

1/03/2007 minutes

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Wednesday, January 3, 2007, at 2:00.

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: "Welcome to the January 3rd meeting. Mitch, why don't you lead us in the Pledge?"

(At this time, the Pledge of Allegiance was recited, led by Mitch Freedman.)

Supervisor Cardinale: "Okay, welcome to the first meeting of 2007. Could we begin by approval of the minutes of the Town Board meeting of December 27th and Special Board meeting of December 28th? Would someone offer and second?"

Councilman Densieski: "So moved."

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

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

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

Barbara Grattan: "The resolution is adopted."

Supervisor Cardinale: "Reports, please, Barbara."

REPORTS:

Tax Receiver	Total
collections to date is	
\$14,228,354.34	

Utility collections report for

December, 2006, total collected

\$347,397.8

2

Town Clerk
Monthly report for December,
2006
Total collected - \$9,449.03

Sewer Department
Discharge monitoring report
for
November, 2006

Barbara Grattan: "That concludes Reports."

Supervisor Cardinale: "Applications, please."

APPLICATIONS:

Robert Castaldi
Suffolk Theater renovation/
addition to

Supervisor Cardinale: "Correspondence."

CORRESPONDENCE:

Hoi Lung Ting Re:
FI Long Island - in support of

Barbara Grattan: "That concludes everything."

Supervisor Cardinale: "Okay. The public hearings scheduled for today are two, one at 2:05 and one at 2:10. The 2:05 hearing, it being 2:08, we can begin."

Public hearing opened: 2:08 p.m.

Supervisor Cardinale: "Is regarding the increase and improvements to the water district regarding the repainting of Standpipes at Plants Nos. 8 and 9."

Councilman Densieski: "Phil, before you get into that, I'd just like to say something if you don't mind. I'd just like to send my condolences out to Councilman Dunleavy and his wife Marie on the loss of Marie's father this morning."

1/03/2007 minutes

Supervisor Cardinale: "Oh, I- "

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "-- I'm glad you mentioned that. I was unaware of that and my condolences, John. We're running around so much here, nobody talks to each other. Nobody talks to each other."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "In fact, I met him and he was a very nice man."

Okay, with that unpleasant bit of bad news for the beginning of the year, let's move onto the hearing. Mister- Dennis Kelleher engineer for the water district is here. It's 2:09, the hearing is opened. Fire away."

Dennis Kelleher: "Good afternoon. My name is Dennis Kelleher, from H2M. We are the consulting engineers for the Riverhead Water District."

I'd just like to wish the board a Happy New Year and the first hearing of 2007.

The hearing today is to approve the cost associated with the repainting of two of the water storage tanks in the Riverhead Water District. The Riverhead Water District maintains a total of five water storage tanks. Plant No. 1, Pulaski Street is only 160,000 gallons of water. It's an elevated tank recently painted several years ago.

This hearing is on plant No, 8 which is in Baiting Hollow. We have a 1,000,000 gallon steel standpipe, which I'll talk about a standpipe in a second. We also have plant No. 9 in Wading River where we have just under 1,000,000 gallons storage tank, again a standpipe made out of steel.

We also have Plant No. 10 in Northville. We have a 2,000,000 gallon storage tank made out of steel and on Route 58 we have a three-quarters of a million gallon elevated steel tank.

Next, Gary.

Both tanks located at Plants 9 and 10 were constructed in the same year in 1988 so these tanks have not been repainted since the original construction. We have received 18 years of service life out of the coatings on the interior and exterior of the tank. Normally the coatings last 12 to 15 years so we did get our money's worth with the first tank- first paint job.

1/03/2007 minutes

Usually when you put up a new tank is when you get the longest life out of a paint job because the steel itself is actually primed in the shop and not out in the field so we do get the extended life. So the 18 years, and we'll have photos later on showing the condition of the tank.

In May of this year we conducted our annual inspection on the two water storage tanks and the coating system both on the interior and exterior of the tanks are starting to fail and we're starting to see corrosion in different locations on the tank.

The good news is we haven't seen any significant metal loss to any of the tanks so there won't be any significant repairs. Gary.

The first tank I'll talk about is tank No. 8, Baiting Hollow. Next, Gary.

I have a couple photos of the tank in case anybody hasn't looked at it recently. From a distance, it looks like the tank is still in pretty good shape. If you look at the top left, the tank doesn't look bad, you don't see a lot of rust, but as you get closer to it, top right, you can see that— this tank was originally painted with three coats of paint. The three coats have actually worn down and the dark area shows areas where there is no more paint left on the tank. It actually chalks away. If you went up to these tanks and rubbed it, the paint would actually come off the tank. We we're getting down to bare steel.

Also, on Plant 8, at the bottom left hand side, it shows some site work that needs to be done. If you look at the fence, you can see that a couple of the fence posts erosion has occurred around the fence post and actually exposing the footings that have been put in. So as part of this project, we'll be doing some regrading to correct that problem.

Next, Gary.

This photo is from the interior of the tank. We're starting to see some corrosion along the well seams where the different plate of steel are put together. The coating actually— when they actually paint the seam, what happens over time is it starts to crack on the seam first before the regular flat metal, so you can see some corrosion starting along those seams.

Also if you look at the bottom left, those round little spots, those four, that is actually welding that was done on the exterior of the tank when they put cellular antennas on the tank, that's some of the mounts. It actually burnt the coating on the inside of the tank. It was touched up after it was done but it wasn't as good as the original coating so we have some rust occurring at those spot.

1/03/2007 minutes

Gary.

This is some photos from the exterior of the tank, No. 8. You can see we have some rust that is occurring around the hatch access, top left, just a view of the tank and some of the antenna mounts on top right.

Also the bottom of where that antenna mount has been installed to the top of the tank on the bottom left, you can see some rust that has occurred. Again, when they welded it to the tank, they destroyed the existing coating. The guys installing the cellular equipment had to touch up the tank to correct that problem but it didn't hold up as well as the original paint job. And on the bottom right you can see, that's a fresh air vent that's on the top of these tanks and we're getting corrosion with the screening. It's an insect and bird screen that is starting to corrode.

Gary.

Again, just more details on the exterior of the tank. We're again at the well seams where the plates are put together and welded together is where we're seeing a significant corrosion and some shots of the ladder, we're also seeing some corrosion.

Gary.

Tank 9, we have some additional photos. Tank 9 is actually in slightly more severe condition. Gary. Again, on the top left is really where the concrete meets the base of the tank, we have some corrosion going on. Again, from afar, the tank doesn't look in that bad of shape. However, we have some graffiti that has occurred on the bottom 10 feet of the tank.

Gary.

Again, we have a lot of corrosion occurring the same locations that we saw in Plant No. 8 around the access hatch and around the vents.

Gary.

And you can see on the top of this tank that we see the entire top coating is starting to wear away and we are starting to see spot corrosion on the exterior of the tank.

Again, shots on the inside of the tank very similar to what we saw at Plant No. 8. Again, along the seams, and those are rust marks from the rust that is occurring- corrosion that is occurring at the seams.

1/03/2007 minutes

Gary.

Recommendation at this time is to sandblast the interior and exterior of the tank to remove all of the existing remaining coatings and to remove any of the corrosion that has occurred and then to recoat the interior— you want to go back, Gary— okay, recoat the— if you hit back Gary it should— okay, we put a two coat polyurethane or a zinc primer with a modified epoxy on the interior of the tank. That coating should last us at least 15 years. On the exterior, we're recommending a three coat zinc rich polyurethane, also should last 15 years before we need to repaint these tanks again.

Okay, Gary.

In addition to that, there's some minor modifications I mentioned before. We recommend to replace the vent, replace the hatch and the ladders, put on a vandal guard to improve the security on both tanks so we don't have anybody climbing the tanks and to do the minor site restoration for the erosion around Tank No. 8.

Just to give you a little background because you probably heard part of this presentation before. We held a public hearing back in December, 2004 just to paint Tank No. 8 because it was due back then. We thought at that time the total project cost would be \$547,000. In July of 2005, we bid the project, we only had two bidders, and the low bidder was \$663,000. We recommended to the town not to accept that bid so we threw out all bids and we rebid the project in October of 2005.

We made some slight modifications to the specifications on the painting. We made more of an effort to try to get as many bidders to bid this job. Again, we only had— on the rebid, we only had two tank painters submit bids. The low bid was \$562,000 so we reduced it \$100,000 from the first time, but we still did not feel comfortable with that. Talking it over with Supervisor Pendzick we decided not to award that contract at that time. We felt that that— now, as time went by, two years go by, we now have the second tank at Plant 9 that needed to be painted, so we said let's go out with both bids at the same time to see if there's be (inaudible) getting a cross savings bidding on both at the same time.

October of last year we did go out for painting both tanks and we got prices. We actually sent notices out to about 12 different qualified contractors. We had four contractors submit bids, one from Long Island, one from New Jersey, one from Maryland and one from Michigan.

The low bidder submitted a price of \$544,000 for Plant 8 and \$539,000 for Plant 9. And at this time, we're holding a public hearing for the entire cost of the project. We're proposing to paint

1/03/2007 minutes

the one tank in the Spring of this year and the second tank in the Fall of this year.

Gary.

Total project costs, the two construction costs based on the low bid would be just over \$1,000,000– \$1,083,000. If you add up the non-construction costs of the design, construction, inspection, legal and contingencies, the total project cost would be \$1.25 million dollars. It is proposed to pay for these out of the Water District reserve account, the maintenance account that it has set aside. It has sufficient funds to finance this project so we will not need to raise taxes or to increase water rates for this project.

Thank you. Any questions?"

Councilman Densieski: "Yes. I'm sorry."

Supervisor Cardinale: "Go ahead, please."

Councilman Densieski: "I know when we did the tank on Pulaski Street, they were actually able to rebuild, reconstruct the tank for the same price as painting. Is there any change of that happening now or – "

Dennis Kelleher: "Actually, we were very fortunate– the Water District was very fortunate when we bid that job and went to repaint the Pulaski Street tank. The contractor did not do his homework ahead of time. He did not look at the tank before he submitted his bid. When he was the low bidder, we awarded it to him, he came out to the site and now he had to sandblast the material. He felt the steel on part of the tank was so thin because we had some metal loss because of corrosion, that we would actually blast it and we'd actually lose part of the tank. That was his responsibility.

He decided it was to his advantage to take the tank down, actually he built us a new– he gave us new steel plates for the entire bowl assembly. So that's the way that one went.

Now this tank, I didn't explain. As part of this project, there will be full containment around both of these tanks to eliminate any material from leaving the site. And that adds to the project cost. But that is a requirement of the State and County Health Department."

Supervisor Cardinale: "Barbara?"

Councilwoman Blass: "Mr. Kelleher, will the repainting interfere with the functioning of the antenna that are located?"

1/03/2007 minutes

Dennis Kelleher: "Actually, that's a very good question. What we do is because we do this across Long Island. The contracts that the water district has with the cellular antennas, say that periodic maintenance is required on the water towers and they are required to come off the tank.

What a lot of them will do is they will ask to put up a temporary tower. It's called a cow. It's like a drilling rig. It's on a flatbed and then they stand it up, it goes up in the air about 40 feet and they'll relocate their antennas. For the three month that we're painting the tank, they will work off of that temporary antenna."

Councilwoman Blass: "I think you answered my next question. It will take about three months from beginning to end?"

Dennis Kelleher: "I think the contract provision is 120 days per tank."

Councilwoman Blass: "All right. Thank you."

Councilman Bartunek: "Dennis, the only question I have is—"

Councilman Dunleavy: "Just one question. As water commissioners we have to watch the Water District. Are both tanks going to be shut down at the same time?"

Dennis Kelleher: "No. That's why we have one scheduled in the Spring. It will be taken off line, the work will be done, the tank will then be filled up with water. We will then do bacteria testing and organic chemical testing to make sure that the paints have actually cured and we're not putting any chemicals into the water. Once all that testing has been done and has been approved by the County Health Department, we will put that tank back on line. We plan on doing Plant 8 first and then in the Fall, after the pumping season and after the summer, we will then— probably after September 15th, we will take Plant 9 off line and, hopefully, by the end of the year, both tanks will be done."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Do you have numbers on this yet?"

Dennis Kelleher: "Yes. As I said before, we actually bid this. So these are hard numbers. These are not engineer estimates, these are actual construction numbers. We have a contractor who we have not awarded the contract to, he's told us he will hold his bid price until the public hearing is held and the Town Board decides to award this."

1/03/2007 minutes

Supervisor Cardinale: "The approximately 12 to 15 years life comes out- the price is over \$1,000,000, a million fifty, is that it, for the two- "

Dennis Kelleher: "Two of them is 1.08 million."

Supervisor Cardinale: "1.08?"

Dennis Kelleher: "1.83 to be exact."

Supervisor Cardinale: "Okay. 1.083- but that's for both of them. So- is there a split out between the cost of the two?"

Dennis Kelleher: "Yes. I actually have a bid tab in front of me. The one tank, Plant 8, was \$544,000. Plant 9 is \$539,000."

Supervisor Cardinale: "So the- we ought to rent them or something. Just for the paint jobs on these things, it's about \$50,000 a year for its useful life. Is there any alternative but that the next Board some years later has to do this again? How long do they last before you have to replace them?"

Dennis Kelleher: "These tanks if they are properly maintained, will last 100 years."

Supervisor Cardinale: "So there will be a lot of Boards doing this, increasing the- there's no alternative to this- "

Dennis Kelleher: "I get asked that every time we bid a tank painting job and people cannot believe the price it costs to paint these tanks. Just to give you an idea, a gallon of this paint that we put on this tank, costs approximately \$200.00 a gallon. So the cost of the paint itself is extremely high, but the labor is also very high."

Supervisor Cardinale: "But, yeah, we did discuss this. I think we did one a while back. But there isn't any other alternative but this?"

Dennis Kelleher: "No. We looked at several other alternative. Can we build a stainless steel tank that doesn't require coating and things like that but the costs are astronomical."

Councilman Densieski: "So I guess we can't get the Boy Scouts or anything, right?"

Councilman Dunleavy: "I just want to ask one question. Do you have reserve for this or is this going to be borne on the Water District rate payers next year?"

1/03/2007 minutes

Dennis Kelleher: "No. Actually, we've been planning for this and Superintendent Pendzick has been working with the Accounting Department and we have sufficient money in reserve to pay for these projects."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Okay, any other questions from the Board? If not, from the public, can we ask if anyone would like to come forward and make some comment on the presentation just made? Sal."

Sal Mastropolo: "Sal Mastropolo, Calverton. Given that the antenna cause problems, if we're going to repaint these, should we move those antenna off the top and maybe put them on the ladder or something to minimize damage in the future?"

Supervisor Cardinale: "Would you like to answer that, please?"

Dennis Kelleher: "Very good question and actually when those antennas first went up, the Water District— all Water Districts on Long Island when antennas went up 10, 15, 20 years ago, didn't pay much attention to how it was installed on the tank.

We have changed our procedures starting about five years ago. Any cell carrier that wants to go on a Riverhead Water District tank, drawings are submitted to the Water District and then submitted to our office and we comment on it. And we make sure that they properly install it on our tank to minimize any impact on the coating.

So as part of this project, when we recoat these tanks, we are asking for the cell carrier to tell us exactly where they want us to put their mounts. Our contractor will install the mounts and coat those mounts because we're not going to let these cell carriers come back and weld on our tank after the fact."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Okay, anybody from the audience who would like to make a statement or— yes, Sid."

Sid Bail: "Sid Bail, Wading River Civic. Happy New Year everyone."

In the slide presentation there was an opening in the fence. Has that been closed?"

Dennis Kelleher: "There was never an opening in the fence. If you look, there has been some erosion under the fence so actually could somebody lay on their stomach and slide down, I think the answer

1/03/2007 minutes

is yes and, Gary, maybe you would have a better idea if anybody did anything to prevent anybody from sliding under the fence. But the fence itself is still intact."

Supervisor Cardinale: "Thank you."

Gary Pendzick: "Gary Pendzick, Superintendent Riverhead Water. I know what slide he's talking about. It would appear that there was one panel missing, one eight foot section. But the picture was of the erosion underneath the fence. You can see the concrete footing for each post. That's what we're talking about regrading. The fence itself believe it or not is still there."

As far as how do they get in even in spite of a six foot cyclone fence along with barbed wire or razor wire? We've found trees cut down and placed across the top of them so they can use them to shimmy up. We've cut off the first 20 to 25 feet of the ladder to the water tank itself and again found trees dragged in so they could shimmy up them like a flagpole.

We're getting pretty good at keeping them off the top of the tank but it's a running experience. For everything we think of, there seems to be a thousand of them thinking of a way to get around it. So it's an ongoing battle."

Supervisor Cardinale: "Thank you. Okay. Is there any other comment in regard to this hearing, No. 1? If there is, please come forward. If not, we'll leave it open for 10 days for written comment and close it for verbal comment right now. You can send your remarks in writing to the town clerk through 4:30 p.m. on Friday, the 12th."

Public hearing closed: 2:27 p.m.
Left open for 10 days for written
comment to January 12, 2007

Supervisor Cardinale: "The second hearing is for 2:10, it is now 2:27."

Public hearing opened: 2:27 p.m.

Supervisor Cardinale: "And that is to consider the special use permit petition of Brian P. Simonsen to allow for a two family dwelling on property located at South Jamesport. And this being a special use permit petition, the testimony I'm being reminded must be sworn. I think this is a representative of the applicant, Simonsen. Would you please come forward?"

1/03/2007 minutes

Robert Stromski: "Robert Stromski, architect and partner, (inaudible) Associates, the architect and representative for the client."

Dawn Thomas: "Can I swear you in? Do you swear that the testimony you are about to give to be the truth, the whole truth and nothing but the truth, so help you God?"

Robert Stromski: "Yes, I do. As you had stated before, we have made an application for a special use permit for a two family dwelling which is allowed under the current zoning code.

Generally at this point, the applicant Brian P. Simonsen, owns the property adjoining with his mother, Linda. He had looked at numerous options of possibly buying other property within the Town of Riverhead. We all know the cost of real estate is what it is today, and his most economic decision— best decision, was to see if he could add on a possible apartment.

Looking in the zoning we found that there was allowed by special permit for a two family, so we put some plans together. It seems to be working within his budget and I do have proposed or preliminary elevations and floor plans if you'd like to see it.

What we're proposing to do would not be out of character to the size of homes within the area. We're using some outdoor porches and so forth so at least from the street, it's not going to look like a two family house. It will in fact remain in character as a single family residence which is the primary use around the adjacent vicinity of the property.

If you have any questions, I'd be more than happy to answer them at this point."

Supervisor Cardinale: "Yes. Anybody on the board have questions?"

Councilwoman Blass: "Without seeing the plans, just to clarify, it will be one structure with an accessory apartment over a detached garage or an attached garage or— "

Robert Stromski: "It's an attached garage."

Councilwoman Blass: "Okay."

Robert Stromski: "What I have here— if you can just see right here. This is-- actually the main part of the house is right here. This is the actual (inaudible). This is the garage itself which is on this side. The structure is coming out this way towards the water's edge so when you look at it, this will be the street elevation. It looks as one house. And also from the water elevation, again, it's

1/03/2007 minutes

all connected as one residence so it's not going to look like a detached garage with an apartment."

Councilwoman Blass: "Right. My question. Thank you. What is the ultimate coverage of the structure on the premises? Do you know?"

Robert Stromski: "It's-- roughly it's an 880 square foot addition on a residence-- it's a 1.6 acre parcel-- I'm just trying to see-- I don't have the calculations of lot coverage but I would believe it's well below what's permitted by zoning just due to the size of the property and the footprint of the house. It's only-- you're talking with the total addition, the property itself would roughly be about a 3,300 square foot home which is not something that's out of character to the neighborhood for sure."

Councilwoman Blass: "Thank you."

Supervisor Cardinale: "Anyone from the Board with a question? If not, we'd like to take questions from those in the audience who would be interested in commenting."

This is an addition, correct? And it was how many square feet? Thank you.

Okay, if there is no clarification required of the architect who's present on behalf of the representative, we'll close the hearing, leave it open for 10 days for further written comment if somebody gets inspired until 4:30 on the 12th of January."

Public hearing closed: 2:32 p.m.
Left open for written comment for 10
days to January 12, 2007

Supervisor Cardinale: "We have concluded the public hearings. We are-- have 39 resolutions to consider. We'll be in work session tomorrow from 10 to 5 to work on the next batch of resolutions which will be on the 17th. So we're a little light on resolutions because we didn't have a work session last week. Comments from anybody. Sal?"

Incidentally, you're famous now and justifiably so-- we want to--I thanked you as I walked out at the end of the year for your efforts on proofreading during the year and I thank you for that again publicly."

Sal Mastropolo: "You're very welcome."

Supervisor Cardinale: "And you're famous in-- if you haven't seen the Sunday Newsday, Sal is famous and acknowledged for his free service to the town which we appreciate."

1/03/2007 minutes

Sal Mastropolo: "Resolution #1. I can't understand how we can justify paying the BINGO inspector only \$10.00 an hour when we pay other people 12, 13, 14. I mean not that I want to give it away, but a crossing guard gets 14 and a BINGO inspector gets 10. The sign inspector gets 20. It just doesn't seem right. I mean doesn't he complain? And it's- "

Supervisor Cardinale: "Roberta. No, I guess that's it. But we'll consider that- "

Sal Mastropolo: "George is shocked."

Councilman Bartunek: "This is something new."

Sal Mastropolo: "I know, I said it. Well, fairness is fairness. And a BINGO inspector is an important job. Because I know, when I was at the Moose, it's a highly respected job and I think you should look at that."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "You could take it away from George's salary."

Councilman Bartunek: "There you go."

Councilwoman Blass: "How many BINGO's does she attend?"

Supervisor Cardinale: "She only goes to two, right? A whole year? A week, a month? Two a week."

Sal Mastropolo: "Okay. Also on Resolution #1- "

Supervisor Cardinale: "Yeah."

Sal Mastropolo: "On the third page, under engineering, okay, later on you have a resolution that appoints Michael Cummings- "

Supervisor Cardinale: "Yeah."

Sal Mastropolo: "-- as an electrical service supervisor. But you don't have that title in the engineering salary schedule."

Supervisor Cardinale: "It might be in Buildings & Grounds. It should be here someplace. Yeah, it's in Buildings & Grounds which is supervised by Engineering, No. 2 on page 2. So we're going to take out- yeah, well, he's starting the year as- "

Sal Mastropolo: "Well, I looked under engineering because I saw Testa was on the copy."

1/03/2007 minutes

Supervisor Cardinale: "He's going to have a short career as a maintenance mechanic because he's being raised the same day that we're setting the salary for the year."

Sal Mastropolo: "Okay. Can you explain to me why we give certain people stipends and I mean there are some big salaries associated with them and they're getting stipends. I don't understand that."

Supervisor Cardinale: "Which particular one are you- "

Sal Mastropolo: "Well, the Deputy Town Supervisor, Chief of Police. I mean, to mention a few of them."

Supervisor Cardinale: "The- yeah, they are supposed to be used for additional work generally for example, I think, the Police Chief is for emergency management function. But it's a good question which I myself have asked."

Sal Mastropolo: "I mean these are professional jobs, right? They're not 35 hour week jobs."

Supervisor Cardinale: "Yeah. That's right. So they're always on as they say."

Sal Mastropolo: "Right. And are we still paying \$80,000 for somebody to do the garbage contracts? I mean-- "

Supervisor Cardinale: "Are you talking- I know where you are because- "

Sal Mastropolo: "Yeah. I'm on Resolution #5."

Supervisor Cardinale: "Sanitation- "

Sal Mastropolo: "Sanitation supervisor."

Supervisor Cardinale: "Yeah, let's see. Sanitation supervisor, that would be John Reeve. Well, yes, John Reeve- that was my initial line. I wish you wouldn't steal it, from the '90's which, why do we need a supervisor if we don't have a department, so we got a department now."

Sal Mastropolo: "So we made a department to justify the position."

Supervisor Cardinale: "My thought was to do away with it entirely but instead we have a department to justify the supervisor. But the fact is if you look and see what's really happening here, not only are we processing all the complaints that our present system and

1/03/2007 minutes

sanitation pickup does fulfill, but John also runs the program that gives me (inaudible)- what's the name of it- the yard waste program, STOP Program, yard waste. He assists the highway department. I think he generally makes himself useful enough to earn his salary but it is kind of funny because we have a sanitation department when we have contract pick up."

Sal Mastropolo: "Resolution #15 and 16 appoint members to the zoning board of appeals. You appointed two members but there's only one vacancy on the zoning board of appeals, Fred Keller- Mr. Keller."

Supervisor Cardinale: "We're not sure- those are the two candidates we're considering and- "

Sal Mastropolo: "This says appoints; it doesn't say considers."

Supervisor Cardinale: "Where are we appointing, the resolution?"

Sal Mastropolo: "Resolution #15 says appoints Larry Willims and 16 says appoints Rose Sanders, but there's only one vacancy."

Supervisor Cardinale: "That means only one of those two are going to get appointed. We're not sure- "

Sal Mastropolo: "You're not going to pass both resolutions."

Supervisor Cardinale: "Yeah, stay tuned, we're not going to pass both, I'll tell you that."

Sal Mastropolo: "All right. Resolution #20, you need to add a be it further resolved to forward a copy to the town attorney and the office of accounting."

Supervisor Cardinale: "Thank you."

Sal Mastropolo: "That's a resolution on the legal counsel hourly rate."

Supervisor Cardinale: "Right."

Sal Mastropolo: "Resolution #21. This resolution is a little vague in that it says you are authorizing the highway superintendent to purchase equipment and spend up to \$10,000. Is that \$10,000 for the year, is that \$10,000 for a single purchase?"

Supervisor Cardinale: "Through the year at any time without approval. There is some historical- isn't it statutory or something- "

1/03/2007 minutes

Councilman Densieski: "Yes, it is."

Supervisor Cardinale: "Dawn, could you explain that?"

Dawn Thomas: "As I recall, I don't know offhand. I'd have to look."

Supervisor Cardinale: "Yeah, we both have the same recollection. That resolution is supposed to be passed pursuant to law each year that they have that much- they have to have some discretion, right? So I think the idea is that you must give them at least \$10,000 worth of discretion in your funding. We actually don't have to technically fund the highway department for anything else but, of course, we're funding them with millions of dollars for their salaries and their asphalt and stuff. So it's a technical resolution giving him \$10,000 of discretionary (inaudible) for the year."

Sal Mastropolo: "For the year. Okay. Well, I mean I think you should state that because it's a little vague. Okay."

Supervisor Cardinale: "At any time. Let's say during the year. That's on the now therefore be it resolved."

Councilman Bartunek: "Sal, before you go on to the next one then maybe, Dawn- "

Dawn Thomas: (Inaudible) "Yeah, that section if you say that."

Supervisor Cardinale: "Okay, put it in there then if that's a better place. Yeah, please, George."

Councilman Bartunek: "Could I ask a question?"

Supervisor Cardinale: "Yeah, please, George."

Councilman Bartunek: "I had a conversation with one of the other town board members about adding onto the next to the last paragraph. Without written approval of the town board upon submission of a list of roads proposed to be paved in 2007. I know that a couple of the town board people have been asking for a list of roads that are going to be paved for a year, year and a half and we've never had the satisfaction of seeing what roads are being proposed. Is that- I can't condition this one on that?"

Dawn Thomas: "I don't think - (inaudible)."

Councilman Bartunek: "All right. Fair enough."

Supervisor Cardinale: "Okay, moving on."

1/03/2007 minutes

Sal Mastropolo: "22."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "This is just a comment. Riverhead Energy Advisory Committee, okay- "

Supervisor Cardinale: "Yes."

Councilman Bartunek: "You'd be good on that, Sal."

Sal Mastropolo: "Well what I was thinking was it would be nice if they'd put a plan in place to get the town vehicles on ethanol."

Supervisor Cardinale: "You know, it's funny you should say that."

Sal Mastropolo: "And that station that wanted to go on Route 25 that never got passed next to the Carving Board, you know, maybe we can condition that on the addition of ethanol because there's no place in town to get ethanol, right?"

Supervisor Cardinale: "I was thinking- actually you know it's funny you should say that because at 11:30 I was at a meeting which I haven't yet brought up with the board but will in the next month or so, we could use vegetable oil and used vegetable oil from the restaurants in town and run our whole fleet, run it more cheaply, run it with less pollution, and it would I'm told diminish wear on engines by 42%. So if we do need to be a little more creative, we will."

Councilman Bartunek: "And you've got the restaurant right next door there, Phil."

Supervisor Cardinale: "Yeah, we've got plenty of greasy restaurants around here."

Sal Mastropolo: "Resolution #27."

Councilman Bartunek: "That's a good (inaudible) for the restaurants in Riverhead."

Supervisor Cardinale: "We need to use used oil."

Sal Mastropolo: "Resolution #27. I don't understand why this resolution is in there because I looked back at Resolution #1000 dated November 8th and in Resolution #1000 nowhere did I find that it stated \$4,000. Okay? It said \$6,000 in the resolution and it said \$1,000 a month in the runway use agreement so I- "

1/03/2007 minutes

Supervisor Cardinale: "I think you-- you may be-- the reason it was in was because somebody's copy, I think Laura was \$4,000, so we may have corrected it."

Sal Mastropolo: "Oh, okay."

Supervisor Cardinale: "And that's what happened. But I think we're-- but that's why we put it in just to make certain it reads six instead of four."

Sal Mastropolo: "Okay. Resolution #28, you need a reference to the attached schedule. I don't know if you want to put it parenthesize after set salaries open paren see attached schedule close paren."

Supervisor Cardinale: "Yeah, that's what we should do."

Sal Mastropolo: "So you know that there's an attachment."

Supervisor Cardinale: "Okay. Can we make sure that's done?"

Sal Mastropolo: "Resolution #34, the second Resolve, does that belong there? It almost seems like it's out of place. I mean we're talking about recreation fees and a public hearing, I don't understand why we're talking about in receipt of a short environmental assessment form. I'm wondering if that was boilerplate from some previous resolution."

Supervisor Cardinale: "Is it, Dawn?"

Dawn Thomas: "We need to do a SEQRA analysis of every action actually."

Supervisor Cardinale: "It's pretty funny."

Dawn Thomas: "There should be one other one in there that determines if--that's a good catch actually."

Supervisor Cardinale: "Okay. The bad news is that that needs to be there. The good news is that you're indicating that the clause reminds me of another clause that needs to be there as well."

Sal Mastropolo: "Okay."

Supervisor Cardinale: "So we're going to add one. Okay?"

Sal Mastropolo: "Resolution #36, please take out the zero, I don't want to spend \$68,000,000 for that 37 acres. On the second page in the next to the last resolve, there's an extra zero."

Supervisor Cardinale: "Oh, lovely."

1/03/2007 minutes

Sal Mastropolo: "I mean spending \$6,800,000 for 37 acres bothered me."

Supervisor Cardinale: "I got your letter, I know. I just responded to it this morning. You do make some good points, but there is another view- oh and the good news is that when the do- they buy- they transfer it to the county- "

Sal Mastropolo: "It's not our profit."

Supervisor Cardinale: "-- it's the same price. Yeah."

Sal Mastropolo: "37."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "It's probably in the bid packet, okay, but I'm left with the question that the attachment, is that meant to be specifications because there's no mention of height on the chain link fence and I'm just wondering if that's in the bid packed and should it be in here."

Supervisor Cardinale: "This is just a summary for our purposes."

Sal Mastropolo: "Okay. So the individual specs are someplace else."

Supervisor Cardinale: "That's correct."

Sal Mastropolo: "All right. 38, that awards the bid for site concrete and masonry debris grinding- "

Supervisor Cardinale: "Yes."

Sal Mastropolo: "I assume that the results of the grinding is going to be left on site."

Supervisor Cardinale: "Yes, it is."

Sal Mastropolo: "Okay. And that's it."

Supervisor Cardinale: "Thank you."

Sal Mastropolo: "You're welcome."

Supervisor Cardinale: "Any other comment? If there's any comment, we'll take it on the resolutions, otherwise we'll consider the resolutions and then come back and take general comment."

1/03/2007 minutes

Okay, let's get started with the resolutions."

Resolution #1

Councilman Densieski: "Sets salaries of general town employees for the year 2007. 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 #2

Councilwoman Blass: "Sets salaries of various boards for the year 2007. 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 #3

Councilman Bartunek: "Sets salaries street lighting district for the year 2007. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #4

Councilman Dunleavy: "Sets salaries for sewer/scavenger waste district for the year 2007. So moved."

Councilman Densieski: "Second the motion."

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

1/03/2007 minutes

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

Resolution #5

Councilman Densieski: "Sets the salaries of refuse and garbage district for the year 2007. 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 #6

Councilwoman Blass: "Sets salaries of the water district employees for the year 2007. 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 #7

Councilman Bartunek: "Sets salaries of elected officials for the year 2007."

Barbara, if I could make an amendment here. My salary, all I'm asking for is cost of living and that amount would be \$36,895.71."

Barbara Grattan: "How much, George?"

Councilman Bartunek: "\$36 million-- no, \$36,895.71."

Barbara Grattan: "Okay."

Councilman Densieski: "George, you couldn't have rounded it off?"

Councilman Bartunek: "That's not what (inaudible). So moved."

Supervisor Cardinale: "Moved and seconded."

Councilman Densieski: "Before I second it, and the Supervisor didn't want to take his. Are you going to take yours or should this be amended?"

1/03/2007 minutes

Supervisor Cardinale: "No. George is doing- what I intend to do is what I stated which was that I voted against this with George- I argued against this, and I indicated my inclination was to take only the cost of living. However- and that is still my intent. However, I intend to take the salary because I think it's very important that the supervisor's- and then donate back to the town.

I think the supervisor's salary being proportional to the council is really important for the future of the town and the supervisor- if the supervisor's salary is not raised proportionately to the town board's salaries, that's a disservice I think both to other supervisors and to the town in general."

Councilman Densieski: "Phil, I just want to say something."

Supervisor Cardinale: "Yes."

Councilman Densieski: "We did set the supervisor's salary. We voted on it so that it set."

Supervisor Cardinale: "It is set- "

Councilman Densieski: "So if you take your salary and donate it back, I guess there's, you know, some tax positives there for you and stuff. I guess, I want to know, too, because you did vote against it- "

Supervisor Cardinale: "Yeah."

Councilman Densieski: "-- if you're going to take the money or not."

Supervisor Cardinale: "What I just said is that I was going to take the salary and then donate that portion in excess of cost of living to the town and I also said that I did that for a specific reason which George is not concerned with because he's on the council- there are three other councilmen.

I want it clear that the salary of the supervisor of the town is- the salary of the council members should remain proportional to that of the supervisor which is I think 40 some percent of the salary of the supervisor.

I would also point out that even at the raised salary of 108, there's like- I was counting- at the salary that I'll be taking which is about 89 and change, 70 people of 300 people in this town exceed that salary. So it's a strange situation."

1/03/2007 minutes

Councilman Densieski: "I agree with you. That's why we voted to raise it up. You're right about that."

Supervisor Cardinale: "But I'll make myself even clearer. The problem as I said when I voted against this was not that the salaries were inappropriate but I think that they were not studied by a third party before they were granted. You- and I think that still is. They have to be given, not taken."

It is my intention to do what I said, to take the salary, establish the salary for the supervisor, donate back the difference, and the intervening- and I'm going to do that because no one has reviewed this. I think that at least an election, an intervening election, should - and the people of the town should decide whether the elected officials' salaries are raised.

So I'm going to at least do that. For this year, I'm telling you what I just told you, I'm not taking the increase. If you guys elect to take it, I'm not going- you know, I can't criticize that. But George is not taking it and I am also not taking it."

Councilman Dunleavy: "Well, you're taking it but you--"

Supervisor Cardinale: "I'm taking it and I'm donating it back. And that's exactly right. You're taking it and taking it home. There's a big difference."

Councilwoman Blass: "And I don't mean to belabor the point, but I'm having a little difficulty understanding how this is going to happen."

Are you taking it in a check and then writing a check back at the end of the year? Is your salary going to be \$108,000 and then donating back to the town at the end of the year?"

Supervisor Cardinale: "That's correct. Yeah, what I'm going to do is I am going to accept the salary of \$108 and then donate back the- so that my actual receipt of salary would be the equivalent of 90. And I'm doing that for the reason I indicated."

Councilman Dunleavy: "And that deduction or donation, will that be tax deductible?"

Supervisor Cardinale: "The income will be part of my income and the deduction will be part of my deduction so, therefore, they're supposed to offset each other. That's correct."

Councilman Dunleavy: "Okay. Now the only problem I have with it- "

1/03/2007 minutes

Supervisor Cardinale: "You have a problem with it? You don't have a problem with it because I have a right to take the salary. I'm making a donation."

Councilman Dunleavy: "But the councilmen were underpaid on the east end and you're going to be the— your salary of \$108,000 will be the top supervisor's salary on the east end of Long Island. Even Southampton only makes \$101,000."

Supervisor Cardinale: "But my salary is— "

Councilman Dunleavy: "So I know it's proportionately is that the— "

Supervisor Cardinale: "That's exactly the point, John."

Councilman Dunleavy: "The councilmen haven't taken raises in years."

Supervisor Cardinale: "The problem, you know the supervisor—the problem is that if you leave the supervisor's salary officially at 90 or 89 and you raise yourselves to 45, the proportionality of the job is changed and the supervisor's— certainly the supervisor's position being full time as opposed to the council's position, it should keep the proportionality. The proportionality is that the council has always been paid approximately 40 or 42% of the salary of the supervisor."

Now you can say thank you for the contribution I'm about to make to the town of approximately \$18,000 less tax considerations. But—and you can take the money despite the fact that you indicated when you were elected that you would not take a raise during— or vote for a raise during your term but you certainly can't criticize me for giving back \$18,000 to the town for its purposes.

In fact, I join— I would ask you to join me in this gesture because I think it's in the best interests of the town and to give back all of that salary which exceeds \$36,895 and I'd like all of the town board to join me in the same gesture because it would add a sum of some \$30,000 or \$40,000 that we can use for youth and for other good things for the town of Riverhead."

Councilwoman Blass: "George— "

Councilman Dunleavy: "I want to thank you but just one comment of yours was wrong. I never said I wouldn't take a raise."

Supervisor Cardinale: "Yeah, you did at the— on the pages of Suffolk Life when you were asked the question would you vote for a raise, you said no, not during my time. It's right there, check it."

1/03/2007 minutes

And so did George. That's why he's taking the position he's taking that if you tell the people when you're elected you're not going to take a raise, you shouldn't take the raise until at least they have the opportunity to review the salary which they will be doing I hope in 2007 on election day. If they appoint me their supervisor, then and only then will it have been reviewed by an independent- or elect me, an independent third party. These raises were never reviewed by any panel, by any third party, by any one other than the five of us who are affected by them and I don't think that's right.

I also think it's not right that we did not consider all other elected officials and we simply raised the town council salary. And I said that back then and I'm saying it again. My position has been consistent. I even said when I voted against this the following: that my inclination was to return that portion of the salary which exceeded the 3.8% standard cost of living. It's exactly what I'm going to do and I urge the board to join me in doing so and I thank George for doing so."

Councilwoman Blass: "But George is returning it from the beginning. He's not taking- "

Supervisor Cardinale: "But it doesn't make a difference. The only difference is- "

Councilwoman Blass: "Well, it may."

Supervisor Cardinale: "No, it doesn't."

Councilwoman Blass: "Okay."

Supervisor Cardinale: "It doesn't. It makes absolutely no difference because the net of it is I'm going to get \$89,000 working for this town this year and you're going to get 45. You're going to get a \$10,000 increase which is 26% and I'm getting a 3% increase, 3.8, and that's the truth and if you can spin this in any way you'd like to and I'd like to hear it. Because the words I want to hear out of your mouth is this, that you are going to donate back the difference or you are going to not take the difference. Otherwise I think you should take your raise despite your statements to Mr. Wilmot and move along."

Councilman Dunleavy: "With that, I second."

Supervisor Cardinale: "Okay, moved and seconded. May we vote, please?"

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

1/03/2007 minutes

Councilman Densieski: "I have no problem voting for the supervisor's salary of \$108,000. Phil-- whether I agree with him or not is a different story, but Phil does work hard, he puts time in and this job is running a \$35 million dollar a year business. \$108,000 is not a lot of money for the job, it really isn't. I'm sure there's a lot of stress and pressure that goes along with being the supervisor.

But I think if you weren't going to take the salary, it would have been a lot cleaner if you did it the way George did it but I'm not going to criticize that, that's your decision. But I will tell the general public out there that I don't think \$108,000 for that much pressure and for that job is a lot of money. And I think he should have took it.

But anyway I work pretty hard for mine. I've been here for many years working at a pretty low salary and I'm going to take mine. And as Phil said, the voters will decide if it was too much or not. We'll all take our chances.

With that said, I'm going to vote yes."

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

Supervisor Cardinale: "Yeah, I'm going to vote yes. I do want to reiterate, however, that these-- the raises, justified or unjustified, taken or untaken, only apply to the Council and if we're going to do this right, we have to look at all the other elected officials. That's the right way to do it.

And I think we should devote ourselves this year to doing that and considering, being ready to make some necessary changes for the next year.

The only other thing I want to say is that public service is about public service and that is evidenced I think by this board who are good public servants. If this was about money, I would not be here because the fact is my income becomes one-third when I get elected of what it was the year before.

So I want to be here, I'm here, I would love to take this raise, Eddie, but I did say that I wouldn't take a raise during my term and I'm not going to during this term. Okay.

I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #8

Councilman Dunleavy: "Sets salaries for Highway Department for the year 2007. So moved."

1/03/2007 minutes

Councilman Densieski: "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 #9

Councilman Densieski: "Sets the salaries for police officers for the year 2007. So moved."

Councilwoman Blass: "And seconded."

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

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

Councilman Densieski: "I think our discussion of raises is kind of trivial when you look at these. It sure does Barbara, you're right. I'm going to vote yes."

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

Barbara Grattan: "The resolution is adopted."

Resolution #10

Councilwoman Blass: "Sets salaries of program employees for the year 2007. 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 #11

Councilman Bartunek: "Sets salaries of municipal garage employees for the year 2007. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved, do we have a second?"

Barbara Grattan: "Move and seconded."

1/03/2007 minutes

Supervisor Cardinale: "Oh, vote please."

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

Resolution #12

Councilman Dunleavy: "Designates banks as official depositories for town funds. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #13

Councilman Densieski: "Maintains a policy of nondiscrimination. 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 #14

Councilman Densieski: "Appoints member to the Board of Ethics. That person is John Lombardi. So moved."

Councilwoman Blass: "And I'm happy to second that appointment."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "And I'm happy to vote yes. He's a good guy and a great man."

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

Councilman Densieski: "Yeah, and I'd also like to thank Wayne Gallante, he was my appointment on the Ethics Board. He was the chairman but he's now stepping down. I want to thank him for his service to the town and I want to welcome on Mr. Lombardi who is a great community member and a good family man. So I vote yes."

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

Resolution #15

Councilman Bartunek: "Appoints member to the Zoning Board of Appeals, Larry Williams. So moved."

Councilman Densieski: "Discussion."

Supervisor Cardinale: "Yes."

Councilman Densieski: "There were no resolutions, no discussion of zoning board members discussed at the work session. I'd like to move to table this for board discussion at work session."

Councilman Dunleavy: "And I'd like to second that. The reason I'd like to second it is because again we only heard about this yesterday and I think we had no discussion on this. To remove somebody that's been on the zoning board of appeals for 20 some odd years, he's well qualified, we have a co-worker's- a letter here to the town board members.

We are writing this letter to give you our unqualified recommendation for the reappointment of Martin Keller as Chairman of the Zoning Board of Appeals of the town of Riverhead. Mr. Keller has been a member of our board for over 20 years. Such experience contributing to Mr. Keller's wide range of knowledge of the zoning ordinances and the town law governing the powers and procedures of the zoning board of appeals.

As our current chairman, he has demonstrated honesty, fairness in his zoning decisions as well as his willingness to lend support, to offer advice to the applicants.

As current board members, we believe that Mr. Keller's leadership ability is extremely and (inaudible) that the town board give our recommendation the utmost consideration.

Signed by Fred McLaughlin, Charles (inaudible), Barbara Prusinowski, and Otto Wittmeier.

I think that state law- and I'm just going to read what state law states here is that Zoning Board of Appeals are a basic part of the zoning administration. The state zoning (inaudible) statutes prescribe that zoning boards of appeals must be created when a municipality enacts zoning and that's town law 267.

1/03/2007 minutes

ZBA serve as safety valves in order to provide relief in the appropriate circumstances from over-restrictive zoning provisions and they function as the appellate entity in this. So if anybody doesn't like the zoning, they can go to the appellate and have them adjudicate it.

Their powers are derived straight from the state legislature and by the state law the ZBA must serve to provide a relief from a strict application of regulations that may affect the economic viability of a particular parcel or may have struck reasonable dissemination expansion. They interpret- they can interpret the law and if somebody wants to appeal for a variance to that law, they can. A ZBA must then apply the criteria to the state statute. So they have state statutes that they have to apply their criteria to and its determination whether to grant a variance as requested.

ZBA function free of any oversight by the municipal legislative body. Final decision making authority, the legislative body may not review or grant a denial of variances.

And what's happening here is that this legislative body doesn't like some of the decisions that the zoning board of appeals have made. They decided to change the zoning board of appeals for members that will listen to them and instruct them on how the zoning board of appeals should operate. And we should not have any part of that.

I just think that this has not been discussed at a work session. I think it's irresponsible because Marty Keller, he writes over 100 decisions a year. It takes approximately two hours for a decision to be written. To pay and we would have to because there's nobody else on the zoning board of appeals that knows how to write these decisions, to pay the attorney, the zoning board of appeals attorney \$150 plus money an hour to write these decisions, this is going to cost the town and we're not budgeted for this, almost \$40,000 a year extra for them to replace the chairman. He is the chairman of the zoning board of appeals.

And I think that this relates back to the landfill. We're not thinking before we act and this is going to cost the town money to do this.

And I want to ask the supervisor why is he replacing and not reappointing Marty Keller and I would like to ask that question. And if he wants to discuss it now, we can, or we can wait until the work session and discuss it at the work session.

But I just think that we're doing this out of sheer spite because they're not following his zoning laws the way he wants them to follow them. And I ask the supervisor."

1/03/2007 minutes

Supervisor Cardinale: "I think that- I think that you- I'm not doing anything is my answer. It's- there's a board here- as a matter of fact, the supervisor of the town of Riverhead and we'll be dealing with that this year by trying to change the categorization of the town, actually doesn't do a lot except if there are two other votes that join him. So we're talking about what the majority of the board believes to be in the best interests of the town of Riverhead at this moment.

But you have a motion to table, I believe it's been seconded. May we have a motion on the motion to table?"

The Vote: "Dunleavy, yes; Bartunek."

Councilman Bartunek: "I'd like to make a comment before we-- before I vote on that.

I do agree with-- one of the comments that John made is that Mr. Keller did put in 20 years of service on the ZBA and I think that everybody appreciates the time that he has put in on the committee, the board.

From what I understand, the zoning board has been run efficiently, that he's very intelligent and he devotes a lot of time to the decisions that are rendered by the zoning board. I agree with that.

However, one of the things that I've become aware of and I spent a lot of time when I first got on the board working with Barbara and Phil on the current zoning which complies with the spirit of the master plan and a lot of the decisions that have come from the zoning board kind of flaunt the exercise of preparing all that written law.

So it is an unpopular vote that we're being asked to render here unfortunately. I disagree with John where he states that we are trying to control the decisions that are made by the zoning board. That is not correct. I think that what we're asking for is a little more strict interpretation of the zoning laws.

There have been very few decisions made by the zoning board in the time that I've been sitting on the town board that haven't given exactly what the appeals have been asking for.

So I vote no on the motion to table this resolution."

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

Councilwoman Blass: "No, to table."

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

1/03/2007 minutes

Councilman Densieski: "I first saw this resolution at about 12:00 today with no prior board discussion. Some of the board and all of the public were unaware that this was going to be-- there was going to be a vacancy on the zoning board. Yet there are two resolutions to appoint various people to the board in the packet, possibly a coincidence.

The new master plan is now in place, the zoning board is very busy with important work. Now is not the time to replace a 20 year expert with a well intentioned political trainee.

All four current board members who I've never seen at a town board but most of them are here today because they're concerned I'm assuming, all four board members wrote a letter to the town board supporting Mr. Keller and I agree.

And in typical fashion, Mr. Keller for his 20 years of service to the town, did not receive a plaque, a letter or even a common courtesy phone call.

I worked on the zoning board with Mr. Keller and in my opinion he is the best choice for the position. He's honest, fair and qualified. This is a good example of closed, bad government. I'm going to vote yes to table."

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

Supervisor Cardinale: "Every year one member of the zoning board of appeals and one member of the planning board is up for renewal of a five year term. They serve independently during that five years but the town board by law is required to select who serves on those two panels.

So every year, every one on the board knows that there are appointments to be made at the first meeting of both a member-- appointments or reappointments of one member of the planning board, and this year is Dick O'Day, and one member of the ZBA, this year Marty Keller. And any intelligent and thoughtful process of government would begin to think about what you want to do in regard to those boards early in the third-- in the fourth quarter.

We made a-- so that's really all I have to say directly to the issue of whether we table or not.

On the note that Eddie made about speaking with Mr. Keller and asking him to acknowledge and be honored for his years of service to the town should we decide to go another route, I certainly intend to do that. I felt presumptuous to speak to Mr. Keller previous to a vote of the board because I frankly don't know what way this board is

1/03/2007 minutes

going on this. But I think he's entitled to respect and thanks and I think he's entitled to a plaque acknowledging his years of service and I'll see to that if the board votes in favor of this or if we don't table it.

I do not think we need to table this because of my first remarks that everybody knows that it's an appointment we make at the first meeting, that's when the term has expired, December 31st.

So I would vote no to table. I'd like to consider the two members that we are proposing for this.

Incidentally this \$6,000 for the full year without benefits position, and I want to thank anybody that takes these jobs because this it not going to make anybody governor.

Okay, so I don't think it carrier the table. So we need to consider- can I have someone move #15 to consider resolution naming-

Councilman Bartunek: "Appoints member to the zoning board of appeals, Larry Williams. So moved."

Councilwoman Blass: "And seconded."

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

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

Councilman Densieski: "I served with Larry on the Recreation Advisory Committee. I think he's a fine citizen, he's a fine community member and I think at some point in time he'll make a fine ZBA member. But I don't think now is the time. Now is not the time to change the chairman of the party with 20 years experience for somebody who is going to need on the job training.

We don't even know who's going to be appointed- who the chairman is going to be. I just don't think in the middle of the football game you take out the quarterback and put in the water boy. I just don't think that's a good idea.

I'm going to vote no.

I also must say that Phil's right. These are political appointments. I was on the zoning board of appeals and they replaced me with Democratic chairman Butch Langhorne. That's fine. That's the way it goes.

But this appointment, the chairman, is simply just too important.

1/03/2007 minutes

And the other point I want to make his Phil is always touting open government. Well, I'm not really so sure because I didn't know about it and it was never discussed by the board. I just think that this should be a board discussion and if you're not going to take Mr. Keller maybe there's some other qualified applicants out there. But we're never going to get to find out. We don't know if there's good people out there looking for this job because we're going to take somebody's friend or somebody's appointment.

I'm voting no."

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

Supervisor Cardinale: "I agree with Ed that Larry Williams is a very good prospect for this position. I would like to see him in it. He's a member of a minority community in town and we have very little representation in this town in that regard. He is a former member of - a present member of advisory committees. He's been a 20 year Clearview Civic Association leader. He is second in control of Greenlawn Cemetery. He has background in engineering so he's able to read plans and other things others could not do.

So I'm going to vote yes knowing that this unfortunately will not carry. I hope for support for it. And I would like to state that this is my choice for the board of appeals, would be Mr. Williams.

It was Mr. Williams I proposed last year without success and I'll keep proposing him until I hope I have success. So I vote yes."

Barbara Grattan: "The resolution is not adopted."

Resolution #16

Councilwoman Blass: "Appoints member to the zoning board of appeals. So moved."

Councilman Bartunek: "And seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Before my comment, I'd like to read what this is made up of three council people here, Councilwoman Blass, Supervisor Cardinale and Councilman Bartunek is a closed meeting that they had and these names were submitted to us. They were not submitted to us before yesterday afternoon is when I found out about it. So I just think that if it's going to be an open meeting we all should have the opportunity to bring people in and get resumes from these people and have an honest, forthright discussion about who we

1/03/2007 minutes

are going to put on these boards instead of just getting names and putting people on the boards because of political (inaudible).

I vote no."

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

Councilwoman Blass: "Yes. I'm going to make a statement because there have been a lot of things said today that are said very, very loosely and I take everything that's said very seriously.

First of all, there was no closed door meeting. Secondly, when we're talking about politics and doing the honorable thing, I'm not about to air dirty laundry right here but I am going to read something because a lot when into my decision to reevaluate whether I believe Mr. Keller should be reappointed or not, including some of the decisions.

However, we're all aware of the zoning board's function even though I appreciate Councilman Dunleavy's civic lesson on their responsibilities.

But I'm doing to read something and you can always spin it however you want to spin it but this is my statement.

About 15 years ago, I attended a seminar at Cornell Cooperative Extension with some friends of mine and we were all young mothers at the time. I think my children were four and two years old.

The seminar was entitled Discipline is not a dirty word. And we discussed a lot of things on how to be firm with our children and how to be decisive with our children without being oppressive and how to guide them into making good choices of their own.

Why do I bring this up? Because politics doesn't have to be a dirty word either. But it's alive and well here. Politics which allows disrespect to be an acceptable consequence for differences of opinion, a political process which doesn't tolerate a healthy dialogue and exchange of ideas without repercussion. Politics that expects blind allegiance and makes no allowance for loyalty based on principle. This kind politics certainly can be dirty.

I will not participate in that kind of politics. Mr. Keller was a fine individual and served the town well but I am proudly supporting Rose Sanders for membership to the zoning board of appeals.

My vote is yes."

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

1/03/2007 minutes

Councilman Densieski: "Once again, we're in the Super Bowl. Don't take out the starting quarterback and put the water boy in. It just does not make good sense.

Maybe there wasn't a closed door meeting. Let's say there wasn't. There was obvious discussion by most of the members that obviously Councilman Dunleavy and myself were not privy to. Clearly Mr. Keller has 20 years experience and this is not blind loyalty. This is doing the right thing for the town. This is putting the guy with the experience on the board, not putting the trainee in at the eleventh hour.

And I agree with Miss Blass, Mr. Keller is a fine individual and I'm going to be happy to support him if we can get this resolution voted down.

And as far as Miss Sanders, I did have the pleasure of working with her and I would not be able to support her.

So with that said, I'm going to vote no."
The Vote (Cont'd.): "Cardinale."

Supervisor Cardinale: "Well, I vote last so I guess that's the benefit of being the supervisor.

Martin Keller, Marty Keller has served the ZBA over an extended period of time and I'm sure he's worked hard and tried to place, do the job and his interpretation of the job as well as he could. And I thank him for that and I appreciate that.

On the other hand, this has been an interesting, you know, decision for me to make for a lot of reasons. And incidentally there was discussion at least with John about this during the last couple of days. But politics if it means anything-- policy if it means anything has got to be in response to the community.

And one of the things that moved me was commentary I've heard from my home community of Jamesport in regard to some of their concerns about the zoning board of appeals. That convinced me that we need a change and sometimes a change-- I felt there was time for a change based upon the responses that I received from the community that I'm supposed to be connected to.

Marty is the Chair, he's been there for four terms, five years each. Sometimes the Chair or the coach represents the board and I think that the board needs change and I think as I thought about it, what change it needs.

I think that the problem has been consistently and I've been around as a councilman and out of government for a few years and then

1/03/2007 minutes

back as supervisor for nine years now, that the perception of the zoning board of appeals has consistently been of its function and role different from that which the law sets forth.

It is not supposed to re-legislate. It is supposed to interpret and then if its interpretation does not meet with the board or the legislative body's intent, we simply clarify the ordinance.

It is not supposed to— it has enormous powers because it is an interpretive body and it is a body that varies and modifies our zoning law which we've taken much money and much time to put in place.

The desire for empathy— to be empathetic is a good one but we can't let that supersede our duty to comply with law. And I saw— I've seen that on various occasions with the board in regard to issuance, for example, of use variances. There's a specific legal standard by which you permit a use not permitted in the zoning district that you must meet and I've observed as an attorney that that is not always strictly enforced.

The substitution of non-conforming use— when it exists with another non-conforming use to be in the public interest has to be a less onerous public— non-conforming public use. Otherwise the law would have you let that non-conforming use disappear out of discontinuance or non-use so that the new permitted uses take over the location. I've seen non-conforming uses substituted for other non-conforming uses which were even more onerous.

And we've had an abundance of litigation. And perhaps the reason we have had an abundance of litigation is that I think we've reached the time in this town's history where, in fact I know we have looking at our legal bills, where lawyers should be writing zoning board of appeals decisions, not the Chairperson.

And most specially when you consider Rose Sanders, this candidate, take away all the political back talk, she has a real perspective on legislating. She was a legislator for four years. She understands the role of a legislator and I hope she'll understand the role of the zoning board of appeals in regard to legislation that is passed.

I think she'll be smart, hard working and committed to the best interests of the town just as Marty was but from a different perspective.

I think we need a change. I think we need some— a breath of fresh air and it's a difficult decision but— and I thank the outgoing member for his duty— attention to duty and for his efforts on behalf of the town, but I really do think the town will be better served by having Rose Sanders in that position and I'm going to vote yes."

1/03/2007 minutes

Councilman Densieski: "Phil- "

Supervisor Cardinale: "Yes."

Councilman Densieski: "Discussion."

Supervisor Cardinale: "Yes."

Councilman Densieski: "The resolution passed, there's nothing I can do about it now. But what are your intentions for the Chairmanship? I mean it's an important decision."

Supervisor Cardinale: "We talked about that and if any member of the board- I would be interested in any member who wishes to take the Chair position on. I would also be interested in letting them talk to each other. There's five board members and there's a good- it's obviously a close call here, it's a three-two vote as to whether the town would be better served by having Marty go forward or a new member. But why don't we let them think about it and make a recommendation to us for Chair because they know who they can work with. I have no preference for Chair."

Vice-Chair is Mr. McLaughlin. I think he's declined to step up to Chair so we have four other choices and I would think that seniority would have something to do with them.

So that's my thoughts on the subject.

In our advisory committees, we allow them to choose their own Chairs and Vice-Chairs, I guess because there's a small stipend, and I do mean small, \$1,500 associated with Chairs and Vice-Chairs. In this ZBA and planning board, we appoint. So I'm perfectly willing to take some recommendations from the members because I think they know how well they work together and who would work best as a Chair.

I have spoken to some of the members, I've spoken to the Council, I've considered everything I have heard, and I certainly want to get a Chair that's working there and working well with the Vice-Chair.

So let's talk about it tomorrow at the work session.

I think presently, it's McLaughlin is the Vice-Chair and the Chairmanship is open.

Okay, let's move on."

Resolution #17

1/03/2007 minutes

Councilwoman Blass: "Reappoints member to the Planning Board. That would be Dick O'Dea. So moved."

Councilman Dunleavy: "Second. Again, this is a nice reappointment. He's been there for years and he's doing a great job. So I second that."

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

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

Councilwoman Blass: "Yes and I echo those comments. Dick is doing a great job and it's a pleasure to work with him. My vote is yes."

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

Supervisor Cardinale: "I'm going to abstain and this will (inaudible) something that was said. There-- I think Dick's doing a great job but I'm going to abstain on this, largely to point out that a lot-- there is-- every one of the members of the zoning board of appeals and the planning board have been appointed by majorities of the town board and political considerations are factored in. Trust me."

So the only thing extraordinary about what we just went through with the ZBA is that one of the members of the majority party, namely the Republican, on this board felt that we should make a change and I think she's right. But every one of these appointments has a political (inaudible). So I'm going to abstain.

I like Dick O'Dea but there's I bet you at least three or four or five people that could do this job and they're not going to be considered and that's life unfortunately. So I abstain."

Barbara Grattan: "The resolution is adopted."

Resolution #18

Councilman Dunleavy: "Appoints Chairman to the Riverhead Planning Board Dick O'Dea and I so move."

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 #19

1/03/2007 minutes

Councilman Densieski: "Sets towing and storage fees. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "I think that-- I'd like to amend this because is the Chief here, he was here."

Councilman Densieski: "Yeah, he's right outside."

Councilman Dunleavy: "It's costing us-- it's costing the police department I think \$280-- Chief what does it cost you to impound a vehicle?"

Chief Hagermiller: "How much does it cost?"

Councilman Dunleavy: "Yes."

Chief Hagermiller: "Two fifty."

Councilman Dunleavy: "Does it cost 250? I thought it was three times their hourly-- "

Chief Hagermiller: (Inaudible)

Supervisor Cardinale: "Would you come up, please? Come up Chief, please. The question that John-- "

Chief Hagermiller: "That's how much-- charges is \$95.00 an hour times three hours."

Supervisor Cardinale: "Yeah. I'm going to point out something and then he wants to ask you and I do, too, this.

The reason-- because of the holiday last week, we did not have a work session on Thursday and that is part of our problem here is that we haven't had a chance to discuss many of these things as much as we'd like.

Two fifty for a flat fee and 30 per day. Do you have a recommendation that that be higher? That was what it was last year. Do you feel that your costs in regard to towing or storage are not covered by the 250 or the 30?"

Chief Hagermiller: "The 250 probably could go to 270."

1/03/2007 minutes

Supervisor Cardinale: "That's what John was saying."

Chief Hagermiller: "Just to match what they're charging at the town garage, but I think the \$30 a day is probably the highest in Suffolk County-- "

Supervisor Cardinale: "Okay, so that's-- okay so we want to-- if that recommendation is okay with the board, let's do that. That seems reasonable to be consistent with the garage. So we'll make it 270 and 30 for the new year."

And with that amendment, could you offer it John?"

Supervisor Cardinale: "Thank you, Chief."

Barbara Grattan: "Dunleavy, yes. Bartunek."

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

Councilman Dunleavy: "I vote yes with that amendment."

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

Councilman Bartunek: "Yes, as amended."

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

Resolution #20

Councilwoman Blass "Sets standard legal counsel hourly rate. So moved."

Councilman Bartunek: "And seconded as amended."

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

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

Resolution #21

Councilman Bartunek: "Approves highway superintendent expenditures. So moved."

Councilman Dunleavy: "And seconded. This is mandated so I'm going to second this for that."

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

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

Resolution #22

Councilman Bartunek: "Establishes the town of Riverhead energy advisory committee and appoints members. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Dunleavy."

Councilman Bartunek: "I vote yes."

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

Councilman Bartunek: "Yeah, I'd like to make a comment about the energy advisory committee. They are a group of people that are very well versed in a lot of alternative energy resources, a lot of expertise that has come to this committee. They are going to be putting on a series of public presentations, the first is going to be January 20th at the Riverhead Public Library regarding (inaudible) oil that the public may be interest in. It will be January 20th.

I vote yes for the formation of the committee."

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

Councilman Densieski: "Yeah, I can't think of a better committee. It's a good idea. Thank you, George. Yes."

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

Resolution #23

Councilman Dunleavy: "Authorizes the publication of a help wanted ad for automotive equipment operator. So moved."

Councilman Densieski: "Second the motion."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes. I think-- does this have to be amended? Is this operators? I think it's for the highway department. I think they're looking for two."

1/03/2007 minutes

Barbara Grattan: "Are they?"

Councilman Dunleavy: "Yes. So I think it has to be amended to operators."

Barbara Grattan: "Okay, got it."

Councilman Dunleavy: "Yes."

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

Resolution #24

Councilman Densieski: "Amends Resolution #578 of 6/20/06 authorizing the establishment of a bank account for the Main Street programs. 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 #25

Councilwoman Blass: "Authorizes the supervisor to execute first addendum to contract between Riverhead Business Improvement District (Town) and Riverhead Business Improvement District Management Association, Inc. (RMDA) for administration of Main Street programs. So moved."

Councilman Bartunek: "And seconded."

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

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

Councilman Densieski: "This is for the administration of the program and I have an application so I'm going to abstain."

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

Resolution #26

1/03/2007 minutes

Councilman Bartunek: "Amends the town of Riverhead freshwater wetlands inventory of 1979. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #27

Councilman Dunleavy: "Amends Resolution #1000 of 2006 authorizes the supervisor to execute runway use agreement with South Bay Apparel. 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 #28

Councilman Densieski: "Sets the salaries for part time recreation aides - volleyball positions for 2007 for the recreation department. So moved."

Councilwoman Blass: "And seconded as amended."

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

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

Resolution #29

Councilwoman Blass: "Appoints volleyball attendants and officials to the 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 #30

1/03/2007 minutes

Councilman Bartunek: "Ratifies the appointment of an intern, Thomas Condzella, to the police department. Did I say that okay, the two Italian people-- So moved."

Supervisor Cardinale: "Very well done."

Councilman Dunleavy: "And seconded."

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

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

Resolution #31

Councilman Dunleavy: "Authorize the supervisor to execute a contract agreement between the town of Riverhead and Peggy Schiefer, court reporting services."

And can I say something before I-- was there a discussion with this person? Weren't we supposed to have a discussion-- "

(Inaudible comment)

Supervisor Cardinale: "I think John is talking about-- this is fine, John, you can see and I'll give you the distinction between the other one which we don't have on."

Here she's getting paid in a specific hourly manner that you can read and I think she says \$3.50 a page, right? On the other one, it was \$6.00 a page so I said what's the deal and she said, well, she doesn't want the job. I think we might be able to find someone between three and six for that other job. So this is at a lower rate."

Councilman Dunleavy: "All right. So moved."

Supervisor Cardinale: "Moved and seconded-- moved. Can we have a second?"

Councilman Densieski: "I'm sorry. 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 #32

1/03/2007 minutes

Councilman Bartunek: "This accepts the resignation of Richard Heinen as crossing guard. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #33

Councilman Densieski: "Authorizes the town clerk to advertise for bids - Gateway East Subdivision for the Riverhead Water District. So moved."

Supervisor Cardinale: "Moved and seconded. May I have a second before I say that?"

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 #34

Councilwoman Blass: "Authorizes the town clerk to publish and post a public notice for a public hearing to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled Zoning, recreation fees. 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 #35

Councilman Bartunek: "Appoints official newspaper, the News Review. So moved."

Supervisor Cardinale: "Moved and-- may I have a second?"

Councilman Dunleavy: "I'm going to second this but I don't think we can appoint the Suffolk Life because that's a non-- that's a

1/03/2007 minutes

free paper and I think they have to charge before you can make them the official paper. So I'd like to amend this."

Councilman Densieski: (Inaudible)

Councilman Dunleavy: "It's- that's why we couldn't do the Independent."

Dawn Thomas: (Inaudible)

Councilman Dunleavy: "Yes."

Supervisor Cardinale: "Yeah, I believe that there is a mechanism that the Suffolk Life uses in order to allow itself to be eligible. They have a different Suffolk Life something or other that makes itself- this is not for the official newspaper but for an additional newspaper that we might be able to use. Right?"

Councilman Dunleavy: "It says appoints official newspaper."

Supervisor Cardinale: "Yeah, in other words, no, the first one is- "

Councilman Densieski: "The News Review in the first Whereas- "

Supervisor Cardinale: "The News Review in the first is the official but this is other papers we may use, Newsday, News Review and Suffolk Life."

Barbara Grattan: "And if you don't put it in there, you can't use that."

Councilman Dunleavy: "Right. Okay."

Supervisor Cardinale: "Okay. So you want to leave it in and then could you research it to make sure that we're right? They have a different- they have a paid subscription of some small number and that's how they maintain- they got opinions on it that that's acceptable. It was questionable though but would you check it? In the meantime we'll continue as we had. I think we did this last year."

Councilman Dunleavy: "With that, I second it."

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

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

1/03/2007 minutes

Councilman Densieski: "Yes. This is for the News Review to be the official newspaper, known for their accurate reporting and heartfelt kind stories. I'll vote yes."

Councilman Bartunek: "Unbiased."

Councilman Densieski: "Unbiased."

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

Resolution #36

Councilwoman Blass: "Accepts offer of sale of property offered for sale by contract vendee the Nature Conservancy. So moved."

Councilman Bartunek: "And seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "With the amended price, I vote yes."

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

Councilman Densieski: "Yes. I just had a couple quick comments. What do you mean the amended price?"

Councilwoman Blass: "There's an extra zero in it."

Councilman Dunleavy: "Read the- "

Councilman Densieski: "Okay, I'm sorry. The River Club was always my number one parcel and I know everybody's got a list and everybody's got what they think is important on their list. The River Club was always my number one parcel that I thought should be preserved basically because the community can't handle any more traffic down there and the property--the amount of property on the river. So I really thought it was important to preserve that.

And when I was on the board of the Kozakiewicz administration, we had the entire parcel-- a deal for 6.5 million dollars that in my opinion was derailed by politics. Now it's about double that and here's where my problem is.

We're going to-- the town's portion is about 6.8 million for the landward side next to the sewer plant and the county is going to hold the parcel on the south side of the road which is the riverfront property, the you know more attractive parcel. I do want to thank the county for (inaudible) up some money because it's important to

1/03/2007 minutes

preserve the property no matter who owns but we could have had the whole thing for 6.5 for town use.

Now there's nothing in the resolution what the town is going to be able to do with it, who's going to be using it, anything about the stewardship, so I just think we had a heck of a lot better deal before but this parcel has to be preserved in my opinion at just about any cost but I wish we could have done it for 6.5 instead of 6.8 and only getting the landward side and the county controlling the river side.

But with that said, I'm going to vote yes."

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

Supervisor Cardinale: "Yeah, this is an important resolution and I'm pleased to have it before us.

There are certainly some ironies and comedies and incidentally if only— if all of us had known in '02 what the market would do by '06, we would be a lot wealthier. But there was a difference in '02 or '03 when this was considered and that was that the appraisals were broadly variant.

What started that controversy was that the town and county appraisals were off by \$2,000,000 or more so that— these appraisals between the town and the county were right on. Each did their appraisals, each appraisal was confirmed by the other's appraisal in effect and, in fact, there were some interesting back and forth that allowed this purchase because they came out at the same number but they did it differently on the two parcels.

So the big difference is that this purchase is supported by qualified appraisals that are not divergent between the two partners purchasing them and that I think is what's made this possible when it wasn't possible in '02.

So I'm pleased to vote yes."

Barbara Grattan: "That resolution is adopted."

Resolution #37

Councilman Bartunek: "Awards bid for Calverton Enterprise Park construction Phase I. So moved."

Councilman Densieski: "Second the motion."

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

1/03/2007 minutes

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

Supervisor Cardinale: "This is also a very important resolution because it's the first million dollars of hard money we'll be spending to create the park at the EPCAL site. This is for the baseball fields."

Hold on for a second, this is a good question. Is Andrea here?"

Councilman Dunleavy: "Yeah, Andrea is back there."

Supervisor Cardinale: "Andrea, does this need to be a CDA resolution? Chris, my deputy, is there too. No, it does not. Thank you. Okay we voted it and it's correctly voted."

Barbara Grattan: "That resolution is adopted."

Supervisor Cardinale: "Yes."

Resolution #38

Councilman Densieski: "Awards bid for on site concrete and masonry debris grinding at highway maintenance facility. So moved."

Councilman Bartunek: "And seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes. I think this is a good move because we can use this for the base for roads that we're repairing. So I vote yes."

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

Councilman Bartunek: "This is the removal of the debris from the wetlands-- "

Councilman Dunleavy: "Yes, from the wetlands."

Councilman Bartunek: "I'll vote for this one, definitely."

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

Councilwoman Blass: "Absolutely. Yes."

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

1/03/2007 minutes

Councilman Densieski: "I know George likes to put concrete in. No, I'm only kidding, George. Never going to live that one down. Yes. I'm going to vote yes."

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

Resolution #39

Councilman Bartunek: "Appoints electrical services supervisor in the engineering department. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Discussion on this. Barbara, you probably know this better than I. In fact, all of you do because that was the week's work session Chris conducted, but we have-- and I know we're looking to make-- are we looking to make this an exemption to the 3/5 rule and if so, we should probably make clear why we're doing it. If you're doing it. I'm going to abstain because I wasn't present for the discussion but I believe this increase would be 7% and we have a resolution stating that when you're promoted, you have to get at least 3% and no more than 5% with the (inaudible) of the department head. We're going to go-- I think there's a reason that it was going to be done because he is taking over two jobs or something."

Councilwoman Blass: "I think actually two jobs--"

Supervisor Cardinale: "I'm going to abstain but you should put that on the record because I wasn't present at the discussion and I don't want to hear from 32 other employees tomorrow morning."

Councilwoman Blass: "The way it was described and correct me if I'm wrong any of you, but the way it was described was that there were two positions that were actually being consolidated into one position and this individual is going to be overseeing the street lighting as well as all of the electrical responsibilities in B&G and it's actually-- it's a new position with new responsibilities and not a simple promotional that would follow that promotional path that you described."

Councilman Dunleavy: "I just want to add one more thing to what Barbara said. This gentleman has an electrician's license, electrical license, so he can perform duties that we had to go out and get a licensed electrician to do and we can have-- this fellow is going to be in house. If we have any electrical problems anyplace, he can go and repair them. We don't have to go out and get an outside electrician and pay their enormous salaries that they get. They get a lot of money to come in. So this is benefitting the town and is saving the town money."

1/03/2007 minutes

Councilwoman Blass: "Thanks for that— I had forgotten that point. That's a good one. Right."

Supervisor Cardinale: "The promotion goes to a different group?"

Councilwoman Blass: "It's a different group and a different step."

Supervisor Cardinale: "And the step he goes to gives him an increase of how much? What percent? Do you remember?"

Councilwoman Blass: "It's about 7.3 percent."

Supervisor Cardinale: "So it's like 2% over the usual (inaudible)."

Councilwoman Blass: "That's correct."

Supervisor Cardinale: "Okay. May we have a vote?"

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

Supervisor Cardinale: "Okay. That— do we have bills to pay this week? Okay we have concluded the resolutions before us. We would like to take any comment on any matter before our purview that you would like to comment about and, Sal, please come up. And if anyone wishes to follow, please come up."

Sal Mastropolo: "Sal Mastropolo, Calverton. Can you give us a status on the Rolle Bros. property?"

Supervisor Cardinale: "Let me think if I can. Yeah, did we pass that zone change? A few months, some months ago, three, four, they came in and said that they had a hot one for a bowling alley but they needed a clarification by the— that the bowling alley would be a permitted use. We accomplished that through the usual procedure of hearing. I presume— we made— they know that. I presume they're proceeding with the transaction and that some day before we get too much older, we'll have a bowling alley there."

Councilman Dunleavy: "Sal, I heard that the Mobil oil company which owns the property is now renegeing on what they— the sale, so I think they're in negotiations but I think that's— we have a problem up there right now and they were looking at another piece of property on county road 25."

Sal Mastropolo: "Okay."

1/03/2007 minutes

Councilwoman Blass: "I think it was a result of a Phase I environmental."

Supervisor Cardinale: "Oh, yeah, the environmental issues associated with the property may have doomed that site."

Sal Mastropolo: "Okay. What about the bike path at EPCAL. When we talked about this the last time there was an issue about whether it was \$100,000 per mile to pave it for seven miles? Are we still going forward with that?"

Supervisor Cardinale: "I definitely am not- if it's 100,000, it's good. More than that, no."

Councilman Bartunek: "Sal, Sal, \$100,000 is for a mile- what is it a mile of a road, paving roads."

Sal Mastropolo: "So we've checked into that?"

Councilman Bartunek: "Yes. Yes. The price I think- the total price was given to me by engineering was \$186,000, something like that, \$183,000. I think there was some money that was added to that to bring it slightly over \$200,000. We haven't heard anything about the application for the grant."

Supervisor Cardinale: "One hundred thousand dollar grant."

Councilman Bartunek: "Yes."

Sal Mastropolo: "The Tully (phonetic) proposal for the dump?"

Supervisor Cardinale: "Oh, the what proposal?"

Sal Mastropolo: "Tully. Is it Tully?"

Supervisor Cardinale: "Oh, yes."

Sal Mastropolo: "Okay. I was watching it on the work session."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "Is the plan- if we go with the Tully proposal, is the plan to sell the development rights off the land so that we can offset the cost of the capping?"

Supervisor Cardinale: "We're going to be talking about this in the work session- we're going to have a half day work session so we can make some decisions. But if we capped pursuant to Tully and he actually did what he said he's going to do for a price set, we'd be finished for 12 to 15 if you believe that if he does that. And then

1/03/2007 minutes

we can do a PDD anywhere in the town to recoup income. It doesn't have to be off that site or on that site but I don't believe— no, to answer your question directly. He did not contemplate a— he contemplated being paid in hard cash, not in development rights."

Sal Mastropolo: "No, no. I didn't— that's not the question I had. I know you're going to pay him in hard cash."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "But if we go forward with that proposal, let's say for argument sake it's \$24,000,000 to cap it, okay. Has the town board given any consideration to selling the development rights off of it for those 60 or 70 acres and using the revenue from selling the development rights to offset the cost of the capping?"

Supervisor Cardinale: "Yes. Absolutely. We— because the project is going to cost us more— first of all we didn't want to do it in the first place. We were compelled to do it and it has cost us more than we had hoped it would. We will diminish the net costs by using any device possible, the sale of sand, what you call sale of development rights which correctly— what actually it is is the creation of a PDD because that property is presently zoned industrial and it doesn't have industrial rights to sell off of. But it does have the ability to— we do have the ability to create a planned development district in the public interest and to allow increased development at an appropriate site which is to be named because we don't know where it is yet and in consideration thereof to ask for contribution to the town to offset this project."

Sal Mastropolo: "Okay. I know you don't want to talk about this but I'm going to bring it up again. Now that you guys took your raises and, you know, I heard all the verbage about public service. Where are we on a town-wide reassessment and are you guys going to step up and order it? I mean, I think we really need to do it, okay. It's not going to get any better. We haven't done it for years. I think we should just bite the bullet and do it."

Supervisor Cardinale: "Okay. Well, two things. Number one, two of us did not take the raise but we still for reassessment. I think George and I have made ourselves clear, number one, we're not taking the money although I'd love to; and number two, we think reassessment is overdue."

Practically speaking, the reassessment will not proceed unless there is a will to do it and the will ought to be a lot stronger than three-two ideally because it's a long process and I've gotten some real good advice on this from people that know and you have an unfair assessment— your property— generally speaking, property is not fairly assessed here because it hasn't been appraised in many years.

1/03/2007 minutes

If you try to correct that situation you should be able to make it better by a full reassessment but it's been done before and it's made it worse. So if we're going to do it, we've got to do it right. And if we're going to do it we have the will to do it and the will to do it has to be across the board. At this moment, we don't even have a majority much less a plurality to move forward on reassessment.

I do think it would be the fair and just thing to do."

Sal Mastropolo: "Don't you have a legal responsibility to do it by law?"

Supervisor Cardinale: "But— we do not because we are not under any court order to reassess. That's happened in other towns but those towns hadn't reassessed in like 70 or 80 years. We're relatively current having reassessed only in 1979. That's a relatively brief period.

Now, remember, that means that you were assessed at those values and no changes in the interval were taken into account in effect, so that to the extent that one area in the town increased in value and one area increased but less, that's not picked up in our present assessment. So, but people have had no assessments and no (inaudible) for as many as my advisor, the tax attorney Mr. DeSimone was saying, 70 years."

Sal Mastropolo: "Okay. We talk about town rec property in some of these subdivision, okay. And at a meeting last year in the fourth quarter, there was an issue with some trees coming down on a piece of town rec property and the town had to go in and clean them up because they were hanging over the property. Do we have a lot of parcels out there that belong to the town rec, you know, in these subdivisions? And if we do, I think we should sell them for market value and take the money and put it in the recreation department. Because those pieces will never be developed as parks and if we're going to make a major investment in EPCAL for a park, why keep these, you know, one acre parcels or two acre parcels in these subdivisions?"

Supervisor Cardinale: "Well, you know, pocket parks, as you know, were pretty popular in the '70's and '80's. And then they just didn't work out because of maintenance and other problems. So you're right, they are in some of the subdivisions that developed in the big rush from '80 to '86 when there was a real— it was a market that rivaled the last six years, those six years. And they put in subdivisions and they put in pocket parks and we were supposed to maintain those pocket parks and we don't and sometimes we have to come back and do it. We could not— I don't know if we could sell those. Dawn, because they're dedicated as parkland."

1/03/2007 minutes

Dawn Thomas: "Yeah, that's correct. Once they're dedicated parkland, it requires state legislative authority for this board to (inaudible)."

Councilman Dunleavy: "I'd like to just follow up on one thing you said. Do we have an inventory of these parklands?"

Supervisor Cardinale: "Yes. Ray (inaudible) when he first came in about a year ago did do an inventory, John, so you can get it from him."

Councilman Dunleavy: "Okay."

Supervisor Cardinale: "But that's a- I'm told by Barbara who was on the planning board at the time that it really isn't that big of a problem. It's probably somewhere between two, four, six, at most. There's not a lot of these pocket parks but some subdivisions (inaudible)."

Sal Mastropolo: "If they're not developed like the one on- what is it- Osborne?"

Supervisor Cardinale: "Yeah."

Sal Mastropolo: "I mean that one was developed, they put in a ballfield, they put in fences and it's used. I mean on my way here today there were six or eight guys playing basketball. But if they're not being finished into parks, they're really going to waste."

Supervisor Cardinale: "Right."

Councilman Dunleavy: "And- go ahead."

Councilman Densieski: "The one on Horton Avenue and Osborne was never designed to be a pocket park. I know because I was there. What we try to do is stop children, there was a lot of them, playing basketball in the street on Horton and Osborne so we did create a little basketball court and a little park area. But it was never designed to be a pocket park."

Supervisor Cardinale: "Two Bears has a pocket park."

Councilwoman Blass: "That was required- and that was one that's really well used."

Supervisor Cardinale: "Yeah. So we can take a look and see if there are some that are not well used and if they could be- "

Councilman Dunleavy: "And I agree with Sal. I think we should- we have one four acre parcel up at Reeves Park that is behind houses

1/03/2007 minutes

that is paved and it's not used because nobody wants anybody up there. And I think that's valuable land. It overlooks the sound and if we could look at selling that, the town would reap a lot of income from that park."

Councilman Bartunek: "I don't think we can do that, John."

Councilman Dunleavy: "Well, that's what I said. It's a park. You would have to look and see if you could do it."

Supervisor Cardinale: "You're talking about Reeves Park parking area?"

Councilman Dunleavy: "Yeah, on the top- "

Councilman Bartunek: "That's part of the whole tract that goes back almost three-quarters of the way to Sound Avenue and that's probably if you went back to the covenants from the 1930's, you'd find that that was-- probably covenants protected that as open space in perpetuity. I would guess, John. I don't think the town could sell that."

Councilman Dunleavy: "Okay."

Councilman Bartunek: "It's part of a lot more open space."

Sal Mastropolo: "One last thing. I have a question. When a guy comes in for subdivision approval, okay, and it's granted and then we put a resolution in place to extend the water district, when does the town get the money from the developer to extend the water district? Because I'm hearing that the approved subdivision on the southeast side of Hulse Landing and Sound Avenue, okay, it's called Flynn's Landing I think by Shembry- "

Supervisor Cardinale: "Yeah."

Sal Mastropolo: "-- I'm hearing rumor that he's going to sell out to the county."

Supervisor Cardinale: "You mean lose it to the county?"

Sal Mastropolo: "No. Well, sell it to the county."

Supervisor Cardinale: "For what?"

Sal Mastropolo: "He's not selling any houses there."

Supervisor Cardinale: "Just sell the land."

Councilwoman Blass: "Is this Shoreline Development?"

1/03/2007 minutes

Sal Mastropolo: "Huh?"

Councilwoman Blass: "Is that Shoreline Development? Is that what it's called?"

Sal Mastropolo: "No."

Councilwoman Blass: "For Shembry, along Hulse Landing Road."

Sal Mastropolo: "I don't know if the name is Shoreline. Okay. I know the entrance is on Hulse Landing. Okay?"

Councilwoman Blass: "Yes. That's the one, yes."

Sal Mastropolo: "All right. But I'm hearing that he may be selling that out to the county, okay, and if he does that would be a shame if we went through the expense of putting a water extension in there if the development is never going in."

Councilwoman Blass: "I think his water key money is being returned."

Supervisor Cardinale: "Well, there's even more to that. He's actually asking not about the water key but the extension."

Councilwoman Blass: "Well- "

Supervisor Cardinale: "The extension I wouldn't care. I'm sorry to lose the water key money but I'm losing the houses so there's a positive there in some ways. But, you're talking about the cost that it costs to put in the main. He- first of all, it doesn't get paid to the town, it gets paid to- H2M who is the town's engineer and this is the way they get all this business because they're actually working for the town but they're being paid by the developer. So that way they can represent the town and actually do the work for the developer and not call it a conflict of interest.

So the bottom line of it is that they didn't put it in and if they did put it in, we wouldn't lose any money. It would be the developer who would have paid for it."

Sal Mastropolo: "Okay. That's- I guess my concern was if he does sell the land to the county, that we're not stuck with the cost of putting in the water extension and him walking away saying well, I don't need it anymore because I'm not putting the houses there."

Supervisor Cardinale: "No. Because he pays that directly- Barbara's pointing out that if he does go to the county with the land, we will lost that 2500 is it- 2500 a lot water fee."

1/03/2007 minutes

Sal Mastropolo: "Okay. Thank you."

Supervisor Cardinale: "Any other questions? Yes, ma'am."

Sheila Muller: "Hi. I'm Sheila Muller, Aquebogue. I hope you will bear with me as I make this comment. I haven't been to a town board meeting in 15 years since my son was appointed Supervisor for the Day, the child when he was eight years old."

Supervisor Cardinale: "Welcome back."

Sheila Muller: "1993. First of all, I would like to thank Ed Densieski for overseeing the storage and putting up the town menorah every winter holiday season along with the decorations of the Christmas tree and the creche.

I would also like to mention that when I went by to admire the decorations on December 28th, this past Thursday, I noticed that the town menorah was vandalized again for the second year in a row. We have had- I did not report it to the police but I did make a call to Mr. Densieski's office and also to his assistant and I left voice message- voice mail messages.

I just wanted to know if the town was aware that this had happened. Two of the candles were knocked off- as last year there was other vandalism to the town menorah."

Councilman Densieski: "Yes. I did get your voice mail and I saved it because the last two numbers did come back garbled and I save it. Yes, I did get your call and I acted upon it promptly. I did call engineering. Engineering went to Harrow's to get two more candles. They're plastic candles from Harrow's. Harrow's is going out of business. They weren't able to get the candles. I had them notify the police and I have a police report, you know, right away. And also that we couldn't get the candles. She said that Hanukkah was over so we removed the damaged menorah."

Sheila Muller: "I did notice that. Yes."

Councilman Densieski: "After Hanukkah was over. It is true, it's been vandalized two years in a row. I don't know what we can do about that. We can't legislate human behavior unfortunately but when they do damage it, we do try and fix it. Unfortunately with Harrow's going out, we could not get the candles in time for the end of Hanukkah. I do apologize for that. But I don't, you know, I don't think we could have done anything differently at the time."

Sheila Muller: "Not a problem for this year but I would hope that it would continue in the coming years to put that menorah up

1/03/2007 minutes

along with the other holiday decorations. And if you need assistance in replacing those two candles, I might be able to help you with that."

Councilman Densieski: "Oh, I would be happy to have you do that. Yeah, buildings & grounds normally takes care of that. We did, you know, put a police report in and I will ask the Chief if they can give us a little more coverage next year possibly. But we welcome all faiths. It's not a religious event so we welcome everybody down there and we're happy to have the menorah and put it up every year and I apologize for the vandalism that took place for the last two years."

Sheila Muller: "Thank you. Thank you very much."

Councilman Densieski: "You're welcome."

Sheila Muller: "Happy New Year."

Councilman Densieski: "Same to you."

Supervisor Cardinale: "Thank you. I think we have comment and then you, sir. Yes."

Patricia Holland: "Patricia Holland, Hamlet of Northville, Riverhead. The president of our Northville Beach Civic Association is in Ithaca right now and he asked me if proposition- resolution 26 was passed, which it was, that he asked me to take his place thanking you for doing it, not just for the residents of the hamlet of Northville but for Riverhead in general. Because we don't need people having waterfront view in their backyard. So thank you very much for passing the wetlands resolution."

Councilwoman Blass: "You're welcome."

Supervisor Cardinale: "Thank you. Yes, please come up. If there's any other comment, please follow this gentleman."

Lester Davis: "I promise not to have a word to say about the airport unless you bring it up."

Supervisor Cardinale: "Okay."

Lester Davis: "However, Broadwater, yes. There's a couple items here that I touched on before but it's just part of it. Authorities answer the critics of Broadwater as follows regarding the criticism of industrialization of Long Island Sound.

Former bi-county planner Dr. Koppelman who has been I'm sure you know so well respected regardless of politics that kept the man on for two decades or more, states that the sound has been industrialized for 100 years. Today upwards of 1,000 oil tankers per year, the number of

1/03/2007 minutes

which would be reduced by the Broadwater L&G proposal. Dr. Koppelman states in a worse scenario should the natural gas facility blow up, it would involve only a mile and a half circle. I know that's been disputed. However, the new book on the impact statement, I think, backs that up, with no danger to residents on land.

In contrast, in fact on that point-- I don't have it here but there's been-- in plain language there's been a lot of lies out there. For example, it's been said when these tankers come in two, three times a week from around the world, the (inaudible) off Orient would be closed to other shipping. That is absolutely not true.

In contrast, should an oil tank rupture for any reason, we would have another Alaska Valdez, the cost of which was upwards of six billion to clean up. In fact, I was in Alaska about three and a half years ago and they were still cleaning up. And this includes the destruction of sea organisms.

(Inaudible) the critic saying if the terrorists get control of the subject barge, should this happen, the same action would happen to it that would happen to an airliner and God forbid, if anybody is on an airliner today is hijacked, it is going to be blown out of the sky before we have another disaster like happened in New York.

And the, okay, again, according to some experts, Dr. Connard (phonetic) dean and director of Stony Brook Marine Sciences, has said that the L&G proposal would reduce the necessity of trafficking of oil and thus greatly lessen the chance of such oil spills.

The Suffolk County Executive about a year ago, he took part in a hearing, what have you at one of the Shoreham schools, the politicians were some of the first speakers, I was along at the tail end, but nevertheless, the County Executive said the L&G project is not needed because Long Island's natural gas can be supplied by the proposed Islander East pipeline.

However, someone had to tell the County Executive that the Governor of Connecticut has authorized the Attorney General in Connecticut to file suit to block the building of a pipeline. The Connecticut Business News Journal has stated when thousands of Connecticut residents are huddled under their blankets and their thermostats set in the low '60's, we suspect they will begin realistic alternatives.

Just for the comparison, the Port Jefferson power plant which was built back in the middle--1950's I believe, several decades ago, my father was on the Brookhaven town board when the proposed local-- at the time, Port Jefferson electric power plant, was up for zoning. I remember full page ads in the papers, people from Port Jeff, they'd

1/03/2007 minutes

send people to Connecticut, all the pollutants and so forth, but nevertheless back to the point.

My father related that they hearing room was crowded with protestors against the proposed plant and since he was in favor of the rezoning, many residents would not speak to him, people he knew for years, and it hurt him.

However, that all changed when the reduced tax bills came in after the plant was built. Today the greatest concern and I remember I was at a county hearing a few months ago and legislator Vivian Fisher, she was concerned that that plant might close because if it's not repowered in that connection.

Today the greatest concern is losing the million dollar yearly that they pay in place of taxes. And this may happen unless the plant is repowered. And by the way, I might interject, and I spoke to Vivian Fisher on this. You've heard me speak of pump storage before. That could be done there, I won't get into that now.

And checking with the Village of Port Jefferson, I was informed that KeySpan power plant pays an amount equal to a quarter of the tax levy of the entire village of Port Jeff. To draw a parallel, it is important to note that the \$15,000,000 a year that Broadwater would pay Riverhead township would equal about— maybe not quite, half of the total tax levy of the whole township of Riverhead.

When asked by critics— okay, just to repeat this, when asked by critics of Broadwater what was in it for me, I answered \$20,000. But before anyone jumps to any wrong conclusions, I have a lot of company since \$20,000 is the average economic benefit that each and every Riverhead taxpayer would enjoy. And, of course, that's spread over I think 15– 20 years.

Pollution emissions of KeySpan's Northport and Port Jefferson power plants have been cited by the feds as by far the worse in the northeast, especially Northport, it's much bigger. Such air pollution has and can again destroy crops grown on Long Island. About three decades ago, I was on the Board of Directors of the Long Island Farm Bureau at which time the president of the farm bureau (inaudible) lost over 100 acres of vegetables due to air pollution mainly from these respective power plants.

Dr. Corderro if I'm saying his name correctly, College of Management Long Island University, states yearly pollution reductions by repowering the respective power plants with natural gas as follows. Average reduction of 94%-- now get this next figure, of the 44,000 tons of nitrous oxide and sulphur dioxide at both the Port Jeff and Northport plant, and that's per year.

1/03/2007 minutes

Dr. Corederro also states that among the most important repowering requirements is access to natural supplies. In light of the foregoing, showing the uncertainty of any other supplies, it is obvious that Broadwater or any other company doing the same is by far the cleanest viable solution.

Also keep in mind that this Broadwater proposal is— if it happens, is to be located nine miles off the shoreline of Long Island. And by the way, I don't ever hear but I did some calculations on some graph paper, objections of people saying this barge out there— if a person is standing halfway between Wading River and Port Jeff, I guess would be around Sound Beach, and they're watching the Port Jeff ferry go out, and when it's three miles out, this facility will look the same size nine miles out. Put it on graph paper and you'll see it.

Okay, back to the point very soon concluding. Okay. If this— nine miles off the shoreline. And that's Long Island or New York water, same thing.

If this location is moved one mile to the north, then it will be in Connecticut's waters and thereby guess who gets the \$300 million bucks? It goes to Connecticut. You won't see it.

In conclusion, let's see, okay, a person I know who is a very knowledgeable modern Mark Twain or Will Rogers type of observer has summed up the scenario as follows. Where the record shows that most of the supporters of Broadwater are professional Ph'd's such as college deans, respected professional planners plus leading news media. Even Newsday was against everything is a plus.

New York Times. Does anyone know how the Times stands on it? I'm not sure."

Supervisor Cardinale: "I don't even know how Spitzer stands on it. Anybody know how the Governor stands on it is a more relevant question."

Lester Davis: "That's interesting. Here's an important point coming up. The— to recap, the before mentioned poll, the poll shows that this opposition has changed this past year from a support of 25% for to a support of 52% for. Keep in mind should the Broadwater site be moved one mile to the north — I mentioned that before, okay, so that's fine.

The only difference would be the site would be 10 miles instead of nine miles, and most important, Connecticut and not Long Island would receive the \$300 million dollars. And, believe me, this has been researched thoroughly.

Any questions?"

1/03/2007 minutes

Supervisor Cardinale: "No. Because we heard this at one of the work sessions but the public did not so I assume that's why. But I think it's a- I understand your points and I think that Sid would like to comment in rebuttal as it were. I would point out incidentally that they're not going to Connecticut because that's a different state and they have to start the whole process again.

However, if they move- we're careful in Riverhead, our position is clear as a board. However, we're not- we understand that they could go to Brookhaven or right over the line as well and if they came, there would be less advantage. But I think that we have to let the federal system play this out unfortunately. We've made ourselves clear at the local level.

I should point out that there are public hearings and I think Sid will probably do that. Is- the one in Shoreham Middle School, correct, is the 11th or the 10th? It's the 11th at 7:00 p.m."

Sid Bail: "Seven to ten."

Supervisor Cardinale: "Seven to 10. So I think that we should all attend that hearing, seven to ten, on the 11th of January, this coming week. Have our voices heard and I appreciate your points.

Sid, you wanted to make a comment?"

Sid Bail: "Sid Bail, Wading River Civic Association. A little different point of view than Lester Davis. I don't want to comment upon all the points. He's very conscientious and, you know, he presented a lot of information but to tackle all the points, I feel like the guy who used to clean up after the elephants at the end of the parade, you don't know which pile to go for first.

But one issue and, of course, this is part of the Broadwater mantra. It's a very slick presentation. The benefits, the \$300 million dollars, 300 dollars a year savings per household on Long Island over the next 10 or 15 years of operation.

I was recently on a News 12 show with John (inaudible), and when he went into the mantra, I interrupted him. I said fine, John, but, you know when you did the same thing in front of the LIPA board of trustees and Richie Kessel asked you to produce the basis for this, you said this was proprietary information and I said but I believe you but I want you to write me the check right now for the \$300, you know, I want mine in advance.

You know, this is an important issue and there are some honest, you know, differences of opinion on this and what I was going to say, you know, one of my purposes for coming here, and I'm glad the

1/03/2007 minutes

supervisor brought it up. The hearing- FERC-- the Federal Energy Regulatory Commission, the Coast Guard, the US Army Corps of Engineers and a New York State Agency, the Department of State, will all be there at this joint hearing.

So I think it's extremely important. I'll be there. I know Lester will be there.

And, so, thank you very much."

Supervisor Cardinale: "Thank you. If there is no further comment- there is a comment- go ahead. What have you got to say? Vince Tria."

Vince Tria: "I'm really speaking now as a board of director of the Vail Leavitt music hall. I would like to thank the town board for its help last year for the Blues Festival. There will be another Blues Festival this year with one proviso. We will not- we will not ask for any monetary assistance and the festival will be the third week of July, the 21st and 22nd. Thank you."

Supervisor Cardinale: "Great. And we look forward to it and we look forward to not having any monetary assistance."

Meeting adjourned: 4:25 p.m.