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Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, July 17, 2007, at 7:00 p.m.

**Present:**

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

**Also Present:**

Barbara Grattan,	Town Clerk
Dawn Thomas,	Town Attorney

Supervisor Cardinale: "Can you hear me? Yeah, I guess you can. Can you hear me? Is that a good thing?"

Okay, we'd like to begin as always with the Pledge of Allegiance. If this young lady right there in the seat would lead us, I'd appreciate it. It's Ed's daughter, right? Casey."

(At this time the Pledge of Allegiance was recited, led by Casey Densieski)

Supervisor Cardinale: "Okay. We have Harriet in the house, Harriet Haas who is going to sing us yet another patriotic song. She sang just before the 4<sup>th</sup> of July on July 3<sup>rd</sup>, our last meeting, but the Cablevision gentleman which was another gentleman I believe, failed, failed to bring her together and get her on tape. So the meeting started right after her song. So fire away as we stand at attention."

Harriet Haas: "Thank you. I see a lot of faces here today. We do it now?"

Supervisor Cardinale: "Yes."

Harriet Haas: "Okay. Hello everybody."

(At this time, Harriet Haas sang God Bless America)

Supervisor Cardinale: "That was beautiful. Do you have another verse you want to sing or is that the- "

Harriet Haas: "Well, we have one more song."

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Supervisor Cardinale: "Okay. One more song. Because I let you sing two last time before 4<sup>th</sup> of July and they missed them both. So you've got it. It could be a career maker here."

(At this time, Harriet Haas sang America the Beautiful.)

Supervisor Cardinale: "Thank you very much. That was beautiful. Let me— before you go, Harriet, I want to shake your hand and I want to thank Warren for bringing you to us. Thank you, Warren."

Warren: "You're welcome."

Supervisor Cardinale: "Twice you brought her to us."

Warren: "She wanted me to take her. That was a compliment the second time."

Supervisor Cardinale: "(inaudible). Thank you very much. You were even better this week than two weeks ago. So thanks very much."

Before we get on with the agenda for this evening, and it's a very important part of the agenda for the evening, we have some proclamation and some supervisor awards to give out.

The first I'd like to do is the proclamation for Sgt. Terrence Moore. Is Sgt. Moore here? Come on up, please, and bring up your family whoever is with you. Come on up, guys. And come on over here and let me shake your hand and say thank you for your service.

It has come to our attention recently that frequently when our guys are home from Iraq we don't acknowledge their homecoming and we also don't acknowledge their service and we wanted to take a minute this evening to do just that for Terrence Moore, Sr., Terrence J. Moore, Sr., Staff Sgt. in the United States Army and a resident of the Riverhead area.

Whereas it is fitting and proper for the residents of the town of Riverhead to recognize the brave dedicated military service of its residents;

Whereas, Staff Sgt. Terrence J. Moore, Sr. was deployed to Iraq in support of the war on terrorism on March 26, 2003;

Whereas, Staff Sgt. Terrence Moore received the Army commendation medal for selfless service and dedication to mission accomplishment; and

Whereas, Staff Sgt. Terrence J. Moore's service in the United States Army is consistent with the finest traditions of military

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service and reflects great credit upon himself, the regiment of mounted riflemen and the United States Army and his town.

BE IT RESOLVED, that I Philip Cardinale, Supervisor, with the entire town board on behalf of all the residents hereby recognize the selfless deeds, bravery and service of Terrence J. Moore, Sr. and proclaim today, July 17<sup>th</sup> Terrence J. Moore, Sr. Day in the town of Riverhead.

Thank you.

This is a great family here. What are the names of these beautiful children?"

Terrence J. Moore, Sr: "Terrence, Jr., Mickala (phonetic), Jeremiah, and Latasha."

Supervisor Cardinale: "Well, thank you, and congratulations to each of you and the town board would like to join in the congratulations. And I'm glad you're home and you're going to be around in the states I understand for a bit.

Thank you all for coming in and thank you for your service to the country and the town.

Okay, there's a group out there from Bishop McGann Mercy girl's track team and the coach is with them. Peggy, are you here? Come on up, please. Peggy Strauss (phonetic) who is their coach and they have done over the last month some extraordinary things. I know they achieved an undefeated record for 2007 and were the league 7 champs and I know that it's the first league championship ever for Mercy's track team but I wanted you, Peggy, to call up the kids and tell us a little bit about the season."

Peggy: "Okay. Thank you. First, we'd like to thank you very much for this honor. Mr. Densieski actually contacted us and told us that we would be receiving this honor. We want to thank you very much because it's been exciting for our team. It is the first league championship that the girl's track team at Mercy High School has ever received and going undefeated was even better.

And the girls present here— thank you— the girls present here, I'd like to call up. It's about half of our team. Jessie Densieski, Catterie (phonetic) Rodriguez, Bridget (inaudible), Katie Dorenz (phonetic), Allie Smith, Mary Malady, Francesca Arturi, Marissa Burnie, Chavon Schraub (phonetic) and Colleen Nunez."

Supervisor Cardinale: "I'm going to— thank you for introducing the team members and we have some— we have an award here acknowledging the Bishop McGann Mercy girls track team from the Riverhead town in

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acknowledgment of their achieving the 7-0 record undefeated, honored as League 7 champions, and the first league champions of Mercy's track team.

And I'd like to present that to you from the town as- and from the town board, and thank you for doing such a great job with them this season.

And then we have some individual awards which I'd like my board, particularly Eddie, to come on over here and help me give out to the young ladies who deserve them.

Eddie, you may- I suspect that you may actually know these people personally so let me let you take this and indicate to them- give them these awards."

Councilman Densieski: "Thank you, Mr. Supervisor. And I want to thank all the students and the faculty and the coaches that did a great job over there. And can we get the fellow board members to come up and help out?"

Chavon- did I say that right, Chavon- okay, I'm sorry. Okay Chavon Schraub. I'm sorry.

Okay and Bridget Schraub, her sister and your daughter, made it to the states, right. How did you do? You say good. Katie Dorenz also made it to the states, right? What did you do? Broke your toe, okay. Get it ready for next track season. Francesca Arturi, okay, All League. Francesca. Carlie Nunez, did I say that right? Thank you very much. Allie Smith. Congratulations. Marissa Burnie, thank you. And Lilly Haig, she's not here, okay.

Okay, Mr. Supervisor, thank you very much."

Supervisor Cardinale: "Thank you, Ed. And let me, again, reiterate our admiration for your performance and keep up that extraordinary excellence in everything you do. Thank you. Thank you. Good job. Keep up the good work. Take care. Good job. Next year- undefeated, next year, too. Sure, thank you. Your son, was he a track star? Well, he was an alumnus though.

Okay, I want to know where News Review and- oh, there you are. No camera. You need a camera, John. These are good looking girls. You want me to keep them around? Hey, come on back, we want to get a picture. I don't get a chance to get pictures with all these good looking girls and Eddie wants to get in the picture, too, and the rest of the board. Ed, come on over. Any members of the board that want to get in the picture, which means everybody.

Okay. We're going to get to work now. That was fund, now we're going to get to work. Of course, I must have left the cover sheet

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over there, oh, here it is. Okay, here we go. The first order of business is approval of the minutes of the meeting of July 3<sup>rd</sup>."

Councilman Densieski: "So moved."

Councilman Dunleavy: "Seconded."

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

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

Supervisor Cardinale: "Reports, please, Barbara."

**REPORTS:**

Tax Receiver  
Utility collections for  
June  
total collected \$275,205.14

Tax collection report for  
2006-2007

Building Department  
Monthly report for June,  
2007  
total collected \$175,244.50

Riverhead Chiefs Council  
Fire Marshal Report  
Fire Marshal  
June's monthly activity  
report

Sewer District  
Discharge monitoring  
report  
for June

Barbara Grattan: "That concludes Reports."

Supervisor Cardinale: "How about Applications?"

**APPLICATIONS:**

Special Event  
Peconic Bay Region - Oct. 21  
at Hallockville Museum Farm -  
Antique car show

World of Life Ministries -  
Sept. 15 at Peconic Riverfront  
food giveaways, music,  
dancing, etc.

Church of the Harvest - Aug 18  
at Millbrook Gables Park -  
basketball tournament

Larry's Lighthouse Marina -  
Aug. 10, 11, 12 - boat show

Barbara Grattan: "That concludes Applications."

Supervisor Cardinale: "Correspondence."

**CORRESPONDENCE:**

James Slezak  
Regarding outdoor  
lighting  
draft requirement

Barbara Grattan: "That's it."

Supervisor Cardinale: "Okay. The bad news is that we have one, two, three, four, five, eight hearings scheduled for this evening. The good news is, if you want to consider it good news, as usual- as frequently is the case, we screwed up the postings on the last three, so there's really only going to be five hearings. It really wasn't us, it was Peconic Land Trust. So the last three, 7:30, 7:35, and 7:40 will not be heard tonight. We have to report, advertise and rehear them in about two weeks.

But we have a hearing scheduled for 7:05."

Public hearing opened: 7:25 p.m.

Supervisor Cardinale: "It being 7:25, we can open it. Regarding the construction of a waste water reclamation project of the Sewer District at a maximum estimated cost of \$2,975,000. The good news of which is that virtually all of it is covered by grants because it is such an innovative project which Frank Russo and Michael Reichel our sewer- our superintendent of sewer and our engineers have put together, so fire away, Frank."

Frank Russo: "That's good, Mr. Supervisor. It is an innovative project. It's going to be the first in Suffolk County and only the fifth in New York State.

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The project was really started because of the recommendations of the Peconic Estuary Comprehensive Management Plan to take some of the nitrogen loading that's being discharged via the outfall into the river out.

One of the methods that were developed was to reuse that waste water, treat it to a high level, and reuse it for golf course irrigation, the Indian Island Golf Course right next door.

This project started really back in 2001 with various studies with Suffolk County Department of Health Services approvals, New York State Board of Health approvals, New York State DEC approvals.

We're at a point now where the pilot study has been conducted, it's been approved. The map in plan or the engineering design report has been submitted to Suffolk County and as of last Thursday, the County indicated that they are approving the design step of this project.

I'm here tonight to present the budget amounts. The total project is projected to be \$2,975,000 and as the Supervisor did say, almost all of it except for approximately \$138,000 will be picked up by either grants or money given to by Suffolk County to fund the project.

The town was successful in getting a grant, a New York State grant, of \$2,095,000. The town also has in the count through the nitrogen increase fund of well over \$576,000. Suffolk County is contributing \$165,000. The net being that bonding would be about \$138,000. If you take that amount to be bonded and using a home assessed at \$50,000, that is an increase of \$1.95 per year to fund this project.

And I believe that's it."

Supervisor Cardinale: "Thank you. Michael, did you have anything you'd like to say?"

Michael Reichel: "Just a couple things. This project is to divert 350,000 gallons a day affluent over to the treatment— I'm sorry to the golf course from the treatment plant. An additional 35,000 gallons will be used to irrigate our own property.

We've jumped through all the hoops; we've done everything that everybody has asked us to do and I think it's nice that all these fine people showed up tonight just for this public hearing. Thank you."

Supervisor Cardinale: "Thank you. In case some of you are as dense as I am at times, the idea is just to dump the irrigated water

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through the golf course before it reaches the estuary and it thereby gets filtered through the dirt and sand and when it hits the estuary, it's a lot cleaner than it would have been if had gone directly into the water. It's a simple idea and apparently will do a great deal of good.

Anybody from the public that would like to comment, I'd like to hear it and I'm going to- "

Councilman Dunleavy: "I just have one question."

Supervisor Cardinale: "Yes, please."

Councilman Dunleavy: "Michael, I just have one question. Will- you said the increase in taxes will be a dollar ninety-five. Will that be everybody in the town of Riverhead or just the occupants of the sewer district?"

Michael Reichel: "Right. Those are just the people in the sewer district but we're also continuing to collect connection fee money which will make that \$1.95 go away."

Councilman Dunleavy: "But it's not going to be an increase in taxes for everybody in the town of Riverhead, only to the people that are connected to the sewer district."

Michael Reichel: "Correct."

Councilman Dunleavy: "Okay, thank you."

Supervisor Cardinale: "And the \$1.95 is an annual addition and that addition itself will be diminished because as we refill the coffers of the collection fees, we will be able to pay down the bond more quickly."

So the presentation was brief and to the point. Any comment by the public, I'd be pleased to take. If there is no verbal comment, I'll leave it open for 10 days until Friday, the 27<sup>th</sup> for any written comment that strikes anyone that they'd like to make.

It being 7:31, I deem the hearing closed for verbal testimony."

Public hearing closed: 7:31 p.m.  
Left open for 10 days to July 27, 2007  
for written comment

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Public hearing opened: 7:32 p.m.

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Supervisor Cardinale: "And move on to the second hearing of the day which is for the extension to our water district to be known as Extension #85 Mastro Realty, that scheduled to begin at 7:10. It being 7:32, I'll open the hearing and ask that whoever is going to present- now normally we have an engineer presenting. Is that so?"

John Collins: "Normally Dennis Kelleher is presenting."

Supervisor Cardinale: "But you're presenting."

John Collins: "He's out of town and I'll be presenting on his behalf."

Supervisor Cardinale: "What's your name?"

John Collins: "John Collins."

Supervisor Cardinale: "Are you an engineer, too?"

John Collins: "Yes, sir."

Supervisor Cardinale: "Despite your seeming youth."

John Collins: "Despite my seeming youth."

Supervisor Cardinale: "You are an engineer. Go, fire away, tell us about what you want to tell us."

John Collins: "Mastro Realty is a 22 lot subdivision located on the south side of Youngs Avenue. It's just west of the existing preserve subdivision. The property itself extends down to Deep Hole Road.

It's going to consist of 19 new single family homes. What we want to do here today is get approval to extend the water main and also extend the boundaries of the water district to provide service.

In order to provide service, we plan on- we propose to install 4,00 feet of new 8" and 12" main, new hydrants, new water services, and we also- in addition to the 19 new homes, we propose to bring in some existing property on Deep Hole Road into the Riverhead Water District. It will allow them to hook up to public water.

We estimate that the new subdivision will use about 6,000 gallons of water per day. Peak days, summertime conditions, that will increase to about 18,000 gallons per day. The overall cost of the project will be about \$342,000. That cost will be incurred 100% by the developer of the property with no cost to the town itself.

In addition to the \$342,000, the developer will be responsible for an additional \$50,000 which will be payable in the form of key

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money fees directly to the Water District for their capital improvement project."

Supervisor Cardinale: "Thank you. What's your name again?"

John Collins: "John Collins."

Supervisor Cardinale: "I was thinking these hearings were so much more exciting when Bill Kasperovich used to come to the meeting. He was like a retired engineer and he would actually get people asking questions, he'd get the board excited about the manner in which the thing is laid out and whether it's the best possible way. So he really did perform a function.

But this is paid for by the developer. It's going to cost him \$342,000 so if, in fact, there is a cheaper or better way to do it, you would think he-- the developer would point that out to you as engineers. So I won't.

But is there anyone from the public that would like to comment? How about you, Gary? This is our water district Superintendent."

Gary Pendzick: "Gary Pendzick, Superintendent of Riverhead Water. You mentioned Bill. If you will remember the term looping which this project by the way is."

Supervisor Cardinale: "Yes. I remember-- I thought you were referring to Bill when you said (inaudible). I thought you were talking about Bill but I'm glad it was the projects, the looping. No dead ends. No dead ends.

Anybody here have a comment other than no dead ends."

Councilman Dunleavy: "I just have one."

Supervisor Cardinale: "Yes."

Councilman Dunleavy: "I just want to ask one question. In the summertime, we are short on water, our supply of water, because of the sprinkler systems. How will this affect our supply if we're extending the Water District boundaries further than they are now?"

Gary Pendzick: "I can answer that. We are developing new resources as we speak to keep up with the growth of this town, not just with the irrigation but firematic purposes as well. In fact, the subject of a public hearing, not the next meeting but quite possibly the meeting after that, will address several new projects just for that reason."

Councilman Dunleavy: "Okay. So you're saying we're fine right now?"

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Gary Pendzick: "Yes."

Supervisor Cardinale: "Shaping the growth to build a better Riverhead. It just came to me that term."

Anything else that the professionals want to say, then the public. May we have a comment? You've got to come up unfortunately because they record this actually. You will be famous forever if you come up. They record it on a record and then they actually type it up. A CD, yeah. No more vinyl, CD they put it on, yeah."

Unidentified: "I live in a condominium community and we have an issue- "

Barbara Grattan: "Excuse me, can I have your name, please?"

Kevin DiMato: "My name is Kevin DiMato."

Councilman Dunleavy: "And can you talk into the microphone, please?"

Kevin DiMato: "Yeah, no problem. We live in a condominium community and we have an issue with judging how much water we are using that's going through the sewers and how much is actually leaking or going into the ground as far as irrigation goes. How are we to know exactly how much water is going to be used in this development if there's no meter as such?"

Supervisor Cardinale: "You live in which condo?"

Kevin DiMato: "Mill Ponds."

Supervisor Cardinale: "Of course. We've had so many discussion about that. Go ahead, Gary, would you address that issue?"

Gary Pendzick: "All of the homes in this community are going to be metered, 100% metered. So every drop of water that goes into it will be accounted for."

Supervisor Cardinale: "Well, actually their problem is just the reverse at Mill Ponds."

Councilman Dunleavy: "Gary, could you- "

Supervisor Cardinale: "You charge for their sewer water, not you, but Michael does, as it goes- not as it comes in, not as it's actually used. So they pay sewer tax on their irrigation water, that's what he's getting at. Which is a whole other problem. But every bit of water that's used will be metered- "

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Gary Pendzick: "That's correct."

Supervisor Cardinale: "-- the problem is that their irrigation water is being metered as sewer water and we've had a lot of discussions about that. We're trying to figure out a solution to that, as you well know. Yes, Michael."

Michael Reichel: "This project is not in the sewer district."

Supervisor Cardinale: "Oh, good, so it's irrelevant."

Michael Reichel: "Correct."

Supervisor Cardinale: "Separate, Okay, good."

Michael Reichel: "Yes."

Supervisor Cardinale: "Anybody else have any comments? We'll fix the problem over there, don't worry, in the condo. We'll figure out a just and equitable result that all men will be fairly treated and women."

Anything else? Right. All men and women.

If there's nothing else from the public, I will close the verbal portion of the testimony and keep open the written comment in case somebody has a brilliant thought between now and Friday, July 27, at 4:30 p.m."

Public hearing closed: 7:38 p.m.  
Left open until July 27, 2007  
for written comment

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Public hearing opened: 7:39 p.m.

Supervisor Cardinale: "Begin the third hearing scheduled for 7:15 and I know there's a lot of high powered, high priced people sitting in the front row with the exception of Warren and Harriet who we've got to get this hearing over so they can go home."

This is the 7:15 hearing to consider the question of designating the Vintage Group LLC the sponsor for the redevelopment of the property bordered by the west by Osborne West, on the north by Railroad Street, on the east by Griffing Avenue, and on the south by Court Street. That would be for those of you who don't recognize it, the area that is the parking lot across from the Railroad station and the 55,000 square foot immediately to the east.

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The attorney, Frank Isler, for the town is here on this because he's our outside counsel, and I'll let the applicant present."

John Sullivan: "Thank you, Mr. Supervisor and Members of the Board, good evening. Good evening, ladies and gentlemen. My name is John Sullivan from the firm of Burke and Sullivan. I represent the Vintage Properties LLC, the applicant herein.

At the outset, let me thank the board for passing the resolution allowing this project to be presented by Vintage for determination as to whether or not they are qualified and eligible to develop the property.

Let me also thank— take this opportunity to thank Dawn Thomas and Frank Isler who have worked with us for a period of time in dealing with legal issues, municipal and administrative issues that have enabled the project to come this far forward.

At this time, I have a couple of pieces of housekeeping that I would like to do before introducing the principal of Vintage Properties LLC.

The first is that in accordance with the law, the Vintage Group book, which I think a copy if available to each of the board members, was filed with the town clerk on July 3<sup>rd</sup> of this year for public viewing and I have copies of the stamped received front page of that book that I'd like to put into the record."

Supervisor Cardinale: "Would you just give it to the clerk, I guess."

John Sullivan: "The second piece of business is that with regard to the redeveloper's certified statement questionnaire form, that was received only by my office late on Thursday, the 12<sup>th</sup> of July. The information is being supplied, it is being prepared so that it fits the form so that the form can be certified and submitted to the board. That will be done over the next couple days. It certainly will be done before the close of the 10 day period following the hearing.

With those two items out of the way, at this point, I would like to introduce to the board Mr. John Burke who is the managing member and CEO of Vintage Group and Vintage Properties LLC who will give a brief overview of the proposed project and introduce the team members. Thank you very much."

Councilman Dunleavy: "Thank you."

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John Burke: "If the movie seats are as uncomfortable as these seats are, we're only going to show 15 minute documentaries. Thank you very much for the opportunity to appear before you tonight. I do also want to thank Dawn Thomas and Frank Isler for their cooperation in working with them. They were of the highest professional level and we thank them once again.

In keeping with the comfort of the seats, I'm going to as brief as possible and we all are going to be as brief as possible as we can tonight. I'm going to cite some information about our organization, introduce some people in the room, and refer the newspaper to the (inaudible) sign being held up in the back.

I- we have present tonight, and you can just raise your hand to acknowledge yourself- some members of our organization, Mr. Bruce McArthur and Mr. George Smith, Vice-President of Marketing and Public Relations. From our Board of Advisers, Mr. John Gallagher, the former police commissioner of Suffolk County could not be in attendance. We have some letters from his grandchildren attesting to the fact that he is babysitting for them so they take precedence over anything as anyone with a grandchild knows."

Supervisor Cardinale: "John, let me just interject something here. I should point out that the board is sitting for this hearing as the CDA commissioners, Community Development Agency commissioners. I could have gone through adjourning the board meeting and opening the CDA so presume I have, but this is a CDA hearing. Please continue."

John Burke: "Okay, thank you very much. Victor Prusinowski is our municipal consultant. Mr. Buzz Schwenk is here, the renowned and revered Mr. Buzz Schwenk. And Jack Sullivan is our counsel.

We have some members of our organization here. We have 11 corporations that belong to our organization. Those present tonight include Rick Wiedersum (phonetic), who will get up in a few minutes. Mr. Alex Latham from ADL Architects (phonetic). And we have also present tonight Mr. Michael Borelli (phonetic) from Central Park Services. Michael, raise your hand so everybody knows. Michael just returned from his honeymoon. So if you think you've got better things to do, here's a guy who came out here from his honeymoon, come to this meeting tonight. We thank him for that.

Mr. Al Klagg (inaudible) from (inaudible). (Inaudible), of course, is one of the largest consulting firms on the planet. It has to do with over 4,000 parking projects from design and implementation to renovation, etc. And we have the Sullivan Builders Group who will get up in a few minutes and talk, and at this point in time, I'm going to turn this over to Victor Prusinowski and in consideration of my herniated disks, I'm not going to sit in that chair, I'm going to

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stand along the wall, but I will be available for any and all questions. Thank you very much."

Supervisor Cardinale: "John, if you'd like to sit up here, you're welcome to."

John Burke: "No, no. Thanks very much."

Victor Prusinowski: "You know, Supervisor, I sat up there for 16 years and I had the pleasure of listening to Mr. Kasperovich for the entire 16 year term and I know you miss him very much and I hope he's doing well, all kidding aside."

Mr. Supervisor, Members of the Town Board. My name is Vic Prusinowski. I'm a Riverhead town resident, also a real estate advisor for Sound View Properties, licensed real estate agent with my license being held at Prudential Commercial Real Estate in Medford, New York, and I'm one of the municipal consultants on the project.

Vintage Square is a \$60,000,000 mixed use urban renewal project that will address the parking demands for the Riverhead Supreme Court expansion as well as the entire downtown business district while delivering a transit orientated development consistent with the goals as set forth by the urban renewal designation for the Railroad Avenue corridor as designated by the Riverhead town board many years ago.

The project will refund to the taxpayers the cost of assembling the land on the new Court Street parking lot and relieve the town of Riverhead of any financial burden of providing parking for the Supreme Court expansion currently underway.

Vintage Square will enhance the desired creation of Railroad Avenue as a transportation hub for the community. Our mixed use plan features a state of the art multiplex cinema as well as boutique retail and class A commercial office space.

Working within the plan for downtown's ongoing renaissance, Vintage Square will transform Railroad Avenue into a transportation hub and destination attraction.

An additional feature of the project will be to provide a free shuttle service to connect with the major downtown attractions such as the Atlantis Marine World, Suffolk County Historical Museum, the new Culinary Arts Center, Dinosaur Walk Museum to name a few. This will be discussed in further detail about the synergy we want to create downtown to coordinate with other projects that are going on.

Through the Vintage Group's plan, the town recoups its investment for the property purchased together with the condemnation cost and returns the property to the tax rolls.

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We have assembled a team with a proven track record in every aspect of this project. Names you know and can be verified and trusted to perform the task at hand to achieve the goal of becoming a vital and important part of the Riverhead downtown renaissance.

Now I'm going to introduce Rick Wiedersum who is going to go through our site plan and give a very brief overview of the project. Rick."

Rick Wiedersum: "Thank you. Wiedersum Associates Architects is a fourth generation architectural firm who provides architectural services throughout the New York metropolitan area for over 81 years, with the last 20 to 25 years of projects mainly on Long Island.

Primarily educational architects early on, we've become very diversified over the last 30 years. We're fortunate to have been involved with some unique projects on Long Island that include the Metropolitan Suburban Bus Authority building in Uniondale, North Hempstead park and recreation center, Cradle of Aviation Museum, and OMNI MAX Theater in Mitchell Field, the National Aviation Transportation Center at Dowling College, and the Jail replacement project in Suffolk County.

The above projects mentioned are unique in that we assembled the right team to do the project and we have the experts like we have done here for the Vintage Square. ADL 3 with their town planning experience and Carl Walker (phonetic) with their extensive parking experience round out our major elements to the design team.

The Vintage Square project basically will be comprised of a multi-level parking facility complete with a theater. The theater is set up to take on 10 individual theaters that will range from 110 seats to approximately 350 seats. In addition to that, there will be retail space and office space of approximately 55,000 square feet.

What I'd like to do now is show you how the Vintage Square will integrate with Main Street and with that Alex Latham is going to bring that to you."

Alex Latham: "My name is Alex Latham. I'm the principal and owner of ADL 3 Architecture. We're town planners and architects located in Northport and Westhampton Beach.

We're a 14 year old firm with local projects that include consulting for the town of Southampton, consulting for the village-incorporated village of Westhampton Beach, consulting for the town of Brookhaven.

Some mixed use projects that we're currently involved in include Glen Cove downtown revitalization of a village square piazza project.

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We're also involved in a mixed use project in Manhasset and also in nearby Shoreham, Long Island which includes 75,000 square foot of retail space and 374 residential units.

Nationally we've been doing some work both in New Orleans and also in Newburgh, New York where we're consulting for a national planning firm. Residential work involved in right now is involved in a half dozen states and also in Canada.

The project that we have been involved in with Vintage Square has really been furthering some of the architecture and also the expertise that we can apply to making sure that the mixed use aspects of the project works and works well and is successful. We want to make sure that this project is something that is really an asset to the local community, neighborhood and the town and the image that we have on the board, the first board closest to the front is some of our current renderings of the- of what this is going to look like.

You can see that the courthouse on the left and how it is married with our project here. We can also- if I can just come off of the mike. Now we're showing also down Court Street, the bridge or pedestrian connection which is going to connect our project directly with the courthouse so that we have, you know, fair weather and foul weather entrance into the courthouse.

As you walk down Griffing Street, the termination right before you get to the railroad tracks will be this tower element at the end of the building and feel that it fits in very well with the architecture.

And if we look at the overall layout of the downtown, you take the center of town and come out with a quarter mile radius, that represents the circle represents a five minute walk. So if you're in the heart of downtown, it's a little bit less than a five minute walk to the corner of our building. So as you come here and park here and go to the movies and so on, anybody in any type of environment that has a compelling walk, that is an enjoyable walk, a pleasant walk like experience you have in downtown Riverhead, will be very compelled instead of to drive everywhere, to park here and come down and enjoy some of the other amenities that the town has to offer.

This also-- we feel this project and the location kind of acts as a bookend to the other end of town where Atlantis is and then the Culinary Arts School right in the middle of town is really just one of the other new assets that you have and can really, I think, benefit from the parking and also from the life that's generated here, both at the retail but also at the movie theater.

You can see that the main walking paths in the green have been highlighted from the center of town, but then also the other

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pedestrian access areas within this five minute walk which is really very crucial to the success of any downtown.

There's been downtowns that we've worked in elsewhere in Long Island where the downtowns have been taken out or (inaudible) and so on and people don't walk there. So we feel that because of the location to the center of town, because of this acting as a bookend and another attraction or anchor as you will with the town, that it just really becomes a tremendous asset to the town and something I think can really enhance today and tomorrow, the future potential that Riverhead has.

And with that, I'm going to hand things over to Bill Sullivan who is in charge of construction."

Bill Sullivan: "Good evening. As introduced, I'm Bill Sullivan, a principal of Sullivan Builders Group. Sullivan Builders Group is a Long Island based construction management firm experienced in providing construction oversight and management of projects from Amagansett into Manhattan and Staten Island.

Projects that have been managed by my firm include the recent expansion of the Tilles Center at CW Post campus, the expansion and renovation of one of the most prestigious synagogues on Long Island, the Temple Beth El of Great Neck. The newly completed Cold Spring Harbor library and numerous school district and public library capital improvement projects throughout Nassau and Suffolk County.

Our work in place volume over the past nine years is well in excess of \$650 million dollars.

Prior to 1998, I was the senior staff member for Turner Construction on Long Island. During that period of my career, I acted as the project executive on projects which included the Symbol Technology headquarters conversion and expansion, the major modernization program at Southside Hospital. Municipal public works projects and the construction of the Senator Alphonse DiAmato Federal Courthouse in Central Islip.

Other projects of note include the Computer Associates Headquarters expansion, the Radiology and Diagnostic Center expansion at Long Island College Hospital and the Okeanos Marine Rehabilitation Center right here in Riverhead. That was the precursor if you recall to the Atlantis Aquarium.

And then also to the (inaudible) Super Store in Westbury.

For the past 38 years, I've been directly involved in a number of- in a variety of roles and projects throughout the United States,

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many of which had a parking garage element in the overall building program.

Some of those projects included the Washington County Medical Center in Hagerstown, Maryland. The Prudential Office Park in Fairfax, Virginia, and 75 Park Place in Manhattan.

The structural systems incorporated in the design of those facilities as well as the parking structures at the previously mentioned D'Amato Federal Courthouse which I believe is one of the largest parking facilities on Long Island and Computer Associates were diverse and tailored to satisfy the specific needs of each project site.

This hands on experience with the varied structural systems affords the Vintage Group project team the opportunity to obtain a quick analysis of the potential structural solutions available.

Sullivan Builder's Group's role in this project is to provide the necessary preconstruction input such as budgeting, scheduling, logistics, and safety planning, constructability reviews and value added analysis including green building initiative are key elements to the process that will occur during the budgeting effort.

When the construction commences, Sullivan Builder's Group will be responsible for all the on site work interfacing with the town agencies at the appropriate stage in the project to ensure the public safety and to minimize the disruption of the public activity around the project site. And I'd like to give it back to-

John Burke: "Thank you, Bill. I was remiss. I'd just like to introduce Bill Lavity (phonetic) who is a member of Wiedersum and Associates. Bill forgive me for overlooking you. And if the board would indulge me, it's not without some pride that I will note that my son, the lawyer, is in the audience tonight, the former Babylon town attorney. He is not on the clock, I want to go on the record as saying that, that he represents me, and he recently had a birthday, I promise not to divulge his age if he promises not to divulge mine. On that note, if the board has any questions, we would welcome them."

Supervisor Cardinale: "You had a question, the public had a question, I know. Why don't you go forward?"

Warren McKnight: "My name is Warren McKnight, I'm a resident of Riverhead. I'd like to ask the board a question and these gentlemen and ladies here. Where is the nearest restroom when people get out of the parking lot or get off the buses or the train, public restroom."

Supervisor Cardinale: "It's in the railroad station."

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Warren McKnight: "Phil, we discussed this many times. I think gentlemen and ladies, you missed the point. I don't want to be a pain but people have to go to the bathroom and especially some people when they get older, their parts don't work as good. We have a lot of senior citizens, a lot of other people, to spend all this money and all this time, not even to discuss a bathroom.

I have one more thing. I want to go up and look at those pictures."

Councilman Dunleavy: "Warren, if we ask them nice, maybe they'll build a public bathroom down by the railroad station. Okay?"

Warren McKnight: "We've been trying for three years, trying for a number of years and-- "

Supervisor Cardinale: "I think we could probably resolve this by simply saying somewhere in that 150,000 square foot plot, we promise there will be a public bathroom."

Warren McKnight: "A number of public bathrooms. There are a number of people down there who are there because they want to work, they're there because they have to go to jury duty, they're good citizens, where they take public transportation or not. There are a number of people down there all the time. We really need it, this is holding back our town. Other towns have this and what else can I say? Westhampton has beautiful bathrooms. Every other town has beautiful bathrooms. The only town that took a step back was Greenport. They got rid of the one bathroom and now they have port-a-potties. Shame on Greenport."

Supervisor Cardinale: "Okay, thank you."

Warren McKnight: "One more thing. I have another question, very important, very important question. Where are the benches? I didn't see any benches. People have to walk great distances. You're talking about walking. People are-- there are a lot of handicapped people in this town. Eddie was on a committee, God bless you, Eddie. You really did a good job on that but we need a lot of benches, comfortable benches.

This gentleman was talking about a movie theater. God bless him with his movie theater. Cost ten or twelve bucks to get in, comfortable seats, but people have to go to court or summoned, people have to get on public transportation. You've got two benches down there. I thanked you when I saw them. So we need a lot of comfortable benches between the people who have the money and our taxpayers, I ask you to get comfortable benches.

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For the gentleman with the herniated disk in case the car doesn't work or he can't go- he has to go to the bathroom and the movie is not open or something.

So, please, have some benches."

Councilman Dunleavy: "Warren, we have benches downtown. I assure you that we'll have benches up on Railroad Avenue."

Warren McKnight: "We need more benches downtown. And then one more thing. I know across from the railroad station- Eddie, I gave you a call. I went down there (inaudible). The streets are in very bad shape. The sewage is very bad down there. It needs- that part, it has nothing to do with them, that needs to be, you know, really addressed too."

(Inaudible comment)

Warren McKnight: "I know that. They were down there that day when I broke the rim on it. But, ladies and gentlemen, we've got to think of simple things and I'm going to get off this. It's a long meeting. But, please, have bathrooms for people, have them maintained right. Have comfortable benches. We all hope to live longer and we all hope to get around the best way we can. Thank you."

Supervisor Cardinale: "Thank you. Mr. Isler had a few questions. Why don't you start us off?"

Frank Isler: "It's really- these questions are really directed to the applicant or on behalf of the applicant."

Supervisor Cardinale: "Is that on? Make sure it is. Flip it and see if it works."

Frank Isler: "Okay."

Supervisor Cardinale: "Is that better?"

Frank Isler: "Is that better? Okay, the questions that I have are directed really to the applicant and whoever on behalf of the applicant wants to answer them."

The purpose of this hearing is to provide the board sitting as the CDA and for the public to hear, the qualifications of the applicant as well as the financial wherewithal and financial plan behind the project so that a determination can be made under the state law whether the applicant can qualify as an eligible sponsor under an urban renewal program.

That being said, one of the principal questions I know that the board has is whether and if so could it be produced, whether a

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feasibility study of the economic viability of this project has been performed in terms of the anticipated revenue's ability to maintain its business and be profitable."

Supervisor Cardinale: "I don't know, John, who you want to answer on behalf of the applicant, but is there--"

John Burke: "(inaudible) introductory remarks made mention of the fact that we're going to be supplying that within the next 10 days."

Frank Isler: "And that's going to be a detailed analysis of the feasibility of the project."

John Burke: "That's correct."

Frank Isler: "With respect to the financing for the project, you provided in your booklet a letter from (inaudible) organization and they indicate in their letter that they're going to be relying on bank financing or other sources of finance and the board is going to need more definite information with respect to the assurance that there will be adequate funding. Do you have any additional information or does (inaudible) done any-- obtained any commitments from any lending institutions with respect to this project?"

John Sullivan: "(inaudible) has given us a commitment letter for \$70 million dollars for land acquisition for soft and for hard costs. They reserve the rights then to either syndicate the financing, participate in the financing with co-lenders or get co-lenders to take over any obligations that they see fit. We've had discussions with them about the financing. They're committed to the project; they're committed from the get go to the project.

The first thing they were waiting for, it's almost like a catch-22 situation. They're waiting for the qualified and eligible hearing to be completed so that discussions could be implemented into agreements.

I have a letter dated July 11<sup>th</sup> stating from (inaudible) that they are still committed to the project and that they say if the board wants any additional information, they are happy to provide it, okay. If you have specific information that you want, okay, I can arrange through (inaudible) to get that to you.

At this point in time, I have the letter, okay, which updates as well (inaudible)'s financial condition. And maybe I'll submit that. If you need any additional information, it would be through (inaudible)."

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Supervisor Cardinale: "I want to follow up on one of Frank's questions. In the June 6<sup>th</sup> letter from (inaudible) when the lender talks about funding the project, he says it's subject to a feasibility study being performed at the borrower's cost which supports the economic viability of the project and the lender in its own discretion shall decide if the results support the validity of the project.

Has that been done? Has he received a feasibility study and is he prepared— is the lender presuming they have the money, prepared to declare it viable? Because that would be critical to the board, the viability. I would love this to happen. It's a beautiful plan."

John Burke: "Yeah, that was done with (inaudible) Capital Ventures, okay, based upon the information we gave them, they gave us a commitment letter. Okay? The next step— this is a standard commitment letter that's given by every lender to every developer on the planet. And every lender has the option of in the middle of any project stating that things have to change, all right, for the thing to go forward to it to remain viable and feasible."

Supervisor Cardinale: "But I'm asking, John, whether there was a feasibility study done and can we get a copy of it?"

John Burke: "No there wasn't— the feasibility study was in negotiation— was there a written feasibility study? No, there was (inaudible) figures done but not a visibility study. Mr. (Inaudible) as you know, has developed a lot of communities in the Riverhead area so he's totally familiar with the Riverhead area, so he didn't see the need for a feasibility study."

Supervisor Cardinale: "But yet in his condition, he said it's a condition that you supply it at your cost supporting the economic viability of the project. So that's what our concern really focuses on. As I said, that project, if you could build it and have it their tomorrow, I would be ecstatic.

What we're trying to do is make sure that we don't proceed unless the qualified and eligible sponsor has the experience and you have a team assembled which demonstrates experience. One of my questions would be, have you as principal, had experience with similar projects."

John Burke: "I've been an executive since I was 20 years old. I've been in business for 40 years."

Supervisor Cardinale: "But that's less significant because you can buy experience. What we're concerned about is, is the capital available to make that a reality and so far we haven't heard testimony to that."

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John Burke: "I think this question has been asked and we've answered it. We have a letter of commitment, the standard letter of commitment from a lender, signed by a principal of the firm, and he stands by that commitment. I don't know what else to tell you."

Supervisor Cardinale: "Okay."

John Burke: "How many times you want me to answer this."

Supervisor Cardinale: "I want to address the feasibility question."

Frank Isler: "Well, I think there was a representation made that you're going to be submitting to the town a feasibility study in detail within the next several days and wouldn't that be the feasibility study you would be submitting to- "

John Burke: "No. We already submitted to the town the pro forma that they requested in that package that was sent- "

Frank Isler: "I think one of the concerns the Supervisor is expressing is one of the conditions to our finding an applicant qualified and eligible was that there's comfort level on the project being duly vetted financially and that there's capital to make it a reality and that once it's up and running, it's going to succeed."

John Burke: "About four years ago we submitted a series of booklets to the town board for their perusal and their consideration. Those booklets were also given to (inaudible) Capital Ventures. Okay? One might call them a feasibility study. We still have copies of those booklets dating back to four years."

In those booklets, we address I guess what you would call the feasibility of this project, okay, and we address the parking garage, we address the multiplex theater and we address the retail. To repeat what was in these booklets which were about that thick, we can identify central parking systems played a role in us writing this feasibility study, if you will, and there were 17 different revenue streams for parking that are identified in the booklets which we've given to each and every member of the town board in the last four years.

So I never called it a feasibility study; I called it the Vintage story. All right. Indeed if you want to call it a feasibility study, you already have one. All right? If you need us to give you some more copies, we'll dig them out and give them to you. But we have given you many booklets already."

Supervisor Cardinale: "John, the thing that- the first thing that concerns the board and- is this. That your lender is telling us

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in the June 6<sup>th</sup> letter, that he will give you financing or consider it if the feasibility study has been performed at your cost supporting the economic viability of the project to his satisfaction.

If you can't satisfy the lender, the project is going to go nowhere. So we need to be sure that the lender has received that and is satisfied with it."

John Burke: "Fine. And you're suggesting to me that if we supplied you with a letter from- that would be satisfaction. Is that the plan?"

Supervisor Cardinale: "Yeah, if he would remove that as a condition, that would be satisfactory."

John Burke: "Okay. Fine. We'll comply with that."

Supervisor Cardinale: "Good."

Frank Isler: "Stay for one more second. I just have a few more quick questions."

Supervisor Cardinale: "Go ahead."

Frank Isler: "Just in terms of identifying for the board's purpose and as well as the public's, the Vintage Group, Inc. is the developer. Who are the shareholders of that corporation?"

John Burke: "Me."

Frank Isler: "You're the sole shareholder. Vintage Properties LLC is a limited liability company. Who are the members of that?"

John Burke: "Me."

Frank Isler: "And, just yourself. Are there any other entities that have any ownership interest in this project besides those two?"

John Burke: "As of this date, no."

Supervisor Cardinale: "Do you have any- on the outside, assuming that we can get the thing built, one of the things that we both know gets it built is tenants. Do we have- could you give us any status on the tenants, for example, the movie theater, whether there's a letter of intent, whether there's any indication of agreement that they will come to the site?"

John Burke: "Yes."

Supervisor Cardinale: "Is there a letter of intent? Is there  
a- "

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John Burke: "We have a letter of intent from Marquee Distributors. That letter of intent by the way is two years old, all right, and we've had an ongoing working relationship with Marquee Cinemas out of West Virginia and indeed in the Q&E booklet that we supplied you with, there's some recent information about them that they sent to us. We speak to them on a monthly basis. My architect speaks to them more than I do.

As far as other tenants, no, we don't have letters of intent because that's putting the cart before the horse. We can't ask somebody to sign a letter of intent to rent space from us if we indeed don't have a contract or at least what seemingly would be a contract with the town. And the first step in getting that contract would be a Q&E designation.

So in answer to your question more specifically though, we do have a couple dozen potential tenants lined up. So we have discussed the situation and renting at Vintage square. I hope that answers your question."

Supervisor Cardinale: "Thank you."

Frank Isler: "One other thing we're going to require for the record is I know we've supplied your counsel with the rules and procedures for being qualified and our file does not contain any pro forma financials on the principals, yourself, and anyone else involved in the project, corporate financial statements and those kinds of information that are even provided with the requirements, those will have to be filed as part of the public record here."

Supervisor Cardinale: "Is there any public comment from anyone out there? Please come forward."

Robert Bennett: "Good evening, members of the Board, ladies and gentlemen. My name is Robert Bennett and I live at 60 Rolling Meadow Lane in Aquebogue.

I speak tonight on behalf of my friend of more than 20 years, John Burke. I'm the guy who invited him to come to Riverhead in 2001 and build a garage to fulfill a commitment made in this chamber on television that if I could get an addition put on the courthouse, the town would provide an adequate parking structure. I'm the guy in 1998 who dusted off Judge Cromarty's proposal and got the courthouse addition built.

A lot of people helped. I was only the chief clerk of the Supreme Court. Mike Carraciola, a member of the legislature helped, Bob Gaffney helped, the administrative judge at the time, Gail Prudenti, helped.

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The building is up, being used every day by jurors and civil litigants. I hope I don't need to remind the members of the board, the sentiment among the legal community is to put courthouse additions at the west end, not the east end. I'm somebody who got it done at the east end.

Thanks to my efforts in the late '80's, you have a full time family court part here in Riverhead that services both forks. I did that.

On a more personal note, I see the signs in the back, these young people. I had the pleasure of being in Babylon Village last night, had a very pleasant dinner, walked from my parking space to the movies, saw a first run movie, walked back to a very convenient parking space.

Babylon has done it, Huntington has done it, Port Jeff has done it, Sayville has done it, Patchogue has done it. Why can't we do it here? I've worked in this town since 1981. I'm an active member of the Riverhead Volunteer Ambulance Corp. I'm a vice-president of the Northville Beach Civic Association. Why can't we do it here in Riverhead? Downtown. Thank you."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Let's take any comment from the public. As was alluded to earlier, we're going to keep this open for- "

John Burke: "Could I just add something, Mr. Supervisor?"

Supervisor Cardinale: "Yes, please."

John Burke: "I've just been advised. If I gave the impression that we wouldn't provide a feasibility study, that was incorrect. If a feasibility study was needed in addition to that which has already been supplied, of course, it will be forthcoming."

Supervisor Cardinale: "Thank you. Eric, did you have something you wanted to say?"

Eric Alexander: "Sure. Mr. Supervisor, members of the town board. My name is Eric Alexander, I'm the executive director of Vision Long Island. Our interest in seeing projects like this move forward, we certainly advocate for projects and often times plan for projects like these across the island. We certainly know that Riverhead has done its diligence as far as urban renewal plans and we

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are looking through various projects and kind of vetting them properly as you are doing so tonight. So that's fantastic.

We believe that for three reasons there are elements, that this project is planned and certainly the elements that your planning department and your town board are going to put this project through properly work.

One, in looking through the project, the location of the project is appropriate. Due to the proximity to the courthouse, the library, the train station and active traffic patterns, there's viability to this location for this use in ways that other parts of downtown may not have some of those elements. It's almost (inaudible) unto itself potentially as far as future patterns. So that's— the location is right.

The secondary piece which is actually very important, both the design aesthetic fits within the character in many ways of the town of Riverhead but certainly the residents and the town board will review that properly. But from a construction design perspective, we know Wiedersum Associates. Over time I've had the opportunity many times to be in the garage they designed in downtown Mineola for Winthrop Hospital and we know that there was hue and cry in that community about oh my God, a garage, what's it going to look like, is it going to be safe? Oh my God, you know, and all the issues that go along with that. But we know for a fact that that has been addressed and is working properly. So the design piece. There's design expertise here to move some of these things forward.

And ultimately looking forward to market viability, certainly a feasibility analysis will prove this out but this really fills some niches in your downtown without committing to such a demand of office and retail. Thirty thousand square feet of each can be absorbed and there should be tenants for those uses.

Clearly a movie theater, there's a niche for that. There's certainly a desire for that. I believe there is a letter of intent for that so we know that piece fills a niche.

Even the little things like day care. I mean it's a unique use that's needed for certainly the court and other things. It's a good piece to the plan.

So in other words this plan complements the uses and certainly you have other major applications and plans for the downtown. This is a neat complementary use. So at the end of the day, again, the right location, the right design, the appropriate uses, and ultimately the viability of this for future years is a type of— this seems to be the type of project that certainly our organization would get behind.

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I know that there are folks in the community that seem to be positive of projects like this and, you know, I think you are going through the appropriate diligence that you need to do and, you know, we just hope that a project like this gets built and, you know, we hope to see these types of downtown projects as we see some of them emerge, there's about 50 of them in different stages of development on Long Island we want to see these work and move forward. So I want to thank you for your consideration."

Supervisor Cardinale: "Thank you."

(At this time, the CD ended)

Rick Wiedersum: "Thank you. Okay. The site's approximately four acres and what we're looking for and what we're envisioning right now is not to exceed the height of 54 feet and with that we would gain parking level- a five level structure for the parking as well as- which occupies about 378,000 square feet as well as three levels on the eastern site- part of the site, that would encompass the theater and retail.

Now all that's going to be subject to somewhat of a change as we sit down with the town and go over any of the code and zoning issues. It may change a little bit. So, you know, right now that's what we're planning on. As we get into the next step, the exiting out of the theater, what are the requirements to exit out and what are requirements for entrances into the parking garage and exiting out of the parking garage, all that will be fine tuned as we move forward."

Supervisor Cardinale: "Can you give me square footages and uses? That's all I really want."

Rick Wiedersum: "Basically the square footages is about 378,000 square feet for the parking structure. We have about 55,000 square feet for the retail and office space and the theater basically- the theater occupies about 44,000 square feet."

Supervisor Cardinale: "Okay. No residential?"

Rick Wiedersum: "No."

Supervisor Cardinale: "Thank you. Appreciate it. Did you have a question, Barbara?"

Councilwoman Blass: "I did. Thank you."

Supervisor Cardinale: "Of this gentleman?"

Councilwoman Blass: "No, of Mr. Burke, if you would. That's okay. Mr. Burke, I know you have a wealth of experience over the

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years and you've assembled a team with equal experience. But I'm curious. Have you ever developed under urban renewal before?"

John Burke: "No."

Councilwoman Blass: "Has any member of your team ever developed under urban renewal before?"

John Burke: "I believe so. Yes."

Councilwoman Blass: "Is that accurate? Is anybody— raise your hand is you have. Okay. We haven't talked at all about land acquisition. Where does that fit in in terms of your time line which according to your book, the environmental impact studies were due to commence in the third quarter of this year."

John Burke: "Land acquisition, that is to say other than the parking?"

Councilwoman Blass: "That's correct."

John Burke: "I'm going to have Michael, our broker is in the audience, Mike Schultz, and he's going to respond to that question. Okay?"

Councilwoman Blass: "Okay, thank you."

Mike Schultz: "Hello, I'm Michael Schultz, East End Commercial Real Estate. We've been employed by the Vintage Group as a certified buyer's representative. We're ready to go on a moment's notice. We have all the packages ready, we've done all the estimating. As soon as we get a go ahead from Mr. Burke and the Vintage Group, I think we can get this done in about three months."

Councilman Dunleavy: "Can I ask a question? Have you spoken to anybody yet in that area?"

Mike Schultz: "We've talked to— yes, we have."

Councilman Dunleavy: "So the process is— "

Mike Schultz: "Well, without authorization, we've done some--"

Councilman Dunleavy: "Preliminary."

Mike Schultz: "-- preliminary."

Supervisor Cardinale: "Any other questions, Barbara?"

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Councilwoman Blass: "Not right now. I'll probably have follow ups in the hearing."

Councilman Dunleavy: "Can I ask- "  
Supervisor Cardinale: "Go ahead."

Councilman Dunleavy: "I just want to- and I know the parking garage is a large structure and I think someone mentioned the hospital in Mineola that you built a parking garage there, Winthrop Hospital. And if anybody takes the Long Island Railroad train, they'll pass it because it's right next to the railroad. Is there any other large structures, a five story parking garage structure, that they built in the metropolitan area or is this something- "

John Burke: "Well, Mr. Sullivan- respond to that question."

Councilman Dunleavy: "Okay."

John Burke: "-- was in charge of the 880 car. He built an 880 car garage at the D'Amato courthouse. Does that answer your- okay?"

Councilman Dunleavy: "Okay."

Unidentified: "(inaudible) has designed- I'm sure there are many (Inaudible)."

Supervisor Cardinale: "Yeah, would you come up."

Unidentified: "(inaudible) Walker (inaudible) of New York has designed thousands of parking garages nationwide. The most recent one I can recall off the top of my head, is in the general areas in Jamaica, Queens, that's on 163<sup>rd</sup> Street. That's a four level garage. We've done- I'm going to draw a blank. I can give you lists of other projects that we've done in the New York metropolitan area. There are many."

Councilman Dunleavy: "Okay. I just- it's a public hearing. I just like everybody to know your expertise in the parking garage."

Unidentified: "Our firm is specialized in parking structures. That's all we do for 24 years."

Councilman Dunleavy: "Okay, thank you. And this is for Mr. Burke."

John Burke: "Yes."

Councilman Dunleavy: "After everything is signed and you make contact with all the businesses or establishments to buy their

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property, how long will it take you to start and complete the project?"

John Burke: "We've had that discussion and I believe 18 to 22 months is the time frame that we've kind of outlined for you- "

Councilman Dunleavy: "That's after the- "

John Burke: "When we put a shovel in the ground. Is that what you mean?"

Councilman Dunleavy: "Yes. That's after you purchase- "

John Burke: "Right, right. Eighteen to twenty-two months."

Councilman Dunleavy: "Now how long do you think negotiations will take for you to purchase these properties?"

John Burke: "Well, you know, candidly this is a very sensitive area because, you know, we're negotiating with people who are selling us property. Okay. So to publicly discuss, you know, we're looking to do it as expeditiously as possible and Mr. Schultz just indicated that he felt that three, four, five month period would be reasonable and I'll concur."

Councilman Dunleavy: "Okay. I just have one more question. Your- and I'm going to follow up on something that our attorney has mentioned, Heinlein Capital Ventures, they have done other projects as large as this \$70 million dollar project?"

John Burke: "Yeah. Do we have, you have the Q&E book handy?"

Councilman Dunleavy: "It's in here. I know it's in here for us. I just want public information- "

John Burke: "Oh yeah, public information. Numerous, not the least of which is a \$110 million dollar project called Willow Pond which is up on Sound Avenue in the town of Riverhead. They've done the Old Vine Country Club (phonetic) and the houses in that area. That's just two in the town of Riverhead."

Councilman Dunleavy: "Just for the public to understand."

John Burke: "Okay."

Councilman Dunleavy: "And in their letter of commitment, they have another sentence that I really want you to explain to me. It says the lender will commit to funding 100% of the cost of the project subject to the following- subject to, lender obtaining either bank participation or joint venture financing for the project. Now is

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that— I think you stated that that was their option to do that. But in their letter of commitment, they have subject to. Which is the— could you clarify that statement?"

John Burke: "Yes, I can clarify it. I talked to George as recently as 11:30 this morning. That's standard in their letters of commitment. In response to your question, that's their option. It's not a subject to. They want to do it, they can do it. The lender apparently is the boss, okay, so nothing goes forward if there's no money. So the lender makes his, you know, they make stringent, you know, demands upon developers such as us.

But in answer to your question, that's their option. You know."

Councilman Dunleavy: "Okay, thank you."

Councilwoman Blass: "Well that really is at the heart of a qualified and eligible sponsorship hearing however is that we have to be sure that there is the ability to follow through on a project, not just at the whim of the lender.

So in follow up to John's question, one of the other conditions was that or statements made by Mr. Heinlein was that the lender has the right to reevaluate the commitment to fund based on current economic conditions at the time of final approvals. So conceivably we could get through a final site plan approval and then the lender may reevaluate the situation. So how aggressively are you going to be approved or how aggressively will you be seeking alternate financing if a statement like this is made?"

John Burke: "Yeah, that's a good question and we have alternate financing in mind already, okay. We always have a plan B in business but the fact is and perhaps I'm not conveying, you know, my thoughts here clearly. I thought the attorney did.

But this is a standard letter of commitment with caveats in it that are in every letter of commitment that goes to every developer and I would beseech you to look at the last major development and maybe look at the letter of commitment. But in response to your question, yeah, we have plan B's but we have a good working relationship with that organization and we don't feel there's a problem."

Councilwoman Blass: "And I don't mean to belabor the point and I understand your response. Maybe that's what sets development under urban renewal apart from standard letters of commitment. We have to have assurances that are— "

John Burke: "Well, I assure you that Mr. Heinlein is aware of the fact that it's an urban renewal project because in our booklet

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that we submitted to him, it's clearly stated that it's the largest urban renewal undertaking in the town of Riverhead. So that organization is clearly aware of that."

Supervisor Cardinale: "Okay. If there's any other comment, I'd like to take them and then move onto the next hearing. Go ahead, please."

Tom O'Neil: "Yes. My name is Tom O'Neal. I'm a resident of Riverhead. I'm also the president of the Suffolk County court employees. Also as a board member, I was— I sat on the Suffolk County court employees, on the advisory group for the Riverhead expansion group since 2001.

Throughout the negotiations between Suffolk County and the Riverhead town board, the then town board, a major concern of all the members of this concern was over free parking. And as part of the committee and my understanding, the town board had a resolution #822 of 2000, that they will secure 600 free parking spots.

In addition, all of those on the committee expressed the concerns over all measures explored to avoid exposing the citizens to the lengthy walk during the adverse weather. Most agreed that the free parking should be located as close as possible to the main entrance of the courthouse.

I'm also led to believe that whether it's Vintage or any other group, that they would go and if jurors or court employees parked in this parking lot, that they would look to get reimbursed either from the state or the county. With that being so, you know, it's not free, it's just shifting the burden. It's misleading the public.

I also have— I've talked to people in the Commission of Jurors in the courts and also I have a letter addressed to Supervisor Cardinale on April 24<sup>th</sup> that the town is still seeking the 600 parking spots, free parking spots. And, you know, I would want to make sure that the town still fulfills its obligation that it did in 2000.

As Mr. Bennett said, to get the courts here, that was part of the commitment that the county wanted from the town that they supply— they actually wanted more than 600 spots but the town did pass a resolution with those spots.

Let me just— but with that, you know, I know the group that I represent, over 1400 active and retired members, we would want to make sure that the town fulfills their obligation in the 600 spots."

Supervisor Cardinale: "Thank you. Yes, Tom."

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Tom Gahan: "Good evening, Mr. Supervisor, Riverhead town board. Thomas Gahan, Riverhead, New York. Also general manager of the Dinosaur Walk Museum located at 221 East Main Street in Riverhead which was right— pretty much in the middle of that five minute walking distance which pleased us very much.

I know this is about a qualified and eligible sponsorship hearing so the last speaker's comment, I don't know whether they applied. But I have a couple questions for Mr. Burke. You have a \$70 million dollar letter of credit from the Heinlein organization?"

John Burke: "That's correct. Yes."

Tom Gahan: "And your project cost of approximately 50 million?"

John Burke: "Sixty."

Tom Gahan: "Sixty. So you have some change left over."

John Burke: "We have some change, yes."

Tom Gahan: "Okay. Would you take a guess for me about what the total assets of the Heinlein organization are possibly worth?"

John Burke: "About 150 million."

Tom Gahan: "Okay. I must commend you. You have assembled quite an amazing team of individuals and companies here and as far as feasibility studies, I couldn't for the life of me believe that these organizations, these companies, would join in a project if they didn't think was viable and feasible themselves. So I think their attendance and their participation speaks volumes for the feasibility of it.

Someone used the comment about a bookend at the end of town, bookends, I thought that was a great way of looking at Atlantis on one end of town and this Vintage project on the other, and sort of all those novels, those classics in between, Papa Nick's, the Rendezvous, Riverhead Grill, the Suffolk Theater which will hopefully come on line very soon. Of course, the Dinosaur Walk Museum, it pleases us as well. But to really sort of encapsulate anchors at either end of town to keep people moving back and forth.

I can attest, we see people coming to Atlantis, they get into their cars at the end of the day, they go home. They don't spend time in downtown. I think a project such as this would encourage— you know, we've got a trolley going around delivering these visitors from spot to spot. I think it would be a tremendous boom for downtown and I think it really should be addressed.

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You know, unfortunately, the Apollo situation which proposed a movie theater, there is a second or third extension now and nothing really has happened unfortunately. I say if these guys have the money and the expertise, let them do it.

There's young people in this room who have never been to a movie in their own home town. Who here wants to go to the movies in Riverhead? You know, I think let the people answer the question. You know, it's time I think, let them have it. Thank you."

Supervisor Cardinale: "Thank you. Any other comments, please come up."

Al Moffat: "Al Moffat, I run a tanning salon just down the block from the proposed development. We welcome a new neighbor. We have no trouble at all with it and none of the businesses where I am see any problem with this."

Supervisor Cardinale: "Thank you."

John Guadagno: "Good evening. My name is John Guadagno (phonetic). I represent the IBAW local 25, the electrical workers of Long Island. We have over 3,000 families, many that live in Riverhead, and again I want to commend the Vintage Group. This plan from what I can see and what I've known about it and the people that he has put together here, seems a lot of thought was taken to make it fit in the town of Riverhead. It's going to bring a part of the revitalization of this town. I think it's going to make a big difference.

The team he has, I personally know Bill Sullivan. You can't do much better than him. And he's home grown, he's done a lot of good work on Long Island and the rest of the team that he has, you know, I think this is going to be one of the shining examples on Long Island when it's all done. So I hope the board considers it down the road. Thank you."

Supervisor Cardinale: "Thank you. I am going to— if there's any other comment— "

Councilman Densieski: "Yeah, I had another question, Phil, if you don't mind of Mr. Burke. You said you'd submit a feasibility study. We'd appreciate that.

It seems like you have a fair amount of support for the project. It seems that the weak link is the letter from Mr. Heinlein. Is there any chance that you could get a letter that would give the board some more comfort, a little bit more stronger letter from Mr. Heinlein?"

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John Burke: "How many people on the board know Mr. Heinlein? You know Mr. Heinlein? So you know how reasonable he is. Mr. Heinlein is a tough customer. He takes exception, frankly, to the fact that I'm questioning his letter. So in answer to your question, I'll ask him, you know, I mean I'll do anything you want. We're here six years trying to do this. We're not going to go away. We're going to stay here and do everything humanly possible to build this project and enhance the beauty of this town.

So in answer to your question, I'll speak to him. I think- I'll defer to my counsel here that we're hinging on a word or two. Okay? When we know, in fact, in good faith that the man has written a good faith letter of intent so, Councilman Densieski, to respond to your request, I will ask him. Specifically what are you looking for? What change are you looking for. I don't understand that."

Councilman Densieski: "I just think a letter that's a little bit more of a commitment than the subject to- "

John Burke: "I'll ask him, okay. All right? I can't do any more than that."

Supervisor Cardinale: "Okay, I'm going to- I'm told by my counsel that we should leave this hearing open so that as the paperwork comes in, we can discuss it at a public hearing. So rather than close the verbal testimony, you want me to leave the verbal testimony portion open, adjourn to the next date which is August 3<sup>rd</sup> meeting.

In that interval, we expect papers to be deposited with us as part of this opening file and those papers would be subject to the next hearing and if we got more papers, we would continue.

Mr. Isler will make it clear to Mr. Sullivan what we're looking for and I want to reiterate - and I want to end by reiterating what Eddie said. Don't waste a lot of time on the project. Everybody wants- likes the project. The project would be a great thing for the town. But what we are interested in is pursuing, John, what you yourself acknowledge that nothing goes forward without money and we need to make certain that this is a project that has the capital.

For example, Heinlein's letter talks about being a lender. It does not talk about being a participant in this project. So who's going to lend money? We need to know that he's truly backing this project, that we have the capital to make it happen. I would be willing to acknowledge that your team is impressive as far as their experience, but the money issue, we need further clarification."

John Burke: "Yeah, I clearly understand your position. My attorney is sitting here and he acknowledges to me and I've had, you

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know, more than one attorney look at it. This is a letter off financial commitment. Mr. Heinlein has made that commitment. All right. It's a bankable letter. Are you looking for us to say that he has the option of doing this?"

Supervisor Cardinale: "I'm going to be very specific as to the conditions in the letter that are troubling. One, two, three, four, five, six, seven, eight and nine."

John Burke: "Well, let me just ask a question."

Supervisor Cardinale: "If those were not there, I would feel a great deal more comfortable. And one of them would be satisfied with a feasibility study."

(Some inaudible comment)

Supervisor Cardinale: "But we'd like to work with you to accommodate the financial requirements if (inaudible) can be done. So Frank is going to work with Mr. Sullivan- "

(Inaudible comment)

Supervisor Cardinale: "Good. And I'm going to adjourn it to the next date, August 3<sup>rd</sup>. You'll get what you can get in the interval. I think the project- everyone is excited about the project. I just want to make sure that we can get it done. Okay. So I'm going to adjourn it to the 3<sup>rd</sup>. I appreciate everyone who has come. I'll give everybody a few minutes, if you don't want to enjoy the rest of the meeting, as we will, and I thank you for coming."

Public hearing adjourned to  
8/7/07

Supervisor Cardinale: "The next meeting is August 7<sup>th</sup>, Tuesday."

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Supervisor Cardinale: "Okay, we are ready to resume. Are you all set with your- okay, we have a fourth hearing to begin following that last lengthy hearing and in order to move forward, I've got to find my hearing notes. Here we go. Thanks."

Public hearing opened: 8:54 p.m.

This is the hearing scheduled for 7:20, consideration of a local law to amend Chapter 108 Article XXIV - Hamlet Residential zoning use district.

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This proposal adds agricultural use to this district because we believe that it has traditionally been consistent with residential districts and was deleted though not included initially."

Unidentified: "Is your mike on?"

Supervisor Cardinale: "Is it now? Thank you. This 7:20 hearing considers a local law to amend Hamlet Residential zoning use district by which is added to it as a permitted use agricultural production including field crops, fruits, vegetables, horticultural specialties, livestock, and Christmas trees which is our traditional definition of-- and commercial horse sporting operations.

So is there anybody that feels that that is worthy of comment, I'd like you to come forward. Charles."

Charles Cuddy: "Good evening. Charles Cuddy. I'll be brief. I endorse this on behalf of a farmer and farmers because it promotes the very thing that Riverhead is talking about and that is adding farming to areas actually that are farms at this point but aren't agriculturally permitted because the ordinance doesn't include them.

And what this does, is it allows that farmer who now has a farm to not be non-conforming but to conform and to go ahead hopefully to prosper and stay here. And on behalf of one farmer, in particular Councilwoman Blass, we thank you for bringing this to everybody's attention because it not only serves the farmer, but I think it serves the community and I am very hopeful that you will promptly adopt it. Thank you."

Supervisor Cardinale: "Thank you. Is there any other comment? If there is no other comment, I will keep it open for verbal- for written comment through 4:30 p.m. on the 27<sup>th</sup>, and call the hearing that began and 8 of 9 closed at 5 of 9 for verbal testimony.

Public hearing closed: 8:56 p.m.  
Left open for 10 days to July 27,  
2007 for written comment

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Public hearing opened: 8:56 p.m.

Supervisor Cardinale: "As to the next hearing and final hearing of the evening, the 7:25 hearing, it considers incorporation of the following private roads into the Riverhead highway system pursuant to New York State Highway Law Sec. 189 Highways by Use, Holly Tree Lane.

We have some Holly Tree Lane residents here and I believe they are in favor of this happening. If that is the case, maybe one of you

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at least can come up and state that and then I want to say something about the highway superintendent who is not here, we'll have to get something I think from him as well. Go ahead, please."

Tom Elling: "Yes, Mr. Supervisor and other members of the town board. My name is Tom Elling. I have with me tonight my wife Laura. I have my neighbor across the street, Sue King, and I have my neighbor— next door neighbor, Lou Corwin, who by the way is a lifetime resident of Riverhead, many of you probably know him.

It's been a long time. As you can see the smile on my face, it's been a long time. But we're very, very happy. We're very pleased with the new road that's been put in and between those of us who are here, we have spoken to I imagine every resident on the street and everyone is completely ecstatic about it and we're just here to say thank you very much and we hope that it is accepted. Thank you very much."

Supervisor Cardinale: "Thank you. The superintendent of highways would generally submit and will submit I am sure if he hasn't done so already an affidavit establishing that he's maintained the road for at least 10 years. Obviously he's maintained it but not only that, we've just repaved it. So with that and the public hearing testimony, we should be able to take action on this at the first meeting in August.

If there's any other comment, I'll take it. Otherwise, I'll leave it open as we have all the other hearings for 10 days to July 27<sup>th</sup> at 4:30 p.m., close of business. And that concludes at two minutes of nine the final hearing."

Public hearing closed: 8:58 p.m.  
Left open for 10 days to July 27,  
2007 for written comment

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Supervisor Cardinale: "The 7:30, 7:35 and 7:40 hearings are being re-noticed to correct an error and will be heard I believe in two – at the August 7<sup>th</sup> meeting.

We have this evening also one CDA resolution and something like 27 town board resolutions and we take comment from anyone that wants to make comment on any one of those resolutions. We'll then consider those resolutions and then take general comment. So if there's anyone that wants to make comment on the resolutions come forth. Not seeing anyone come forth, we'll have them called."

Barbara Grattan: "You want to close the regular town board meeting for the CDA?"

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Supervisor Cardinale: "Right. I'm going to close the-- well, we're going to have to presume that we resumed the town board meeting as I intended for the fourth hearing and thereafter, which we did, and we are now doing. So for the fourth hearing on, we're sitting as the town board."

Meeting adjourned 8:59 p.m.

Meeting reopened: 9:00 p.m.

Supervisor Cardinale: "Well, we're reopening the town board meeting to deal with Resolution 687 and thereafter. Could somebody move that, please?"

Resolution #687

Councilman Densieski: "Route 58 Hotel Plaza Hilton Garden Inn budget adoption. 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 #688

Councilwoman Blass: "Authorization to junk fixed assets. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "Moved and seconded."

The Vote: "Dunleavy, yes; Bartunek."

Councilman Bartunek: "Yes. The only thing I'm hoping is that they dispose of this appropriately, environmentally safe. Yes."

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

Supervisor Cardinale: "Yes. And I'll keep it out and ask-- make sure that John Reeves has taken care of the items that need to be stored for the STOP program. I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #689

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Councilman Dunleavy: "Amends appointment of a fill in bus driver to the recreation department. 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 #690

Councilman Densieski: "Appoints member to the town of Riverhead Industrial Development Agency. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "I'll vote yes for Hank (inaudible)."

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

Councilman Densieski: "I think Hank Borner (phonetic) is a great guy. He'll make a tremendous addition to the IDA but I'm support Remy Bell, that's the name I put in this time and last time and last time I think he actually had the support. But Hank will do a great job but my support will be for Remy Bell. So I'm forced to vote no."

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

Supervisor Cardinale: "Yeah. We've a multitude of riches here with four good-- well, three anyway, good candidates. And we had to select one. So I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #691

Councilwoman Blass: "Approves the extension of security posted by Richard Olivo in connection with the subdivision entitled Shade Tree Acres-Section 2 (road and drainage improvements). So moved."

Councilman Bartunek: "And seconded."

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

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

Councilwoman Blass: "I'm sorry, I have a question."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "There was a request I guess it said for an additional two year period, that February 16, 2007 was the date but the extension is through July of 2008. Do we know if that really is the right date?"

Councilman Bartunek: "I think \$2,000.00 is for one year."

Councilwoman Blass: "Two thousand dollars-- it says, therefore, be it resolved for an additional two year period is what it says."

Dawn Thomas: (Inaudible comment)

Councilwoman Blass: "I don't know what the-- it was approved--"

Supervisor Cardinale: "2009-- which would be implicit because we're doing it for 2007."

Councilwoman Blass: "It's a two year extension, it's in the Resolved, but none of the dates line up."

Supervisor Cardinale: "You want to-- "

Dawn Thomas: (Inaudible comment)

Supervisor Cardinale: "All right. Let's have a motion to table and we'll consider it on Thursday to make sure we get it right. Can I have a motion to table?"

Councilman Bartunek: "I'll make a motion to table Resolution 691."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "691 motion to table. Vote please."

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes, to table."

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

Resolution #692

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Councilman Bartunek: "Accepts a donation of \$5,000 for upgrade of chime clock system at George Young Community Center. 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 #693

Councilman Dunleavy: "Authorization to publish advertisement for landscaping items for the town of Riverhead. 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 #694

Councilman Densieski: "Authorizes legal action against the owners, tenants, occupants and mortgagee of the property located at 216 Hamilton Avenue, Riverhead, New York. 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 #695

Councilwoman Blass: "Authorizes the town clerk to post and publish a notice to bidders for large quantity asphalt replacement. 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 #696

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Councilman Bartunek: "Authorizes the release for a bond for Z & L Properties, LLC. 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 #697

Councilman Dunleavy: "Approves Chapter 90 application of Old Steeple Community Church. 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 #698

Councilman Densieski: "Approves the Chapter 90 application of the Word of Life Ministries of Riverhead for a church related street fair. 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 #699

Councilwoman Blass: "Accepts irrevocable letter of credit of Rugby Recreational Group LLC a/k/a Baiting Hollow Country Club. 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 #700

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Councilman Bartunek: "Authorizes the town clerk to advertise for bids for truck body repair parts."

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 #701

Councilman Dunleavy: "Rescinds Resolution #674-2007 approves Chapter 90 application for Timothy Hill Children's Ranch for a Christian concert. 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 #702

Councilman Densieski: "Authorizes the supervisor to execute an agreement with New Age Builders, Inc. 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 #703

Councilwoman Blass: "Adopts a local law amending Chapter 86 Rental Dwelling Units, Section 86-6 entitled Fees of the Riverhead town code. 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."

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Resolution #704

Councilman Bartunek: "Authorizes the supervisor to execute a grant agreement with American River for funds to support the town of Riverhead Upper Mills Fish Passage engineering design study. 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 #705

Councilman Dunleavy: "Authorizes the supervisor to execute a grant agreement with New York Department of State for funds to support the Riverhead downtown redevelopment consensus initiative. So moved."

Councilman Densieski: "Second the motion."

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

The Vote: "Dunleavy, yes; Bartunek."

Councilman Bartunek: "I'm really not familiar with this."

Supervisor Cardinale: "And I asked the question and I know what it's-- I do know and I'm trying to remember. I asked it twice and I got the same answer twice. Yeah, Andrea, it is a-- something-- I asked today, too."

Councilman Densieski: "It's a grant for \$70,000."

Supervisor Cardinale: "It's a grant that-- downtown, and I can't remember what it's for but I did ask today and it didn't surprise me. It's something we know about. If it comes to me, I'll let you know, but it's as you say, authorizing me to execute a grant agreement so we're not going to go wrong."

Councilman Bartunek: "Can't go wrong. Yes."

Councilman Densieski: "It's for a study. I found out myself today, too."

Supervisor Cardinale: "Oh, I know what it is. Thank you for that. Yeah, thank you, now I know. It's the bulk study for downtown to determine how to do the heights-- "

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Councilman Bartunek: "The heights and the setbacks from the south."

Supervisor Cardinale: "To determine how to setback to go to five story."

Councilman Bartunek: "Okay."

Barbara Grattan: "You voted yes?"

Councilman Bartunek: "Sure did."

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

Resolution #706

Councilman Densieski: "Order calling a public hearing for the Riverhead Sewer District for a lateral sewer main, Route 58 Hotel Plaza. 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 #707

Councilwoman Blass: "Authorizes the town clerk to publish and post public notice to consider the purchase of development rights of a parcel located in the town of Riverhead purported owner, Richard Manzi, Trustee, Robert G. Manzi, Jr. Irrevocable Trust. 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 #708

Councilman Bartunek: "Authorizes the town clerk to publish and post public notice to consider the purchase of development rights of a parcel located in the town of Riverhead purported owner Joseph B. Sieminski Trust, Estate of Stephanie L. Sieninski. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #709

Councilman Dunleavy: "Authorize the town clerk to publish and post public notice to consider the purchase of development rights of a parcel located in the town of Riverhead purported owner Shoreline Development Corp. c/o Peter Schembri. 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 #710

Councilman Densieski: "Authorizes the issuance of overnight docking vouchers. 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 #711

Councilwoman Blass: "Authorizes town clerk to publish and repost public notice to consider the purchase of development rights of a parcel located in the town of Riverhead purported owner John and Raymond Bell. 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 #712

Councilman Bartunek: "Authorizes town clerk to republish and post public notice to consider the purchase of development rights of a

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parcel located in the town of Riverhead purported owner Walter Hodun and Edmond Hodun, Jr. 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 #713

Councilman Dunleavy: "Authorizes town clerk to republish and post public notice to consider the purchase of development rights of a parcel located in the town of Riverhead purported owner 353 Manor Lane, LLC a/k/a Totino. 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 #714

Councilman Densieski: "714 pay bills. So moved."

Councilwoman Blass: "And seconded."

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

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

Supervisor Cardinale: "Thank you. I would like to take comment that anybody would like to make on any matter before the board. If there is no comment, I'd like to go home and eat dinner. Yes, sir, please come up. Yes, sir. How are you, Remy?"

Remy Bell: "Good. How are you?"

Supervisor Cardinale: "Good."

Remy Bell: "Remy Bell, 66 Riverside Drive, Riverhead. I'm here as chairman of the Handicapped Advisory Committee. Along with me are Committee members Vince Taldone and Karen (inaudible)."

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What we want to do is just hand over a resolution to the town board that we've worked on. Vince has done a lot of work on this. I'll just read it briefly.

Whereas, the Handicapped Advisory Committee to the Riverhead town board seeks to improve the quality of life for person with disabilities and for other persons with limited mobility such as teenagers and the elderly who may desire to access the many recreational, professional, retail and medical service facilities within our town centers;

Whereas, the Committee has considered the generally deteriorated and otherwise inadequate sidewalk conditions which exist primarily within downtown Riverhead and other hamlet centers such as Aquebogue and Jamesport and find that these conditions create unacceptable barriers to accessibility particularly for persons with disabilities;

Whereas, there is approximately 125,200 linear feet of existing sidewalks within the public rights of way in the town of Riverhead (2002 Engineering Dept. estimates) for which there is no town public policy or budget for the upgrade, repair and replacement of substandard or deteriorated segments;

Whereas, the Committee is concerned that continued inaction by the town government to provide for the maintenance of sidewalks exposes town taxpayers to ever increasing financial risks as a result of potential personal injury and property damage claims associated with sidewalk defects;

Whereas, deteriorated sidewalk conditions and increasing vehicular congestion have combined to preclude the safe and healthful use of pedestrian corridors in town centers and some residential areas denying many the simple pleasure of strolling through their own neighborhoods;

Whereas, based on a May, 2002 Engineering Department estimate, it has been demonstrated that systematic replacement of sidewalks by the highway department is, in most instances, the most cost effective means of providing the necessary improvements (\$15 vs \$54 linear foot);

Whereas, several Long Island towns, most recently Smithtown, have accepted full responsibility for routine repair and replacement of sidewalks which has thereby provided for a more pedestrian friendly environment and greatly expanded mobility options for residents and visitors with disabilities;

Therefore, be it Resolved, that the Handicapped Advisory Committee recommends that the town board determine and authorize an annual funding level adequate for the cost effective repair and life

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cycle replacement of all sidewalks within the public rights of way in Riverhead.

We realize that, you know, sidewalks, there's been the (inaudible) for many, many decades. It's a huge problem. Without looking, you know, the town can't do a quick fix obviously. But we just feel that some mechanism should be put in place to start to fix the problem. And we're asking the town board to think about this and to do something about it."

Supervisor Cardinale: "I appreciate the suggestion. We're going to take it up at the work session. It affects not only the handicapped members of the public but also all members of the public. It is a complicated question because, as we've discussed previously, the right of way- the sidewalks are actually in right of ways which are either owned by the state, for example, Main Street; the county, County Roads, or the town.

By legislation the state and the county shift the burden of maintenance of the sidewalks within their right of way to the town and you correctly point out- I'd like to check out the Smithtown example you use. Most towns, including the cities, then shift the responsibility for the sidewalk to the owner of the property who then shifts it to the tenant by way of the lease. So that what happens is it deteriorates and nobody really gets- really fixes it.

What has further complicated this whole problem by the fact that the town actually does not have any responsibility for the sidewalk repair unless they receive a written notice as to that specific location.

So it's real complicated but you bring a problem to our attention, it's not only a handicapped problem, but a problem for every member of the town and we will look into it.

The good news is we have \$3,000,000 in federal funds coming in to do Main Street, Jamesport and Wading River areas but- and we were talking about it at the work session last week. It will run from Ostrander Avenue to Griffing, all new sidewalks, because federal grant money came in. But we've got to do even more than that and I appreciate your bringing it to our attention. Thank you. Anything else? If there is not, we're going to- yes, Vince, please come up."

Vince Taldone: "Thank you. My name is Vince Taldone, 135 Northern Parkway here in Riverhead. I'm a member of the Handicapped Advisory Committee. I just have a couple of comments. I won't repeat anything that's already been covered in our resolution. I think it covers pretty much the expressions of all the members of the committee.

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But, you know, as many of you know, I have very limited vision and I do not drive a car so I have extensive experience crossing our dilapidated sidewalks in this town. It's a hardship for me, but I get by. I'm fairly young and I can manage it.

On the other hand, I have an 88 year old mother at home who in order to see the neighborhood has to roll around in a wheelchair with me pushing her. We cannot leave our block. The sidewalks on Roanoke Avenue are completely dilapidated. They've been deteriorated for years. No one has said anything about it.

And, lastly, I want to point out that I've been before this board at work sessions several times, not all of you were on the board at the time, but six or seven years ago, to introduce this problem, say, you know, we really need to start doing something because even if we spend a modest amount of money every year, eventually we'll get caught up if the town takes on responsibility for the sidewalks.

We came up with several plans for doing the work which was referred to by Remy just a moment ago in terms of how we priced out larger projects like downtown Main Street would, of course, be done by contracts so they could be done quickly and get out of the way of the businesses. Meanwhile more of the secondary roads could be handled by the highway department when they're not doing other seasonal work.

We came up with as many efficient ways of dealing with the problem as we could and the board has not done anything to my knowledge since over the six years that we've been talking about it.

One last point, in the city some very bright attorneys got together and sent out some interns to survey the sidewalk conditions and officially notify the city of New York of those conditions, which put the City in an awful position of having to force owners to individually go out and fix their sidewalks or it stepped in and fixed the sidewalks and billed the owners. It was kind of a very aggressive and onerous way to approach the problem and we don't want Riverhead to do that and we don't want homeowners to suddenly be hit with huge bills to fix sidewalks that have been falling apart for 60 years.

So, I think we'd love to come to a work session, meet with you, meet with the department heads that are involved and come up with a plan that will work within the legal constraints that you noted so that we can have better sidewalks and we can enjoy our neighborhoods. And those of us like me who pay our taxes will get to use the full right of way of the public roads including the sidewalks, not just the streets. Thank you."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

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Supervisor Cardinale: "We'll take a look at it at Thursday's work session and we'll invite you in. It is a problem I'm aware of and I want to resolve and it is as you pointed out complex. Among other things, if we take over the sidewalks and do repairs, if we don't do them so well, we're definitely going to lay ourselves open for negligence.

There also may be a distinction to be made between sidewalks that front on commercial property and sidewalks that front on residential property and how we handle this issue. But I'm interested to see what Smithtown did because I saw the reference in there. So probably not this week, not this Thursday but the following Thursday, we'll get you in."

Vince Taldone: "Terrific, thank you very much."

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Meeting adjourned: 9:10 p.m.