain reaction, or hits another boat during a nor'easter and you have a pile up on the beach.

Now the proper way to sink an anchor is either to leave it there for a long amount of time and wiggle it in and it will settle there, but that won't happen if you do it each and every year. If you have to put it in each and every year, you have to use a system where they jet water down into the ground, causing the ground to loosen up and will sink in. I think that will be causing 10 times the amount of

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damage to the ecosystem than leaving the anchor in and letting it set natural.

The anchors that are already in the ground, I think we should consider to be grandfathered in. They've been there for 10 years, they haven't caused any problems. If anything, pulling them out is going to cause more problems because they're not going to sink in, you're going to have the kids walking around the beach, clamming, whatever it may be. They're going to be tripping over them, skinning their knees or ending up in the hospital.

The lines of moorings that you see up and down our north shore beaches also provide an impartial no wake zone. Boats don't cross that. People are safe to swim on the inside of this. Boats know they're not supposed to be waterskiing within 100 feet of this but they do not do this if there are boats there in their way.

Back one quick second to the ecosystems. With the erosion, we would have to hire additional manpower (inaudible). We discussed a little bit one quick point on that. Instead of hiring somebody to police the moorings, we should continue to police the Sound. I believe there was discussion about hiring additionally the bay constables or assistants to police the Sound to make sure the day trippers, fisherman, are not leaving litter behind.

I did a clean up with a local club last April. I filled up one 40 yard dumpster completely and there was two others down there. I had my beach driver's permit like many people do, I had it probably five years, I paid my fee. I have only seen the bay constable down there once in five years. That's something that needs to be looked into if we're going to do that.

I think this does need to be researched a little further. I checked out (inaudible) Guide. I went to the library and read it. This is what you specified in the newspaper and they make a point that moorings should be permanent.

Thank you for your time."

Supervisor Cardinale: "Thank you."

Councilman Densieski: "Gary, I hope I gave you a tip that day."

Gary DeMer: "You gave me a tip."

Councilman Densieski: "All right."

Supervisor Cardinale: "Thank you for your thoughtful comment.
Yes, please come up."

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Nancy Hale: "I'm Nancy Hale and I'm here with my daughter, Katherine Hale, and we live in Jamesport. And we do have permanent moorings out in front of our house there and Kate has worked very hard, she's taken the boater's course so she can have her own little— it's an orange raft that's moored out in front of our house during the summer, as has our other children. It's almost like a rite of passage. And to levy a \$100.00 fee, she would have to pay for it herself, I mean, because this is hers. It seems unreasonable. It almost seems like taxation without representation. And we do not want tyranny.

So I am very grateful that you are considering before you do take any further action, but I think there are a lot of children who really learn how to really become, you know, thoughtful participatory members of our society by navigating on the seas. We ensure that they take all the boater's courses and it's really a rite of passage and to add some kind of an extra fee to that, I really do object to that. And I appreciate your listening to my objection."

Supervisor Cardinale: "Thank you."

William Hale: "Good evening. My name is William Hale and I'm the father of Kate and I'm the one that puts out her moorings and they are out there and they have been out there and they were out there for her older brothers who are now in their 20's.

And my question is if we— if you're going to tax us with this mooring fee for our house which happens to be on the water, when will we be taxed to park our car in the driveway? What's the difference? I mean it just keeps on going up and up and up. We already pay an extra tax because we are on the water and, you know, our tax base is higher than anybody else's and it just gets a little frustrating when every time we see it going up and then another plan for it to go up.

So I'd really appreciate— and all the things that young Garret Moore said as far as keeping moorings in is definitely true to that because down the Caribbean, the British Virgin Islands in particular, they've put in all permanent moorings and also at St. John's at the national park, they put in all permanent moorings that are left in the ground so as not to disturb the sea bottom for people coming in and tying up their boats for the day. You have to use the permanent moorings, otherwise you just have to keep going down the bay until you find one.

And that's why we leave ours in, too, not just because they're heavy but they stay in a lot better than if you are pulling them in and out every year."

Councilman Bartunek: "Can I just ask a question— do you have a question? I was just kind of curious if anybody has ever had any

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problems with permanent moorings being left in or any kind of a navigation problem or a hazard to swimmers and how does it work? You just— have an anchor or something on the bottom that just stays there?"

William Hale: "We have— "

Councilman Bartunek: "And then you have a chain that somehow releases from the float?"

William Hale: "Yeah, we have a— I have one 250 pound mushroom and then I have two small 100 pound mushroom anchors in and I leave them in, I leave a chain on them. During the winter, the ones that are in closer, we just take the float off the end. I don't use those big floats because they bang into the sides of the boats. Basically I just use a— looks like a regular lobster pot float, just enough to catch the end of the rope. And the deeper one, I leave a little bit more chain and I have it paced off so that I can find it every spring, you know.

It's a challenge sometimes to find it but we generally wait for a calm morning and you go out, you find it, and pick it back up. Because if you do leave a float on them in the winter, the ice will pick them and they'll be gone, they'll be out in the middle of the bay and over to the other side somewhere."

Councilman Bartunek: "Maybe I could ask the people who are interested in moorings one other question before we go onto the next hearing. One concern that was raised by someone was the location of the moorings near the shoreline and the request was to place these moorings at least 50 feet away from the low tide line out in the water."

William Hale: "All of ours are out at least 50 feet because— "

Councilman Bartunek: "The depth of the water would require that."

William Hale: "Right. You know. And then you get those real low tides in the late fall and you can walk out 200 yards so, you know, where would you consider that to be, almost the middle of the bay some days. You know. No, there's none of them that I know of that are closer than 50 feet because your mooring line is about 20 feet at a minimum— "

Councilman Bartunek: "You want to have at least 50 feet out in the water."

William Hale: "Yeah, so— and swimming, it actually makes it safer, like I say it keeps the jet skis especially away. I mean we

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get hundreds of jet skis come in and without the moorings out there, these guys would be running as close to the beach as they could. And the people at Fairhaven put out that swimming net every year to try and keep the boats away from where people want to swim. So the moorings act the same way and keep the beach much friendlier for people to wade out into it and young kids to swim and paddle around and stuff. So, please, no more fees."

Supervisor Cardinale: "Thank you."

William Hale: "Thank you."

Supervisor Cardinale: "Any other comment? Yes, come up."

Sal Mastropolo: "Sal Mastropolo, Calverton. Just a comment about the CCA. If you build a deck around the house, you're not allowed to have CCA for the decking but you can use it for the framing. I think the same should hold true for the water. Okay. You don't want it on the decking because people walk barefooted, okay, it's more of a hazard to them than it is to the water. I don't see any reason why you wouldn't use CCA for the framing if you're using it for the pilings. The pilings are going in the water, most of the framing is not. It sits on top of the styrofoam floats."

Councilman Bartunek: "No, actually I was doing a little construction and I was looking for some kind of wood that was treated and I'm not even sure the lumberyards will sell you CCA anymore. Do you know?"

Councilman Densieski: "The boating supplies like- "

Councilman Bartunek: "They will?"

Sal Mastropolo: "I know when we were building the- "

Councilman Bartunek: "I know the local lumber- I don't want to plug anybody here, business, but I know the business I went to, they don't even sell CCA treated wood anymore."

Sal Mastropolo: "When we built floating docks for the Moose Lodge, we used CCA for the framing on top of the thick styrofoam sheets and you used cedar for the decking because you couldn't use CCA for the decking because people walked barefooted."

Councilman Bartunek: "Yeah."

Supervisor Cardinale: "Thank you."

Sal Mastropolo: "You're welcome."

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Supervisor Cardinale: "Any further comment from the public? If not, one, I'd like to comment that the public hearing is exactly what public hearings are supposed to be about, people with good information sharing it with the board so we make better decisions and maybe a decision not to proceed in certain instances.

Secondly, since we have a lot of intelligent comment out there, I'd like to leave this open 'til Friday, the 27th for written comment, and close the verbal portion of the hearing now."

Public hearing closed 8:05 p.m.
Left open for written comment
to January 27, 2006

Supervisor Cardinale: "And move onto the next hearing which is scheduled for 7:25 and it being 8:05, we can begin it."

Public hearing opened: 8:05 p.m.

Supervisor Cardinale: "The consideration of a local law to amend Chapter 108, Section 108-298 DC-1 zoning use district. Could you tell us, Dawn, what that change is specifically in the DC-1 zoning use district, what the proposed change is?"

Dawn Thomas: "This change would allow for professional offices on both first and second floors of buildings within the district except for— oh, professional offices only on the ground floor except for veterinary offices. That's what the change is."

Supervisor Cardinale: "The DC-1 zoning use district is downtown, Main Street, right?"

Dawn Thomas: "Correct."

Supervisor Cardinale: "And it would allow for professional offices— "

Dawn Thomas: "Except for veterinary."

Supervisor Cardinale: "On the— "

Dawn Thomas: "Ground floor."

Councilman Densieski: "Yeah. Would that include agencies also?"

Dawn Thomas: "We had— agencies such— like insurance agencies?"

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Councilman Densieski: "No. Methadone clinics, Section 8 housing, things like that."

Dawn Thomas: "Professional offices- I don't think that would meet the definition of professional offices. We did- we have- I don't have that handy though- pull it out of the code. You have it?"

Councilman Densieski: "Okay."

Councilman Bartunek: "I thought it was in here, Dawn."

Dawn Thomas: "The last meeting we did it."

(Some inaudible discussion among the Board members)

Supervisor Cardinale: "In DC-1. Right, and this came out of code revision? Okay. I'd just like- I remember the discussion when we initially passed this and the code as initially passed said that on the permitted uses on the- were real estate offices on the ground floor and I understood that offices were permitted on the second floor but only real estate offices on the ground floor.

What is this doing? Allowing- expanding the use on the ground floor to professional offices other than veterinary?"

Dawn Thomas: "Yeah."

Supervisor Cardinale: "Okay. So this is expanding from real estate only on the ground floor to professional- to any professional offices- "

Dawn Thomas: "Correct."

Supervisor Cardinale: "Which include accountants, architects, artists, attorneys, bookkeepers, chiropractors, dentists, engineers, income tax preparers, insurance agents, interior designers, journalists, medical doctors, optometrists, osteopaths, podiatrists, physical therapists, real estate agents or brokers and any other professional office determined by the resolution of the town board to have similar impact to those listed above. So it's expanding the ground floor use, right, to include those.

Any person in the audience- and this is in the Main Street area, does any person have comment in regard to this proposed text amendment to DC-1? If not, it now being 8:08, I will declare the opened hearing closed. I'll give anyone who has a late inspiration to the 27th to put in written comment."

Public hearing closed: 8:08 p.m.
Left open to January 27, 2006 for

written comment

Public hearing opened: 8:09 p.m.

Supervisor Cardinale: "The next hearing is scheduled for 7:30 for consideration of a local law to amend Chapter 108 Section 108-290 the village center zoning use district. Could you characterize the change here?"

Dawn Thomas: "Sure. This is the identical text change proposed in the prior public hearing except for its proposed in the village center zoning use district rather than the downtown center."

Councilman Bartunek: "The wording is a little bit different. There is- if you look at the text, what this is going to allow is professional offices and the prior one, let's see- "

Supervisor Cardinale: "It looks like the same change. Is that- "

(Some inaudible discussion among the Board members)

Councilman Bartunek: "It's not very significant but there is-"

Councilwoman Blass: "It eliminates the number 9- "

Councilman Bartunek: "Right."

Councilwoman Blass: "It says offices on upper floors is crossed out."

Councilman Bartunek: "Right. Right."

Councilwoman Blass: "And this provides for professional offices excluding veterinary offices (inaudible)."

Dawn Thomas: "Right. In the village center, you could have a professional office on any floor. In the downtown center you can only have it on the ground floor. That's the difference. Okay."

Supervisor Cardinale: "Now in DC-1 you can have offices on the upper- on the second floor but not- none? You can have them on the upper floor?"

Dawn Thomas: "DC allows professional offices on the ground floor only."

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Supervisor Cardinale: "Okay. But what about #9 which says offices on upper stories?"

Dawn Thomas: "That's deleted."

Supervisor Cardinale: "That- well- "

Councilman Dunleavy: "You can't have any offices on the upper floors."

Councilman Bartunek: "No. It just says professional offices. It doesn't- "

Dawn Thomas: "In the village center."

Councilman Bartunek: "Yeah, it's not being specific whether office on ground floor or upper floor."

Dawn Thomas: "But I think Phil was asking about the DC."

Supervisor Cardinale: "Yeah. On the DC, I want to clarify this for my own thoughts. On the one that we just completed and left open for official written comment- if I'm looking at it right now, it- "

Councilwoman Blass: "It's supposed to provide for offices upstairs. It is supposed to."

Supervisor Cardinale: "It continues to provide for offices on upper floors but it expands the downstairs from real estate only to professional offices excluding veterinary as I defined them. Okay. So that's what DC-1 is. You can put office- professional office on the downstairs which expands what was previous, real estate, but you could also put offices on the upper floors."

Now on the next one we're now doing village code, we are saying, if I get this right, there are no offices on upper floors but there will be- there is a permission for professional offices on- excluding veterinary, on- well, actually, it's saying the same thing. Because if you are permitting professional offices depending upon what their floor area ratio is, they can put them on the first or the second floor."

Councilman Bartunek: "That's right."

Supervisor Cardinale: "There is a distinction in the language but it makes no difference."

Councilman Bartunek: "That's right."

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Supervisor Cardinale: "Okay. So we're both right, the language is different but the intent- the effect is the same. This and the VC district which were opened and we're discussing for public comment allows professional offices as defined excluding veterinary in the village center zone on any floor that you have a right to build pursuant to the floor area ratio in the district.

Does anybody think it's a bad idea or a good one and would like to comment? Larry."

Larry Oxman: "Larry Oxman with offices at 1 East Main Street. Can you just go back and clarify that so right now, because I'm dealing with investors- "

Supervisor Cardinale: "Okay. Remember because of your comment among others that we- and my discussion with you when we passed this zoning that Westhampton Beach and others had real estate offices on the ground floor of their Main Street and- "

Larry Oxman: "I'm more concerned about the second and third stories."

Supervisor Cardinale: "Right. The- what the one of Main Street, DC-1 does, is it says you can have more than real estate offices on the first floor. You can have- you can have professional offices as defined as I read through that list, excluding veterinary. Okay. You can also have offices on the upper floors."

Larry Oxman: "Okay."

Supervisor Cardinale: "Any offices on the upper floors. VC by a little different language does the same thing in the village centers."

Larry Oxman: "Okay, terrific. Thank you."

Supervisor Cardinale: "Thank you. Okay. If there's any further comment from the public we'll take it now, otherwise having clarified what we're setting out to do, I'll leave this open again to the 27th for written comment but close the verbal testimony now. Okay, thanks."

Public hearing closed: 8:14 p.m.
Left open for written comment until
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Public hearing opened: 8:14 p.m.

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Supervisor Cardinale: "The consideration- the next and final hearing is for- scheduled for 7:35, it being 8:14, we can begin it, the consideration of a local law to amend Chapter 48 entitled Beaches and Recreation Centers. Could you tell us what this proposed law is suggesting be done?"

Dawn Thomas: "Yes. This proposal adds an "s" to the subsection 4 of the 48-13A so that the both parking areas located at the Wading River beach are parking by permit only rather than just- "

Supervisor Cardinale: "We have two parking lots owned by the town at the Wading River beach. One is on beach side, one is on the other side down a little ways, not much, and our statute has consistently said that a sticker lot singular is at that location. Well, we're making clear that we mean both to be sticker lots, is that correct, Dawn?"

Dawn Thomas: "That's correct."

Supervisor Cardinale: "Okay. Anybody have any comment on that proposal or clarification of the existing law? If not, this hearing having opened at 8:14, I will declare it closed at 8:15 and leave the matter open to the 27th for written comment?"

Public hearing closed: 8:15 p.m.
Left open for written comment until
January 27, 2006

Supervisor Cardinale: "That completes our hearings. We have resolutions, I guess from about 40, exactly 40 of them. We'd like to take comment on any of them that anyone wants to comment on, then we'd like to consider them, then we'd like to take public comment. So is there any comment on resolutions proposed which are singularly uninspiring from what I can tell, from 38 to 77? Yes, please come up, Sal."

Sal Mastropolo: "Sal Mastropolo, Calverton."

Supervisor Cardinale: "Yes. I should also mention that we're going to consider two tabled resolutions, Resolution 23 from last session which appoints bond counsel, and Resolution left over from last year, 1144, to hire a help wanted ad for part time people to help us with snow removal.

Yes, go ahead."

Sal Mastropolo: "Resolution #50."

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Supervisor Cardinale: "Yes."

Sal Mastropolo: "It's setting terms and conditions for employment for deputy town attorney."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Is there a schedule for vacation earned within the town? You know, like in the first year you earn one week and the second through fifth year, you earn two. From the fifth through the 10th, you earn three? Because it doesn't appear that we have one."

Supervisor Cardinale: "Yeah, well, we have one on the CSEA contract. These are— are they exempt employees? But if you look at the vacation, all we're telling this new employee who is actually quite extraordinary, she was five years with the Queens District Attorney's office and is a Calverton resident, we're telling her that she's starting with 15 vacation days a year."

Sal Mastropolo: "That's why I'm asking the question."

Supervisor Cardinale: "She won't— she doesn't go up unless there's a separate resolution approving it."

Sal Mastropolo: "I look at this and I look at private industry, okay, and private industry, you won't find any private industry that gives three weeks vacation the first year you're there, or six weeks, okay, after a certain period of time or four weeks to an attorney, the deputy town attorney, or the deputy supervisor who's only on board, what, a year and a half. I mean, it doesn't seem like we're running the town like we should be running a business."

Supervisor Cardinale: "So your point is actually that you think the vacation is too liberal generally in the town?"

Sal Mastropolo: "Yes. Particularly when I look at this and I look at sick time that's accumulated and paid for at the time you leave. No private industry does that, okay."

Supervisor Cardinale: "Reader's Digest had an article on it last week in fact saying that it's prevalent in government and is a disgrace. They thought so, too."

Sal Mastropolo: "Well, that's why I'm saying— "

Supervisor Cardinale: "But it is prevalent in government. You want to know if I agree with you? Yeah, I tend to agree with you but if you look at the salary that we're paying this town attorney who has five years of experience with the Queens District Attorney's office which incidentally is \$55,000, I think we're getting a pretty good deal even with three weeks vacation."

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But I do agree with you on the vacation point and I particularly agree with the sick leave and- I don't know what- it's going to be difficult to amend the wayward ways."

Sal Mastropolo: "Let's go to 51."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Dawn, I apologize, don't take this personally, okay."

Dawn Thomas: "Oh, okay, Sal."

Sal Mastropolo: "Now I look at this, okay, and we have six weeks vacation, at least two weeks of holidays, one week of personal business, four days for a funeral God forbid something should happen, and we have personal business which is like five weeks."

Supervisor Cardinale: "You're going to get me in trouble because when I came into this job before I became nice and user friendly for my employees to try to get them something, I was known for some sarcasm and I told all of my department heads who have contracts not just Dawn that why don't they just tell me when they're going to be in rather than tell me when they're going to be out because they're out more than they're in."

But the point is that it's consistent this stuff with history which is not any justification at all, but it is also consistent with what other towns are doing in order to attract people. But that's a nice package, yes."

Sal Mastropolo: "And it doesn't even take into consideration it's only a 35 hour week. Most businesses- "

Dawn Thomas: "Minimum."

Sal Mastropolo: "Minimum is 40 hours."

Supervisor Cardinale: "Yes, well, I don't know. Yeah, they don't pay you for lunch."

Sal Mastropolo: "No, no, no. I worked for IBM, one of the biggest corporations. We worked 40 hours besides the lunch hour."

Supervisor Cardinale: "Really?"

Sal Mastropolo: "Yes."

Supervisor Cardinale: "That's good."

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Sal Mastropolo: "Yes. Forty hours."

Supervisor Cardinale: "But that was so long ago that they've changed the rules since- "

Sal Mastropolo: "Yeah, they've gotten worse. Okay. If anything, they've taken it away, not given you more. Okay?"

Dawn Thomas: "Can I just comment on that?"

Supervisor Cardinale: "Yes. She wants to comment."

Dawn Thomas: "We have a minimum work week of 35 hours a week."

Sal Mastropolo: "Right."

Dawn Thomas: "All of our department are professional department heads. We do whatever it takes to get the job done and many times I've been here 60 hours per week, none of those hours are compensated."

Sal Mastropolo: "I agree. I'm glad you said the word professional because that's how I look at it, as professional. Okay. And I look at sick time, okay, if you're sick, you get paid for it. Okay. If you're not sick, you don't get paid for it and you don't walk away with a check when you leave. Okay? Professional, okay. I look at this stuff and I say to myself, it looks like you're trying to write attorney's contracts, T's and C's, wrapped around a union contract, okay, with some minor exceptions."

All right, we can go on. I made this comment last year and I'll probably make it next year again.

52."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "The Now, Therefore, Be It Resolved, it says \$7500 annually but it doesn't say if that's each or for the two combined and it's very vague and I think that you should state it. Okay. Is it \$7500 for special counsel for the ZBA as well as \$7500 for special counsel to the Board of Assessment Review, i.e., a total of \$15,000 or is it \$7500 for both of them combined?"

Supervisor Cardinale: "It should be for both of them combined."

Sal Mastropolo: "Okay. Well, then you should say that."

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Supervisor Cardinale: "For annual- rate of \$7500 annually- I hope it is for both. Right?"

Dawn Thomas: "Yes."

Supervisor Cardinale: "Okay, for both. After the word annually, we'll put both. I also have a reservation about this I'll mention now. The small claims which is- I wanted to speak with Scott about readdressing- addressing the way we're charged on small claim matters which would alter this. This repeats what is currently in effect. So move about that when we get it, when we get to it."

Incidentally, that 250 per case is \$125 it is, the appraisal. So it's really 125- "

Dawn Thomas: "Right. That's correct."

Supervisor Cardinale: "Go ahead."

Sal Mastropolo: "56. I just have a question. Is (inaudible) Tire and Auto Center a separate business from Riverhead Ford?"

Supervisor Cardinale: "Is it a separate business? We really- were you at the meeting?"

Sal Mastropolo: "No."

Supervisor Cardinale: "You are prescient because we had a lengthy discussion about that because if it is it may pose some zoning issues. They were there to get approval of the sign but the good news was that we approved the sign. The bad news was the business may not be approved but we left it at that."

Sal Mastropolo: "Well what drew my attention was that you approved it after the Architectural Review Board said no."

Supervisor Cardinale: "Yeah."

Sal Mastropolo: "So that made me look at it again and then I'm saying, wait a minute. Riverhead Ford is Riverhead Ford."

Supervisor Cardinale: "Right."

Sal Mastropolo: "This seems like it's a sign for Quick Lane Tire and Auto Center (phonetic)."

Supervisor Cardinale: "Yeah, we have- that may well be- that particular one you're commenting on may be tabled because the only thing the Architectural Review Board said to us was we, the sign is unnecessary but they didn't give us any reasoning and no one has been

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able to speak to them so I think maybe we should talk to the Architectural Review Board before we make a final decision."

Sal Mastropolo: "Okay."

Supervisor Cardinale: "They had a conclusory comment but no reasoning."

Sal Mastropolo: "57."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "My first question is, is there an income limit like in the enhanced Star for this to take effect or is it just- "

Supervisor Cardinale: "Yeah, what this is doing and Laverne why don't you explain what it's doing because I had a question on that and John was asking one earlier. Laverne will explain what this- why this is necessary and what we're trying to do."

Laverne Tennenberg: "Right. The veteran exemption is not an income based exemption. It's based on your service to your country during a war period and the state has increased the caps that have been in place for the last seven or eight years because the equalization rate has been dropping and the veteran's savings has been dropping as well. So the state has implemented new caps in the chart that's been provided in the public notice."

Supervisor Cardinale: "The assessed- the- let me see if I can get this straight for the public because- the equalization rate has dropped dramatically over the last several years. Give us an example. It'd down to 11, I think now."

Laverne Tennenberg: "It's at 13.05 and back in '97 it was 31.67% something like that."

Supervisor Cardinale: "We got a new notice that the RAR is 11."

Laverne Tennenberg: "Well, that's the tentative RAR. We intend to challenge- "

Supervisor Cardinale: "Okay, I'm glad to hear that."

Laverne Tennenberg: "And (inaudible)."

Supervisor Cardinale: "Okay. So now it's 13 and change and what was it five years ago?"

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Laverne Tennenberg: "Well, let's see. In 1997 it was 31.67, then it went up to 32.44, went down to 30.87, then 30.81, then 29.41, then 26.65, 21.12, 18.92, 16.61, and now 13.05%."

Supervisor Cardinale: "So about five or six years ago, it was near 30, now it's 13."

Laverne Tennenberg: "Correct."

Supervisor Cardinale: "Their benefit has dropped precipitously in that same portion- "

Laverne Tennenberg: "Correct."

Supervisor Cardinale: "-- to no- through no fault of their own."

Laverne Tennenberg: "Correct."

Supervisor Cardinale: "So this is really kind of an inflation."

Laverne Tennenberg: "Correct."

Supervisor Cardinale: "We're trying to adjust to inflation. John had a question. We had asked that the various alternatives of how we change the capping be at the public hearing, considered at the public hearing and then we would select the one most appropriate. Is that what you've got on your notice?"

Laverne Tennenberg: "The tax savings is not on there- "

Supervisor Cardinale: "No the tax savings- "

Councilman Dunleavy: "No, no."

Supervisor Cardinale: "You could go to different levels."

Laverne Tennenberg: "Correct."

Supervisor Cardinale: "Are they all going to be in the public notice, that we're going to consider all of them?"

Laverne Tennenberg: "Yes. Yes. You need to consider all of them."

Supervisor Cardinale: "And then select one."

Laverne Tennenberg: "Correct."

Supervisor Cardinale: "Okay."

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Laverne Tennenberg: "I gave you a memo about the tax savings on Wednesday night and hopefully you got it."

Supervisor Cardinale: "I did."

Laverne Tennenberg: "So you can see what an individual veteran, the maximum he or she has been saving and what the potential would be individually for any one of those choices."

Supervisor Cardinale: "Is it a fair statement so everybody understands it, it is a fair statement, myself (inaudible), is it a fair statement to say that the most you can do is double it under the proposed legislation?"

Laverne Tennenberg: "That would be correct."

Supervisor Cardinale: "So that would mean, Sal, that what was 30 now is 13. The most we could do is bring it up to 26. So even if we did the maximum, they'd actually still be behind the eight ball, the veterans, but that's the extent of our authority under the statute."

Laverne Tennenberg: "Basically, right, basically, you're getting back to like 1997 or 1998 tax savings (inaudible)."

Supervisor Cardinale: "Yeah, it's (inaudible) inflation adjust (inaudible)."

Laverne Tennenberg: "Right."

Supervisor Cardinale: "And we're not even going to get there."

Councilman Dunleavy: "Laverne, can I just ask you one question? You have on here to extend the 50% of the assessed value shall be increased from 18 to 27.2 and see chart below for possible wartime exemption amounts. So you're referring to the chart below for all these amounts."

Laverne Tennenberg: "Right. 18 to 27 was old legislation which is what was in the code book, so now we're going from 27 to some other new number and the first number would be 30."

Councilman Dunleavy: "Thank you."

Laverne Tennenberg: "Okay. You're welcome."

Supervisor Cardinale: "Okay. I hope that helps. Go ahead."

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Sal Mastropolo: "I also had one other question. I looked at the chart below but I couldn't figure out and maybe you're missing some column headings, I couldn't figure out why you would, you know, when you would address the first column versus the second versus the third versus the fourth. Okay? In other words, in said, you know they went from let's say 18,000 to 27,000. See chart below for possible wartime exemption amounts. But then you go down on the bottom and what would direct your attention to the first chart to the first column which is wartime, 27,000 versus the second which is 30 versus the third which is 33 versus the fourth which is 36. What do the columns mean?"

Councilman Dunleavy: "It all depends how much exemption you want to give them. You can give them 30- I guess you add this up, right, Laverne? If you're in wartime, you get 30 or in combat you add 20,000, so you get 50."

Laverne Tennenberg: "Actually wartime would be 30 and a combat vet would get an additional 20."

Councilman Dunleavy: "Twenty, right?"

Laverne Tennenberg: "So it would be 50,000 of full value and since we're not assessing at full value, we're assessing at 13% of full value, you would have to equalize that value down."

Councilman Dunleavy: "And then if you were at a disability, you add another 100,000 onto that."

Laverne Tennenberg: "And then you equalize that figure."

Councilman Dunleavy: "Right. You're only getting 13% of that equalization rate so you're actually not getting 150,000, you're only going to get about 13% of that."

Laverne Tennenberg: "Correct."

Councilman Dunleavy: "Can I ask you, Laverne, one more question while she's up there? What is the high- "

(Some inaudible conversation)

Supervisor Cardinale: "And this will all be subject to a public hearing where we will go through this again."

(Some inaudible discussion)

Sal Mastropolo: "I didn't understand how you would pick which column you were looking at."

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Councilman Dunleavy: "It's up to what we think we should pick the column."

Supervisor Cardinale: "We're hearing them all and we'll consider (inaudible)."

Councilman Dunleavy: "Laverne, can I ask you a question? What is high appreciation municipalities?"

Laverne Tennenberg: "Okay. A high appreciation municipality is that municipality that has been given a what you call a- it's related to the Star program. The Star program is based on a certain dollar amount that is based on let's say an upstate value and in the areas that have high appreciation, the market value as determined by the Star calculation, you have to- you get a regional multiplier basically and Suffolk County, Nassau County, New York City, Westchester, all the lower tier areas of New York have been determined to be a high appreciation area because we've been getting this adjustment in the Star program and that's what they consider to be a high appreciation area. We qualify so that's why we are allowed to go to the additional maximum. Somebody upstate who is not in a high appreciation area cannot adopt the second page of the chart."

Councilman Dunleavy: "Okay. So we can adopt the second page also then."

Laverne Tennenberg: "Correct."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Okay. Next one."

Sal Mastropolo: "59."

Supervisor Cardinale: "59?"

Sal Mastropolo: "Yeah."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Can you define unremarried? I mean this is coming up- "

Supervisor Cardinale: "Yeah, it's a widow who didn't remarry. It's a firefighter's widow but she can't get it if she remarries this proposed exemption."

Sal Mastropolo: "So it's unmarried- "

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Supervisor Cardinale: "She had to be married to become a widow but she can't remarry. If she remarries she loses the benefit."

Sal Mastropolo: "It was very confusing and I can just imagine people trying to interpret what that means."

Supervisor Cardinale: "Yes, thank you for clarifying. I happen to know that because she explained it to me not because I understood it from reading."

Sal Mastropolo: "Resolution 68. Town buildings, fees for after hours and weekend use, \$20.00 per hour."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "I assume that the \$20.00 per hour is because we're paying a town employee to work."

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

Sal Mastropolo: "Okay. But has anybody taken into consideration electric, air conditioning, water, bathroom usage, etc.? I think that fee is much too low."

Supervisor Cardinale: "So did I as a matter of fact."

Sal Mastropolo: "If you stop to consider what you're going to pay in overtime, okay, you have even considered the air, the electric, etc. for that building's use."

Supervisor Cardinale: "Yes. I think you're right. I made the same point and got the same reaction from the rest of the board."

Sal Mastropolo: "What, they don't agree?"

Supervisor Cardinale: "They weren't too crazy about raising it but I don't think \$20.00- "

Sal Mastropolo: "Yeah, but you've got to get the reality, okay."

Supervisor Cardinale: "I don't think 20 an hour covers it."

Sal Mastropolo: "Of course not."

Supervisor Cardinale: "Yeah."

Councilman Bartunek: "Twenty dollars an hour is not the fee for the individual- he gets paid \$10 or \$12."

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Supervisor Cardinale: "Yeah, but if the guy gets \$10.00 an hour, on regular time he gets 10, but nobody I know gets 10 around here, hardly anybody. But, let's say- "

Sal Mastropolo: "Only the board members and they don't work- "

Supervisor Cardinale: "Except for the Board members work 60 hours a week."

Sal Mastropolo: "Right."

Supervisor Cardinale: "But if you are making \$12.00 an hour let's say and you're doing overtime it's 18 already, plus benefits, it's 23."

Sal Mastropolo: "Right. So you are losing money already and you haven't even addressed the use of electricity, the water, the bathrooms, you know, supplies, etc. Okay?"

Supervisor Cardinale: "Okay, you're right. Except on the other hand we are a public entity and we want to provide- "

Sal Mastropolo: "But you've got to cover costs. Don't make profit, but you've got to cover costs."

Supervisor Cardinale: "You're talking about the after- "

Sal Mastropolo: "Yeah. After hours and weekend."

Supervisor Cardinale: "Under that theory, we shouldn't open the doors on the weekdays because we don't make much then either but I get your point and I would certainly consider an increase."

Sal Mastropolo: "Resolution 69. I don't understand the large discrepancy when you have one umpire for a baseball game or a softball game and he's getting \$105 and he's not running around all that much and then you have an umpire to town soccer referee, he's only getting \$30 per game. There's something wrong with that, okay. I don't know if the softball guy is getting too much or the soccer guy is getting too little, but one guy is getting screwed. Okay. In plain English, right. Particularly in a soccer game that guy's running around like crazy. I mean a football referee gets \$95. You need to look at those numbers. Okay?"

And I have no vested interest. I'm not a referee or an umpire."

Supervisor Cardinale: "Is Ray here? Okay. If you have any reservations about these numbers, chime in any time. We did look at the numbers, we told him to look at the numbers. He's the guy with the Master's in recreation and business so if you have any problems

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with these numbers, we need to know before we certify them. Maybe he's going to tell you soccer games are quicker.

Why are they only getting— I don't know why. He really worries about these things but he wants to know why one referee gets \$30 for a soccer game and you pay \$105 to an umpire for a softball game."

Ray Coyne: "That's PAL. But I can tell you from experience that it's supply and demand and you cannot get umpires for baseball games and softball games. Since the supply is low, the demand's up. They get more money. That's just how we set it or the PAL does."

Supervisor Cardinale: "So for people who like to run around in a soccer games but they don't— "

Ray Coyne: "The supply is there."

Supervisor Cardinale: "Supply and demand, it's a weird thing. Thanks, Sal, that was— "

Sal Mastropolo: "One last comment."

Supervisor Cardinale: "Yes?"

Sal Mastropolo: "73."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Are we building any new soccer fields as a result of the park at EPCAL?"

Supervisor Cardinale: "Yes. Yes, we're building four multi purpose fields and four baseball fields."

Sal Mastropolo: "So aren't we going to need that set of soccer goals that we're going to sell?"

Supervisor Cardinale: "Yeah, but I asked that question. The guy— we paid this for these soccer— it's really weird. We paid this for these soccer goals last year and used them for a year. The guy who I guess ran the program loves them so much, they much have emotional value to him, wants to pay us the same amount and take them with him. So all I said was make sure we can get new ones for the same price."

Sal Mastropolo: "Well you probably can't. That's why he wants them for this price."

Supervisor Cardinale: "Well, did you check that, Ray? Can we get new soccer goals for \$1,176 because you may be right, the guy may

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be smarter than we are, which isn't (inaudible) in many instances. Would you please make sure— remember we talked about that one, Ray? The guy wants to take the soccer goals with him for the same price we paid. I'm happy to have him do it if I can get new ones for the same \$1,176. Well, that means we're going to have to pass on that one tonight. Okay, thank you."

Sal Mastropolo: "Last comment."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "I must congratulate you. There were no editorial things that I picked up."

Supervisor Cardinale: "Oh, good, good. See."

Sal Mastropolo: "All my comments were technical comments, not editorial."

Supervisor Cardinale: "Well, that's great. Thank you. That's the first time that's ever happened in two and a half years."

Barbara Grattan: "And, Sal, I have no resolutions to correct tomorrow. I am so excited and delighted."

Supervisor Cardinale: "Okay, we're— any other comment from the public in regard to the 38 to 77? If not, we will get on with it and consider it. You have one on one of the resolutions? Please come up. John Griffin."

John Griffin: "John Griffin, Calverton. I just got a question I wanted to follow up on what Sal was talking about, item #50."

Supervisor Cardinale: "Yes."

John Griffin: "Item #50 is setting the term of 35 hours, 3 weeks vacation, \$55,000 for the year. I seem to remember sitting here back about five years ago when we hired another town attorney at \$55,000, two weeks vacation— "

Supervisor Cardinale: "Yeah, because that was part time."

John Griffin: "-- and that is now going up on item #51. So that person went from \$55,000 to \$91,000. From two weeks vacation to six weeks vacation in only five years. Can I get a job?"

Supervisor Cardinale: "Well, yeah, I remember— "

John Griffin: "I just hope it doesn't continue that way because that's our taxes."

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Supervisor Cardinale: "Right, I understand. And that— and you probably remember my comment at that time, too, John. Something about Volkswagens. But on the other hand, she's got six years experience and she's making a lot less— 16 of experience, six here, and she's I guess making a lot less than Bob Quinlan who is coming in to the town attorney's office in Brookhaven. And I haven't compared salaries to Southold. More than Southold, less than Southampton is that salary.

Okay, in any event, what a good point. Let's consider 38 through 77 before general comment. I know John has general comment or two. I know you have comments, right, about 94 Southfield— yeah, I know. I've been hearing about that all week. She's the resident expert. May we consider please, Barbara, 38?"

Resolution #38

Councilman Densieski: "Resolution and consent approving the dedication of highways known as Bluffs Drive, Landing Lane and recharge basin (Baiting Hollow Estates, Section One at Baiting Hollow). So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded. This property— does anybody know precisely where it is? Is this the— this isn't up at Fox Hollow, is it? This is like a subdivision? Yeah, that's what I thought. But there is a Bluff— there's probably several Bluff Drives but there's one up there and I thought that— I just wanted to make sure it wasn't that because there are certain pending difficulties, the condominium. So it's not the condo. I presume it to be a subdivision that we're talking about. It's an old one though. That would have been a condominium map, the one I'm thinking of.

Is the highway— anybody— of course not. Anybody from the highway department here? How about Rick Hanley? Would— Tom, could you see or Jack would you see if Rick is hiding someplace?

Rick, I should have asked at the work session. The Bluff's Drive, Landing Lane, recharge basin and you know clearance, that's a 1987 map. Can you tell me where that property is? The #38, resolution and consent approving the dedication of highways known as Bluff's Drive, Landing Lane and recharge basin (Baiting Hollow Estates Section One at Baiting Hollow.

I want to make sure it is not the condo. Because they're having difficulties up there and I'm not sure we want to release this.

Can we set this aside and come back to it?"

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Resolution #39

Councilman Dunleavy: "Harvard Nichols water extension #79 budget adjustment. So moved."

Supervisor Cardinale: "Second please."

Councilman Bartunek: "And seconded."

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

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

Resolution #40

Councilman Bartunek: "Adopts a local law to amend Chapter 108 entitled Zoning of the Riverhead town code. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #41

Councilwoman Blass: "Adopts a local law amending Chapter 108 entitled Zoning of the Riverhead town code. This is for the destination retail zoning use district adding accessory uses. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #42

Councilman Densieski: "Adopts a local law amending Chapter 108 entitled Zoning of the Riverhead town code for business center zoning use district for accessory uses. So moved."

Councilman Dunleavy: "Seconded."

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

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

Resolution #43

Councilman Dunleavy: "Adopts a local law amending Chapter 108 entitled Zoning of te Riverhead town code, commercial/residential campus zoning use district accessory uses. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #44

Councilman Bartunek: "Adopts a local law amending Chapter 108 entitled Zoning of the Riverhead town code shopping center zoning use district accessory uses. So moved."

Councilman Dunleavy: "Second."

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

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

Resolution #45

Councilman Dunlevy: "Ratifies appointment of a part time recreation aide teen center Level II to the Riverhead Recreation Department. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #46

Councilman Bartunek: "Appoints a volleyball leader to the Riverhead Recreation Department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #47

Councilwoman Blass: "Appoints an engineering consultant. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #48

Councilman Densieski: "Approves transfer of police officer. So moved."

Councilman Dunleavy: "And second."

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

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

Councilman Densieski: "I'd like to thank Officer Mohl for his service. Yes."

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

Supervisor Cardinale: "And likewise yes. Vote yes and thank him for his service."

Barbara Grattan: "The resolution is adopted."

Resolution #49

Supervisor Cardinale: "Yeah. 50 becomes 49. Just reverse as indicated."

Resolution #49

Councilwoman Blass: "Setting the terms and conditions of employment for Tina LoSchiavo as a deputy town attorney. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #50

Councilman Dunleavy: "Abolishes part time position in the town attorney's office. So moved."

Councilwoman Blass: "And seconded."

Councilman Densieski: "Discussion."

Supervisor Cardinale: "Yes."

Councilman Densieski: "Where does this leave the current part time attorney, Sean Walter? Does this move him to full time or where is he left with this?"

Supervisor Cardinale: "This would leave him as- we won't have a part time position and since we are in the resolution saying Resolved that the town board hereby confirms the abolishing of the part time deputy town attorney position effective January 21, it would implement the budget that we passed in November without a part timer and it would mean that his employment would cease on January 21."

Councilman Densieski: "Okay."

Supervisor Cardinale: "Because there would be no part time position for him to fill as of that date."

The Vote: "Dunleavy."

Councilman Dunleavy: "No. And the reason I'm doing this is because we just hired a new deputy town attorney which doesn't have any municipal law background and I think it's going to take a while for her to be trained in municipal law and I think we should keep our part time attorney until she is trained in municipal law and it- so I'm voting no."

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

Councilman Densieski: "Yeah, the last time we got rid of a part time attorney was Scott DeSimone. We were paying him \$38 an hour and that was a bargain. Now we're probably paying him \$175 an hour. That and for other reasons, I'll vote no."

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

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Supervisor Cardinale: "The budget that was passed in November made the part time position inevitably non-existent. I think that what you both said makes sense and we yielded to that point made by you and others until we were able to hire a full time attorney. And once we have a full time attorney and we will soon have two full time attorneys, the part time position is no longer necessary and it's not budgeted and, therefore, for fiscal responsibility, I will vote yes to terminate it effective January 21 which is 21 days later than the budget would have terminated it.

And I would like to thank— I would like to thank Sean for his service to this town. It was five and a half years he served first as a full time, then as a part time town attorney. I appreciate his service. I've spoken to him personally, I'll speak to him before he leaves and thank him for his service personally.

He has served the town well and we considered him for the full time position but I think we're making the right choice here. So I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #51

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

Councilman Densieski: "Second the motion."

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

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

Supervisor Cardinale: "Yes. And just one further comment. The new town attorney is being brought in at 55,000 and Sean is an excellent attorney I believe but his salary demand was far higher than that and that's why I said what I said.

I voted I think, yes, right?"

Barbara Grattan: "The resolution is adopted."

Supervisor Cardinale: "On Dawn. This is on Dawn? I want to also comment that I hope that I will now be forgiven for my (inaudible) comments of 1999. When— you were here, John, when she came in right after Bob came in in 2000, I think it was January 1,

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2000, the 55,000 contract. You were— I said it was— she was a Volkswagen getting Cadillac rates. Well look at what we've got now."

(Inaudible comment)

Supervisor Cardinale: "You're right. You're right. But we'll try to avoid that. But welcome. She's got 16 years experience, six years with the town. She's invaluable as a repository of what do they call it— institutional wisdom and knowledge."

Councilman Bartunek: "She's a Rolls Royce."

Supervisor Cardinale: "So she's now— by hanging around long enough, you become a Rolls Royce. It's so true. So, yes, I vote yes for that."

Barbara Grattan: "That resolution is adopted."

Resolution #52

Councilman Densieski: "Reappoints legal representation for Zoning Board of Appeals. So moved."

Councilman Dunleavy: "And seconded as amended. The 7500 is for both boards."

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

Councilman Densieski: "Yeah, I just want to point out here that he bills at the rate of \$150 an hour. When he was our part time counsel we used to pay him \$38 an hour. But I will vote yes because he's a great attorney."

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

Supervisor Cardinale: "Yeah. I point out as I did earlier that I'm going to speak with Scott in regard to a manner in which the small claims are billed. I think we might do better on an hourly so I'll report back once I've spoken to him."

I vote yes to reaffirm what is the current conditions of employment."

Barbara Grattan: "The resolution is adopted."

Resolution #53

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Councilman Dunleavy: "Authorize Mary C. Hartill to act as special prosecutor for prosecution of violations for the town code of the town of Riverhead. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #54

Councilman Bartunek: "Setting terms and conditions of employment for Christopher Kent deputy town supervisor. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote- "

Councilman Densieski: "Discussion."

Supervisor Cardinale: "Yes."

Councilman Densieski: "Number one, where it says employee's minimum basic work week shall not exceed 35 hours. I think that should say shall not be less than 35 hours."

Supervisor Cardinale: "Yeah. It's a good point. That's fine. Let's make that amendment. I hope he's there 55 hours. Check him. I hope he's there now. So we'll make it not less than 35."

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

Councilman Densieski: "Yeah. As some people pointed out there are some generous contracts around. It's always been my policy to support the supervisor, this supervisor and the previous supervisor for the people that they choose to put in the front office regardless of my personal opinion.

So I'll vote yes."

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

Barbara Grattan: "The resolution is adopted."

Resolution #55

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Councilwoman Blass: "Approves the site plan of Splish Splash at Adventureland, Inc. for a restroom and plaza. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #56

Councilman Densieski: "Approves sign permit of Riverhead Ford. So moved."

Councilman Dunleavy: "Second."

Supervisor Cardinale: "Yeah. Discussion please. This is one like the one that Ray was supposed to check for us that we don't have the answer as to whether- the only thing we have from the Architectural Review Board on the appeal was the sign is unnecessary with no reasoning. I have- I'm unable to reach them. Does anyone know the reasoning that we're overturning because I don't and, therefore, I'm hesitant to overturn it although it certainly sounds like a reasonable thing to do judging from what I heard at work session from Ford.

So I'm suggesting that it might not be a bad idea to defer decision on this one until the Architectural Review Board illustrates its conclusion."

Councilwoman Blass: "Could I just ask- Leroy, does this use need a separate use permit which was the other outstanding issue that we never got clarity or answer to."

Supervisor Cardinale: "That's another issue that is still open."

Leroy Barnes: "I wasn't here on Thursday for the work session and I'm not sure if it is but I know we will not issue any sign permit that doesn't have a valid use permit. So if you adopt it and we check to see it's a valid use, then we'll issue it. If it doesn't have a valid use, we won't. I'm not sure what the use is, but- "

Supervisor Cardinale: "The issue- I'd like- I think it would be wise- "

Leroy Barnes: (Inaudible)

Supervisor Cardinale: "We know exactly- they said it was a Jiffy Lube operation but it was associated with Ford in that what they

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do although they carry it on a separate page in their financials, the people have to get in and out fast, they've got to flip them over there, you know, for that kind of work. But if it is- "

Leroy Barnes: "Oh, okay. So it's essentially like General Motors Goodwrench, Mr. Goodwrench- "

Councilman Dunleavy: "Yes. It's a quick tire and auto center."

Supervisor Cardinale: "It's affiliated with the Ford factory."

Councilman Dunleavy: "Yes it is."

Leroy Barnes: "Okay. I would say it's accessory myself. That would be my opinion."

Supervisor Cardinale: "Well that's why we wanted to make sure that you got all the facts that are relevant, discuss it with the town attorney and confirm that. That's one issue. But the other issue is we discussed this, the Architectural Review Board gave us no reasoning for their conclusion that they thought the sign was unnecessary. So I feel uncomfortable overturning their decision when I haven't given them an opportunity to indicate the reasoning."

Leroy Barnes: "I can understand that."

Supervisor Cardinale: "So I would suggest that we table it but this is not one of my stronger feelings but I think it's probably a better move."

Councilman Densieski: "I moved it as it is. I don't know if we want to second it or not."

Supervisor Cardinale: "Okay. So you move it to take a vote. Anybody want to second it to take a vote?"

Councilman Dunleavy: "Second."

Supervisor Cardinale: "Okay, then let's play it out. Let's vote."

The Vote: "Dunleavy, yes; Bartunek, yes; Blass, no; Densieski."

Councilman Densieski: "Yeah, they're a great business in town. They're the number one Ford dealer in the northeast. I'm glad to have them in town, I'm glad they're paying taxes, I'm glad they're hiring people to work there and it's a reasonable request and a relatively attractive sign. So I'm going to support it and vote yes."

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

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Supervisor Cardinale: "My arithmetic says we have three votes. I'm going to vote- I'm going to abstain. And the reason I'm abstaining is because out of respect for the Architectural Review Board, I do not have their reasoning and as an appellate judge here in effect I don't see how I can overrule something unless I have the reasoning from both sides.

But I want to also point out- are you still here, Leroy? This is- now the sign's approved. Okay? But that the use permit is in your (inaudible), you've got to talk to Dawn because the question is, is this a separate business? They said in explaining to us about the sign that this is a separate Jiffy Lube like business. Then when we questioned further is the use permit appropriate they kind of backed off. Just let's get it right. Okay? Thank you. Okay. Let's move on."

Barbara Grattan: "Resolution is adopted."

Resolution #57

Councilman Dunleavy: "Authorizes the town clerk to post and publish public notice of a public hearing to consider a proposed local law for an amendment to Chapter 95 entitled Taxation of the Riverhead town code Veterans' Exemptions. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #58

Councilman Bartunek: "Authorizes the town clerk to publish and post public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code Section 108-97, Major Subdivision. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #59

Councilwoman Blass: "Authorizes the town clerk to post public notice of public hearing to consider a proposed local law for an amendment to Chapter 95 entitled Taxation of the Riverhead town code,

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Unremarried spouses of members of volunteer fire companies or volunteer ambulance services killed in the line of duty. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #60

Councilman Densieski: "Authorizes the town clerk to publish and post a public notice to consider a local law to amend Chapter 14 entitled Community Preservation of the Riverhead town code. So moved."

Councilman Dunleavy: "Second."

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

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

Resolution #61

Councilman Dunleavy: "Authorizes the town clerk to publish and post public hearing notice draft environmental impact statement, Headriver, LLC WalMart Store. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #62

Councilman Bartunek: "Authorizes the town clerk to publish and post public notice of public hearing to consider a proposed local law to amend Chapter 52 entitled Building Construction of the Riverhead town code, Section 52-10. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #63

Councilwoman Blass: "Authorizes the town clerk to publish and post a public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code. It has to do with adding additional accessory uses in the Destination Retail (DRC) zoning use district. So moved."

Councilman Dunleavy: "Second."

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

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

Resolution #64

Councilman Dunleavy: "Authorizes attendance of individuals associated with drug court to attend 2 day conference under Justice Assistance Grant. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #65

Councilman Densieski: "Authorizes the attendance at the 2006 training school held by the Association of Towns. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #66

Councilman Bartunek: "Authorizes a sewer district employee to attend a course. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #67

Councilman Dunleavy: "Authorizes fire marshal to attend training seminar. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #68

(Inaudible comment)

Supervisor Cardinale: "Certainly- I don't think there's any urgency if you would like to take another look at this."

Councilwoman Blass: "I'd like to make a motion to table Resolution #68."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded for tabling of 68 for further consideration Thursday."

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

Resolution #69

Councilman Densieski: "Authorizes the umpire referee fee schedule for the Police Athletic League, PAL, programs for the year 2006. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #70

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Councilman Bartunek: "Authorizes registration fee schedule for Police Athletic League (PAL) programs for the year 2006. So moved."

Councilman Dunleavy: "Second."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "I'm going to vote yes on this. I just don't like— it's only \$10 more for non-residents. I want a little more but they said we'll look into it. It's too late this year, we'll look into it next year for non-residents participating in a PAL program run by the town of Riverhead. I vote yes."

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

Resolution #71

Councilman Dunleavy: "Authorizes the supervisor to execute a contract agreement between the town of Riverhead and Peggy Schiefer court reporter services. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #72

Councilwoman Blass: "This an authorization to junk fixed assets. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #73

Councilman Densieski: "Authorization to sell fixed assets. So moved."

Councilman Dunleavy: "I think this one is supposed to be tabled."

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Supervisor Cardinale: "Yes."

(Inaudible comment)

Councilman Dunleavy: "It's not a permanent one. It's (inaudible)."

(Inaudible comment)

Supervisor Cardinale: "What were we using it for last year? What are we using this year?"

(Inaudible comment)

Supervisor Cardinale: "How come he left?"

(Inaudible comment)

Supervisor Cardinale: "Okay."

Councilman Densieski: "So you're recommending that we (inaudible)."

(Inaudible comment)

Supervisor Cardinale: "Except the program itself is dying with this guy. How about getting another coach? Do we pay these coaches? Yeah, so, you know, we just heard that market demands, we pay what demands. So why don't we get a coach and have a program. Don't you think? Okay, if we do have a program, we're not going to have a goals now. This is PAL program, right? Okay. So I'd like to try and have this program continued and I'd like to know that these are not more than 1,176 or thereabouts. I can't imagine they went up enormously. So if you'd like to sell them because there's a possibility we won't have a program then we'll lose the opportunity. It seems to me we're risking more by not selling them now."

Councilman Dunleavy: "Chief, what happens next year if you have this program?"

Supervisor Cardinale: "You have to go out and buy one."

Councilman Dunleavy: "Then we have to buy new ones. There's no place we can store these?"

Supervisor Cardinale: "Well the point is that we're getting what we paid for them. So the real question is what's the current rate for these things. You don't know because you didn't find out yet. Well, this is a major decision."

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(Inaudible comment)

Supervisor Cardinale: "I would think not. That's what I commented at work session. Fine. So you want to just sell it to this guy, we'll buy another one for 1200 bucks. So and not lose the opportunity for some clown who really wants to buy it for full value. Okay. If we can get a coach, it would be nice to have a program. I'd even spring for the 1200. I have 1176 right here. Let's call this."

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

Supervisor Cardinale: "It's moved and seconded for 73. Vote please."

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

Resolution #74

Councilman Bartunek: "Authorizes the town clerk to advertise for bids for Riverhead Sewer District Riverhead Scavenger Waste District removal of solid sludge. So moved."

Supervisor Cardinale: "I think it's liquid sludge."

Councilman Bartunek: "Liquid sludge. I'm sorry."

Supervisor Cardinale: "Moved and-- "

Councilwoman Blass: "Seconded."

Supervisor Cardinale: "-- seconded. Vote please."

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

Resolution #75

Councilwoman Blass: "Authorization to publish advertisement for milk. So moved."

Councilman Dunleavy: "Second."

Councilman Bartunek: "Got milk?"

Supervisor Cardinale: "Got milk? Did you second that before your wisecrack? You're not even the second. Moved and seconded. Vote please."

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

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Resolution #76

Councilman Bartunek: "Authorizes to publish advertisement for work clothes. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #77

Barbara Grattan: "Pay bills."

Councilman Densieski: "So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded to pay bills. Vote please."

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

Barbara Grattan: "Now we've got the tabled resolutions."

Supervisor Cardinale: "Yes."

Barbara Grattan: "Who wants to take resolution #23 off the table?"

Supervisor Cardinale: "#23, right?"

Barbara Grattan: "Yes."

Supervisor Cardinale: "Okay. It was Dunleavy and Bartunek, would you bring- Dunleavy- "

Resolution #23

Councilman Bartunek: "Town of Riverhead- appoints bond counsel. So moved."

Councilman Densieski: "Bring it off the table."

Councilman Dunleavy: "Oh, bring if off the table?"

Supervisor Cardinale: "Yup and seconded."

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Councilman Bartunek: "I'll second that."

Supervisor Cardinale: "Moved and seconded to bring it off the table for consideration, Resolution 23. Vote please."

The Vote: "Bartunek, yes; Dunleavy, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is off the table."

Councilman Dunleavy: "Okay. Town of Riverhead appoints bond counsel. So moved."

Councilman Bartunek: "And seconded."

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

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

Supervisor Cardinale: "Yeah. This is number one rated bond counsel in the country and they have an individual that's done business with Riverhead for 15 years so I vote yes. I'm surprised they want our business actually."

Barbara Grattan: "Okay. That Resolution now is adopted. We've got now Resolution #1144. Who wants it?"

Resolution #1144

Supervisor Cardinale: "1144, John could you move it and- "
Councilman Dunleavy: "We'll move it off the table?"

Supervisor Cardinale: "Second from Barbara."

Councilwoman Blass: "Seconded."

Supervisor Cardinale: "Moved and seconded to take 1144 off the table for consideration."

Councilman Densieski: "Discussion."

Supervisor Cardinale: "Yes."

Councilman Densieski: "So what this is going to do is this is only an ad I understand."

Supervisor Cardinale: "Right."

Councilman Densieski: "To look for part time vendors for the highway department."

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Supervisor Cardinale: "Yeah. Yeah, the initial- initially we brought it up as you know because we thought that there was a problem as the people were called for this job from water and other departments, then they sought to have comp time, the departments couldn't do their work in the spring, etc. So I put it out as did the rep that you can demand that you can demand that they take money and not take comp time. And that- and part of that discussion- as that discussion ensued, it turned out that sometimes they just won't accept the overtime because- under those circumstances and so the suggestion was to at least get a list of available people from the outside so that we would have them available in the event of a snow emergency. It was also suggested that it actually might be less expensive because they would be getting time and a half. So the idea was to go to an (inaudible), see if we get any response. If we get some response, have a list in the event that overtime is declined by our staff."

Councilman Densieski: "Thank you."

Supervisor Cardinale: "Okay, with that, it was moved to take off the table."

Councilman Dunleavy: "I have another question."

Supervisor Cardinale: "Yes."

Councilman Dunleavy: "I think what we're doing, we're going to post this now."

Supervisor Cardinale: "Right."

Councilman Dunleavy: "But the date on the back says application should be submitted to the accounting department by February 3."

Supervisor Cardinale: "That's right."

Councilman Dunleavy: "Is that enough for this? Okay."

Supervisor Cardinale: "All right. So we have it considered- moved and I need a second, I guess, to consider it to come off the table."

Councilwoman Blass: "Seconded."

Supervisor Cardinale: "Moved and seconded to bring it off the table."

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

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Councilman Densieski: "I'm sorry, Barbara. One- authorizes the town clerk to post and publish a help wanted ad- I mean and over here we have people responding by February 3. Is the timing right here?"

Councilman Dunleavy: "That's the question I asked."

Councilman Densieski: "Yeah. If you're having a public hearing- a public- I mean- "

Councilman Dunleavy: "That's the question I asked."

Supervisor Cardinale: "We're posting and publishing just for the help wanted ad."

Councilman Densieski: "Okay, I see."

Supervisor Cardinale: "Okay."

Councilman Densieski: "I do have some questions but I will vote yes for the ad."

Councilman Dunleavy: "You know you ought to give them a week. Jack, is a week enough time after its published?"

Jack Hansen: "By the time the next paper comes out, people have forgotten about the first week's ad. So if you're going to do it two weeks in a row then yes, then you would have to go further. But once that second week comes out in the newspaper, it's no longer an ad. That's why we give them a week."

Councilman Dunleavy: "Okay."

Jack Hansen: "And the other part of it is, is the highway super is very concerned about getting some people in case he has some major snowstorms."

Supervisor Cardinale: "Yes, we understand that."

Jack Hansen: "The longer it goes, the harder it will be."

Supervisor Cardinale: "The point is it's going to come in the paper January 26, okay, and it's going to say that they have to submit their submission of their application by February 3. Is that enough time or should we say by February 10?"

Jack Hansen: "So you want to make February 10, it doesn't matter. I mean just try and get something done."

Supervisor Cardinale: "What do you prefer?"

1/17/2006 minutes

Jack Hansen: "The 3rd."

Supervisor Cardinale: "Fine. Leave it on the 3rd. Then that's why they want to make it the 3rd. It will come out on the 26th, they want to give them just a week to respond."

Barbara Grattan: "All right, now we're going to have a vote."

Supervisor Cardinale: "Yeah."

Barbara Grattan: "Off the table?"

Supervisor Cardinale: "Yeah."

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

Barbara Grattan: "It is off the table."

Supervisor Cardinale: "Now can we have a motion to consider it?"

Councilman Dunleavy: "All right. Authorizes the town clerk to post and publish a help wanted ad for part time on call automotive equipment operators in the highway department. So moved."

Councilwoman Blass: "And seconded."

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

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

Barbara Grattan: "Now we have 38."

Supervisor Cardinale: "Oh, yes, No. 38, thank you for bringing that up. Rick, did you check on that? Part of the Fox Hollow condos."

Rick Hansen: "No. It's a single family residential."

Supervisor Cardinale: "Subdivision. Okay, that's what I wanted to know."

Rick Hansen: "Are you familiar with the old (inaudible). It's a Van deWetering piece that connects the (inaudible). So it is not part of that."

Supervisor Cardinale: "Okay, very good. Okay, can we call 38 for consideration please?"

1/17/2006 minutes

Resolution #38

Councilman Densieski: "Didn't we move and second that already?"

Supervisor Cardinale: "We may have."

Councilman Densieski: "I'll do it again if you like."

Barbara Grattan: "Do it again."

Councilman Densieski: "Resolution and consent approving the dedication of highways known as Bluff's Drive, Landing Lane and the recharge basin at Baiting Hollow Estates Section 1 at Baiting Hollow. So moved."

Councilman Dunleavy: "Second."

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

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

Supervisor Cardinale: "Okay. That completes the consideration of resolutions. I'd like to take general comment from the public on any matter within our purview and why don't you come on up? Yes."

Laurie Downs - re school

John Griffin - re group home

Rex Farr - re group home

Bob Miller - re group home

Richie Gleicious (phonetic) re Calverton Manors

Greg Fischer - re Calverton Manors

Don Hawkins - re bike trails

Ed Purcell - re illegal housing

Sal Mastropolo - re work sessions

Tom Losanden (phonetic) re- complimentary police and EMTs

Meeting adjourned: 10:15 P.M.