

7/8/2004 minutes

Minutes of a Town Board Special Meeting of the Riverhead Town Board held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Thursday, July 8, 2004, at 4:00 p.m.

Present:

Philip Cardinale,	Supervisor
Barbara Blass,	Councilwoman
Rose Sanders,	Councilwoman
George Bartunek,	Councilman

Also Present:

Barbara Grattan,	Town Clerk
Christopher Kent, Esq.,	Town Attorney

Absent:

George Bartunek,	Councilman
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Supervisor Cardinale called the meeting to order.

Supervisor Cardinale: "Okay. Okay. I'd like to open the meeting, the Special meeting of the Town Board, July 8th, and we have several resolutions from #629 to 639 which we would like to consider. So, can I consider 629?"

Resolution #629

Councilwoman Blass: "Appoints Provisional building maintenance supervisor in the Department of Building and Grounds, that person (inaudible). So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #630

Councilman Densieski: "Appoints Kim Fuentes (phonetic) as a full time provisional clerk typist. So moved."

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Councilwoman Blass: "And seconded."

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

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

Supervisor Cardinale: "I sort of- this has gone through Personnel, this person has been recommended?"

Councilwoman Blass: "There were interviews- "

Supervisor Cardinale: "Good."

Councilwoman Blass: "-- by the Department Head as well as the Personal Committee."

Supervisor Cardinale: "Okay, then I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #631

Councilman Densieski: "Awards the bid for the EPCAL security cameras. So moved."

Councilwoman Sanders: "And seconded."

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

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

Supervisor Cardinale: "These are for the cameras at Grumman and I am really pleased to see that we are going to have cameras at Grumman on the runways."

Resolution #632

Councilman Densieski: "Authorizing the transfer of county owned property to the Town of Riverhead. So moved."

Councilwoman Sanders: "And seconded."

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

The Vote: "Sanders, yes; Blass, yes; Densieski, yes;

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Cardinale, yes. The resolution is adopted."

Resolution #633

Councilwoman Sanders: "This is authorizing another transfer of county owned property to the Town of Riverhead. The first one- the resolution prior to that was on Osborne Avenue and this one is on Horton Avenue. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #634

Councilwoman Blass: "This is yet a third authorization to transfer county owned property to the Town of Riverhead. This is also on Horton Avenue. So moved."

Councilman Densieski: "Second the motion."

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

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

Supervisor Cardinale: "This three items- these three pieces on Horton and Osborne are going to wind up affordable housing or work force housing sites, which is the best thing. Go ahead."

Barbara Grattan: "Okay, the resolution is adopted."

Resolution #635

Councilwoman Sanders: "Calverton Park CDA budget adjustment. So moved."

Councilman Densieski: "Second the motion."

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

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

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Resolution #636

Councilwoman Sanders: "It's a general fund budget adjustment. So moved."

Councilman Densieski: "Second the motion, and discussion."

Supervisor Cardinale: "Yes?"

Councilman Densieski: "We usually get a sheet describing what these are."

Supervisor Cardinale: "Yes."

Councilman Densieski: "Because it's a special meeting, we didn't. But if we can just find out."

Supervisor Cardinale: "Would you come up for a moment because- "

(From the audience) "There was a memo?"

Supervisor Cardinale: "There was a memo? I think- "

Councilman Densieski: "In the packet?"

Supervisor Cardinale: "Would you describe it as long as you-re-the 35 is the one that I think would be most interesting to the Board. There's- this is the engineering consultant, is it not, for the initial plan for the expansion of this building, the Justice Court and the town Police Department?"

Jack Hansen: "Yes, sir."

Supervisor Cardinale: "So it's significant as I think Eddie wanted to make sure what he's voting on understandably. That's \$35,000 to do the initial plan- design. The 120, what is that?"

Jack Hansen: "One twenty is a bookcase the Town Board ordered."

Supervisor Cardinale: "Okay. And the 700?"

Jack Hansen: "And the 700 is educational expenses. The Town Attorney asked for some CLU video tapes and office supplies, they're

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in trouble by 275 bucks. And, hopefully, will get them further into the year."

Supervisor Cardinale: "And the significance of this is that we're in July only and 35- this was a capital project under our budget, the expansion of the Town Hall, a necessary one, but not budgeted so we're taking out of the appropriated fund balance the initial design costs.

The other two, we're already in July and there's nothing in the Town Board equipment file and there's nothing in the Town Attorney's office supplies and educational. This is a bad sign."

Jack Hansen: "The engineering consultant (inaudible) add to it. If you go forward with the actual construction (inaudible), the bond resolution would then reimburse (inaudible)."

Supervisor Cardinale: "I understand. It's coming out of operating but it will eventually come out of bond."

Jack Hansen: "Right. If we go forward."

Supervisor Cardinale: "If we go forward. But if you don't, it won't. But the appropriated fund balances don't have- what the appropriated fund balance is taking it out of the piggy bank and the Town Board equipment line and the Town Attorney office supply, educational expenses is apparently depleted."

Jack Hansen: "There's no place really in there-- those two budgets to take it from."

Supervisor Cardinale: "Because it's gone. There's no money."

Jack Hansen: "Yes. And there's no other- "

Supervisor Cardinale: "Don't we usually wait 'til November for that?"

Jack Hansen: "Well, I wanted to fix some of these because they're-- "

Supervisor Cardinale: "They're already negative. That's not good. Okay."

Jack Hansen: "All three of those have negative numbers (inaudible)."

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Supervisor Cardinale: "We'll work on that, Jack, you and I."

Councilwoman Sanders: "Maybe we should get some kind of- "

Councilwoman Blass: "Flag?"

Councilwoman Sanders: "-- well, not only a flag but maybe a report on what funds have already maxed out, to get an idea."

Supervisor Cardinale: "Can we get- because I know which ones are because every time I see they're coming out of appropriated fund balance, we've got a problem."

Councilwoman Sanders: "But we only see them when it's in front of us."

Supervisor Cardinale: "Yeah. Can we take a look at that- would that be- "

Jack Hansen: "I'll give you a report."

Supervisor Cardinale: "Good."

Jack Hansen: "I'll give you an expense report on all of the account."

Supervisor Cardinale: "All of the accounts that are- have been depleted as of this date. Thank you. All right. So that's what it anyway, for better or for worse."

Councilman Densieski: "Okay, thank you."

Supervisor Cardinale: "Okay."

Jack Hansen: (Inaudible)

Supervisor Cardinale: "Okay."

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

Councilman Densieski: "I'm going to abstain. I just can't say that (inaudible)."

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

Supervisor Cardinale: "Um- "

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Councilman Densieski: "Thank you, Barbara, I was going to make a statement."

Barbara Grattan: "Oh, were you going to make a little statement? I'm so sorry."

Councilman Densieski: "I was just going to say I'm not absolutely sure that I agree with it. I can't say that I have a better plan but I'm going to abstain."

Supervisor Cardinale: "Okay, I appreciate that. That is under the appropriated- that is moving forward with the design and I have not dissimilar sentiment but I'm going to vote yes in view of that fact that I really believe we've got to do something about expansion of those three facilities and this is the only plan on the table. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #637

Councilman Densieski: "Approves the application for fireworks permit of the Riverhead Business Improvement District Management Association a/k/a the Riverhead Blues Festival. So moved."

Councilwoman Sanders: "Seconded."

Supervisor Cardinale: "Moved and seconded."

Councilwoman Sanders: "We didn't do this- "

Supervisor Cardinale: "July 7. No we did something else the other night, but not this one. But this is for the fireworks on the 17?"

Councilman Densieski: "Correct."

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

Resolution #638

Councilman Densieski: "Approves the special permit petition of C. Starry Y. Corp. for the Boardwalk on Main. So moved."

Councilwoman Blass: "And seconded."

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Supervisor Cardinale: "Moved and seconded. Before we vote, could we get- I have a question. The duration of the special use permit is only until September 30, 2005. Why is that? I don't want to have to get this person to go through this again. Could you have Chris come in, please? I just want to ask him about that."

Chris prepared it. As you can that the sound levels emanating would match the live entertainment use levels provided in the noise code but I just want to look at that one."

(Some inaudible discussion among the Board members)

Supervisor Cardinale: "Chris, we're in Board meeting and we had a question on the resolution regarding I think we prepared, regarding the special permit petition re Boardwalk."

Chris Kent: "Yes."

Supervisor Cardinale: "It says the duration is only 'til September 30, 2005."

Chris Kent: "That was strictly a date I picked. If you leave it silent, it's for in perpetuity. And you have the discretion to limit the time frame on these things. I gave it two summers just because I thought that would be a good- "

Supervisor Cardinale: "What does he have to do after it expires?"

Chris Kent: "I mean we could extend it by resolution. There wouldn't have to be another special permit."

Supervisor Cardinale: "That's what I'm asking. So as long as- "

Councilman Densieski: "Basically it's- "

Chris Kent: "There would be another resolution, yes. I don't think you need to have a public hearing. No."

Supervisor Cardinale: "Good. Because I don't want to have to put this guy through it again. If it works out- "

Chris Kent: "I think it's a measure where you'll- he will have experience is seeing how he does and you will know how he does also."

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Supervisor Cardinale: "And the only thing necessary would be to extend the special permit- "

Chris Kent: "By resolution."

Councilwoman Sanders: "By resolution. You're not extending the special permit. We're just- right."

Chris Kent: "We need another resolution, yes."

Supervisor Cardinale: "See, we're giving him a special permit but we're saying- we get another look at it September 30, 2005. Which is fine as long as he doesn't have to go through the process again."

Councilwoman Sanders: "Can we say something in there and- "

Chris Kent: "You could also amend zoning by then, too. Who knows?"

Supervisor Cardinale: "Yeah."

Councilwoman Blass: "And we will be amending zoning by then, I'm sure."

Supervisor Cardinale: "We probably will from what we talked about today so that's why you used that date?"

Chris Kent: "No. I picked that date only because I didn't want it to be in perpetuity, because it would run with the land, and the next owner may not be, you know, may not meet all the requirements."

Councilwoman Sanders: "That's true."

Supervisor Cardinale: "Do you think-- which date may be extended by Town Board resolution would be necessary or do you think that's absolutely sure?"

Chris Kent: "You always have the ability to extend it- "

Supervisor Cardinale: "Without the necessity of going through- okay, then now I understand it. Thank you."

Councilwoman Sanders: "I was just going to recommend one thing."

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Supervisor Cardinale: "Okay."

Councilwoman Sanders: "September 30th is technically still the time where you can be outdoors and the summer- "

Chris Kent: "I picked that date strictly as a way to put (inaudible)."

Councilwoman Sanders: "-- season, I would just think if anything rather than have them go through it in the middle of an operating season- "

Supervisor Cardinale: "How about December 30th?"

Councilwoman Sanders: "-- maybe at the end of the year."

Councilman Densieski: "Get the Country Fair in. That's fine."

Councilwoman Sanders: "Right?"

Chris Kent: "Okay. You can amend it to December."

Councilwoman Sanders: "December."

Chris Kent: "Or December 1st maybe, I don't know."

Barbara Grattan: "December 1st, is that going?"

Councilwoman Sanders: "December 1st is fine."

Councilman Densieski: "Yeah. They're not going to have anything outside then."

Barbara Grattan: "2005?"

Supervisor Cardinale: "December 1st, 2005."

Barbara Grattan: "Okay."

Supervisor Cardinale: "Okay, very good. Then with that amendment, can we call it for a vote? Thank you, Chris."

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

Councilman Densieski: "Yeah. I just want to make it clear

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that we did receive some correspondence from some of the neighbors. I did get some more today concerned about the noise. We did put the decimal limit in here.

I think the Boardwalk Restaurant is part of the solution. They do face the river. I think entertainment and social gatherings on a deck are a great thing for downtown, but I would ask them to be a good neighbor. Yes."

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

Supervisor Cardinale: "Yes. Well stated and the- I have sympathy for the remarks of the Christian Book Store next door, but I think that this is in conformity with what we want downtown as well.

There was a suggestion that it could be done with decibel level statements. I hope it works. I trust it will and I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #339

Councilwoman Sanders: "Authorizes the Town Clerk to publish and post notice of public hearing for a site plan petition of Robert Heller. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Oh, seconded? Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Can I just ask you. We're holding a-- "

Supervisor Cardinale: "Was this the one we just considered?"

Councilwoman Blass: "Hearing on a-- no."

Councilwoman Sanders: "No. This is on East Main Street. The other was up on 25 and-- "

Supervisor Cardinale: "Okay."

Councilman Densieski: "Isn't this next to Gallo's Seafood there?"

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Supervisor Cardinale: "Who prepared this?"

Councilwoman Blass: "I think it is next to Gallo. I'm just wondering is it because it doesn't conform to the proposed zoning that we're automatically calling for a hearing? Is that why?"

Supervisor Cardinale: "That I presume to be the case but I'd like to find out for sure before we pass it. Yes, if you would. There is no indication of who prepared it which does not please me either."

Barbara Grattan: "A lot of them are coming that way, too."

Supervisor Cardinale: "They should not-- "

Councilwoman Sanders: "They're not supposed to."

Barbara Grattan: "I went crazy for the (inaudible)."

Supervisor Cardinale: "See, RH Planning is noted on the other one but not on this one."

Councilwoman Sanders: "They're not supposed to. Is that correct?"

Supervisor Cardinale: "That's correct."

Councilwoman Sanders: "Maintain that policy (inaudible)."

Supervisor Cardinale: "Yes, we do."

Barbara Grattan: "Well, we've the EPCAL resolution which left the change on-- there's nothing on the bottom."

Supervisor Cardinale: "Well, that's the EPCAL resolution-- (inaudible). That's my fault. That's emanating from the Supervisor's office. But with the exception of sense of the board resolutions which will always come from my office, and should bear the notation that they do, we should get it on all of them. They are on a lot of them but not on this one."

Councilwoman Blass: "Yeah. It does have to do with the processing of non-residential applications."

Supervisor Cardinale: "Okay, thank you."

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(Some inaudible comment from the audience)

Supervisor Cardinale: "On what space?"

(Some inaudible comment from the audience)

Supervisor Cardinale: "Well, no. I think we've heard- we have had 60 days which sought other alternatives. What I think it would be better if you have something that you'd like to say, we could set it up for a work session (inaudible) or see me."

(Some inaudible comment from the audience)

Supervisor Cardinale: "Okay. What is this application? It's not real complicated."

Richard Hanley: "This is a site plan that the Board has seen and I think we all agree that we wanted to have a hearing on this one."

Supervisor Cardinale: "Refresh our recollection because we could not recall the specific site plan."

Richard Hanley: "(inaudible) is here and we are at East Main Street, this is Hubbard Avenue so it's east of Hubbard on the south side of East Main Street and they're proposing an industrial warehouse building and I think that the master plan is calling for retail use in the area."

Supervisor Cardinale: "I remember this one, yeah. That was last week."

Richard Hanley: "I think Peter talked about the length of time it's been around and I think rather than just say no, you decided to hold a hearing on it just to determine- "

Supervisor Cardinale: "Okay. Yeah, I remember. I remember discussing that. It's inconsistent with the proposed master plan zoning. He could- okay, by the time we have a hearing, we're going to have the zoning passed."

Richard Hanley: "I think we agreed that we would hear this."

Supervisor Cardinale: "Okay."

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Richard Hanley: "By the time we get through it, it probably will."

Supervisor Cardinale: "Okay. We're in the middle of this one so we can reconsider it. Barbara, is about to vote."

Barbara Grattan: "We've got Barbara."

Councilwoman Blass: "Yes."

Supervisor Cardinale: "Thank you."

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

Councilman Densieski: "On the public hearing, right? Yes."

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

Supervisor Cardinale: "Yes, to a public hearing."

Barbara Grattan: "The resolution is adopted."

Supervisor Cardinale: "Okay. This is the conclusion of the 11 matters we wanted to consider. So let's close the meeting now and we're going to go into an executive session very briefly. I want to have at least four members- "

Meeting adjourned: 4:34 p.m.