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Minutes of a Town of Riverhead Board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, November 17, 2009 at 7:00 p.m.

PRESENT:

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

ALSO PRESENT:

Juliann O'Neill,	Deputy Town Clerk
Dawn Thomas,	Town Attorney

ABSENT:

Diane M. Wilhelm,	Town Clerk
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(The Pledge of Allegiance was recited, led by Shirley Coverdale.)

(The minutes were offered by Councilman Dunleavy and seconded by Councilman Wooten.)

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

Supervisor Cardinale: "We have no applications. We do have town hall reports, fire department budgets, annual election; correspondence. Could you give us that, please, Julia?"

TOWN HALL REPORTS:

Utility Collections Report	
Water collections	\$374,816.32
Scavenger Waste collections	\$ 92,055.49

FIRE DEPARTMENTS

Manorville Fire District	2010 Budget
Notice of annual election	
Dec. 8, 2009 between 6:00	

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p.m. and 9:00 p.m. at 14
Silas Carter Road,
Manorville, New York

CORRESPONDENCE:

Francis J. Yakaboski, Esq.

Letter re Jamesport Fire
District acquired parcel of
land from Gasper Pizacano

Peter S. Danowski, Jr., Esq.

Letter re proposed amendments
to the town code

Supervisor Cardinale: "Thank you. Okay, we have five scheduled public hearings, one is scheduled for 7:25 and was postponed by the request of the applicant. So that leaves us with four, one to begin at 7:05 and the rest to follow at five minute intervals.

The first we'd like to begin, it is 7:10 and I also want to take any announcements or committee reports from the board members. Yes."

Councilman Wooten: "Well, I just think it's important since we've a few days away from Thanksgiving, just to wish everybody in town a happy thanksgiving and I hope they have a good time with their family and remember what Thanksgiving is all about.

That's all."

Supervisor Cardinale: "Yeah. And that's a wonderful sentiment and I appreciate your remembering that. We all send our thanksgiving greetings.

And also I am remiss in not formally- I guess this is your first meeting, George, right? So welcome to the town board and may you have a valuable and valued career sitting on the town board, helping the town."

Councilman Gabrielsen: "Okay, thank you."

Supervisor Cardinale: "So, welcome."

Public hearing opened: 7:12 p.m.

Supervisor Cardinale: "I would like to begin the 7:05 hearing now, it's 7:10. These are for ideas on the community development program as to how we might expend \$123,500 which is the portion of the monies available for these- for the purposes that we're going to hear the people who come before us seek it.

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The entire block grant I am told is \$156,000 and 15% or \$23,400 can be used by public service projects which I believe we're going to hear from this evening and none of those grants can be less than \$5,000 and the town traditionally adds \$1,600 so we can at least grant five \$5,000 grants.

Public services include counseling, soup kitchens, senior services, etc.

The— traditionally what happens at this meeting— hearing, is that we hear from those entities that would like us to consider funding them with the minimal— the limited amount of resources we have here of \$25,000.

So I know there's people here that would like to speak, I call the hearing open at 7:12 and ask you to come forward and say what you would like.

Zona, why don't you start and anybody who wishes to follow.

Yeah, do you need to be sworn in on this hearing? Why not. It's not required because it's not a special permit hearing. So presuming, Zona, you would not tell anything but the gospel truth and, Shirley, you know you'd be in trouble with the Reverend if you didn't.

Thank you. Go ahead, Shirley. Go ahead, Zona."

Zona Stroy: "Good evening to all of you. I'm here with Shirley Coverdale representing Open Arms Care and I'm representing the Open Arms Care Center.

I'd like to acknowledge Pastor Frank Dean who happens to be on the end here and doesn't usually like to be acknowledged but I want to publicly say thank you to him for all the volunteers that he brings down to our operation at the train station. So, thanks.

Just in terms of the interest of time, we've benefitted from Community Development funds before from the town. We appreciate that support.

Most of you remember that I came before the town in January for permission to use the train station for our lunch program and that's worked out very well. We have lots of people come Monday through Friday and we have great volunteers as I said, among them Councilman Dunleavy and we're rolling along there.

In the interests of time though, I'll just read the cover letter with our proposal.

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It says Open Arms Care Center and Project CARE which stands for Community Access to Riverhead E-health, request a community development grant from the town of Riverhead in the amount of \$7,500. This funding will help our agencies continue to provide vital services to individuals and families in need in the Riverhead community.

Open Arms has operated an emergency food pantry and a soup kitchen lunch program in Riverhead for almost 20 years. Operating in donated space at the Riverhead train station and the First Baptist Church of Riverhead, these programs are a lifeline for the hungry in our community.

The lunch program serves an average of 100 people each weekday and the food pantry serves 50-60 households each month. This year Open Arms has already provided more than 22,000 meals to individuals and families in need.

Project CARE is a collaborative community health initiative of the First Baptist Church of Riverhead, the Peconic Bay Medical Center and the Federation of Organizations. Since January of 2006, Project CARE has provided free health screenings to homebound seniors, food pantry and soup kitchen clients, and seniors who frequent the Riverhead town senior nutrition center.

The need is great in our community. The number of individuals and families who come to Open Arms for food increased by almost 50% this year. The attached pages provide additional information on Open Arms and Project CARE and specify how the requested funds will be used.

Thank you for your consideration. We look forward to your support.

If you have any questions on either Open Arms operation or Project CARE, we'd be happy to answer them."

Supervisor Cardinale: "Thank you very much. We appreciate the work you do."

Zona Stroy: "Thank you."

Supervisor Cardinale: "Is there— I know there are other groups that would like to be considered. The CDA director was unable to be here this evening but we'll get a transcript of this and subsequent to the hearing we'll leave it open for 10 days for you to make written comments that you may not have made tonight and we'll consider it at a work session and make decisions.

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But we'd like to hear from the next individual or organization."

Denis Yuen: "Good evening, Supervisor Cardinale, and members of the Riverhead town board.

My name is Denis Yuen, that's spelled Y-U-E-N. I'm the program director for Peconic Community Council, Inc., a local not for profit 501(c)3 organization and the coordinator for the Maureen's Haven Homeless Outreach Program.

Thank you for your support during the 2008 and 2009 years through the Suffolk County Community Block Grant Program.

Our program has just begun its 8th year and each year we have collaborated with many houses of worship on both the north and south forks asking them to open their doors at night to provide safe, warm temporary housing to the homeless in Riverhead and the surrounding four townships to the east.

Peconic Community Council is responsible for the screening and transportation of these homeless, who we refer to as our guests, to and from the many houses of worship which provide their facilities to house our guests during the cold winter months. We currently maintain pick up locations for the homeless in Riverhead, Hampton Bays and Greenport.

Last winter, our most severe to date, we served 185 individuals, with 85% of them originating in Riverhead.

These men and women were transported, along with those from Hampton Bays and Greenport, to the house of worship that had committed to host that particular evening. Maureen's Haven served an average of 37 homeless per night, running 160 nights last winter, with a pool of over 1200 volunteers working seven nights a week from November 1st to April 13th.

Highs of 63 guests per evening were frequent last winter. The equivalent of almost 6,000 beds were made over the course of the long season. The guests were provided a home cooked dinner and fellowship by members of the many different communities. The volunteers also provided the guests with other basic services and personal amenities, plus breakfast and a bagged lunch when they departed the next morning.

We have collaborated with Sister Margaret and the Spanish Apostolate, the Riverhead Clergy Council and the Salvation Army to expand the participation of houses of worship into Riverhead, thus enlarging our volunteer base and providing Maureen's Haven with additional host churches.

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Our Redeemer Lutheran Church and Old Steeple UCC, both in Aquebogue and First Parish Church in Northville have signed on last season as host sites in the program.

With the addition of the 14 passenger van funded by the Suffolk County Legislature last winter and utilizing the Suffolk County Transit bus service and limited use of a private taxi-van service, we have become more efficient in moving the masses every evening to the north and south forks.

There are very few options for the homeless on Long Island during the bitter winter months. We contact them - in the woods - at their make-shift homes - on the streets, and give them an option, a place to escape the deadly cold. They depend on Maureen's Haven and truly appreciate our efforts and yours.

It is my hope that the town of Riverhead will help fund the cost of transporting these guests from Riverhead every night to a Maureen's Haven overnight site. I am requesting a \$10,000 grant from the town of Riverhead to provide this vital service to our guests.

We need the continued support of the town of Riverhead along with that of the other townships to continue to provide this invaluable outreach program to the homeless within our communities.

Thank you for your attention and the opportunity to enlighten you and your board members."

Supervisor Cardinale: "Thank you."

Denis Yuen: "Thank you."

Supervisor Cardinale: "Do we have any other presenters, verbally, this evening. If we do, I'd like to hear from them.

We received I think a letter from CAP (phonetic), and they I presume wanted to be considered unless the timing was just- okay, there's a letter from CAP that we're handing up as received today as a request to be considered under the grant program.

We're going to leave this open until a week from Friday, which, let's see, I guess that would be the 26th- the 27th- Friday, the 27th at 4:30 p.m., if anybody wishes us to consider an application. If they would send it to the attention of the town clerk for receipt not later than 4:30 p.m. on November 27th Friday, we'll consider that and then we'll make a decision probably, you know, first meeting in December."

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Councilwoman Blass: "Have we heard from the Dominican Sisters as well?"

Supervisor Cardinale: "We have not heard from the Dominican Sisters yet, that's one of the reason I'm leaving it open, so that those who may wish to be heard can submit written propositions or proposals.

I'm going to close the verbal testimony unless there's someone else that wants to speak here and going one, twice, three times, there isn't. It's 7:22, I'll close this at 7:22 and leave it open for written proposals not later than the 27th at 4:30 p.m. to the town clerk."

Public hearing closed: 7:22 p.m.
Left open for 10 days for written
comment until November 27, 2009 at
4:30 p.m.

Public hearing opened: 7:22 p.m.

Supervisor Cardinale: "We have a second of the four hearings scheduled, 7:10 p.m. for consideration of a local law amending Chapter 58 entitled Dogs of the Riverhead town code.

And I would- in honor of the fact that Mr. Wooten is our resident dog expert, maybe you could tell us, I have it here and you may, what this proposed law- proposed change to the general regulation Chapter 58 Article 1 Dogs is intended to do."

Councilman Wooten: "Actually it's a new subdivision of that Chapter 58. It mirrors the state law. It deals with confinement of animals in vehicles similar to that of children left in cars, with windows, not adequate air conditioning or food or just abandoned inside cars.

And it just gives more teeth to local law enforcement to deal with those issues as far as to retrieve the dog, to seek medical for the dog if needed. There would be fines imposed to the owner for that type of behavior.

So it just mirrors the state law and puts it in a local level so that our local police can enforce it (inaudible)."

Supervisor Cardinale: "Companion animal or pet. And you can't be bad to it and leave it in the car to pass out, or worse."

Councilman Wooten: "Or worse."

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Supervisor Cardinale: "And they can be criminally and civilly liable for actions taken, such actions.

Okay, anybody want to comment on this proposed- "

Councilman Wooten: "There was a comment at the last public hearing about the fact that if there was vet bills who would be responsible and that's been addressed, that any veterinary expense incurred, would be the onus of the owner to pay that either through restitutions (inaudible)."

Supervisor Cardinale: "Okay. Any other comments? If not, I'm going to hold this open for written comment through the 27th of November at 4:30 to the town clerk.

If there's a state law, how will it help us to have a town law, Dan? If we're doing the same thing as the state, why don't we let the state do it and not clutter our books up?"

Dan McCormack: "This statute is also indicating that not only can police officers effectuate this particular statute, there are also peace officers or peace officers acting as agents of the duly incorporated humane society."

Supervisor Cardinale: "So that would be an addition that would not otherwise be possible?"

Dan McCormack: "That's correct."

Supervisor Cardinale: "Okay. Thank you.

Any other comment? If not, I'm going to close this hearing at 7:25. And if we issue the summons ourselves, we keep the money. Yeah, that's good, too.

Okay, so at 7:25, we're going to close it, leave it open to the 27th at 4:30 p.m. for written."

Public hearing closed: 7:25 p.m.
Left open for written comment for
10 days to December 27, 2009 at
4:30 p.m.

Public hearing opened: 7:26: p.m.

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Supervisor Cardinale: "And we're going to the third hearing which is scheduled for 7:15, that is to consider a local law to amend Chapter 101 entitled Vehicles & Traffic, Section 101-10 Parking Prohibited of the Riverhead town code on Ravine Road, west side from its intersection with North Wading Road in a northerly direction to its terminus. And on Ostrander Avenue west side from its intersection with the north side of East Main Street in a northerly direction to its intersection with East Second Street.

That's what's proposed and I thought we're being attacked here by News Review which would be an improvement because generally there's no movement from that corner of the room."

Councilman Wooten: "This came out of traffic safety, right?"

Supervisor Cardinale: "Good to see you're awake here. So we are going to hear this third exciting public hearing and we would like to take testimony from anybody who cares, which apparently excludes everyone out there. Yes, please."

Denis Yuen: "I didn't actually plan on getting up but I— during the summer I took photos of Ostrander Avenue, both sides from East Main Street to Second Street, that's where our office exits by Social Security.

If you continue that up to— there is no parking I believe up to the railroad tracks anyway, but if you do one side, that would alleviate a lot of the safety issues because cars coming out of Second Street trying to pull in and then it's so narrow with cars parked on both sides, it's basically one lane traffic from Main Street.

So I would recommend some sort of action as this."

Supervisor Cardinale: "Thank you. Anybody else? Okay, these suggestions for hearing generally come out of the highway safety committee but we still have to consider them seriously. No, they really do come out of highway safety and they apparently have thought this through, right, John, before they bring them up."

Councilman Wooten: "Well, I'm sure the first one probably has to do with St. John's Church, I'm sure."

Councilman Dunleavy: "Right. Both these streets are very narrow and parking on both sides of these streets make it very difficult for cars passing in either direction to pass each other.

Especially if there's an emergency, the fire department, it's very hard for them to get down Ostrander Avenue because of its narrowness."

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Supervisor Cardinale: "Thank you. That makes— indicates the underlying reasoning.

We're going to keep this open again to the 27th at 4:30 p.m. for any written comment and then consider it in our December meetings. If there's any, please submit to the clerk by 4:30 on the 27th."

Public hearing closed: 7:27 p.m.
Left open for written comment for
10 days to November 27, 2009 at
4:30 p.m.

Public hearing opened: 7:28 p.m.

Supervisor Cardinale: "The last of the four hearings we're going to hear is scheduled for 7:20. It being 7:28, we can open it.

That is for consideration of a local law amending Chapter 108 entitled Zoning Section 108-131 Application Procedure; fees, of the Riverhead town code.

This is an application procedure fee, formal application for a site plan, and it reads: for each application of site plan approval submitted to the planning department under the provisions of this chapter, the review for site plan shall be \$500 plus \$.10 per square foot of site improvements and/or altered area.

There is crossed out the fee to review an application to amend a previously approved site plan shall be \$500 and added and the fee for amendment to a previously site plan shall be \$500 plus \$.10 per square foot of additional site improvements and/or altered area.

In no instance shall a site plan exceed— review exceed \$30,000. The fee to review an application to amend a site plan prior to site plan approval and issuance of a building permit shall be \$500.

Review fee shall be paid in full at the time of application and application for a site plan review will not be deemed complete until all fees are paid.

Okay. So that being said, who would like to comment on that proposed amendment to 108-131? If any does, they are free to do so now and if they have nothing they want to say verbally, they are free to submit written comment sometime between now and the 27th to the town clerk at 4:30 p.m.— by 4:30 p.m. 11/27/09.

I'm going to close this hearing at 7:30."

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Public hearing closed: 7:30 p.m.
Left open for written comment for
10 days to November 27, 2009 at
4:30 p.m.

Supervisor Cardinale: "The final hearing since no one has indicated a desire to speak, the final hearing is adjourned to a date to be set at the request of the applicant and that means we are able to consider the resolutions but first we'd like to consider any comments anybody has on resolutions proposed, 1038 through 1070.

There are two that are I believe going to be tabled. Those are resolutions- anybody knows the numbers- any add ons? 1041 is one of them. We had proposed to appoint an IDA member and apparently three of the members would like to further consider and then the other one is 1044. And 1044 we had proposed to adopt a definition of building trade shop and I presume that the- I think three of the members would like to consider that at a work session to make sure that the language is correct."

Councilwoman Blass: "I know we have an amendment to Resolution 1052. Did you get a corrected copy in or are we just going to do this now?"

(Inaudible comment)

Councilwoman Blass: "We're considering that but I just want to make sure that the board knows ahead of time that there are three amendments to Resolution 1052."

(Inaudible comment)

Supervisor Cardinale: "Yeah, would you and then we can indicate to the public what those typos are. They're not very important."

Councilwoman Blass: "Well, they're not really- it refers to a separate- a different application entirely."

Supervisor Cardinale: "Okay, so he's going to give us the technical changes to 1052."

The two that we mentioned are going to be tabled and does anyone have any comment on any of the resolutions we're about to consider? If you do, we'll take them. If you don't, we will consider these resolutions. We only have a few, I think we have 32

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or 33 this evening which is light and we'll consider them and then take general comment and then go home and have dinner.

So, Juliann, why don't you call it? If we've got 1052 by the time it comes in, we'll give the changes, otherwise we'll pass it and come back.

She knows the changes, okay."

Resolution #1038

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

Councilman Dunleavy: "And seconded."

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

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

Resolutions #1039

Councilman Dunleavy: "Authorizes extension of time to remit real property taxes for senior citizens receiving enhanced Star pursuant to Section 425 of the RPTL. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #1040

Councilman Wooten: "Not used to having somebody go before me.

Authorizes the supervisor to release petty cash monies to Receiver of Taxes. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #1041

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Councilman Gabrielsen: "I'd like to table 1041. So moved."

Supervisor Cardinale: "Motion to table 1041. Second, please."

Councilwoman Blass: "Second to table."

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

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

Resolution #1042

Councilwoman Blass: "Authorizes the town clerk to publish and post a public notice for a local law to consider amendments to Chapter 108 of the code of the town of Riverhead entitled Zoning Section 108-56 Political Signs. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #1043

Councilman Dunleavy: "Adopts a local law amending Chapter 108 entitled Zoning of the Riverhead town code, Section 108-56E7 temporary special event signs. So moved."

Councilman Wooten: "I'll second."

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

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

Resolution #1044

Councilman Wooten: "Resolution 1044 adopts a local law amending Chapter 108 entitled zoning of the Riverhead town code, Section 108-3 definitions building trade shop. Move to table."

Councilman Gabrielsen: "Seconded."

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

The Vote: "Gabrielsen, yes; Wooten, yes; Dunleavy."

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Councilman Dunleavy: "This is to table? Yes."

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

Supervisor Cardinale: "Yes. And we'll discuss these two tabled ones Thursday."

Juliann O'Neill: "The resolution is tabled."

Resolution #1045

Councilman Gabrielsen: "Adopts a local law amending Chapter 62 entitled Excavations of the Riverhead town code. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1046

Councilwoman Blass: "Adopts a local law amending Chapter 108 entitled Zoning of the Riverhead town code, Section 108-298A Permitted Uses. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #1047

Councilman Dunleavy: "Authorizes the town clerk to publish and post a public notice to consider a local law to amend Chapter 52 entitled Building Construction of the Riverhead town code, Section 52-14 certificate of Occupancy Required. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #1048

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Councilman Wooten: "Authorizes town clerk to publish and post a public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, Article XVII Administration, Section 108-74 Certificate of Occupancy. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #1049

Councilman Gabrielsen: "Authorizes legal action against the owners, tenants, occupants and mortgagee of the property located at 608 Elton Street, Riverhead, New York. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1050

Councilwoman Blass: "Ratifies the appointment of a recreation leader. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #1051

Councilman Dunleavy: "Authorize the town clerk to publish and post the attached notice to bidders for Grangebel Park improvement project. So moved."

Councilman Wooten: "Second."

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

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

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Resolution #1052

Councilman Wooten: "It approves the site plan of Metro Terminals of Long Island, LLC. So moved.

Rick's here to discuss any changes."

Rick Hanley: "Yeah, we have a couple of errors on this one."

Supervisor Cardinale: "Indicate the changes to the clerk, please."

Rick Hanley: "Yeah, bottom of page 1 Resolved. Matter of site plan application. I think the board says EBS. It should be Metro Terminals.

Second page, second Whereas, fourth- beginning of the fourth sentence, should be town board members. It says planning board members. See that? Yes?"

Supervisor Cardinale: "You've got it, Juliann?"

Councilman Wooten: "Four sentences down, second Whereas."

Juliann O'Neill: "In the first Whereas or the second?"

Rick Hanley: "It's the second Whereas."

Juliann O'Neill: "Okay, I got it."

Supervisor Cardinale: "Barbara, you picked up the errors. Barbara picked them up and she has them on this. Why don't you take that? Keep going."

Rick Hanley: "And the last one is on page three, Be It Further Resolved in the first sentence which says- it says EBS, it should be Metro Terminals. We just had some transpositions of site plans."

Supervisor Cardinale: "Thank you. As amended, can we have that moved and- "

Councilman Wooten: "So moved."

Supervisor Cardinale: "Seconded, please."

Councilman Gabrielsen: "Seconded."

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

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

Resolution #1053

Councilman Gabrielsen: "Authorizes the town clerk to advertise for bids, Calverton Sewer District, sanitary pump station upgrades, general, mechanical and electrical, contract No. CASD 0504-G.. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1054

Councilwoman Blass: "Authorizes the town clerk to advertise for bids - Howell Avenue pump station reconstruction and force main replacement, general and mechanical construction, contract No. RDSD 0805-G electrical construction, contract No. RDSD 0805-E. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #1055

Councilman Dunleavy: "Approves site plan of EBS Building Systems, LLC. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #1056

Councilman Wooten: "It amends Resolution 989-09 which authorized the supervisor to issue a letter to the Suffolk County Department of Health Services allowing t he use of a pine barrens credit on commercial property located in Riverhead. So moved."

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Councilman Gabrielsen: "And seconded."

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

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

Resolution #1057

Councilman Gabrielsen: "General fund budget adjustment. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1058

Councilwoman Blass: "2009 Edward Byrne Memorial Justice assistant grant budget adoption. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #1059

Councilman Dunleavy: "Amends Resolution 529-09 authorizes the supervisor to execute consultant agreement with Convergent Technology Group. So moved."

Councilman Wooten: "Seconded."

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

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

Resolution #1060

Councilman Wooten: "1060 is a general fund building department budget adjustment. So moved."

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Councilman Gabrielsen: "And seconded."

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

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

Resolution #1061

Councilman Gabrielsen: "Reappoints temporary student interns. So moved."

Councilwoman Blass: "I would prefer not to second. Thank you."

Councilman Wooten: "I'll second."

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

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

Resolution #1062

Councilwoman Blass: "Appoints a call in detention attendant. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #1063

Councilman Dunleavy: "Terminates the employment of a contingent employee. So moved."

Councilman Wooten: "Second."

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

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

Resolution #1064

Councilman Wooten: "1064 appoints a call in recreation aide to the Riverhead town recreation department. So moved."

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Councilman Gabrielsen: "And seconded."

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

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

Resolution #1065

Councilman Gabrielsen: "Accepts the retirement of a highway maintenance crew leader. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Gabrielsen, yes; Wooten."

Councilman Wooten: "Yes. And I'd like to say I've known Corky most of my life. I really wish him the best of luck in his retirement. Yes."

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

Councilman Dunleavy: "Yes. And I want to wish him the best of luck in his retirement. He was a wonderful and good employee."

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

Councilwoman Blass: "Yes. And thank him for his many years of dedicated service to the town of Riverhead."

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

Supervisor Cardinale: "Yes. And we thank him for his service."

Juliann O'Neill: "The resolution is adopted."

Resolution #1066

Councilwoman Blass: "Accepts the resignation of an automotive mechanic V. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #1067

Councilman Dunleavy: "Awards bid on precast concrete drainage rings and associated items. So moved."

Councilman Wooten: "I'll second."

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

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

Resolution #1068

Councilman Wooten: "1068 is a highway fund budget adjustment. So moved."

Councilman Gabrielsen: "And seconded."

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

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

Resolution #1069

Councilman Gabrielsen: "Move to pay bills."

Councilwoman Blass: "Seconded."

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

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

Resolution #1070

Councilwoman Blass: "Authorizes the town clerk to publish and post a notice to bidders for a forward looking infrared radar (FLIR). So moved."

Councilman Dunleavy: "And seconded."

Sueprvisor Cardinale: "Moved and seconded. What is this? For the boat. How much? Not much."

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Councilman Dunleavy: "Sixty-five hundred dollars."

Supervisor Cardinale: "Okay. So they're going out to bid. Thank you. You want me to vote? Oh, moved and seconded. So let's have a vote."

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

Supervisor Cardinale: "Okay. That concludes the resolutions we have before us. We'd like to take general comment to the extent that anyone has any comment on something that is within our purview, we would like to hear that. Would you come up, please, first comment."

Dominique Mendez: "Is this working, can you hear me?"

Supervisor Cardinale: "Yes."

Dominique Mendez: "Okay, great. My name is Dominique Mendez, I'm from Wading River. You don't need me to spell that, do you? Thank you."

So as a neighbor of Great Rock and a co-chair of the Riverhead Neighborhood Preservation Coalition, I'm here to voice my concerns over a victory party for the four winning Republican town board candidates, including two current members, is going to be held tomorrow night.

Blackwell's is not just an inappropriate choice of venue but it's a slap in the face to residents who have been fighting the expansion and the non-conforming business being operated there.

I've never heard of a town board having an event at a place they are suing for similar events.

You, and when I say you I'm addressing Mr. Dunleavy and Mr. Gabrielsen, this doesn't really apply to the others, you are the ones who are and will be called upon to oversee ongoing litigation against Great Rock in addition to the other council persons yet to take office.

And now you're having a party there. It's not enough that the supervisor elect has had a big fundraiser there in June that once the new board has just been determined, this is one of your first public actions.

This raises a whole lot of questions in my mind. I'm not a lawyer, but I certainly hate to think that this could weaken the town's position to prosecute any litigation it has and might have

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against Great Rock especially if it's held in that tent, and hampers enforcement of covenants that specifically prohibit non-golf events and multi-family dwellings.

The board is going to be called upon to set the direction and make the decisions in relation to a site plan Great Rock is pursuing to build 78 condos and a catering hall.

It has to make you wonder how they're going to make unbiased decisions in the future.

You, yourself, Mr. Dunleavy, voted to litigate against Great Rock in a unanimous vote in relation to the non-golf catered events. You've also been a party to the town's current preparation of a Supreme Court action to hold Great Rock accountable for holding non-golf catered events in that tent in clear violation of the stipulation of settlement with the town.

You've also been involved in the process that has led the town to request that Great Rock comply with covenants limiting density on that property which would effectively prohibit the building of condos proposed in phase II of the site plan.

I guess I would have hoped that you would have insisted that it not be held there.

I wish I didn't feel compelled to but I must take this opportunity to respectfully remind you, the board, that you serve the residents of this town. No matter how many fundraisers they host and attend or how many contributions they make, these Brookhaven based owners are not your constituents, we are. And we expect that you will protect our rights as homeowners and enforce your own covenants and laws.

We residents expect a whole lot better of our elected officials and we sincerely hope that the new board will do a much better job of living up to our expectations in the future.

Thank you."

Councilman Gabrielsen: "I would like to comment to you. I can assure you it would not cloud any decision I made concerning that. I'm not that type of person and it's a fundraiser they had and I was invited, etc., but I would absolutely assure you it would not cloud it.

I'm not that type of person. You don't know me, I have no history here, but I can assure you and everyone knows I can assure you, that I'm not that type of person."

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Dominique Mendez: "Thank you, I appreciate that. I'm just concerned that- "

Supervisor Cardinale: "Are you guys going to be playing golf before this? So how is this a legal event?"

Councilman Dunleavy: "I'm going to bring a- "

Supervisor Cardinale: "I think the point of it is that if it's non-golf related it's illegal and you can't get summonses but certainly the owners can and I will speak with code enforcement. If it's a non-golf event by everybody's admission, it's a problem. I like these owners, they're wonderful people in their own way but it's a problem if you have an illegal event."

Councilman Wooten: "Is it a tent event?"

Dominique Mendez: "Thank you."

Supervisor Cardinale: "Next comment, Larry."

Larry Oxman: "Good evening, Larry Oxman. Marty Sendlewski, the president of the Riverhead Business Alliance is on route here. He could not be here, so I'm going to speak on behalf of the RBA.

But before I do that, Councilman Gabrielsen, welcome. I think it's absolutely terrific that a person in your business representing the farming community or having experience in the farming community is represented on this board. It's been a long time.

The farming industry- it's been joked that I'm a farmer, I've never said that I'm a farmer but you are and I think it's very important. The farming community is an asset to Riverhead from a tax point of view, from agratourism, across the board. Thank you. Welcome."

Councilman Gabrielsen: "Thank you. I appreciate that."

Larry Oxman: "Back to why I came up here. It came to my attention that the- I was contacted by this company that's doing videos for the town website. It's a promotion company named CGI. They contacted me first by e-mail, by phone call, and said that I as a real estate broker, commercial real estate broker, respected in the community was suggested that they contact me to be involved in some type of a program.

They came to my office, I found out a little bit about it. This company apparently is producing videos for the town's website that will highlight and talk about the promotion of the town.

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On the surface that sounds like a wonderful idea, a great concept, so again I tried to find out more information.

What actually seems— and I guess the four of you, the four town board members at the time, signed a letter. Yes? You have signed a letter; you've seen the letter?"

Supervisor Cardinale: "There's an agreement in place."

Councilwoman Blass: "There's an agreement that— yeah."

Larry Oxman: "There's more than an agreement. There's a letter that I have a copy of, it's posted on your town website, four signatures, endorsing this company."

Supervisor Cardinale: "When you're saying endorsing the company, how do you mean? I don't know that we've endorsed the company. I think we've got a contract with the company."

Larry Oxman: "Okay. This letter is signed by Phil Cardinale, Barbara Blass, John Dunleavy and James Wooten."

Dear Riverhead business owner: The town of Riverhead is excited to announce the launch of a new program that we feel will have a significant impact on the promotion of our wonderful community.

We have entered into a three year agreement with CGI Communications to provide a series of streaming on line videos highlighting all our community has to offer its residents, visitors and businesses.

CGI has provided similar services nationwide and boasts its reputation as a leader in on line marketing solutions, working with thousands of communities and businesses throughout the country.

We have an easily viewable interface on the official town of Riverhead website, www.RiverheadLI.com. Their video showcase will encourage— excuse me, will engage viewers in learning more about the area attractions, economic development opportunities, quality of life and so much more.

The town of Riverhead is dedicated to highlighting the advantages of living and working in our community and we feel that this program can do just that.

CGI will be contacting members of our local business community to offer participation in the program. The town encourages all members of the business community to learn about the program and to assist the town in its effort to promote the town of Riverhead.

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Signed by the members.

So this is posted, this is what this company is going around talking about and sending copies."

Councilman Wooten: "Sounds wonderful."

Larry Oxman: "So, it actually turns out that what this company is doing is that they're offering advertising on the website for a fee, for quite a large fee.

I met with a very nice man from Rochester, New York who wanted me to advertise on the website. The fee ranged from \$1,000 simply to list a logo to \$5,000 if I would have a video produced on my business.

This is a real concern. It's a real concern because I don't understand how private advertising is going to be allowed on the town website.

Now, maybe you might say it's not officially the town's website, that it goes off to another website, but that's the appearance. The appearance is that if someone comes to RiverheadLI.com, wants to learn about Riverhead and all of a sudden they see an attorney advertisement or they see an attorney's name. They see a surveyor's name, they see a newspaper, they see a brokerage.

This is very, very dangerous. It gives the impression that the town is endorsing someone. It also creates an unfair competition. Are you going to list all florists or does only one florist get to be on this list?

Just, with a couple of minutes going on line, I was able to find guidelines for government websites. Any wesbsite that's a gov-.gub is prohibited from advertising.

They also talk about sites that municipalities have and they caution about the appearance of endorsements. The appearance of an endorsement could lead to a legal liability.

I just- it would be nice, I thought about that maybe selflessly for my business it would be great, maybe I should buy the whole page. And then no other broker can advertise. It's just wrong, it's just wrong.

I mean I'd like to have a plaque right up there in front of the supervisor's name that says East End Commercial Real Estate. I'll pay for it. So- and maybe that's being cute but I don't see that there's actually a fine line between the two.

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So I just— I think that you probably entered into this with all of the best intentions. It sounded great. This company wasn't going to charge to produce videos. The reason that they don't charge is because the private business is basically paying for it.

They're offering 20 boxes surrounding the video with different advertisements. Twenty boxes, you add that up at \$5,000 a box, these guys are making a lot of money.

If you want to produce videos talking about quality of life, you should and the RBA thinks that that's wonderful. This is— I believe that the website would be paid out of taxpayers money. This should not be subsidized by the private sector.

I think that you really have to address this. I'm surprised that you signed a contract. I never heard about any bidding or any other competition or this going out to bid. All of a sudden, it was done. So I have— I think that it raises serious questions that should be addressed."

Supervisor Cardinale: "Thank you. This was cleared by legal. We'll discuss it with legal."

Chris Calderone: "My name is Chris Calderone, I live in Calverton and I wanted to also address this same issue. It seems to me that, you know, we're trading on thin ice. If I go to the website and I looked at some of the other websites that this company has done for other municipalities, and right in the middle of it, it says town of Shreveport, Louisiana, whatever it is, it goes through a video. And around that video are a whole series of icons of boxes that are around that.

And to me it looks like just as a lay person looking at it, that the town is endorsing those businesses. And it creates an issue that, you know, I don't know if it's anti-competitive or just a situation that if there was an engineer on there or an attorney on there or a home builder on there, it seems to me that as an outsider, somebody coming from another place, they want to build a summer house here or somebody is looking for a local attorney, that they're going to find that individual on there and it seems like the town is giving that person an endorsement.

And so as an outside person I might consider that maybe I should use this attorney because this attorney is going to get something done in this town for me. Maybe I'm going to use this particular builder.

If I go to the building department across the street and ask somebody there to recommend a builder, they're not allowed to do

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that because that's not the position that they're in. Because then they're exposing themselves to let's say, of yeah, call Chris Calderone, he'll build you a house. If I don't do a good job, it becomes a reflection on the town.

So you may have cleared this with legal. It just seems that across the town, and I'm not saying let's not promote the town. I think promoting the town is a great idea and I think that if we want to do videos to promote the town, then maybe we should did into the coffers, take a few bucks out, hire a local company, somebody local that understands the community, and put that out for bid. Take bids and then have somebody, you know, enhance our website with some of the attributes of our town, the scenic aspects of it, the rural aspects of it, the agricultural aspects, the vineyards and so on.

But it seems to me that a \$5,000 a throw for these boxes and they're going to have 20 of them up there, what's to stop them from having 30 or 40 up there. They're making hundreds of thousands of dollars.

In this letter that you guys signed off on, this agreement, because I didn't see any contract. All I saw was this letter and it does say an endorsement because you're encouraging businesses to talk to these people, so you are endorsing them.

You may say that you're not endorsing them, but you are endorsing them. Because it states it right here in black and white and I know how to read. So it just creates a situation that I think we're trading on some thin ice. I think you need to take a closer look at it. I don't know why you hired an out of state company to do this when maybe it would be better if a local business had the opportunity to do business here in town if we're going to spend money.

Now if it's not costing the town any money to do this and it's being subsidized by businesses, businesses that have been given preferential treatment placed on this website at a cost of \$5,000 a piece. Now is the town getting any money back from this company when we do this? Because you guys signed this agreement, so I never saw this agreement nor was it put out to bid, but could you tell me if they're going to collect \$200,000 a year from the local businesses and every year collect \$200,000 and at some point create millions of dollars of income for themselves and they did a video for the town, to have the right to collect hundreds of thousands of dollars. I mean it seems like a great business deal to me.

I'll get a video camera, I'll do a video of the town, I slap it on the website, now I have an open forum to go around and collect tens of thousands and hundreds of thousands of dollars from local businesses, and it looks like the town is endorsing those.

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Are we- as a town, are we collecting any money from this?"

Supervisor Cardinale: "No. I don't believe we are."

Chris Calderone: "Okay, so they're getting this for free."

Supervisor Cardinale: "No, they're providing the material for free and there's of course no requirement that anybody buy anything and they- "

Chris Calderone: "I understand that but I understand exactly what you're saying."

Supervisor Cardinale: "Yeah, right."

Chris Calderone: "There's no requirement for anybody to do it but let's just say that- "

Supervisor Cardinale: "Is the town's endorsement a good thing incidentally? I don't think I'd particularly use anybody just because they advertised around the perimeter of a town website."

Chris Calderone: "I'm not suggesting that you would or you wouldn't. I'm suggesting that there's an appearance, that it gives an appearance. To put that aside for a minute and let's just say that a company came to town hall and pitched you guys on the idea of doing a video for the town at a cost of \$5,000, \$10,000. I mean I do video tours of houses and subdivisions all the time. The last one I just did cost a few hundred bucks. It came out very professionally.

So it's going to cost these folks \$5,000, \$10,000, \$15,000, \$20,000 to have a three year agreement and the right to collect let's say a minimum \$200 to \$300,000 and they were given this opportunity and we get nothing for it other than a video.

I mean it doesn't seem like a great business deal to me, put aside the endorsement aspect of it."

Supervisor Cardinale: "And if, in fact, the town were taking some portion of it, you'd probably accuse us of- "

Chris Calderone: "I'm not accusing anybody of anything and you shouldn't be taking some sort of adversarial position to me. Okay? I'm trying to bring something to light here that you guys didn't look at thoroughly."

Supervisor Cardinale: "Well, my point is that you make some good points, so did Larry. However, they're based upon some

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assumptions. Let us get this straight. Unless our attorneys are complete incompetents, this is fully legal. It's done in other towns and it's done for the same reasons that this town board elected to do it.

You may not think it's a wise thing to do. That's fine. But it is legal. It is done in other towns. It is not an endorsement."

Chris Calderone: "I just thought it was a very short business deal, that's all."

Supervisor Cardinale: "It might not be a good deal but it is legal."

Chris Calderone: "Somebody comes to the town, they could do a video for you for a few thousand bucks. They're going to collect hundreds of thousands of dollars. We're getting no compensation for it other than the video."

Supervisor Cardinale: "I'm certainly not interested in getting in the business of selling advertisements-- "

Chris Calderone: "Well, they are."

Supervisor Cardinale: "He just told me you can't sell advertisements on a video."

Chris Calderone: "On a town website, that's correct."

Supervisor Cardinale: "Is this video-- is this right on the town website or is it-- does it refer you to another website?"

Chris Calderone: "Well I know you signed this agreement. Maybe you can tell me."

Supervisor Cardinale: "I'm talking about-- but I haven't looked at the website."

Councilman Wooten: "If you don't know, don't answer."

Supervisor Cardinale: "Do you know if it-- if you have-- if it's a connected website or if it's right on the town website.

Tim, is it a reference website or a connected website or is it the same website?"

(Inaudible comment)

Supervisor Cardinale: "Where is the advertisements he's talking about? I don't see any on what you're saying."

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Larry Oxman: "If you go to some of the municipalities- "

Councilman Wooten: "Oh it's on the existing ones. Okay."

Supervisor Cardinale: "It's not up yet."

Larry Oxman: "It's not up yet. But if you go to I think it's Shreveport, Indiana or Illinois, on the home page, there is- on the side there is a pick list of videos to look at. Now I believe from a technical perspective it may actually link you to some other site. However, it's seamless and the viewer doesn't know it."

Supervisor Cardinale: (Inaudible)

Larry Oxman: "No. No. It- oh, yes, you have to hit something that's highlighted- "

Supervisor Cardinale: "So you know you're going off of our website to the linked website."

Larry Oxman: "It looks like you're just going to another page of your website. That's all. That's all. It really gives the appearance of- "

Supervisor Cardinale: "Okay. I have no- if this is a general sentiment we will certainly look into it. Legal reviewed it a long time and said it's fine but maybe it isn't fine and maybe we ought to change it."

Larry Oxman: "Incidentally before I came to the meeting I just did a Google search for advertising on government websites. Again, it talks about discouraging this type of advertising from an appearance sake so, again, maybe legally it's okay because it's no longer the town's website but the viewed doesn't know it. It's very slick."

Supervisor Cardinale: "Okay, thank you. I've nothing on it, so I'll take a look. Thank you, Mr. Calderone."

Any other comments from the public on any other matter within our purview? We appreciate your bringing these things to our attention which we may not be aware of.

If there is none, I'm going to end the meeting this evening and invite you all back for a Thursday work session that starts at 9:00 now. Yeah, 9:00 on Thursday where we'll wrap up a number of items and hear from some people.

Thank you very much for attending."

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Meeting adjourned: 8:09 p.m.