

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on Wednesday, November 7, 2007 at 8:00 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: "We would like to start with as always the Pledge of Allegiance and who shall we have lead? Vince, why don't you lead us in this?"

(At this time, the Pledge of Allegiance was recited, led by Vince Tria.)

Supervisor Cardinale: "Okay. We'd like to make a presentation initially. Please move down here.

The Labor Management Committee please come up, please. Thank you. These are the members of the Labor Management Committee and each quarter we present to an employee whose performance has been outstanding a citation and a proclamation as the employee of the quarter.

And for the third quarter of this year, that employee is somebody that everybody knows, Terri Davis. Terri, come on up.

Before I read and issue this proclamation, I'd like a spokesperson from the Labor Management Committee to maybe explain how the selections are made and how this particular selection was made. Who wants to talk on this? There you go."

Unidentified: "Terri was chosen for her un-daunting willingness to help everybody, to learn her job so very well with a sense of humor at all times, and I personally recommended Terri because I think it goes unnoticed when somebody like this who works so hard and puts so many hours in, is not recognized, has many talents, especially Terri with a new baby."

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Supervisor Cardinale: "Great. Well that's— thank you for that. I'm going to give you a little bit more detail about Terri's work and present this proclamation and then you can tell them what comes with the proclamation.

Terri Davis has been a valued employee of the town of Riverhead and currently works as a network assistance technician in the information and technology department.

Miss Davis began working in the town in 1999, has taken an active role in town matters, demonstrating a strong ability to see the cup of life as half full rather than as half empty and, of course, with a sense of humor at that.

Miss Davis is a unique individual who brings a sense of humor to every situation she encounters, has the ability to effectively problem-solve and troubleshoot any computer problem which arises.

And Terri's commitment to our community has been further demonstrated in her role as a volunteer firefighter for 15 years and her tireless work as a dedicated mother to her daughter, Lexi-Ann (phonetic).

As a result of Terri's hard work and dedication, the Labor Management Committee recently named her Employee of the Quarter for the third quarter of 2007 and I as supervisor together with the town board members here today, add our congratulations to that of the entire town to Terri Davis, Employee of the Quarter, third quarter, 2007. Congratulations.

Speech."

Terri Davis: "I don't have a speech prepared and I apologize. I would just like to say thank you very much and I appreciate it."

Supervisor Cardinale: "It's a good speech. Proclamations are nice but does this come with like a day off, some money, anything like that?"

Unidentified: "A \$100.00 savings bond and a day off with pay."

Supervisor Cardinale: "Good. Enjoy. We'd like to make you supervisor for the day. A lot of people would like to make you supervisor— I think like 41%, but thank you very much. Keep up the good work."

Terri Davis: "Thank you."

Supervisor Cardinale: "Take care. And the board would like to congratulate you."

Okay. We're going to move on to the approval of the minutes of the last board meeting, minutes of the September 17th regular town board meeting, October 16 special town board meeting and I'm sorry, I've got it all wrong.

Approval of the minutes of the Community Development Agency special town board meeting of September 17th, the regular town board meeting of October 16th, and special town board meetings of October 18th and November 1st. Somebody move that, please."

Councilman Densieski: "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 minutes are approved."

Supervisor Cardinale: "Okay, would you tell us-- having congratulated Terri and, again, congratulations Terri Davis Employee of the Quarter, move to the Reports, please."

REPORTS:

Receiver of taxes	utility collections for month of October, 2007 - total collected \$672,024.40
Town Clerk	Monthly report for October, 2007 total collected - \$6,843.23
Building Department	Monthly report for October, 2007 total collected - \$210,075.00
Sewer Department	Discharge monitoring report for September, 2007
Jamesport Fire Dept.	2008 budget
Wading River Fire Dept.	2008 budget
Police Department	Monthly report for September, 2007

Barbara Grattan: "That concludes Reports."

Supervisor Cardinale: "Thank you. Applications, please."

APPLICATIONS:

Baiting Hollow Farm

Nov 1 thru Dec 31 - late harvest
Vineyard LLC holiday celebration

Barbara Grattan: "That's all for the Applications."

Supervisor Cardinale: "Correspondence, please."

CORRESPONDENCE:

Petition 54 names in opposition to
the accessory apartment law

Salvatore Diliberto regarding
historic village at Jamesport

Gardner Family regarding drainage
problem at 34 Park Street, Wading
River

Dan and Donna Zaweski in support of
the bond for East
Creek marina

Barbara Grattan: "That concludes Correspondence."

Supervisor Cardinale: "Thank you."

Barbara Grattan: "You're welcome."

Supervisor Cardinale: "We also have a series of public
hearings, 10 in number, which we're going to get into in a moment."

And, before I forget, I should acknowledge and I forgot to, Lori,
you are the department head of our honored Employee of the Quarter,
are you not? Lori (inaudible) is the infotech department head. I
should have brought you up to say kind things about her, but I forgot.
So thank you for being here.

This is telling me my department- this is telling me that Rich
Hanley my department head for planning is no- is at a meeting with
attorneys, and he's supposed to introduce the accessory apartment law
so we'll just muck through if he's not back.

The- board members, does any one have an announcement or a
committee report they want to- "

Councilman Densieski: "Yes."

Supervisor Cardinale: "Go ahead."

Councilman Densieski: "Mr. Supervisor, I'd like to thank all my supporters over the last eight years. Unfortunately at least for me, I lost the election to Mr. Woodson for the highway superintendent and I want to wish Mr. Woodson all the luck and success at the highway department. And I'd like to thank all the candidates who put their name up. It's kind of tough to do this, it really is. I want to congratulate the winners and thank the losers. Thank you."

Supervisor Cardinale: "Thank you, Ed."

Councilman Bartunek: "Ditto."

Supervisor Cardinale: "Thank you, George. And I should acknowledge Tim Buckley is here who will be on the board in January, and is Jim here? Jim Woodson? He will also be joining us and we look forward to working with him."

I have 10 public hearings today, thank you very much. And we're going to start with the consideration of the adoption of the 2008 annual budget.

I saw the director of finance out there but then he escaped. Could you get him? I don't know if he wants to introduce this but certainly he would do a better job of it than anyone else I know, of introducing the budget hearing."

Public hearing opened: 2:25 p.m.

The annual budget has been on file since September 30th. About a week ago there were some amendments to certain lines of it which have been on file since as the preliminary budget and that's what we're having the hearing on today. The preliminary budget-- the tentative budget was on file September 30th, raised taxes 2.6%. I think you're going to tell us, aren't you, Bill?

And then the board as it's statutorily duty reviewed it and made certain line changes and those were voted in November-- a week ago, so I guess it was November 1st, and come on up, please and give us a quick summary and then we'll take comment from any member of the board or member of the audience that wants to make comment."

Bill Rothaar: "The changes that were made were to general fund through an increase of \$84,000 which was about (inaudible), in the highway fund there was a \$584,000 increase in taxes which was a 12% (inaudible) over the preliminary-- over the tentative budget. Street lighting, we had an additional \$40,000 in spending which increases property taxes by about 5.2%, and in the ambulance district, we have \$90,000 in spending (inaudible) taxes by 13%."

There is a spreadsheet of the detail of all those changes so if you (inaudible). If you have any questions--

Supervisor Cardinale: "The three general fund accounts which are the general fund, the lighting district and the highway fund which are taxes to all citizens, the proposed budget, the tentative of September 30th, proposed to raise the tax levy 2.6%. There were certain changes you just summarized, what is the proposed levy at this time with those changes in the preliminary budget?"

Bill Rothaar: "I'm sorry. What was that question?"

Supervisor Cardinale: "The initial tentative budget which I submitted with your help on September 30th, indicated a raise in the tax rate of 2.6%-- "

Bill Rothaar: "Right. Okay."

Supervisor Cardinale: "-- there were certain changes made by the board as they reviewed it and voted on it on the 1st. What is that raised, that 6.2% to?"

Bill Rothaar: "In the town general fund, it's up to 3%, a 3% increase over last year's tax rate."

Supervisor Cardinale: "So it went from 2.6 to 3 in the general fund?"

Bill Rothaar: "In the general fund. It went from-- "

Supervisor Cardinale: "How about overall, is what I'm really looking for. The overall number."

Bill Rothaar: "In the three major funds, it went up a total of 5.2%, 5.27%."

Supervisor Cardinale: "It moved from 2.6 to 5.2?"

Bill Rothaar: "To 5.27% overall for those three funds."

Supervisor Cardinale: "Okay. So the increase proposed of 2.6 is now 5.2?"

Bill Rothaar: "Correct."

Supervisor Cardinale: "Okay. That's a good summary to begin with. Does anybody have a comment? If you do, please make it. If you don't, because it is a complex area, these will be on file with the clerk as they have been since September 30th and November 1st respectively, the tentative and then the preliminary budget changes, and they-- we will not move to final budget until November 20th."

If there are no changes between now and November 20th, this budget will become the final budget. If there are changes, they will be voted at the November 20th meeting.

So I'm going to leave this open, this hearing for written statements that you may want to submit to the file, until November 16th, which is Friday of next week.

Yes?"

Councilwoman Blass: "Mr. Rothaar, there was some additional discussions that members of the board had with respect to the police department budget. Is that-- the figures that you mentioned, does that include those?"

Bill Rothaar: "No, this was just the-- "

Councilwoman Blass: "Okay."

Bill Rothaar: "-- amendments that were made on the 1st. So this is the budget as it stands."

Supervisor Cardinale: "Why don't you do this, Bill."

Bill Rothaar: "Yes."

Supervisor Cardinale: "The preliminary budget is what we're having the hearing on which is November 1st changes. However, Barbara is-- since then, you've met with the board members and I think you've gone over the police department particularly. Could you-- those are-- there are certain changes that are being considered to that budget. Could you summarize those?"

Bill Rothaar: "Yes. In essence we're adding another \$288,000 to the police department, including overtime at \$185,000, and automobiles at \$80,000. That's the bulk of the increase which would increase the tax rate an additional 1.2%."

Supervisor Cardinale: "Okay. Now, give me that one more time because I didn't go over the details. But the total is 288-- "

Bill Rothaar: "The total is 288-- "

Supervisor Cardinale: "And break it down for me again."

Bill Rothaar: "Well the two largest increases are police overtime for \$185,000 and automobiles for \$80,000."

Supervisor Cardinale: "Okay. That I understand. Thank you."

Okay, with that, if anyone has a comment verbally, please come forward. Yes, sir. Please come forward."

Eugene McSherry: "Well, I don't know if we want to- I guess this comes under one of the general funds which I believe- so I'm going to be looking at this particular line item number which is 065100 veterans services?"

Supervisor Cardinale: "Yes."

Eugene McSherry: "Okay. Now in '06 you had an actual of 4,000 plus. In '07 as of June 30, you had an actual of 3,376 with plus. You have a tentative of '08 of 1,500 and then you have a department requirement of 1,500, then you have a tentative of 2,500. The problem I have is none of these tentatives ever come close to your actual for '06 and your periodics for '07 so figuratively speaking, unless you plan to put some more money into this budget, this budget is going to be cut considerably.

Letting you know that if these particular expenditures over the last two years, right, are plus or over the amount of the budget that you are actually putting in for '08, right, that's kind of like a little bit of a shortfall in veterans services because of the flags that go around Main Street, and also the monument that I've been working very diligently with the county, the state and the feds to try to get some money for that monument over on Pulaski and Osborne which right now with an engineering survey that was done and was approved, right, we're looking at \$33,500 to restore the monument, the flagpole, and the walkways going up to it.

I'm in the process which I'm not allowed to say right now, but I'm in the process of trying to acquire monies from Suffolk County. I've already got some monies from New York State and unfortunately the federalists had a cap limit that was so high that I had no choice but to turn it down because it was way, way over the limit. I wouldn't be able to justify trying to spend \$250,000.

So I would think that this particular line item in this budget really should be having another look at by the town board and the budget committee to find out why this is being stripped so low when in the last two years you spent almost \$8,000 and then this year you are only putting in for 1500 or 2500 cap. I find that shortfall is going to be a little bit much."

Supervisor Cardinale: "By which I understand you to mean that the 2500 should be raised to 4,000."

Eugene McSherry: "At least."

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Supervisor Cardinale: "Okay. Let's take a look at that, Bill, sometime between now and the 20th."

Any other comment? If there is no verbal comment, I'd like to leave it open as I said for written comment between now and the 16th of November. I know the board will be looking at this in our work session preliminary to the 20th, the meeting of the 20th, to see if we want to make any further amendments.

That is the first hearing. I opened it was 2:15 I think it was and it is now 2:31."

Public hearing closed: 2:32 p.m.
Left open for 10 days for written comment
to November 16, 2007

Public hearing opened: 2:34 p.m.

Supervisor Cardinale: "I'd like to move to the second hearing. That hearing was scheduled for 2:05, for the consideration of the purchase of approximately 41.3 acres of vacant lands located on the north side of Middle Road, approximately 750' east of Deep Hole Road, Calverton, for a price of \$3,800,000."

This is part of the Community Preservation Fund purchases. Do we have anybody here who would like to present— who is intending to present this? He's right here. From Peconic Land Trust and he will be right at the microphone in a moment and he's working with high tech here and we have our high tech person here, so I'll let them take a moment to get set.

And maybe you could introduce yourself. It is now 2:34 and the hearing is open."

Steven Serile: "Steven Serile (phonetic) with the Peconic Land Trust. (Inaudible)"

Supervisor Cardinale: "See if that switch helps?"

Steven Serile: "Is that better?"

Supervisor Cardinale: "Yeah. And, in fact, you can lift it up, push it up next to you because you're a tall guy. And now relax and talk."

Steven Serile: "Give us one second. We're going to have a nice slide presentation for everybody once we get going here. It will only take a couple minutes."

The first property is the purchase recommended by the open space committee for a piece owned by the Kobelinski (phonetic) family. It's about 41 acres roughly for- it is the town would be buying open space here. There's meadow, woodlands, a fair number of kettleholes, about 3 kettleholes. You'll be able to see beautiful pictures of it in a minute, and there is about a sixth acre reserve area where the family will be holding on to- retaining a house, the house site.

The price is \$3.8 million dollars for about 41 acres. It's on Middle Road. I'm not sure I said that."

Supervisor Cardinale: "What's the appraisal?"

Steven Serile: "I don't have that right in front of me. I'd be happy to get that for you."

Supervisor Cardinale: "Okay, we'll need that because- oh, can you confirm that the price is less than the appraisal or no more than?"

Steven Serile: "Yes, I can. Yes."

Supervisor Cardinale: "Good."

Steven Serile: "Absolutely. Sherry Johnson and Charles Setas are also here from the open space committee so if they're able to answer any questions, please do so. Thank you."

Councilwoman Blass: "Steven, do you have the open space committee rating of this parcel?"

Steven Serile: "I do. I was actually looking for it right before. Again, is that actually something that you two could help out with in terms of the rating of the parcel? Sorry to put you on the spot."

Councilwoman Blass: "If I recall, I think it was a pretty high rating, but I don't- "

Sherri Johnson: "Sherri Johnson, Manorville. I'm chair of the Riverhead Open Space Committee.

We did rate the form, I don't have a copy of the form with me. It did receive 57 out of 110 points on our ranking sheet. That's at 52% and it was at the time we ranked, one of the highest parcels that we did rank.

It's an exceptional piece of property. There are various habitats on the property. It's very important, the three kettleholes.

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There are approximately 30 acres of woodlands, 10 acres of open fields. We walked the parcel in January with Mr. Kobelinski, had a complete tour.

As I said, the kettlehole ponds are of exceptional quality and most likely harbor endangered species such as tiger salamanders and other amphibians. The woodlands provide cover for song birds and other wildlife such as deer and Eastern box turtle.

The property we felt was one of the best we've seen habitat-wise and we hope— it's important to preserve it and we hope you will support the acquisition."

Supervisor Cardinale: "Thank you."

Sherri Johnson: "Thank you."

Councilwoman Blass: "Thank you, Sherri."

Councilman Dunleavy: "Can I ask a question? Is this on the north and south side of Middle Road or just on the north side?"

Sherri Johnson: "It's the north side of Middle Road."

Councilman Dunleavy: "And it backs up to the landfill?"

Sherri Johnson: "It does, yes."

Councilman Dunleavy: "So it's continuing with the landfill down towards Middle Road. And the non-forest area also is being bought?"

Sherri Johnson: "Yes, it is. It's very important as part of the habitat to provide that open field for such as hawks that would nest in the woodland, would hunt on that open field and deer would graze in it, hopefully, keep out some of the other folks' backyard and out of their landscaping. The open field is just as important as the woodland."

Supervisor Cardinale: "Voila. Look at that picture."

Councilman Dunleavy: "And the six acres is just around the house that he's keeping?"

Sherri Johnson: "I believe so. Yes. Just that property around his house and the barn."

Supervisor Cardinale: "Is that really part of what you want us to buy or— "

Steven Serile: "No."

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Supervisor Cardinale: "It's very nice but it's not what we're buying, folks. Okay. Having said that, does anyone have any questions of Sherri- right?"

If not, we'll take a look at the picture now, or we won't. I'm not sure. There's no signal. Help. More help is on the way. All right."

Steven Serile: "I'll stay right here. Hello. All right, thank you. A few technical difficulties but- so this is the Kobelinski piece. The landfill is directly to the north there, northwest."

Supervisor Cardinale: "But not contiguous?"

Steven Serile: "It is contiguous."

Supervisor Cardinale: "Well, the two yellow pieces aren't contiguous. What are you showing me?"

Steven Serile: "That's preserved land. A (inaudible) piece on the southwest and then another town owned piece- "

Supervisor Cardinale: "Just showing the other property in the area."

Steven Serile: "That's right. That's right. Any other questions?"

Supervisor Cardinale: "Keep going. I want to see these beautiful pictures. The wait is worth it, don't worry."

Steven Serile: "And that's it for this piece. It's very brief."

Supervisor Cardinale: "Okay. I don't know if it was worth the wait but let me ask you, is anybody from the Kobelinski family here? How are you? I'll comment anyway.

Did you tell me there was some endangered species probably on the piece? No, Sherri told me that, right? Well, if we found them now, would the price go down?"

Councilman Bartunek: "Nice try, Phil."

Supervisor Cardinale: "If we find them now, then it affects development. I assume that was taken into account in the appraisal, right?"

Peter Danowski: "I think Sherri- "

Supervisor Cardinale: "The attorney for the- "

Peter Danowski: "-- that's correct. Pete Danowski for Mr. Kobelinski. I think Sherri said she wasn't absolutely positive there were tiger salamanders."

Supervisor Cardinale: "I'd like to locate them before we buy."

Peter Danowski: "Well, maybe, we may say no to that."

Supervisor Cardinale: "I thought you might. Thanks. Okay, thanks. So I guess it's 36-- 3.8, right? It looks like a very nice piece. I wouldn't know it from the photos but I'll take your word for it."

Is there any other comment from anyone else? Yes, please come up. Please come on up."

Ed Visner: "My name is Ed Visner (phonetic). I live in Windcrest East."

Supervisor Cardinale: "Yes."

Ed Visner: "We are directly adjacent to this proposal that they're planning on buying. I'm not too familiar with the intention in the future. If the town buys this land, is it going to stay just as it is or would there be any modifications made to it?"

Supervisor Cardinale: "I believe it would-- the whole idea is to leave it open forever, hence the open space purchase. But Mr. Bartunek and Ms. Blass are the liaisons to the committee. So fire away."

Councilman Bartunek: "There is a possibility that trails could be developed there. It could be passive recreation but that's about the limit of what we would do. If anything like that was even considered, I think it's an ideal piece of property for maybe like an education program through the schools or something like that."

Ed Visner: "Would they be putting up buildings on the property?"

Councilman Bartunek: "No, no."

Ed Visner: "When you say recreation, you're talking about-- "

Councilman Bartunek: "Trails, maybe just paths, like that."

Ed Visner: "So basically the land and the property will stay the same as it is?"

Councilman Bartunek: "Yes."

Ed Visner: "All right. That's all I had. Thank you."

Supervisor Cardinale: "Thank you. Yes, sir, please come up."

(Inaudible comment)

Supervisor Cardinale: "Yeah, can we take a look at them and maybe we can pass them around the audience if you'd like. Because the ones I saw, all I'm seeing is brown and green blur here."

Councilman Bartunek: "Upstaged by a Kodak camera."

Supervisor Cardinale: "Isn't that something? Yeah. Is there any other comment on the piece? Yes, come up, please. I'm sorry, please."

Joanne Schmidt: "Hi. My name is Joanne Schmidt and I represent the Long Island Pine Barrens Society. We're here to support the purchase of two of the parcels that are being discussed today, two parcels of land in Riverhead and to reiterate the importance of the town partnering with Suffolk County and New York State and the preservation of open space."

Suffolk County Legislator Ed Romaine has secured 70% funding from Suffolk for a 7.8 acre parcel off of Riverside Drive. From the road, it looks like a small building lot."

Supervisor Cardinale: "Just one moment. Before we get into that, you want to put that into the hearing next, right? The next hearing."

Joanne Schmidt: "Okay."

(Comments made on page 1126)

Supervisor Cardinale: "But I want to close this one first. So if you'd just hold it just for a second. I'm going to let Hal come up and then I'm probably going to close this hearing, leave it open for written for 10 days and proceed. So don't go away far."

Hal Lindstrom: "Hi. My name is Hal Lindstrom. I'm from Calverton. Having been on the open space committee, I was on for two years, I'm now leaving, but I did have an opportunity to walk the property. And this piece is I feel one of the top pieces that we should preserve."

It has a number of eco-systems, very sensitive eco-systems, as far as the kettles. You have some old growth on that property. Some of the trees are probably 60 to 80 years old which is great for different bird species that come through here and that live here.

We also observed a number of different water fowl in the kettles when we were there. We did observe not endangered but threatened box turtle. We did observe that. And there could be tiger salamanders.

From my experience as a wildlife photographer, there is habitat there that would lend itself to the tiger salamander. They do like that type of habitat near the water with the leaves and I would strongly recommend to the board that they preserve this piece.

Thank you."

Supervisor Cardinale: "Thank you for your comments and your efforts on the committee. Come up, please, any comment.

Tiger salamanders, Pete, aren't those the ones that get one acre each? So if we found like 41 tiger salamanders, we— yeah they could be the spotted salamanders. They don't get any protection at all. You're right."

Unidentified: "Yes. I'm concerned about maintaining the open space there, is my concern. Cutting the grass. Who's going to do that? Who's going to maintain cutting the grass? If it gets pretty high, it will be a fire hazard."

Supervisor Cardinale: "That's an interesting question. The maintenance of the open space, I thought that— my expert is from Peconic here, Peconic— what do you call yourselves? Peconic Land Trust, right. Open space, isn't the whole idea to leave it open and not mess with it? He wants to know why you're not mowing the grass."

Steven Serile: "It would. It may make sense to mow the grass in this case, because— "

Supervisor Cardinale: "Are you volunteering?"

Steven Serile: "I think it would be I think for a number of different reasons, for aesthetic purposes and it sounds like for fire reasons, and for bird habitat. It probably makes sense to keep it as— I'm sorry it is poor quality here, but it makes sense to keep it in the configuration that it is. So there is meadow there. The woodland obviously in the back and the kettleholes should probably be left as it is."

Councilwoman Blass: "The CPF funds which are part of the source of monies for this acquisition, actually I guess this is a complete CPF purchase, allows for stewardship of the parcel, so if it is determined through the land trust annual review of these that it needs a certain amount of maintenance, whatever that cost can come out of that fund and it's not a taxpayer expense."

Unidentified: "Thank you."

Supervisor Cardinale: "Thank you. Yes, 10% of the money, right, can be used for stewardship. Yes, sir."

Donald Brissen: "My name is Donald Brissen and I am one of many Windcrest East members who are sitting here. Would you like to raise your hands Windcrest East people?"

Supervisor Cardinale: "Ah, that's why there's so many people here today."

Donald Brissen: "They are all shy unlike myself. I think that they are here in the most part because they favor this proposition. They would like to see that land purchased by the land trust. And I would also like to testify that there are indeed deer, because they have eaten some of my landscaping. There are indeed hawks, I have seen them flying over my house. And there are indeed I suspect box turtles because they've walked through my yard and I don't think they came from the other side. I think they came from the farm side.

And I, too, have walked, if not the property, excuse me, Mr. Bartunek, but the edge of the property starting at my house and running all the way back to the landfill and there are also ticks on the property. But I don't think that's a consideration here.

I would just like to say that with many of my fellow residents, I support the purchase of that property by the land trust."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Clarification, yeah. Barbara and I would like to clarify that, unless there's been a change, not the Peconic Land Trust, although if they'd like to buy it we'll step aside, but the town of Riverhead will be buying it with your money, the 2% transfer tax money, for the welcome neighbor, welcome neighbor, there's a 2% tax.

So we'll be using some of that to purchase this and the Peconic Land Trust just works for us actually and we pay them to help do the stewardship and the review of purchases."

Donald Brissen: "As a taxpayer, I approve of that expenditure of my tax money."

Supervisor Cardinale: "All right, thanks. Any other comments? Yes, come on up, please, Sal, and then Kathy, if you'd like to comment."

Sal Mastropolo: "Sal Mastropolo, Calverton. I just have a question on that piece of property particularly since the neighbors are here. Would the town consider opening that up for deer hunting and would the neighbors have a problem with that?"

Supervisor Cardinale: "Neighbor hunting, deer hunting or just—I don't know that we can do that with CPF funds. I think open space has to remain open space without shooting things. Is that correct? Anybody ever tell you that one?"

Steven Serile: "I don't know."

Supervisor Cardinale: "Do you want to hunt it?"

Sal Mastropolo: "Well, I used to hunt until I moved down here. Okay. I'm just saying, particularly since the neighbors are here. If it's 41 acres, that's a nice piece of property. It's wooded and I heard comments that the deer are heating their shrubs."

Supervisor Cardinale: "Their vegetables and their shrubs."

Sal Mastropolo: "Would the town and could the town open it up for hunting to residents of Riverhead?"

Supervisor Cardinale: "Is Ann Marie— is that possible? I don't think it is. We do not anticipate that for sure at this moment and I am not sure and we will check with Ann Marie Prudenti, council to the committee, whether an open space purchase can be used as a hunting area. But— I don't think they'd be real happy with that, Windcrest. Just— that's a guess, that's a guess. Go ahead."

Kathy Lindstrom: "I don't live at Windcrest and I wouldn't be happy with it."

Supervisor Cardinale: "Okay. This is getting a worse and worse idea."

Kathy Lindstrom: "I just wanted to say this piece of property is visually beautiful from the road. It gives everybody delight, not just the people of Windcrest, but I would say to the thousands of people who ride by there daily. It is so nice to look at and it's

just very calming and it's much nicer seeing that than having another row of houses there.

I really think this property could be preserved and should be preserved not just for the immediate, you know, surrounding area, but for everybody in Calverton and actually for everybody in Riverhead. It is a beautiful piece of property."

Supervisor Cardinale: "Thank you."

Kathy Lindstrom: "And hopefully we can preserve it."

Councilman Bartunek: "I have a question for Mr. Kobelinski. Do the concrete blocks come with the property? No? Maybe we could take something off for the concrete blocks."

Supervisor Cardinale: "Do we get a credit? Okay."

Councilwoman Blass: "I actually wanted to publicly thank Mr. Kobelinski. I know initially you were not necessarily inclined to want to discuss this acquisition with the town and I'm glad we were able to convince you that it was indeed something that could benefit all. I want to thank you, Mr. Kobelinski."

Supervisor Cardinale: "Okay. If there's any other comment, I'll take it. If not, I'm going to leave this open for written comment through 4:30 on the 16th, a week from this Friday. And we thank you for your participation."

Public hearing closed: 2:54 p.m.
Left open for 10 days for written
comment to November 16, 2007

Supervisor Cardinale: "And I'd like to call the second- third hearing. The third hearing of the town we have to get through is at 2:10, it is now 2:54.

Public hearing opened: 2:54 p.m.

Supervisor Cardinale: "It is for the consideration of the purchase of approximately 7.7158 acres of vacant lands, located on the north side of Riverside Drive, east of East Main Street for the price of \$230,000.00 per acre.

We'd like to have this presented by Peconic Land Trust, I guess. Would you fire away?"

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Steven Serile: "Yes. Absolutely. And actually if I could ask Sherri and Charles, Open Space Committee members, to be chair and vice-chair, just to be on call for any questions. That would be great. I think that's really helpful for the town to hear from you."

Supervisor Cardinale: "Thank you to those of you who were here from Windcrest for the prior hearing and we'll give you a moment to leave and come back soon. Thank you."

Steve Serile: "Okay. So this piece is another open space acquisition so it would be a fee purchase. It is a 70/30 split with Suffolk County which means Suffolk County has been willing to partner with the town to cover 70% of the cost; the town would only be responsible for 30%."

The piece is primarily woodland. Again, it's 7.7 acres, and the total cost will come to \$532,000 for the town, and that does come in at about \$230,000 an acre."

Supervisor Cardinale: "No it doesn't. Look at that again. Unless my arithmetic is wrong. Are you saying you're paying \$532,000 for the whole piece."

Councilman Dunleavy: "That's our share."

Steven Serile: "That's the town share."

Supervisor Cardinale: "Oh, our share, okay, now I get it. But what's the full price? The full price is \$240,000 times eight about, 1.6."

And while you're at it, could you explain how we managed to get \$230,000 an acre for this piece?"

Steven Serile: "Yes. Because it was fully- "

Supervisor Cardinale: "Because it's a real bargain."

Steven Serile: "Right. Right. Because it was fully subdivided. It is fully subdivided. There's a subdivision plan that has been, that's before the planning board."

Supervisor Cardinale: "What's the appraisal, what's the appraisal on the piece?"

Steven Serile: "Again, I'm sorry I don't have those exact numbers. I could look it up for you."

Supervisor Cardinale: "1.6. She has it. And that's what we're paying. And the enhanced value is based upon the fact that it is in the process or finished with the subdivision? It has sketch plan

approval. Okay. Pat Gibbon did the appraisal? They did two. They came in the same way? I'm not being facetious here. Have you seen the real estate market lately? So they would have to sell these for more than— they have to finish the subdivision and sell the lots for more than the total— for 230 in order to— and there's carry and stuff. And that's all in here?"

Steven Serile: "It is."

Supervisor Cardinale: "Go ahead."

Steven Serile: "Was there anything-- Sherri, Charles, was there anything that you wanted to add about the property, about its natural features?"

I do have pictures here."

Supervisor Cardinale: "Oh good. That's your only picture on the machine? Do you ever get the feeling that technology is bringing us backwards?"

Steven Serile: "Well, the visual could be enhanced."

Supervisor Cardinale: "Well, that's good. That really gives me a sense of it."

Could you— this is 7.7 acres. It's going to be— how many lots was it going to be? Seven?"

Councilwoman Blass: "As of right, seven, with transfer of development rights, it could have gotten up to 12."

Supervisor Cardinale: "What is the— could someone tell me the— I get it's seven acres. It could be seven lots, it could be 12 lots. What's the rating on the piece?"

Steven Serile: "It's 65 out of 110 is what— "

Supervisor Cardinale: "You like that piece better than the Kobelinski piece?"

Steven Serile: "It did receive a higher score. I think in part that may have to do with the fact that it's adjacent to town— if we go back one slide, it's adjacent to town owned property and it's also— according to my letter here, the recommendation letter, according to the Open Space Committee, it's also the last large parcel in a chain that includes the River Club property— "

Supervisor Cardinale: "Is that adjacent to the River Club property?"

Steven Serile: "Yes."

Supervisor Cardinale: "But it's not on the water?"

(Inaudible comment)

Councilman Dunleavy: "It's north of Riverside Drive."

Steven Serile: "It's north of Riverside Drive. And- "

Supervisor Cardinale: "We've got some Riverside people here. You like the piece, huh? All right. I'm glad you like it. Okay. It is adjacent to the piece that we purchased recently. It's got some wetland on it, is that correct?"

Steven Serile: "I don't believe so. Go ahead. They are much- in a much better position- "

Supervisor Cardinale: "Charlie, what did they put you up here for? We want Charlie. You live around there, don't you somewhere?"

Charles Cetis: "Yeah. The property is like you say is adjacent to the River Club property which the town purchased, it's not absolutely adjacent but it's pretty close. But the two lots that are almost immediately adjacent to it, one is on the railroad tracks but that's county owned, that does have a small kettlehole on it, and the one which is just immediately north of Brown Street, the town owns that lot.

The property is very densely vegetated woodland. It's within the Peconic estuary program area. It's a fairly bulky piece which gives it some points for that. It's adjacent to publicly owned land. It's really the last piece of woodland on Riverside Drive. Everything else basically on Riverside Drive that is- can be preserved has been preserved already. This is the last piece except for maybe that one little narrow strip that is between this piece and the- "

Supervisor Cardinale: "Isn't that a roadway?"

Charles Cetis: "I think Sherri did some research on that with an individual- "

Supervisor Cardinale: "You can get that, I just got a letter. Yeah, the lady wants- she's here, is she here? There you go, she's ready to sell it."

Charles Cetis: "Okay."

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Supervisor Cardinale: "That will be \$280,000 an acre for that piece."

Charles Cetis: "So essentially with that, that's the last piece you can preserve on Riverside Drive. Everything else has been preserved already that can be preserved."

Supervisor Cardinale: "I see."

Charles Cetis: "It makes it a strategic purchase. And it also acts as open space, major trails could be used on the property and it also acts as a buffer between the residential development on Riverside Drive and the open space that's already owned by the town and county. So that's basically all I have. You have my pictures that I took. Steve can show them to you."

Supervisor Cardinale: "You have the pictures? Just don't keep them to yourself."

Charles Cetis: "There are some— a couple of old growth trees on there. There are a couple big oak trees that are probably a hundred years old or more and, but a cherry tree, wild cherry tree that we saw. There's, you know, many varieties of deciduous trees that we saw on the property. And wildlife, we saw many varieties of birds. It could be a habitat for the wood thrush which is I believe on the decline a this moment."

Supervisor Cardinale: "Thank you. Any other comment about this particular piece, please come forward."

Susan Fronhofer: "My name is Susan Fronhofer. I live on Corwell Avenue (phonetic) right off of Riverside Drive. And all I have to say is I implore the town of Riverhead to purchase this especially since you're getting the smaller portion of it and not go through the fiasco we did with the 55 acres when it was coming in at 3.5 million initially and then we ended up paying 12 million years down the line.

They don't make any more land. It's old world growth. It's abutting the 55 acres that was purchased for more than we should have had to pay for it if we had purchased it the first time around and I'd like to see this not go on and on for years and down the line purchasing it for much more than they're asking for it right now.

You may think that 200 and something or 500 and something for the town is not that expensive or too expensive right now, but down the line, it's going to get more and more expensive and I think it's a very important piece of land to be preserved. Because it is old world growth, because there will be additional problems if it is developed with our traffic problems along Riverside that the town will have to

deal with, with sewage problems along Riverside Drive. All that kind of stuff if it is developed is going to then impact the town even more.

I mean there is so much traffic on Riverside Drive, that's a problem now that the town is even looking in to dealing with along Main Street and Riverside. So if you have more development there, you are only going to put more traffic in that area and create another problem that the town will have to deal with down the line and so that's why I say I think it's a very important purchase for more than one reason.

Thank you."

Supervisor Cardinale: "Thank you. Yes, please come up."

Pam: "Good afternoon and congratulations Supervisor Cardinale- "

Supervisor Cardinale: "Thank you."

Pam: "-- and my regrets to the other candidate. I'm here because I had heard a rumor that the town was not interested in purchasing the 7.7 acres. I kind of assumed it was a done deal, nothing is every done until it's all done.

Of course, we are- we are the immediate neighbors. We're the most interested in this purchase. However, however, our neighbors just on the other side of the tracks, Fishel Avenue Extension, Newton, all feel the brunt of this traffic which nobody can make the left. Or they get frustrated and so those wonderful old residential streets are really being hit hard.

Now, this seven acres, I understand so there could be 12 homes. If you put 12 homes on a long stretch of road with numerous entrances and exits, it doesn't necessarily have a heavy impact on the neighborhood. That's not the case here. We're looking at a mile, less.

The volume of traffic is as we well know, it's increasing yearly. We don't have a light there. We've got a railroad track. We've got whatever the thing is that's called that you can't see around and thank goodness I'm under 60, because when I turn 60, I'm really going to be threatened by that corner. Any additional housing will already add to a very tough intersection.

I also believe and this is going to sound dramatic which is part of my forte, this is one of the last streets downtown that hasn't taken a real hit and it's a grand old street and I'd like to- I'd like it not to be ruined. And I believe this- if we have the additional

housing, if we don't buy it, the houses will come with the new traffic coming from the fork.

If indeed we do want to generate an image of a downtown that we want to bring somebody to, they're going to go by this and if we create another eyesore, if people like myself get tired, fed up with the traffic, I sell, my neighbors sell, my neighbor sells, and all of a sudden a neighborhood goes down and it goes down and we've seen it a lot in downtown.

We acknowledge and thank the town along with the county for the purchasing of 55 acres this year. We ask the board to finish their good works. Seldom does an opportunity come along with a two-third/one-third purchase and if we truly want to revitalize our downtown, we must protect our homes that are in that district.

Thanks so much."

Supervisor Cardinale: "Thank you."

Councilman Bartunek: "You should really try and keep it under 60."

Supervisor Cardinale: "Please go on."

Thea Cohen: "Yes. Thea Cohen, Riverhead. I am the property owner just north of that property on the other side of the tracks and also the owner of the road which is 17 feet by 1117 feet down to Riverside Avenue— Riverside Drive. It was the original road from East Main Street down to the Peconic Bay years ago, actually which is now my driveway north of the railroad tracks.

And, of course, yes, I'm offering it for sale to the town and I believe that that would be, you know, it's in a strategic position because it is adjacent to both the town property and seven acres and why have an obstacle between when you can have one large parcel of open space there.

I will say that we're there 25 years on the other side of the tracks and we've walked those lands many times and it's filled with wildlife. It's such a shame because there's not much place for them to go. I see many deer. They cross the tracks, they come onto my property. I have apple trees and I think it's just a natural habitat.

And like the woman who just spoke before, this— driving down Riverside Drive is such a pleasure, it really is, when you're coming off Main Street around the turn, coming out to the golf course and the waterfront is over there, it's really a beautiful drive. And this is what makes this area so unique, the open spaces that we save and these parcels that we save.

I mean people come out west to, you know, through the seasons and they just love this area. You can't find this anymore. So please take consideration into buying my piece. I could certainly use the cash. So I appreciate it. Thank you."

Councilwoman Blass: "Miss Cohen, can I ask you a question? Do you know if there's an existing easement either in favor of the town or the county on that parcel for access?"

Thea Cohen: "No. There's no existing easement."

Councilwoman Blass: "So the county parcel in the back is actually landlocked as it exists."

Thea Cohen: "Well, I think as a result that the Long Island Railroad being there, there's nothing else involved other than it just being a strip of land."

Councilwoman Blass: "Okay. Thank you."

Supervisor Cardinale: "Thank you. Any other questions? Remy?"

Remy Bell: "Remy Bell, 66 Riverside Drive, Riverhead. Along with Pam, I'm co-president of Riverside Drive Association. Of course, we strongly urge the town to purchase this property. I've lived in that house for over 26 years now. I've walked the property. They call it a kettlehole, I call it a pond. I don't care what it is, it's a hole with water that doesn't just fill up when it rains as the developer tried to portray during some of the hearings here.

It's a gorgeous piece of property. It does about the 55 acres which is already preserved. To scar that land now would be a sin on all of us. And, you know, as we always talks, it's the easiest way to Riverhead from the south shore. Unfortunately they come by our houses and block up our traffic.

I kid people even on Halloween, over the river and through the woods to Remy's house they come. But that's the only downside, of course, is the traffic. But it's a beautiful piece of property. As Pam said, it's a beautiful old neighborhood. It's what Riverhead is all about. It's a quaint old (inaudible). That land should be preserved forever and we urge the town to do so.

Thank you."

Supervisor Cardinale: "Thank you. If there's any other comment, I'd be glad to take it."

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Beth Stefan Peterson: "Beth Stefan Peterson (phonetic), 17 Madison Street, corner of Corwell and Madison Street, so just about a little bit over a block south of the property in question.

I would like to agree with the other people from my neighborhood who have previously spoken about the importance of this property. And it definitely does have the wildlife. I know we only have the 3.9 acres on the Peconic River but I suspect that there is great similarities in the animals that are there. We have plenty of box turtles and never mind the deer.

And we also have the— what is it— the cactus there. It's the only native cactus in the northeast. So I suspect that there's probably some of that there.

And I wanted to reiterate what Remy said about the pond being a real pond. My father is 80 years old, he grew up in Riverhead, and he recalls as a boy swimming in that pond so it was there in spite of what the developer claims. It was there.

So thank you, again, for letting me speak."

Supervisor Cardinale: "Thank you. Anyone else who would like to speak, please come forward if you'd like to, Joanne, please come forward."

Joanne Schmidt: "My comments are about both properties, this one and the previous one."

Supervisor Cardinale: "Okay, the previous one being— "

Joanne Schmidt: "The Kobelinski."

Supervisor Cardinale: "Okay. Let me note that and have you make— I'm going to reopen that hearing to include these comments, so please make them and then we'll set it apart so when they're transcribing they'll know that they go there and then talk about this one then."

Joanne Schmidt: "Thank you."

Supervisor Cardinale: "Go ahead."

Joanne Schmidt: "My name is Joanne Schmidt and I represent the Long Island Pine Barrens Society. We're here to support the purchase of two parcels of land in Riverhead and to reiterate the importance of the town partnering Suffolk County and New York State in the preservation of open space.

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Suffolk County Legislator Ed Romaine has secured 70% funding from Suffolk for a 7.7 acre parcel off Riverside Drive. From the road, it looks like a small building lot but it wraps around the existing development and is adjacent to the recently preserved River Club property.

It has received a significant ranking by the Suffolk County Real Estate Program. It's been pointed out that this land lies in a designated receiving area in the town of Riverhead. Perhaps the designation was made when the town officials expected the River Club property to be developed but the property is worthy of preservation and Suffolk is offering a lot of money for this Riverhead acquisition.

Also under consideration is the 41.3 acre Koblenski property. This should be a key acquisition goal of Riverhead and significant support from Suffolk and New York State should be progressively pursued.

There are rare and endangered species on the property, there are kettleponds and old growth forest. It's important for every one in the town government to understand that Riverhead lacks the economic capacity to preserve the 1,750 acres of open space and 3,000 acres of farmland targeted for protection without funding from other levels of government so virtually every dollar spent on open space should be leveraged with state and/or county money.

The last thing Riverhead should do is decline a partnering opportunity. It's like refusing financial help and will discourage the county and state from playing the role they must if Riverhead's preservation objectives are to be attained.

We urge you to join with the county and the willing sellers to acquire these two parcels.

Thank you."

Supervisor Cardinale: "Thank you. Thanks very much. Thank you all for your comments which are thoughtful and thought provoking I think I'm trying to say. Is there any other comment?"

If not, I will this open as well to 4:30 on January- no, not January, November 16th, Friday of next week for further comment in writing and I'll close the verbal testimony now."

Public hearing closed: 3:16 p.m.
Left open for 10 days for written comment
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Public hearing opened: 3:18 p.m.

Supervisor Cardinale: "Now, we're going to let this gentleman, we have to pay him so I'd like him to get out of here. So we're going to move to the— and with the understanding that the 2:15, 20 and 25, the 2:30 hearing is consideration for the purchase of development rights of 31.0 plus or minus acres of agricultural lands owned by John Elcik and Robert J. Arnone, at \$88,000.00 per acre.

We'd like you to present that as quickly as you can."

Steven Serile: "Absolutely."

Supervisor Cardinale: "It is now 3:18 and this hearing is opened."

Steven Serile: "This is for the purchase of development rights on a farm parcel. It would again be a 70/30 split with Suffolk County, 70% borne by Suffolk County and 30% by the town.

As I said before, it's farmland. Right now it's in sod. It would be 31 acres and it would come to \$88,000.00 an acre and the town would be paying \$818,000.00 total."

Supervisor Cardinale: "Thank you. Any person in the audience who would like to comment on this proposed purchase?"

This is development rights, correct?"

Steven Serile: "Correct."

Supervisor Cardinale: "Not fee title as were the other proposals."

Steven Serile: "That's right."

Supervisor Cardinale: "The— is there anything unique about this particular piece you'd like to bring to our attention?"

Steven Serile: "Well, it is adjacent to the— it's directly adjacent to the east to a couple of pieces that were preserved— I'm sorry, this does not show it very well, but that were preserved by farmer Dan I believe last year. So it's— it makes it unique in that sense and we may over the course of time be working with some of the other people in this area directly to the south. I think it's a great opportunity for the town and especially with the county bearing 70%, it seems like the prudent thing to do at this time."

Supervisor Cardinale: "Where— tell— I can't read that. What street is it off?"

Steven Serile: "I know. It's Riley."

Supervisor Cardinale: "Off Riley Avenue."

Steven Serile: "That's right. There's Edwards coming down to the west there, going all the way down. That's Riley that makes that "v" shape."

Supervisor Cardinale: "Can you show me 25 on that picture? There's 25-- "

Steven Serile: "Yes."

Supervisor Cardinale: "Oh, that's the lowest road?"

Steven Serile: "That's the lowest."

Supervisor Cardinale: "So I get to the little memorial there and then-- "

Steven Serile: "That's right. And then you bear right."

Supervisor Cardinale: "And all that yellow stuff. What's that supposed to be telling me?"

Steven Serile: "That yellow is preserved."

Supervisor Cardinale: "But which one is the one we're thinking about preserving today?"

Steven Serile: "That one is on the east, to the right."

Supervisor Cardinale: "Where the little arrow is?"

Steven Serile: "That's right."

Supervisor Cardinale: "Yeah, where the arrow is, right there."

Steven Serile: "Yes."

Supervisor Cardinale: "Or the hand, whatever that thing is."

Steven Serile: "Right there."

Supervisor Cardinale: "That's the one-- that the square piece?"

Steven Serile: "That's right."

Supervisor Cardinale: "Well, it's very square."

Steven Serile: "It is quite."

Supervisor Cardinale: "Okay, so that's it. \$88,000.00. Seems like a bargain."

Is there any comment from anyone on this particular parcel? If there is not, I'm going to leave it open for testimony- for written testimony through Friday at 4:30, the 16th of November and close this hearing and tell you, you can leave so we don't have to pay you by the hour anymore."

Steven Serile: "Thank you."

Public hearing closed: 3:21 p.m.
Left open for 10 days for written
comment to November 16, 2007

Public hearing opened: 3:21 p.m.

Supervisor Cardinale: "We are moving now to a 3:21 time- thank you very much, you don't know how much I've enjoyed this. 3:21 hearing- it is the time of 3:21, we're opening the 2:15 hearing for consideration of amending Chapter 108 Article VII regarding accessory apartments."

The town attorney is going to sit down as soon as you leave which can't be soon enough and express- she's going to tell us about this hearing which I know a number of people have come to comment upon. We really do enjoy having you here and that computer was a valuable- consider photos next time.

Okay, Dawn, this is a consideration of a draft of an accessory apartment statute which we- or ordinance, which we have been working on for some time. Is the planning director returned from his travels? All right. If he is not, we will proceed without him and Dawn is the second best expert on this. Fire away."

Dawn Thomas: "I think I am not at all an expert on this particular legislation but I can- "

Supervisor Cardinale: "I actually had to read this statute recently because we were quizzed on it by Rev. Coverdale who is here. Maybe Rev. Coverdale is the expert on this statute. But go ahead."

Dawn Thomas: "I think I can paraphrase somewhat on the lengthy legislation that's printed in the paper proposing to establish a local law which would permit accessory apartments to be located in dwellings where owner occupied- that are owner occupied."

The apartment size would be a minimum of 300 square feet and a maximum of 600 square feet and shall not exceed 40% of the habitable area of the principal dwelling. So it needs to be proportionally smaller than the principal dwelling. And in no event, can it have more than one bedroom. There would be only one accessory apartment permitted per lot.

The accessory apartment must be located within the principal dwelling and the entry of the unit has to allow it to continue to have the appearance of a single family dwelling. There will be off street parking, no on street parking. All other requirements of New York State Building Code must be complied within the creation of the accessory dwelling as well as the principal structure.

The permits would be valid for a period of three years. Applications- it also creates an accessory apartment board which would consider applications for accessory apartments and determine whether they were in compliance with the requirements set forth in the legislation.

There would be a fee for your permit of \$500.00. And there will be a maximum of 500 accessory apartment permits issued in the town after which the law would (inaudible).

That about covers the general provisions."

Supervisor Cardinale: "Okay. I would like to hear the public comment. I know there are several issues that- and I would- one of the kindest things ever said was about- to me anyway, was that in 2004- and the end of 5, one of the civic association people said we have several hearings often on a piece of legislation. We get ideas, we redraft, we come back, we have a hearing, you give us some more ideas, we redraft and we come back. I think you proved that with your sign statute and your estuary statutes where that happened.

So this is a first draft. So we'd like to hear what the public has to say about this and how it can be improved. Two things I've already heard is that- and this is sun setting at 500 because it is available to all districts under the present proposal. All zoning residential districts could enjoy this option and- but it would sunset at 500 apartments.

Some had said that we shouldn't have it in all districts; some have said that the apartments are too small but whatever you are going to say, please say it now so we'll have it all in one place. So whoever would like to make a comment, please come forward and initiate the discussion.

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This is, of course, an effort to address— to create an affordable, a new affordable housing opportunity in the town. Go ahead."

Shirley Coverdale: "My name is Shirley Coverdale. I'm a resident of Riverhead. I am speaking today as a spokesperson for LION, the Long Island Organized network. There are several LION members in the audience. You might want to raise your hand. I've made copies for each of the town council members, the town clerk and the town attorney which I'll give you when I'm finished.

Long Island Organizing Network supports the creation of an accessory housing program in the town of Riverhead as a practical, cost effective and relatively fast way to create additional legal affordable housing for our residents.

Lawful accessory dwelling units we believe have many benefits including reducing foreclosures by providing supplemental income that makes it possible for seniors and other moderate income homeowners to retain possession of their homes.

Correcting code violations that lead to unsafe and overcrowded housing.

Permitting seniors and young adults to live near their families and friends.

Expanding rental opportunities for people who are now shut out of the housing market.

Providing social and personal support for older homeowners, enabling them to continue to live independently in our community.

Enabling owners to capitalize on their investment when they sell their home.

Having said that, at the same time, we have several concerns which we hope can be studied and addressed over the next year.

We want stronger incentives for homeowners to legally rent part of their homes. The program will only work if red tape and costs don't outweigh the benefits.

We want to be sure the needs of larger families are addressed, not just those who will rent a one bedroom unit.

LION recognizes that accessory housing is only one part of the solution to Riverhead's affordable and workforce housing shortage. As we have said which is not in this statement but I will repeat, if you're good enough to work here, you're good enough to work here.

We applaud Supervisor Cardinale for spearheading this initiative and urge the members of the town board to support the passage of this bill.

Thank you."

Supervisor Cardinale: "Thank you. Yes, is there any other comment that we'd like to hear? Rev. Baxter and Sister. Why don't you— since you're closer, Sister, would you like to speak and then follow with Rev. Baxter."

Sister Margaret Smythe: "I'm Sister Margaret Smythe and I'd like to tell you a little personal thing that touched upon me.

I live in a convent and we were given notice that the convent was going to be sold. So the other sister and I very enthusiastically said we'll have no problem trying to find a place to live. So I set out and I started to look for another place to live and I looked up and down the highways and byways from Riverhead to Greenport and what I discovered because I like so many other people on more limited incomes, was that I could find a place to live provided I gave up eating, traveling, heating my house and paying an electric bill. I would have to make choices.

Fortunately the convent was not sold but it enforced for me the need to be able to have housing that people could afford. I support fully the beginning process of looking towards accessory apartments.

You asked if you would like to have some additional ideas. In our case, there were two nuns. If we go for a limited spacing, we were then kind of focusing on perhaps a one person access. I would like the board to entertain the idea of looking at the size of houses and looking at the people who own them so that if in their flexibility and giving their circumstances they would prefer to live in a smaller part and use a bigger part of the house for it, that there would be that option for flexibility in determining accessory apartments.

Thank you."

Supervisor Cardinale: "Thank you. Thank you. Sal— let Rev. Baxter and then Sal."

Rev. Baxter: "Hi, I'm Rev. Baxter, a minister at Old Steeple Church. And I'm very honored to have a moment to say just a few words about this. I'm also a big supporter of LION, Long Island Organizing Network, a group of faith communities. It's really trying to work for the betterment of this whole community.

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I'm a relative newcomer to Riverhead and this area but I've grown to love this place in three and a half years and hope to stay here a while, quite a while. And you know I can sort of see where things are going. I'm not a rocket scientist, I'm not an economist. I'm a humble parish pastor, but it seems to me as we grow and develop and as housing prices increase, that we're at risk of really shooting ourselves in the collective foot. Because if we don't provide affordable housing for a wide variety of incomes, of people, that it's going to be very difficult.

How will even the very wealthy survive if they don't have the services of others is one way to look at it.

Anyway, to back up just a bit, you know, I have several employers in my congregation, some of them are among the few remaining honest to goodness farmers, members of Old Steeple Church, and in our area, who help to preserve this wonderful at least semi-rural way of life that we have here on the north fork. And they hire people. Those people need places to live. They are having difficulty recruiting and retaining their work supply because of the problem of affordable housing here.

A quick statistic. According to the Long Island Index Review of 2006 home sales, only two percent of homes sold on Long Island were affordable on an annual income of \$100,000 with a 10% down payment. How many people have an annual income of \$100,000?

The median home price is currently around \$450,000. How many people who own homes now could afford to buy those homes if they had to start over, you know. You've lived here for years. Well those are some of the questions that occurred to me in this whole larger question of affordable housing.

So since buying a home is such a challenge, there has to be some reasonable rental spaces and we're not talking just about farm workers. Certainly that's part of our concern at LION, we're concerned for justice for everyone and a fair chance for everyone.

But I think there is a concern for a whole range of middle income people, teachers, health care workers, police, service workers, council board members. I don't know, others who unless you have some independent source of wealth, you know, are going to need affordable places to live. Affordable meaning probably something less than \$450,000 for a home or a rental place.

So accessory housing as has been said is one of a number of things that needs to be developed to tackle the larger problem of affordable housing.

My concern would be- I want to echo Ms. Coverdale's concern and the LION's concern about some of the issues. As the summary was made of that code, two things stand out to me. One is that it's- I think it's geared towards single people. Well, my employers employ families- employ people who have families. We need places for families to live, not just single people. That's a big item.

The second one is the square footage. Suppose somebody- you own a house and you want to- it would help you to rent out part of that house or maybe you're going to add on a section and rent that. But maybe you want to live in the add on and rent the bigger piece. You can't do that under the current code. Why not? That would be- I would like to see this opened up to provide that kind of latitude.

So, I don't want to take too much time but I just want to say I think this is in the interests of the common good of this community to have certainly some accessory housing code and a more open one ideally to allow more people and a broader section of people to be able to live in this wonderful place that those of us who are here are privileged to live in.

Thank you very much."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Rev. Coverdale, do you want to come forward? I just want to say a few things about what you just said. One to underscore the importance of this kind of housing for the whole community, not just for those who are being housed but for those who are-- the community that's providing the housing.

You said that if you're good enough to work here, you're good enough to live here and that's absolutely true and not just because of the benefits of the housing but for the benefits of the hospital techs and the nurses and the firemen and the policemen that do live here.

The only person that I know that can afford a house on 10% down payment-- 10% down payment and a mortgage of necessary amount has to make \$120,000 I think in this county and nobody, including attorneys, make that on average. I think only the surgeon-- the medical surgeon in that example is the case.

The second thing is the housing mix that we're looking for here is important and I want everyone to understand it is not a fix for families. This is, we understand, limited to single people and--but we'll go on with inclusionary zoning, I hope, and other tactics to address the family issues and take a regional approach I hope.

The other thing I wanted to mention is under the statute if it doesn't say it, it should because we discussed this in work session. The person who creates the accessory apartment can choose to live in the accessory apartment. For example, an older person, and rent out the balance. It does not require that only the accessory apartment be rented out. It has to be owner occupied, but the owner could live in either of the units.

And that's really all I wanted to say and let you speak. Rev. Coverdale."

Rev. Baxter: "One other quick thing here is that my brother, Charles, here, that I think this complements those earlier discussions, those wonderful possibilities of land preservation as public land because this is about using and developing existing houses."

Supervisor Cardinale: "Right."

Rev. Baxter: "It's a little higher density because you're adding to— but it seems like a win-win thing to us, to be able to use existing housing, add on and develop that and still have land."

Rev. Coverdale: "I'm Rev. Charles Coverdale, pastor of the First Baptist Church, also serving at this time president of LION, Long Island Organizing Network."

I thought it was very interesting when you started making comments that took some of my comments away but I'm very concerned about the entire overall community of Riverhead. People seem to indicate segments of it, but you just expressed the more fuller representation of it.

Since I've been here for 25 years, the school system always had a problem of attracting qualified teachers to the Riverhead school system and one of the problems that every superintendent that mentioned to me is that the people they particularly wanted to attract could not afford to live in the community. And accessory housing at least gives the start for those teachers to come in.

Now in the old days before we had any accessory housing, there was accessory housing. No one talked about it. But I remember when universities sent students up here and some of them are now retired teachers from the south and Texas, and many of them lived in the homes of people within this community. Then after they got the start, they bought the bluff and all the other areas where the most expensive housing lived, are mostly ex-teachers.

We seem to forget the history. I'm looking at it also from a faith based issue. Where do the preachers in this town live? None of

us will make that kind of money and evidently for me I was noticing with nothing— but most of the policemen when they retire run for political office because they probably need some more money for accessory housing for them to live in.

You have three ex-policemen on your board and that knocks out other people again. Keep that in mind.

The other part is that when we talked about the hospital you sort of touched on, it's really difficult to get the nursing people, technicians in here and you don't want all them living out of town because just to service the town at a crisis moment would be detrimental.

You mentioned the fire department. Another area. A lot of the backbone of Riverhead is not the high priced people who have homes. And we must keep in mind that the more expensive the east end gets, the settling place will probably be Riverhead and the settling place for economics in terms of housing is going to continue to go up as the millions of dollars is invested in other east end properties.

And in doing that, that means that we're not going to have anybody to help service our young children, there will be no boy scout leaders, all these areas, because the high professional people, according to most data do not volunteer really as active in social service groups as one might think about.

And so just to keep those kinds of issues before you in terms of even the banking industry don't pay those kinds of salaries. We need to look at accessory housing in all its forms but let's particularly look at the ones before us right now and I think that this is a good place for us to start, to begin with, and certainly keep the window of opportunity open to improve it and to make a more comprehensive housing development here in this community."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Thank you."

Sal Mastropolo: "Sal Mastropolo, Calverton. A couple questions. One is, is there anything in the code relative to kitchen requirements, i.e., does it have to be a full kitchen? Can it be an efficiency? And I think there should be something in there that talks to that.

The second thing is, is there anything in the code that talks about existing houses versus new construction? Okay?"

Supervisor Cardinale: "Yes."

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Sal Mastropolo: "Are we going to open it up to new construction as well?"

Supervisor Cardinale: "Yeah, there is a provision because we understood that issue and I believe that you can't build with accessory and there's a three year gap, is that correct?"

Dawn Thomas: "Yeah. It says no permit shall be issued for an accessory apartment within any structure until a period of three years has elapsed from the date of issuance of the CO."

Sal Mastropolo: "Good. Is there anything in the code that talks about above grade requirements, because I know some of the towns west of here have accessory apartments in basements. There should be— I think there's a state law against it."

Dawn Thomas: "I don't think there's anything in here particular to basements, however, the principal structure and the accessory apartment have to comply with all requirements of two family dwellings per New York State building code. So whatever location the apartment was in within the house would have to comply with New York State building code."

Sal Mastropolo: "Okay. And one other question. What's the affect of the accessory apartment on the assessment of the house? Now that you've got quote a second kitchen and you've got an income coming in and the house is worth more money, is the assessment going to go up?"

Supervisor Cardinale: "That's identified, it's a good issue, that's identified. I do not have the answer and I do not have Laverne here but it's something that we wanted to look at."

I believe— I certainly don't want to assess it as a two family house because then you're going to wind up diminishing the value of what we're trying to accomplish here which is to make this a practical alternative, for example, for an older person who doesn't— who has extra space, takes 500 feet, makes it into an accessory apartment, to help them remain in the home. If we're going to kick their taxes up appreciably that's counter productive.

On the other hand, I don't know the answer, Sal, so I'll find out for you."

Sal Mastropolo: "Okay. You could see additional costs coming to the town out of that accessory apartment."

Supervisor Cardinale: "And that's a fact— "

Sal Mastropolo: "And to the school district."

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Supervisor Cardinale: "Yeah. I don't know what our latitude is in regard to taxing but I want to find out."

Sal Mastropolo: "Okay, thank you."

Supervisor Cardinale: "Because it could be— in either direction, we could go wrong on that issue. Yes."

Yvette Moray: "Hi. My name is Yvette Moray. I'm a resident of Riverhead and I'm also a homeowner. I've been a homeowner for almost five years now. I just want to give a perspective of a mother without a husband, without a breadwinner in the house.

I have two sons, they're adults, they still live with me because they cannot afford a place of their own. At the moment even if they wanted to move out, they couldn't find anything affordable so it's actually a win-win situation where you have an accessory apartment, even if it's your own home where you can actually give the opportunity to even other family members if they do chose to rent part of your home.

I think it's also a very good win-win situation when the owner actually lives in the house because as homeowners you always take pride in what you have. So whatever you build, you know it's going to be of quality. You offer quality to people not just anything because you don't live there.

The other thing that I wanted— the other perspective that I wanted to give also is that as a homeowner I do have difficulty meeting my mortgage payments sometimes so by having the opportunity of having an accessory apartment, that opens up an additional avenue of just going out and getting another job just because now the situation is to a point where your finances, you have scheduled certain things on your finances and now things are higher than what you expected.

I believe very much in that everything has a solution and I think that this is actually a win-win situation and I do want to give thanks for the opportunity of being considered for the accessory apartment in the future.

Thank you."

Supervisor Cardinale: "Thank you. You have a question, Barbara?"

Councilwoman Blass: "I was going to ask— "

Supervisor Cardinale: "She had a question for you."

Councilwoman Blass: "No, actually, for the town attorney."

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Supervisor Cardinale: "Oh, for the town attorney. Okay, why don't you speak and then she had a question for the town attorney."

Peter Serras: "I'm Peter Serras (phonetic). I'm the executive director of Peconic Community Council. And we sponsor Maureen's Haven, the homeless program that goes around in the evening and picks up people who have no place to sleep in Riverhead and Hampton Bays and Greenport and in other locations and takes them to churches at night to stay overnight from November 1st to April 1st."

And last year we identified 142 individuals that we served which almost half came from the Riverhead area.

And we have another program called the Hope Line where we help people who are about to lose their apartment to see if we can help them keep the apartment so they don't wind up at the homeless level.

I see this law as the next step. That you go through these towns and you're driving the roads and you see needed, volunteers, needed, volunteers for the ambulance squad, and more and more of those signs are going up. And more and more of the people that are looking to volunteer are having to move away because they can't afford to be here.

And I think that even if you're a conservative, the fact that keeping your taxes down by having volunteer fire departments and volunteer ambulance squads would be in your self interest to lower your tax rate because eventually if they're not there, you are going to have to pay for it.

The other thing I think about when I heard the candidates come around and they spoke about being family people and having children. Years ago you had a child and you were overjoyed and during the 18 years that you expected them to stay at home, you went through their school issues, you went through their teenage issues. Now you're going through their issues in their 30's and 40's.

By voting against this law, if anyone does, they're basically taking that young child of 42 that's living in their home, and saying you will be here a long time.

I encourage you all to vote for the law and to pay attention to some of the issues that the group brought up this morning. Thank you. Or this afternoon."

Supervisor Cardinale: "Thank you. Yes, please come forward."

Lisa Tyson: "My name is Lisa Tyson, director of the Long Island

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Progressive Coalition. We're an island-wide citizen run organization. We work on many different issues and affordable housing is one of them.

We have a new campaign called YIMBY, Yes, In My Backyard, and a bill like this we want to come out and say yes, in my backyard. We have members in Riverhead, we've called them, they do support this measure. And you know it's so interesting because earlier in the meeting, there were so many people here to support preserving open space. And we are here to support people and that's what this bill is about.

Looking at this picture, it's amazing. Where are the people who work at the schools, who work on the farms, who work at the church? Where are they supposed to live? And that's what this bill is about. And that's why we're very happy that you have this bill on the table.

There are some improvements that we would like to see in this bill. I want to go into that. But I also want people to understand. Someone that makes minimum wage on Long Island has to work about 144 hours per week in order to afford a typical one bedroom apartment. The numbers are staggering. When we talk about home ownership numbers, we've heard that and it's impossible, well rental apartments are impossible too for most of the people.

And the challenge here to you is that the people that have to rent, they do not have the option of living alone in this unit which is where the square footage really is a problem. Because I know people who work for me, they are organizers who make a living wage but they have to live with someone else. They can't afford a one bedroom apartment on their own when one bedroom apartments go for a thousand dollars or so. Who can afford that on an average salary?

And so really this challenge of 600 square feet needs to be open, because a one bedroom apartment, you know, someone who is not related or is not in a relationship with someone does not want to live in a one bedroom apartment with someone else. And so you are really putting this code in a way that it is unusable.

We worked on a code similar to this in Southampton and we were very happy we got it passed, but the problem was it was so restrictive that people couldn't actually use it. The restrictions were really in the parking spaces and in the square footage of the home.

So we want to make sure that whatever you do pass here, that it really is so people can use and we can get.

Now the 500 sunset is also an issue that we have and we're happy that there will be 500 more units in the market which is wonderful but

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I think that's very small numbers and really to look to maybe having an extension to a time period rather than a number of units.

If you look island-wide, other places that have legalized this, they have not gotten in so many units but just, that number of 500 really stops it and then you'd have to go through the whole process. So we think that that really needs to be looked at.

The off street parking also is an issue. A lot of homes don't have that or they have off street parking, they don't have on site parking I think is what your requirement is. And I know on my block people park in the street and that's okay so there should be allowance for on street parking if there's enough, you know, going and looking at that and that's something that this board will be- the special board that's set up to oversee this process. You know, if there's enough parking spots on the street, that should be adequate. To say that the homeowner has to have enough of a driveway, you know, to put what, four cars, because they'd have two of their own and, you know, one additional. You know, who has a three car driveway? I think that's quite restrictive.

And I'm not so sure on how the bill read. If a granny flat, you know, or like an apartment over a garage would be legal, those are used and it's wonderful, it's a great way to do accessory apartments. Other codes have that and so we're hoping that that's allowed because a lot of people do that. I know people have done that for their parents to move in. It's a great system.

And another idea is having a zero percent loan pool, it could be targeted for seniors to help them transfer a legal accessory apartment. You know, there are some things that have to be done.

The reality of it is that so many people here in Riverhead and across long Island can't afford their property taxes and when you're on a fixed income and you're getting, you know, the same every year, your property taxes are going up three to ten percent every year, they just don't have that extra money. So it's great to have the ability to have an accessory apartment in there but some people don't have the finances that it takes to transfer and to turn that into an accessory apartment. So zero percent loan pool would be a great idea in order to get people in.

So you know we do support LION. We are very proud of the work that they've done getting to this point and this bill and getting you know to support you guys to be doing this. We look forward to seeing revisions in this bill but we do definitely support this bill and the concept and hope that you go forward.

Thank you."

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Supervisor Cardinale: "Thank you. I have two questions. On the zero percent loan pool you mentioned, in what you've seen, how is it funded?"

Lisa Tyson: "I believe the town of Huntington has something like that. I'm not so sure how it's funded."

Supervisor Cardinale: "Okay. So I'd like further information on that. And the issue of- we discussed this with LION at one point recently, the minimum- the square footage requirements are designed frankly to make sure that this is transitional housing and that there is no impact on the school district."

Lisa Tyson: "Right."

Supervisor Cardinale: "We do not necessarily care if it's one bedroom or two bedrooms as long as it doesn't generate kids. How do you do that, if not by square footage?"

Lisa Tyson: "Well, you know, I think you kind of have to look at the other area like Huntington who have this. They do not- they did a study and they found that it did not increase the number of kids and they didn't have that one bedroom apartment, they did have more than that. So I think you kind of have to look at the other areas to see was this a real problem."

I think often with affordable housing, people say well it brings up the school district numbers and I think overall it's a fallacy of really the impact."

Supervisor Cardinale: "But I'm saying more than that. I agree with you that we can't ignore people with children. But there are other devices such as inclusionary zoning, subsidized affordable housing, all sorts of things we can do for families. This was designed because frankly I don't have my votes if I don't design it this way for transitional housing."

So what I'm saying is, I want the transitional housing to work for young people, for old people. I don't want to stick them in one bedroom because I know they don't want to sleep together necessarily. What I want to know is how it's been done elsewhere if you can help me with this so that we don't have to say, you know, one bedroom because that's not really what we intend."

What we intend is to keep it transitional. We'll deal with the other things I hope in the future, the families and the inclusionary zoning and the rest of it but I've got to pass what I can pass or get passed."

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Lisa Tyson: "I understand that. I don't really understand what you mean by transitional."

Supervisor Cardinale: "What I mean is old people and young people. That's what's designed here. So you're saying, which I hadn't thought of, that wait a minute. There's some people like technicians, etc. that they need two people to cover the rent that this is going to generate. I don't care if they have two bedrooms frankly. But I don't know how to do it. So I'm asking for some help on that."

Incidentally Long Island Progressive Coalition, LIION, sustainable Long Island was it, the Horace (inaudible), they've all initially seen the draft and the board saw the draft, they spoke about it, we changed it to make sure we had enough support for it to be considered. So we're still looking for ideas but I want you to know our thinking, too. You know, the majority thinking."

Lisa Tyson: "We can help you, we can do that. I think the other key to this is that regardless this house is still paying property taxes that goes to the school and in most situations, people that would be having accessory apartments, don't have kids in the school any more. We're really talking about seniors who are going to take advantage of this."

So I think this idea that, you know, the minute you allow two bedrooms, it's going to have people with kids and that's going to bring up all the numbers, you know, looking at the changing demographics of this community, there's more seniors, means there's less kids in there in each unit and the property tax will still be paid from that unit."

Supervisor Cardinale: "I'd like to— and I'd like to see those statistics because I'd like to believe that. I was joking with Steve Levy recently. He was going to present— I still haven't seen this, however, that affordable housing on average produces less children in the school district than other types of housing. I'd like to believe that but I am still awaiting his statistics on that."

Lisa Tyson: "I've heard that as well. I will try to track down where we can find some real numbers on that."

Supervisor Cardinale: "Thank you."

Lisa Tyson: "Thank you."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "I just wanted a clarification on something, Dawn. It's actually something that was also brought up by

the last speaker. Does this code provide for accessory apartment in an accessory structure like above a garage?"

Dawn Thomas: "No. Not at the moment. This— my reading of this code— the way this reads is that the house would have— I'm sorry, the accessory apartment would have to be located within the principal structure."

Supervisor Cardinale: "That's something we could consider and the Health Department might have something to say about that, too."

Councilwoman Blass: "The health department is concerned about the total number of bedrooms on the premises so we really shouldn't be too casual about saying we don't care whether it's two bedrooms or three bedrooms."

Supervisor Cardinale: "Well, I don't, they may."

Councilwoman Blass: "When actually it's relevant to whether they'll need an additional cesspool system or update the system from the health department because they don't really care-- frankly if it's sewerred it's not an issue obviously which is a help for downtown. But in areas that are not sewerred which is most of the town of Riverhead, the minute the accessory and the principal unit exceed four bedrooms and it's over the 300 gallon per day limit."

And just to make sure that we know what we're talking about. They're not just talking about bedrooms as we understand them. They're talking about anything that is a study, an office, a playroom, or a media room is considered for the health department a bedroom. So if you have any combination of three bedrooms or four bedrooms already in any one of those others, you're already beyond what the health department would allow you without getting an upgraded system. So that's something that is really important."

Dawn Thomas: "You know what? I do have to make a correction. It does say it allows it within an accessory building. It says only when it is within the principal structure, the structure has to appear as a single family unit. You know, the appearance of it has to remain as a single family dwelling."

Councilwoman Blass: "See, I thought it may have said an accessory structure which brought me to the point which you were making whether the principal— whether the owner has to live in the principal dwelling or not and you thought it was corrected. It's not. It says the owner must— you thought it could be the other way."

Supervisor Cardinale: "Yes."

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Councilwoman Blass: "It hasn't been changed to reflect that. It says within the principal dwelling which means that if the accessory is in the garage, the owner does not have— according to the way it's written, the flexibility of being able to live in the accessory apartment."

Supervisor Cardinale: "That's not intended I don't think and we will correct that."

We had an amusing discussion on this four bedroom or media room or whatever at a work session about a month ago. The sanity of the health department regulation was addressed at that meeting and I don't want to address it here because it would take us too long but it would be funny.

I would like, Larry, I think you have a comment. I would like you to make it."

Larry Oxman: "Thank you, Larry Oxman. The speaker before me, I would wholeheartedly agree with all of her comments. The areas that you're talking about allowing this I see Residential R and B40 and Residential R and B 80 and the APZ zone. What about hamlet residential and other zoning that might be appropriate around commercial activity? So hamlet residential comes to mind as I thought of it. Some of the downtown zoning districts as you step away from Main Street where you may have a single family home, has not been divided into a multi-family, where it might be appropriate to— towards Polish town, that area."

But clearly I don't want to suggest that this zoning should be an avenue toward getting multi-family. That's not what I'm suggesting at all.

With regards to, Barbara, your comment about wastewater and gallons per day, if in fact it was going to be a senior that was occupying the home, seniors are rated at half of the level than that of what a normal family is, so— "

Supervisor Cardinale: "That also is pretty amusing."

Councilwoman Blass: "Yes. But I suggest that you read technical memorandum #19 and that should clarify— "

Supervisor Cardinale: "They go less or what is the deal?"

Larry Oxman: "Well, it's the idea that— "

Supervisor Cardinale: "Phil, would you see if our director of planning is kicking around?"

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Larry Oxman: "Anyhow, that may not be true that you're necessarily burdening by developing more gallons per day, again, because of how they look at seniors. It's just a suggestion.

Also, the one bedroom apartment idea, I think is a poor concept and I also don't understand what transitional housing refers to. If you have a school teacher, for instance, that wants to get a job in Riverhead but she happens to be a single parent with a child, this would not- it sounds that this is not the type of home that you would want her to occupy. One, she's bringing a child into the school district; and, two, again- "

Supervisor Cardinale: "Well, she wouldn't be precluded from occupying it with a young child."

Larry Oxman: "Well, all of your comments just a moment ago- "

Supervisor Cardinale: "Well, what I'm saying is that this is not designed to address the problem of people with children."

Larry Oxman: "Right."

Supervisor Cardinale: "It is designed, accessory housing, to address the problems of young people and older people. So- "

Larry Oxman: "Yes. And- "

Supervisor Cardinale: "But if she comes with a- a teacher with a child, it says one bedroom, that's your problem."

Larry Oxman: "I know."

Supervisor Cardinale: "How do you get around that?"

Larry Oxman: "I think that the one bedroom is very restrictive."

Supervisor Cardinale: "How do you fix it and attain our objective?"

Larry Oxman: "Well, maybe you are trying to do too many things with one shot and really if the goal is to provide workforce housing, then the issue of whether a child or children are going to be in these apartments or not- "

Supervisor Cardinale: "Well, then why don't we make it four rooms? Why don't we make it, you know, 1,500 to 3,000 square feet?"

Larry Oxman: "Well, I think you're being ridiculous."

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Supervisor Cardinale: "No, I'm not. I'm asking- we have- there are two provisions here that are square footage related and room related. I wouldn't- I'm not happy with them but I don't know what the alternatives are so I'm asking you to give me some."

Larry Oxman: "It sounds like that within the 40% you can certainly have the living area that could be more than one bedroom."

Supervisor Cardinale: "That's right. But then I'm going to get Mr. Fedun coming up here. I'm surprised he isn't here telling me I'm making two family homes now, not accessory apartments."

Larry Oxman: "Well, again, you have the owner occupied aspect which I think is a very important aspect to remain in this bill."

Supervisor Cardinale: "I'd like to- anybody like to write up- look at this draft and, you know, make some suggestions and give it to us in writing, we'll consider it very carefully because we would like it to be as good as it can be."

Larry Oxman: "Okay. And- "

Supervisor Cardinale: "And still have three votes."

Larry Oxman: "So clearly you can put something, some people in an apartment above a garage if that- it did say accessory building above- within an accessory building. So, okay, thank you."

Supervisor Cardinale: "Thank you."

Councilman Dunleavy: "Can I- "

Supervisor Cardinale: "Yes."

Councilman Dunleavy: "I think we're in infancy stages with this accessory apartments and I think what this young lady said before, is that Huntington has gone through this and I think we should get Huntington's statute and look at it because they dealt with the health department, which we're trying to deal with. They dealt with four bedrooms or a den which makes it five rooms in the house that we can't- this can't work in that house without health department approval."

So I think the best thing for us to do is when we go back, is to get Huntington, look at what they did, look how they've grown, and work off theirs and with this one."

Supervisor Cardinale: "Yeah. Southold also has one. Yeah, please come up, Bob, and Southampton."

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Bob Weibold: "Hi, I'm Bob Weibold (phonetic) with the Long Island Builder's Institute. I want to offer a little perspective.

One of the basic problems to a school district is that it doesn't get increased taxation normally but it does get increased wealth. When you start looking at the state aid formulas, these people's income taxes added to the district so it's actually a double whammy when you add accessory apartments unless you find some easy to appraise that and pick it up on the tax basis.

I didn't— I only realized this a couple years ago in dealing with this in Huntington. It was pointed out from the school district people that they lost state aid at the same time as they're educating more kids. So there's an issue there that has to be looked at on the appraisal side.

The reason I wanted to speak because I didn't come here on this one today, but I'll be submitting some data to you particularly on the number of kids that come out of two bedrooms and less apartments. We've got some pretty good numbers on it and it is a lot less than single family housing.

But, there ought to be a way to designate it for senior if you're going to designate it for owner occupied and check on it. You can actually designate the tenancy for senior which might help you.

The other issue I think is important to look at is what is this all about? When you talk about excess traffic impinging on neighborhoods, adding more people, all typical problems people have with accessories, it's because the zoning district was designed for one family houses. Parking was established for one family houses.

You folks are going in there on the future side and saying it has to be three years and then they can come back in and do this. What you're not saying, residential subdivisions on the front end have to be figuring on, you know, some of this might happen in their district.

So I'd like to make the argument and ask you to consider the idea that in any residential district that you'd allow the conversion, you'd allow any new subdivision to have some percentage, even as little as 10% or 15% of a subdivision, but those lots would have to be shown and Rick Hanley or somebody would have to develop the parking requirements.

Also the houses would have to be over-septics, I guess, if you want to call it, you know, built for a five or six bedroom septic. All the stuff you're running into when you're coming in after the fact can be handled on the front end. But you don't want to turn like a 10 unit subdivision into 20 units. But 11, 12 maybe, you know, something along those lines, and spread them out in whatever distribution

pattern you're really thinking that you'll get out of those 500 units would be very useful.

It seems to me that somebody making, let's say \$48,000 a year can pay 20% of their income comfortably. Thirty percent is when HUD says they begin to get into a little bit of a problem. That allows a fairly decent rent and a carry.

I think that you could probably do this and do it in a couple of units so if a person is proposing six or eight houses, let them put one house up that could be in effect converted this way down the road. But you've got to go in on the planning side on the front end and eliminate the problems that that might cause.

Brookhaven has a rule about you can only have them within a certain distance of one another. They don't enforce it very much and I think the idea of a certain percentage within an immediate neighborhood is another kind of cap in addition to the 500 units you're talking about town-wide.

Thank you. I just wanted to offer that and we'll give you some written comments on it."

Supervisor Cardinale: "I appreciate that. Thank you. Yes, come up, please."

Michelle Lynch: "Good afternoon. My name is Michelle Lynch. I'm a resident of the town of Riverhead. And I'm here today as a representative of 1199 SEIU union. On Long Island, we represent 20,000 members.

When we talk about housing, people often don't think about the importance of major employers. On the east end, 1199 represents the three east end hospitals as well as the nursing homes and Rite-Aid workers. They are nurses, pharmacists, OR techs, X-ray techs, nurse anesthetists, housekeepers and dietary workers.

Employers we find are having a difficult time recruiting staff because they cannot afford to live here, is what they're finding out, is that people that come here to get a job. We are presently working with LION and LION is in a discussion with employers as to what can be done to assure affordable housing.

Also, as Rev. Coverdale mentioned about the new members that are coming on the town board, one of them actually lived in affordable housing in Bear Estates so as we know many police officers, you know, and firemen and other people cannot afford to live here.

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My husband is a retired police sergeant from Riverhead also and we were fortunate because our house was purchased in 1978. Could not afford to stay there now.

Some of the concerns that were brought up here today I have is about the limit of 500. That really seems unfair to someone else that comes along. I mean I have an elderly neighbor across the street and other people that I know that are having a hard time staying in their own house, it would be great if they could be an accessory apartment in. So I'm kind of concerned about the limit.

And also about the owner being in the larger part of the house. Six hundred square feet seems very small for an apartment and with the one bedroom and as Sister Margaret mentioned that here they were two nuns looking for a place to stay, very difficult to find.

And also I think what needs to be added is converting the garage to an apartment or an upstairs in a garage, because I was speaking to someone today that said, you know, I was thinking about, you know, things are getting very tight. I have to pay for my health insurance, you know, I'm by myself, I'm a widow, and how can I afford to stay here. It would be a great idea if I was able to do my garage over and make that into an apartment.

Also, you know, you talk about the use of the wells and everything else, as far as the seniors go. Well, you might have a senior living in a three bedroom apartment, but obviously not using that whole entire area. However, if they redo their basement say and have an accessory apartment in there, I would hate to see that limit on the amount of bedrooms.

And I wouldn't want to see a restriction that you would only restrict it to one particular area to put apartments in houses. And all of this would be beneficial to our seniors and to people that are struggling to stay in their homes.

We know this bill is a first step and we urge you to pass it.

Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Cardinale: "Thank you. If there's any other comment, we'd like to take it. If there is not, I'd like to leave this open for written comment through Friday, the 16th at 4:30. We will be back after the director of planning reviews all these comments, we'll draft a new.

I've also indicated that I'd like to get Progressive Coalition, LION, (inaudible) Foundation, Builders, insights so that we can get a better draft out on the second public hearing.

I'm also- I'm aware that we'd like to get this done before we all grow too old and die. So I'd like to get those comments in by 10 days, by Friday, if possible, a week from now and we'll review them and, hopefully, get back within a month or so to the second hearing after the redraft.

Thank you very much."

Public hearing closed: 4:13 p.m.
Left open for written comment for 10
days to November 16, 2007

Public hearing opened: 4:14 p.m.

Supervisor Cardinale: "We have several other hearings we've got to reach, one of which is the next of which is for 2:20, it's 4:15, the consideration of a local law amending the town code entitled Turns. This should be short work, I think.

I don't have the town attorney at the moment, but I will read what it says. It says: pursuant to the authority granted by Section 1660 of the New York State Vehicle and Traffic Law, the areas designated below restrict turns such that only right turns shall be permitted at said location and a sign 'right turn only', reversing the state law right unless you see a sign, shall be posted at the location.

And those locations are west off roadway leading from Roanoke Shopping Plaza to County Road 58. This would have a sign saying no right turn. North off roadway leading from Pizza Hut to Roanoke Avenue. East off roadway leading from Radio Shack and Dunkin Donuts/Baskin Robbins to County Road 58. West off roadway leading from 7-11 to County Road 58. East off roadway leading from Jiffy Lube to County Road 58; east off roadway leading from the gas station to Route 25 at the intersection of South Jamesport Avenue and Main Road, Jamesport.

There's another one where no turn on red."

Councilwoman Blass: "Those are-- what you just read exist already."

Supervisor Cardinale: "All right. So what are we trying to do?"

Councilwoman Blass: "We're doing the no turn on red."

Councilman Dunleavy: "We're going to add the second page. We have signs up no turn on red around our school and we never had a code to enforce those and we have one busy intersection of Edwards Avenue and Sound Avenue where we don't want anybody to make a right turn on red over there also. We we're adding around the elementary school and the high school and Edwards Avenue."

Supervisor Cardinale: "So you can disregard everything I just said because I was reading the old stuff that stays in. The new stuff that goes in is they want to make it no turn on red on the Osborne- is that right- Osborne Avenue north and southbound at Pulaski; Pulaski Street east and westbound at Osborne. Griffing Avenue at Pulaski Street northbound; Pulaski Street at Griffing Avenue westbound; Pulaski Street at North Griffing Avenue eastbound; North Griffing Avenue at Pulaski Street southbound. Edwards Avenue at Route 25 north and southbound. Edwards Avenue and Sound Avenue northbound."

And these are recommendations of the traffic safety committee? Who made the recommendations?"

Councilman Dunleavy: "The traffic safety committee."

Supervisor Cardinale: "Traffic safety committee with John- "

Councilman Dunleavy: "And the school district."

Supervisor Cardinale: "And the school district combined to make those recommendations. Does anybody understand them and if you understand them, do you have any objection to them? Yes, come forward, Sal."

Sal Mastropolo: "You mentioned a couple of intersections that a right on red is really helpful, particularly 25 and Edwards Avenue. Okay. Traffic at that intersection is bad as it is and if you're going west on 25, okay, you're going to stop right hand turns into Edwards Avenue, okay, which frees up traffic at the light, as well as eastbound traffic on Edwards Avenue, okay, going south on- eastbound on 25 making a right into Edwards Avenue going south. I don't think that intersection should be in there and if it's because of the school, what does the school have to do with it? The school is Riley Avenue."

Councilman Dunleavy: "No, that's not the school. The state DOT put those signs up because of the traffic on Route 25 passing that intersection. They don't want you to make a right because 25 is a main highway with a multitude with traffic on it. So the state put

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those signs up there. We just didn't have a code to cover those signs."

Sal Mastropolo: "I think we're losing sight of the reason for the right on red, why it came out in the first place, okay. It's to save on gasoline which is a problem, okay."

You take the no right on red right in front of Pulaski Street school, across catty-corner from Carlo's Pizza, that's ridiculous, no right on red there. Okay. The intersection is two lanes wide. If you're in the right hand lane and nobody's coming across that intersection, you can't make a right. Because of the school?"

Councilman Dunleavy: "Because the children are walking to school and they are trying to get across those intersections."

Sal Mastropolo: "Yeah, but- "

Councilman Dunleavy: "You could do that if you had a time on it between a certain time- "

Sal Mastropolo: "Then put a time on it."

Councilman Dunleavy: "Between those times you can't make a right. That will be very confusing to people because most people don't read those signs. That's why they're big letters so when they're approaching them. If you put times on them, it would be very small letters and it would be hard to read."

Sal Mastropolo: "But, again, you're defeating- "

Councilman Dunleavy: "But this is- it wasn't to save gas. This is for safety reasons, to stop accidents."

Sal Mastropolo: "The original right on red, okay, after a full stop, was- the purpose was to save gasoline. So that you wouldn't sit at an intersection, okay, waiting for the light to turn green. That's why we originally came out with the right on red years and years ago."

And you are starting to lose sight of that fact now. We're making it so restrictive, okay. There's more intersections with no right on red than there are without them. I can see putting times on them by school districts, okay, make it from 7:30 until 9 and then all the kids are in school, and make it from 2:30 to 4."

Councilman Dunleavy: "It's something to look into. Thank you, Sal."

Supervisor Cardinale: "Thank you, Sal."

Councilwoman Blass: "I think there is a right on red only at Edgar Avenue and 25 only during certain period of times for the school. If that's the case, that should probably be on this list as well. But I'm pretty sure there is, turning right at Edgar in Aquebogue."

Supervisor Cardinale: "Yes, John, you have a question, George."

Councilman Bartunek: "John, did you say the two at the end here, Edwards Avenue onto Route 25 north and south and the other one that's already there?"

Councilman Dunleavy: "No. Yes. Edwards Avenue and Route 25 are already there. The state put those up. The one up on Edwards Avenue and Sound Avenue is not there."

Councilman Bartunek: "Okay. Chief, I ask if you have had any accident reports for those intersections?"

(Inaudible comment)

Councilman Bartunek: "No accidents there. The only problem I have with the last two, John, is that I mean if you- I agree with Sal. Here you go Sal, it had to happen once. Yeah, he probably voted for me. I shouldn't- well- "

Supervisor Cardinale: "Imagine him- I mean, George. If you're disappointed."

Councilman Bartunek: "The only reservation I have is really Edwards Avenue and Sound Avenue because I, you know, you could spout off a whole bunch of intersection onto Route 58, Ostrander onto 58, Kroemer Avenue and they would have the same danger as the traffic on Sound Avenue. So I don't know. I'd like you at least to reconsider that one."

Councilman Dunleavy: "Okay."

Councilman Bartunek: "And even the one, Edwards Avenue going- "

Councilman Dunleavy: "Well, that's the one Sal wanted."

Supervisor Cardinale: "The two Edwards Avenues."

Councilman Dunleavy: "Sal wanted Edwards Avenue and Sound Avenue."

Councilman Bartunek: "Sal, you want to have the right hand turns onto 25 and Sound?"

Sal Mastropolo: "I don't want any particular intersection, okay. I just want you to be aware that there was a reason for the right on red and we shouldn't proliferate no right on reds throughout the entire town without looking at the intersection."

Councilman Bartunek: "If- "

Sal Mastropolo: "And 25 and Edwards, okay, I think right on reds at that intersection would help alleviate the traffic situation, the traffic backups. That's my only point. I stay away from most of the major intersections. I know the back roads."

Councilman Dunleavy: "I think about four meetings ago you asked for the one on Edwards Avenue and Sound Avenue."

Sal Mastropolo: "No. I was- no, that was- that was the discussion about the steel posts that the landscaper put to stop traffic from going through the intersection when somebody's making a left hand turn. You can't pass the car on the right because he put these steel spikes up to keep you off his sod, which he put on public right a way. That's what I brought up four meetings ago."

Supervisor Cardinale: "Thank you. Is there any other comment? If there is not, I'm going to leave this open until Friday at 4:30, the 16th of November for written comment. Close the verbal comment and note that it's 4:22."

Public hearing closed: 4:22 p.m.
Left open for 10 days for written comment
to November 16, 2007

Public hearing opened: 4:25 p.m.

Supervisor Cardinale: "Turn to the next hearing which is on excavations, a statute. And certain changes to that statute which are being proposed. Is there anyone who wishes to comment on the proposed changes to the excavation statute? This hearing was scheduled to begin at 2:25, it being 4:25, we certainly can start it. Yes."

Bob Weibold: "Bob Weibold from the Long Island Builders Institute. We're opposed to the change affecting residential. We've got some technical issues with the bill. We'll be submitting a memorandum if you leave the hearing open."

But fundamentally the problem I think is that we don't remove fill from residential unless we really have to. And here you're talking about an export and an import, moving off of one parcel to another. When you apply it to residential subdivisions, unless we're illegally moving land before you get a subdivision approval, it tends

to be afterwards when we start building the subdivision, you've got a lot. So within subdivision construction, you're going to be crossing property lines all the time.

You've got to take out about 500 yards as I estimate for a typical house, if it's being— you know, having a basement. You've got to put it some place while you're building it. You cross another property line and you've got a double charge. It's not workable that way in a residential subdivision.

We're talking about two bucks a cubic yard, that's a considerable amount of money. You might be able to hoist in on the commercial guys but we have a problem with house prices.

We also have an issue that— to avoid being a fee, Dawn's not here, but, you know, one of the things we'll send you is memorandum on the fee versus the tax question. The fee has to pay the reasonable cost of enforcing the particular rule. Now think it out. You're ready? You've got fees on a residential subdivision, you've got fees on residential site plan which include inspections by building officials and everything.

You've got a situation where you've got monitoring which this law would require, somebody to actually monitor and watch it. But the law you are now amending still has a provision that the monitoring costs are paid for in addition by the applicant and are not part of the \$2.00.

So my question is, if you're charging, you know, several thousand dollars or more for a residential development job to move stuff in and out and around, what possible costs are there to justify those increases? And I would urge you to evaluate that and base your decision on placing the new fee on residential on the basis of some cost estimate."

Councilwoman Blass: "I just want to clarify something because I'm not sure if I'm— if you're misreading it or we wrote it incorrectly. But the— with respect to single family residences, there is the— the exemption remains that no fee shall be charged for importation, exportation, excavation of material as defined in this chapter when said importation, exportation— "

Bob Wiebold: "I take that to mean the isolated single family- "

Councilwoman Blass: "-- for the construction of a single family residence."

Bob Wiebold: "Then you're imposing (inaudible)."

Councilwoman Blass: "We are— well, what we did was remove the exemption with respect to single— to subdivisions as it related to public facilities, meaning roads and drainage areas, because that's what we've seen, an over-excavation of rather liberal activity. That's what we zeroed or tried to zero in on as it related to public facilities within a residential."

Bob Wiebold: "I don't think you're saying that. The way I read the single family exemption, it was for isolated single family property, because you are applying it on a residential subdivision."

Councilwoman Blass: "Within a subdivision."

Bob Wiebold: "One has a site. The site has property boundary lines. Crossing it is routine in developing the development."

Councilwoman Blass: "I don't think it was meant to capture that."

Bob Wiebold: "And then you would be paying, paying and paying. I don't think you mean that."

Councilwoman Blass: "I don't think it was meant to capture that. Again, I'll look at the language, but I think we were— as I said, removing the exemption as it applied to residential subdivisions public facilities, meaning the roads and the drainage facilities. That's all."

Bob Wiebold: "Okay. I think that has to be clarified."

Councilwoman Blass: "Okay. I appreciate your bringing that to our attention."

Bob Wiebold: "The other issue I think is the fact that you've got to show me— show the industry why you've got a fee here that is not a tax. And I think you've got to relate it in some way, some reasonable way, to the cost of administering this. And if you've taken out monitoring and you have a separate fee for that as the statute does have now, what's left that justifies the fee?"

And that's a question that I— you know, we've been going around and we did this with Brookhaven recently in the building department. They wanted to establish fees because you guys set the standard for most of Suffolk County with your building fees and they tried to move in that direction and we just asked them to analyze it. It turned out the fee was a bargain based on their cost.

We're saying the same thing to you. It's better on the front end to determine what— how that fee relates to your administrative costs before you impose it because it looks like a tax to us.

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Those are my comments on that at this point."

Supervisor Cardinale: "Thank you. Any other comments on this excavation statute?"

Councilwoman Blass: "I have two comments I'd like to put on the record."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "There are two proposed amendments I'd like the board to consider. The first is to remove Section 62-6 as it pertains to reclamation. I believe that was a vestige from when this chapter covered mining as was permitted at one time during the town. And I'd like to suggest that we add in Section 62-5(b) the words or chemical with respect to testing. In the event the board wishes to require testing on imported material, we now say physical but we also should say or chemical, if the town board should desire to do that."

Supervisor Cardinale: "Very good. Thank you. That's into the record and the director of planning who is still at a deposition will see it there."

We have a 2:30- I'm closing this hearing at 4:30 or 4:29."

Public hearing closed: 4:29 p.m.
Left open for 10 days for written
comment to November 16, 2007

Public hearing opened: 4:29 p.m.

Supervisor Cardinale: "Opening a hearing that's scheduled for 2:30 for consideration- no, I'm not, we already did that hearing. I'm opening the 2:35 for the consideration of a local law amending Chapter 52 entitled building construction."

You may be able to summarize this quickly, Dawn. I intend to get through the next two hearings, take a five minute break and then come back and do the review of resolutions."

Dawn Thomas: "I do have the right one. I'm sorry. This proposed amendment to Chapter 52 would just eliminate any references to excavation so as to keep all legislation involving excavations in Chapter 62 rather than in Chapter 52."

Supervisor Cardinale: "That's the 2:35 hearing. Okay, so it's a technical adjustment to the statute to conform to what we just were talking about. Correct?"

Dawn Thomas: "Right."

Supervisor Cardinale: "Okay. The 2:35 hearing is related to the 2:25 hearing and it's a technical adjustment as mentioned by the town attorney.

Does anybody have a comment verbally about this proposed change? Go ahead. Oh, good, thank you. We got one right anyway. The- I'm going to open it up to the 16th at 4:30 as I have all these hearings for written inclusions if anyone wishes to make it. Otherwise, it's closed at 4:31 for oral testimony."

Public hearing closed: 4:31 p.m.
Left open for 10 days for written
comment to November 16, 2007

Public hearing opened: 4:31 p.m.

Supervisor Cardinale: "2:40 p.m. we were to consider a local law amending Chapter 108 Article XX for subdivision regulations. It is now 4:31 and we are opening that hearing for public comment. Mr. Wiebold."

Bob Wiebold: "This is a little confusing to me but as I understand it, in parenthesis 2 of Section 108-97f you will be increasing fees for processing subdivisions in cases where the current fee which is 5% of the estimated cost of improvements is less than \$3,500 per lot plus your acreage.

Again, we would ask that calculation be made as to whether that's a fee or tax.

In 5, this is the troublesome one, the engineering fee would double from 5% of improvements to 10%. Now I have an old code book that indicated it was 10% at one point back in '04. So I guess that fell out and fell back in because your web site, it's 5% now but in the '04 version which is the last bluebook I have on Riverhead, it already said 10%.

I believe you're charging 5 now. Then you're saying that you are going to say it's 5 less or minus- this is your language, minus all fees previously paid in sketch, preliminary and final plat stage. I don't think you mean that. I think you mean engineering fees and I would urge you to amend it to show that. Because it could be that that 5% of let's say the site cost is, you know, \$100,000, it's a \$5,000 fee. You've already charged more than that at the preliminary sketch plan in order to do that so, therefore, you'd be wiping out all your fees and I don't think you want to do it that way.

I think you've got to say that the minus should be only engineering fees, (inaudible) of putting money back in your pocket."

Supervisor Cardinale: "I appreciate that. Our planning guy is as you know at a deposition, but I will note that and I will discuss it with him."

Bob Wiebold: "And it shouldn't be an exemption from all processing fees. It should just be the earlier engineering fees which are I think just paid at sketch plan."

Now just so you guys recognize what you're doing. If you have a 10 lot subdivision on 20 acres, assuming a 10 acre zoning, your fee structure would be as follows: \$250.00 plus two grand for engineering on the sketch plan. Your preliminary plat as proposed would be \$35,000 for lots plus \$10,000 for the land by the acreage calculation or \$45,000. Then at the final resolution, you're taking 10% of improvements, less I think the \$2,000 for engineering, and you know I think you see \$350,000 not being a lot for a 20 acre development like that.

So you've got a fee of \$33,000 if you took the two off. So you've got 33, 35 and 10 which would mean \$78,000 to the town for processing a 10 lot subdivision. Total cost (inaudible) \$78,000 before you build any houses. You've only got 10 houses under my example, that's \$7,800 that each homeowner that moves into that development would pay before they start paying your building permit fees which again I indicated are the highest in Suffolk County.

What are your costs to really review a subdivision of this kind and nature? Maybe you could ask Hanley to work up some numbers so you can justify these on the basis of there being fees and not a welcome stranger tax."

Supervisor Cardinale: "Yeah. That's why I wanted him here to he could express his thinking which led ours. So we will talk to him, Bob. Thank you. And make sure that he's covered that and Dawn and he have agreed."

Any other verbal comment? If there is not, I'm leaving it open for written comment again until the 16th at 4:30, which you'll submit as I understand, Bob, by that time anything in writing. And you might also, if you can catch him, speak directly to Hanley."

Public hearing closed: 4:35 p.m.
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Public hearing opened: 4:35 p.m.

Supervisor Cardinale: "The consideration, 2:45, it now being 4:35, was set for a local law to amend Chapter 101-01 Vehicle and Traffic regarding recreational motor vehicles.

Could you summarize what that final public hearing is about?"

Dawn Thomas: "Sure. This would amend Section 101-39 the definitions section of the recreational motor vehicles provision of our Chapter 101 to eliminate the words but not including public highways from the definition of public property. So in effect public property would be defined as including public highways which would allow us to then enforce our recreational motor vehicles provisions against ATV's- "

Supervisor Cardinale: "On public highways."

Dawn Thomas: "Yes."

Supervisor Cardinale: "Okay. This is correcting an apparent misstatement."

Councilman Bartunek: "Why not just delete but not to make this more specific?"

Dawn Thomas: "Could I just see that? Oh, you could do it that way, too, either way would work."

Councilman Bartunek: "You're really making it much more specific."

Supervisor Cardinale: "Why don't we do it that way if we do it then. That's a good suggestion and there's no substantive change."

Dawn Thomas: "Okay, sure."

Supervisor Cardinale: "Okay. That being the substance of the reason for the hearing, does anyone have comment upon the proposal which is in effect to make public highways acknowledged as public space for enforcement purposes.

If there is no comment, I'll leave it open for consistency sake until 4:30 on Friday, the 16th of November, for written testimony inclusion. I'll close this public hearing at 4:37 or whatever- 4:33 I guess it is, no, 4:37."

Public hearing closed: 4:37 p.m.
Left open for written comment for 10
days to November 16, 2007

Supervisor Cardinale: "And I'm going to take a five minute break before we consider the resolutions, be back at 4:45 to consider resolutions and any comments you wish to make upon them before we do consider them. Then we'll open it for comment and then we'll all get home to dinner. So 'til 4:45, right? Good.

Okay, that is the end of the public hearings and we'll start with the resolutions in five minutes."

Meeting adjourned: 4:38 p.m.

Meeting reopened: 4:55 p.m.

Supervisor Cardinale: "Sorry for the delay. I would like to ask for any comment that anyone wishes to make in regard to any of the resolutions."

Sal Mastropolo: "1022."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "My first question is, is the East Creek Marina self-supporting today?"

Councilwoman Blass: "Yes."

Sal Mastropolo: "So it's not-- the fees that are paid by the boat owners covers the total cost of running the marina."

Councilwoman Blass: "As of June of this year, there is a fund balance in excess of \$430,000."

Sal Mastropolo: "Okay. How does the town plan on paying off the million and a half dollars worth of bonds? And increase in the dockage, out of the recreation funds or additional taxes to the taxpayers?"

Councilwoman Blass: "No. The estimated or anticipated revenues will pay for the cost of the bond according to the financial administrator."

Sal Mastropolo: "Okay. So it will continue to be self-supporting."

Councilwoman Blass: "That's correct."

Sal Mastropolo: "Thank you."

Supervisor Cardinale: "Okay. If there is any further comment, please come forward. Otherwise we would like to consider resolutions 1010 through 1068 and in order to permit— did you have a suggestion, George, that we consider 1031 at this time? We'd like to begin with 1031, Barbara, because that is a— someone is present who is affected by it and it's now 5:00, I'd like to move it along."

Resolution #1031

Barbara Grattan: "Sure, Resolution #1031, Councilwoman Blass."

Councilwoman Blass: "Appoints chief fire marshal. So moved."

Councilman Bartunek: "And seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "I just want to say something before I vote. Civil Service qualifies a fire marshal and I'd rather hire town of Riverhead residents who pay taxes in the town of Riverhead who is on that list. I've been told that if we hire off that list he can't work until the middle of January."

I spoke to Albany and spoke to two people in Albany, one for the certification which is Jim (inaudible), and one for compliance code training, Tiffany, and she said they have a year to get certified once they're appointed and there's no problem with delaying their working.

So I'm very dismayed that we do hire outside the town when we do have a qualified individual who has been chief of the fire department for the past six and a half years and he also has training in this and we go outside the town of Riverhead to hire somebody.

So I have to vote no."

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

Councilman Bartunek: "Yeah, this has been an issue of contention among the board members unfortunately and a lot of people in the public and the people that actually interviewed, the two people that are involved in this unanimously agreed that Scott was the most qualified to fill the position immediately and to get the work of the town underway."

If we ever do have a position that opens and we have two people who are equally qualified, naturally we would select the person who was the town resident.

I will vote yes for this."

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

Councilwoman Blass: "Yes. I'd also like to take a minute to say something that I think it's pretty unfortunate that this appointment has been made into a political issue. It's very disturbing to me in that we have the highest regard for the character and ability of both of these candidates considered for this position. And every one of the people on this board has pledged that when comparable candidates are being considered, we would indeed give preference to Riverhead residents. And this instance is no exception.

Yes, you're right. Both candidates appear on the Civil Service list having passed the exam for chief fire marshal. But only one candidate has the necessary special licenses now that are required to perform the job from day one.

The requisite training of approximately 400 additional hours couldn't be completed until some time in January. That's true. And to the extent that you do not need those licenses in order to sit for the exam and be eligible to sit for an open competitive exam, that's also true.

But the reality is that when the chief-- the Riverhead Fire Chief's Council which represents all of the fire-- four fire districts in the town of Riverhead, when the chiefs of all of those departments convened a meeting for-- to discuss this very appointment and upon their inspection and review of the resumes of both candidates, it was a unanimous recommendation from that fire chief's council to this town board that we hire the most fully qualified candidate who at the time is Mr. Davonski.

And I'm very happy to support this resolution. I know he'll do a fine job from day one for us. And I have every reason that Mister-- reason to believe that the other candidate could indeed have done a job but we don't have the luxury of the time to have him have that additional training.

I'm voting yes on this particular resolution."

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

Councilman Densieski: "This resolution is definitely not political for me. I'm not returning to political office so it's not political. Let me make that clear.

I think Scott is a qualified person and I agree with Barbara. I think that Scott will get in there and get going right away and be able to do the job. And every single person that I've talked to has said that he's a good guy and they liked working with him and they respect him. So that's important to me.

But I can't support him today for several reasons. One, Bob Zaweski (phonetic) is a local man who also passed the test and is certainly qualified. Bob's willing to accept the position with \$10,000 less to do the same job. To me, \$10,000 is a great deal of money.

Bob is also recommended by the Riverhead Fire Commissioners. That's another important statement for me. And finally Mr. Zaweski is the chief of the Riverhead Volunteer Fire Department. How do you in good conscience say you're good enough to volunteer in our local fire department and you passed the test but you're not good enough to be our local fire marshal?

I think it's clear that both of the applicants are qualified but if I have a choice, I would prefer a local man. Obviously he's not going to probably make it because the resolution has someone else's name on it, but I want to welcome Scott and wish you good luck. I know you'll do a good job but I'm forced to vote no."

Councilman Dunleavy: "I also want to welcome you, Scott."

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

Supervisor Cardinale: "Based upon the what I understand to be the unanimous recommendation of the personnel committee and the chiefs of the-- I guess the Joint Council of Chiefs for the town of Riverhead who-- the personnel committee I think wisely insisted be an integral part of this process of trying to replace a very difficult person to replace, our fire marshal-- our first and only fire marshal Bruce Johnson, I am going to vote yes based upon those two unanimous recommendations, the personnel committee and the Joint Chief-- Council of Chiefs.

And welcome."

Barbara Grattan: "The resolution is adopted."

Councilman Bartunek: "You can stay now, Scott. You said you were enjoying this. If you want to stay for the rest of it, there is only 48 more-- 47 more resolutions."

Supervisor Cardinale: "Yeah. We should move now to 1010. Thank you and good luck and one thing I would very much like if you could start earlier, I would love you to. I was hoping you'd start in

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two weeks, I guess that's going to be about three. But Thanksgiving is in between. And I don't have to pay you for the holiday that way so there's certain saving graces.

Okay. Let's move to 1010."

Resolution #1010

Councilman Dunleavy: "Sewer district budget adjustment. 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 #1011

Councilwoman Blass: "Highway fund budget adjustment. 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 #1012

Councilman Dunleavy: "Risk retention fund budget adjustment. 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 #1013

Councilman Densieski: "Highway department budget adjustment. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #1014

Councilman Dunleavy: "Ambulance district budget adjustment. 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 #1015

Councilman Bartunek: "Refuse and garbage budget adjustment. 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 #1016

Councilman Densieski: "Riverhead sewer district budget adjustment. 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 #1017

Councilman Densieski: "20078 ambulance acquisition capital project 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 #1018

Councilwoman Blass: "General fund budget adjustment. 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 #1019

Councilman Dunleavy: "Community Development Agency budget adjustment. 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 #1020

Councilman Bartunek: "Nutrition buses capital project 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 #1021

Councilman Bartunek: "2007 recreation capital improvement project West Main Street riverview park. 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 #1022

Councilman Densieski: "A resolution subject to permissive referendum authorizing the construction of improvements to the East Creek marina facility in and for the town of Riverhead, Suffolk County, New York, at a maximum estimated cost of \$1,500,000 and authorizing the issuance of \$1,500,000 bonds of said town to pay the cost thereof. So moved."

Councilman Dunleavy: "And seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Yes, and just to assure everybody, this will be paid out of the fees that we receive every summer from the East Creek Marina."

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

Councilman Densieski: "I'm just going to remain consistent with my voting on the East Creek Marina. I'm going to abstain. I don't think we should be in the marina business."

Barbara Grattan: "You're abstaining?"

Councilman Densieski: "Yes, please."

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

Resolution #1023

Councilwoman Blass: "Authorization to discard fixed assets. 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 #1024

Councilwoman Blass: "I would just like to-- well' I'll move it first. Establishment of bank account. So moved."

Councilman Densieski: "Second the motion."

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

Councilwoman Blass: "Just a comment, please, before the vote."

Supervisor Cardinale: "Yes, please."

Councilwoman Blass: "Can we at least indicate where the bank-
what bank it is and for what purpose? I know we mentioned that at
work session but- "

Supervisor Cardinale: "We didn't have this amended, yeah. In
fact, I don't know that this is so timely that we can't defer it if
you'd like to do it because I don't have that information and I
promised it to you at the work session.

And everybody is gone because it's after five. You want to- "

Councilman Dunleavy: "Didn't he say this was for Citi Bank?"

Supervisor Cardinale: "Or do you want me to just let you know?"

Councilwoman Blass: "Well, it- we're resolving to establish an
account in the name of Riverhead Receiver of Taxes."

Supervisor Cardinale: "Yeah, all right. Who prepared this? It
doesn't give us enough information. So I'm suggesting that we table
it because it's an inadequate resolution."

Barbara Grattan: "Blass to table?"

Councilwoman Blass: "Thank you. I will make a motion to
table."

Supervisor Cardinale: "Moved- "

Councilman Densieski: "Second."

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

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

Resolution #1025

Councilman Bartunek: "Appoints an account clerk typist to the
Juvenile Aid Bureau. So moved."

Councilwoman Blass: "And seconded."

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

The Vote: "Dunleavy."

Councilman Dunleavy: "Again, this is one that-- this young lady lives in Selden and I think that we have qualified people that live in the town of Riverhead that could do this job. I

know we have people interviewed and I was told that one person was over-qualified. Well, we just hired someone because the other person was under-qualified, now we have another where the person we interviewed from the town of Riverhead is over-qualified. So I'm going to be consistent and vote no."

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

Councilwoman Blass: "I'm going to vote yes but I'm going to again make a quick comment."

The personnel committee was not involved in this interview. However, I do think if individuals who are not sitting in on the interview come to a conclusion-- I guess maybe I'm going to question the process by which we interview candidates from here on out.

We either have a personnel director and the department head go through the qualified candidates and we take their recommendation, or we don't. And if we're not going to do that, then maybe either the entire board should sit in on all the interviews so we're not just saying well, this is a Riverhead resident.

There may have been other reasons that we're not privy to but it's not going to be in this resolution.

So I'm going to trust the department head, in this case the chief of police, and the personnel officer who we hired for this purpose-- (inaudible), thank you, and trust their judgment and vote yes."

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

Councilman Densieski: "I strongly agree with Barbara. I think after the 1st of the year the entire town board should have to sit in on all interviews. I'll vote yes."

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

Supervisor Cardinale: "I'm going to vote yes as well. The chief of police has recommended, the personnel officer has recommended, and I'll rely upon that recommendation."

Barbara Grattan: "That resolution is adopted."

Resolution #1026

Councilman Bartunek: "Ratifies the appointment of a clerk to the Riverhead recreation department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1027

Councilwoman Blass: "Approves the transfer of an auto mechanic III at the municipal garage to the position of an automotive equipment operator in the highway department. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #1028

Councilwoman Bartunek "Amends a department head contract. 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 #1029

Councilman Dunleavy: "Authorizes the supervisor to execute a collective bargaining agreement with the Riverhead Town Police Superior Officers Association, Inc., the SOA. And this is one that we've been operating under for the last two years. We're just getting to sign it so we can start negotiating a new contract. 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 #1030

Councilman Bartunek: "Amends a department head contract. 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 #1032

Councilman Bartunek: "Appoints a justice court clerk to the justice court. 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 #1033

Councilman Densieski: "Authorizes the release of cash security of Little Bay Shopping Center, Inc. for Belinda Bender. 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 #1034

Councilman Dunleavy: "Authorize the town supervisor to execute a change order No. 1 for Peconic riverfront bicycle and pedestrian improvements addition 1 NYSDOT Pin 1806.62. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1035

Councilman Dunleavy: "Authorize town supervisor to execute a change order No. 2 for Peconic riverfront bicycle and pedestrian improvements - Phase 1 NYSDOT Pin 1806.62. So moved."

Councilwoman Blass: "And seconded."

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

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

Councilwoman Blass: "Yes. I just wanted to point out these are both deducts to the contracts."

Supervisor Cardinale: "Yeah, that's good news."

Councilwoman Blass: "Yes."

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

Resolution #1036

Councilwoman Blass: "Releases Suffolk County National Bank irrevocable letter of credit of Zoumas Contracting Corp. in connection with the subdivision entitled Baiting Hollow Farms (one year maintenance bond). So moved."

Councilman Densieski: "Second the motion."

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

The Vote: "Dunleavy, yes; Bartunek."

Councilman Bartunek: "Yes. And, Barbara, I want to thank you for more than almost four years now that any resolution that had that word in it, you avoided it. Once or twice. Well, you still have a chance."

Councilwoman Blass: "Irrevocable."

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

Resolution #1037

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Councilman Bartunek: "Ratifies the appointment of a recreation specialist to the Riverhead recreation department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1038

Councilman Bartunek: "Accepts 100% security of Riveredge, LLC (certificate of deposit). So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #1039

Councilwoman Blass: "Authorizes the release of security of KJB Industries, Inc. (Suffolk 87 Associates - County Seat Plaza). So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1040

Councilwoman Blass: "Accepts the offer of sale of development rights. 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 #1041

Councilman Densieski: "Authorizes extension of time to remit real property taxes for senior citizens receiving an exemption pursuant to Section 467 of the RPTL. 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 #1042

Councilman Dunleavy: "Authorizes the supervisor to execute an amended agreement authorizing the town to accept funds from Suffolk County Office of the Aging for the purpose of supplementing the budget of the town's transportation assistance program. 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 #1043

Councilman Bartunek: "Authorizes the supervisor to execute a traffic signal agreement. 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 #1044

Councilman Densieski: "Authorizes town clerk to publish and post notice of auction of abandoned and surplus vehicles and all other unclaimed property being held by the police department. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Cardinale: "You may want to check that-- the new system. Yeah. Moved and seconded. Vote please."

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

Resolution #1045

Councilman Dunleavy: "Authorize the town clerk to publish and post notice of auction of abandoned vehicles and all other unclaimed property being held by the police department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1046

Councilwoman Blass: "Declares surplus vehicles for auction. 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 #1047

Councilman Bartunek: "Ratifies the authorization of the town clerk to post and publish public notice of public hearing to consider a proposed local law for an amendment to Chapter 95 entitled Taxation of the Riverhead town code, cold war veterans exemption. 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 #1048

Councilman Dunleavy: "Authorize the town clerk to advertise for bids Riverhead Sewer District Route 58 Hotel Plaza sewer connection. 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 #1049

Councilman Densieski: "Authorizes legal action against the owners, tenants, occupants and mortgagee of the property located at 4008 Main Road, Calverton, New York. 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 #1050

Councilman Dunleavy: "Establishment of a new no net nitrogen fund rate for Riverhead sewer district and Riverhead scavenger waste district. 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 #1051

Councilwoman Blass: "Authorizes the supervisor to execute a license agreement with the Long Island Tomcats. So moved."

Councilman Bartunek: "And seconded."

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

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

Councilman Densieski: "Now that I'm leaving the board, we get aviation at EPCAL. Yes."

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

Resolution #1052

Councilman Densieski: "Authorizes the town clerk to publish and post public notice to consider a local law to amend Chapter 108

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entitled Zoning of the Riverhead town code (Section 108-129, site plan review). 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 #1053

Councilman Bartunek: "Authorizes the town clerk to publish and post public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code, Section 108-95 subdivision regulations - general provisions. 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 #1054

Councilwoman Blass: "Authorizes the town clerk to publish and post a public notice to consider a local law for the addition of Chapter 109 entitled Prohibition of Illicit Discharges and Connections to the Town of Riverhead municipal separate storm sewer system (MS4) of the Riverhead town code. 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 #1055

Councilman Densieski: "Authorizes the town clerk to publish and post public notice to consider a local law for the addition of Chapter 110 entitled Stormwater management and erosion and sediment control regulations 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."

Resolution #1056

Councilman Bartunek: "Awards the bid for milk. 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 #1057

Councilman Dunleavy: "Awards bid for lubricants. 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 #1058

Councilman Bartunek: "Recinds the acceptance of a donation of a 1947 classic baymen's clam boat for a Baymen's Heritage Project Peconic Riverfront display. 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 #1059

Councilwoman Blass: "Adopts a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead town code, Section 101-10 parking prohibited. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #1060

Councilman Densieski: "Adopts a local law amending Chapter 48 entitled Beaches and Recreation Centers of the Riverhead town code, Section 48-13, parking and parking permits. 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 #1061

Councilman Bartunek: "Adopts a local law to amend Chapter 108 of the town code of the town of Riverhead entitled Zoning, Section 108-131, site plan review. 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 #1062

Councilwoman Blass: "Authorizes the supervisor to execute an agreement to place Suffolk County Community College student interns in the senior citizens 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 #1063

Councilman Densieski: "Authorizes the supervisor to execute a license agreement. 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 #1064

Councilman Bartunek: "Authorizes the release of a cash security of Crown Recycling. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #1065

Councilwoman Blass: "Authorizes the supervisor to execute an agreement to purchase real property. 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 #1066

Councilman Dunleavy: "Adopts a local law to amend Section 3-1 of Chapter 3 entitled appearance tickets of the Riverhead town code. 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 #1067

Councilwoman Blass: "Clarifies and re-awards bid for on site yard waste grinding at Youngs Avenue landfill site. So moved."

Councilman Bartunek: "Seconded."

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

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

Councilman Densieski: "I think I came up with a better alternative so I'm going to vote no."

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

Councilwoman Blass: "Can I just make a general comment on- "

Supervisor Cardinale: "Sure."

Councilwoman Blass: "Mrs. Grattan, most of these resolutions contain a Resolve that the individuals get certified copies. Please, you know, including the board members."

Barbara Grattan: "Exactly, because we stopped doing it. It's still on there but- "

Councilwoman Blass: "I just want to make sure that wasn't going to happen."

Barbara Grattan: "Unfortunately we have one more resolution left. That would be 1068, bills."

Resolution #1068

Councilman Bartunek: "So moved."

Supervisor Cardinale: "Pay the bills. It's 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: "That concludes the resolutions. We are willing to take comment on any matter before us. We'd like it to be brief since it's 5:25. Sal, carry away."

Sal Mastropolo: "Four quick things. One is I thought we agreed as a town that we wouldn't have signs in Polish and Spanish. At the polling place last night, there was a big sign that said aqui. If you can't read the sign, how could you read the stuff that you're going to vote on?"

Councilman Densieski: "That's Suffolk County BOE."

Sal Mastropolo: "Okay. Two is there's a proliferation of signs being tacked up on poles. The newest one is buying gold, okay, and jewelry, with a telephone number. The other one is firewood for sale.

Number three, where do we stand on the town-wide reassessment? I hope that's still on the table and that will come up for discussion again.

And the fourth thing is that does the town have a requirement for a cabaret permit to have live music?"

Supervisor Cardinale: "In certain areas, special permit but I think we did away with it, didn't we, downtown?"

Sal Mastropolo: "Well, no, this isn't downtown. The latest thing is there's a big sign on Sound Avenue in front of the newest tasting room that says live music on weekend."

Councilwoman Blass: "It's an issue that I think a lot of people in the audience are looking to discuss. I wish the town attorney were here to address it because it is something that we need to address globally."

Supervisor Cardinale: "Well, yeah, if we have- we can certainly check the location and if there's a requirement for a license in that area, then we should enforce it. I don't know honestly because my town attorney is not present, but let me make a note and then have, Bill, if I'm out tomorrow, would you check that? And maybe you could tell Bill the address that you had in mind and we'll find out."

Sal Mastropolo: "Okay, thank you."

Supervisor Cardinale: "It may be an enforcement issue."

Sal Mastropolo: "Thank you."

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

Dominique Mendez: "Hello, my name is Dominique Mendez. I live in Wading River. Do you happen to have those sheets to give them?"

Barbara Grattan: "I sure do. What was your first name again?"

Dominique Mendez: "Dominique. D-O-M-I-N-I-Q-U-E, Mendez. And I live in Wading River and I'm representing over 42 households in my neighborhood and the two neighborhoods, in fact, that border the Great Rock Golf Course and (inaudible) restaurant, and these neighborhoods are subject to loud music and PA systems that emanate from outdoor

events. And they're held in a recently erected tent on a very narrow strip of land that's surrounded by two residential neighborhoods.

My husband and I by the way moved to Wading River just over a year ago to a nice quiet community. And that's why people move out to the east end. And it's as I said semi-rural, and we come here for a nice quite community and unfortunately since that tent was erected, it's not quiet in my community any longer.

Now, did you- they do, great. So I'm going to talk about geography a little. This is a little bit unusual in that the closest house is less than 300 feet from where that tent is erected. My house is 600 feet and the houses that are the farthest in my neighborhood is about 1800 feet. Even those houses, 1800 feet, can hear what's going on, the music and everything, loud and clear, at the farthest reaches of my neighborhood.

And there's another neighborhood you can see that's across on the other side and there are similar issues of noise in that neighborhood also.

It's to the point where we hear this music and we don't just hear the music, we hear the words to the music. We can even hear the PA system meaning I was in my home with the windows closed and I could hear them calling for the garter belt ceremony, in my home. Unfortunately I had not been formally invited to the wedding, maybe next time but this time I wasn't.

What's happening is I and my neighbors were forced inside, we have to wear- some of us wear earplugs, some people turn on the AC full blast so they can drown it out. Of course, the windows are closed. Others say they have problems putting their children to sleep when this is occurring.

This is sometimes during the week, and often on weekends. Weddings are the biggest culprit and they're only booking more weddings for next year and weddings are especially noisy, of course.

We, the residents of this area, find it completely unacceptable and are looking for the Riverhead town and the town council to not only enforce noise ordinances, but to put a stop to the outdoor events, especially weddings that will inevitably continue to disrupt our lives, keep us from enjoying our home and in the end, decrease our home values.

Thank you."

Supervisor Cardinale: "Thank you. I, Bill do you know anything about this? I know it's been an issue but we don't have a town

attorney here to- I think it's an enforcement already. Do you know, chief?"

(Inaudible)

Supervisor Cardinale: "Okay. So we're aware of the problem. We've been discussing it between legal and the police department and the supervisor's office. Why don't we get- if you could get Bill, my executive assistant in the back there, a phone number, contact, we'll let you know what the assessment looks like of what we can do about this."

Dominique Mendez: "Okay."

Councilwoman Blass: "Can I just put one fact on the record as well because I've had some conversation with Ms. Mendez and the town attorney and the planning director.

Recently the Great Rock was given a site plan amendment to erect this temporary tent. It was part of the mylar so even though it's considered a temporary structure, it's temporary only in the sense that it can be utilized only 180 days out of the year and in reading the site plan resolution giving them permission to do this, there is no consideration other than that temporary duration with respect to hours of operation or special noise mitigation in that this is part of a subdivision.

This is very different from some of the other golf courses that exist single and separate. This golf course happens to be one lot in a clustered subdivision so the fact that the restaurant was there to begin with was special consideration to the clubhouse and now catering is yet even an accessory to a restaurant which was not automatically a permitted use when it was first approved.

So it's an issue that I know the town attorney is looking to consider some very strict guidelines that we will probably have to adopt as code amendments and the planning director was involved in these conversations as well.

But it is something that is not just unique to this particular place but it exists in other areas where you have outdoor events occurring regularly."

Supervisor Cardinale: "The site plan- "

Councilman Dunleavy: "Yeah, but I think this area is unique because the houses are there. I mean you've got a place like Calverton Links, there's no houses around, it's an industrial area. And I think that when site plans are looked at, we have to take into consideration the housing. Now he gave a special permission. He

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clustered the homes, he built the homes so he should be restricted on the use of his clubhouse for that reason. He knew that the houses were there."

Dominique Mendez: "The houses were there before the golf course."

Supervisor Cardinale: "The site plan in question is issued by the planning board as you probably know."

Dominique Mendez: "Yes."

Supervisor Cardinale: "So what we have to assess is not only the site plan and what conditions were, were not, or should have been or should not have been in the site plan approval, but also the whole use there and how it stacks up against what the law is."

So we'll do that and then, Bill, would you contact her when we have that analysis. Because I've been hearing about this but I haven't heard- I haven't yet received an analysis."

Councilwoman Blass: "We reviewed the site plan resolution today and the only condition is there's a 180 day duration for the structure- "

Supervisor Cardinale: "What about the underlining issues of use?"

Councilwoman Blass: "It's not addressed in the site plan which is why the town attorney and the planning director recognize there's got to be another avenue to address that aspect. The site plan is not the proper place to do it."

Supervisor Cardinale: "Okay. The site plan was issued though for a tent."

Councilwoman Blass: "An amendment to it. Yes, it was."

Dominique Mendez: "I guess I would have hoped ideally that the planning board would have considered the impact considering where it is and- "

Supervisor Cardinale: "Well, that's what they're supposed to do on site plan."

Councilman Dunleavy: "Yeah, we do- "

Councilwoman Blass: "In fact, Karen- when we spoke and it was just earlier today, Karen said she never expected that it would be utilized for weddings. She thought they were going to have outdoor

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dining, you know, but additional dining, open air. She never expected that it would be utilized for outside- "

Councilman Dunleavy: "Well, we do have a noise ordinance. So-"

Supervisor Cardinale: "There's still the noise ordinance."

Councilman Dunleavy: "A noise ordinance should take precedence and- is that correct?"

Councilwoman Blass: "Or unreasonable noise."

(Inaudible discussion)

Supervisor Cardinale: "Well, there's a number of issues."

(At this time the CD stopped recording)

Meeting adjourned: 5:45 p.m.