

## WAIVER OF NOTICE AND CONSENT OF SPECIAL MEETING

We, the Undersigned, being all members of the Riverhead Town Board of the Town of Riverhead, County of Suffolk, and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York at 4:00 p.m. on the 4th day of October, 2007 and do consent to the holding of such meeting for the purpose of:

### **TABLED**

CDA Res. #15 Authorizes Chairman to Execute Conditional Contract of Sale for a 300+- Parcel of Property within the Light Industrial Portion of the EPCAL Site with REPCAL LLC

Res. #961 Authorizes the Supervisor to Execute Conditional Contract of Sale for a 300+- Parcel of Property within the Light Industrial Portion of the EPCAL Site with REPCAL LLC

Res. #962 Accepts Offer of Sale of Real Property Located in the Town of Riverhead (purported owner: Fort-Pat Motel, Inc.)

Res. #963 Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 1685 Old Country Road, Riverhead, New York

Res. #964 Resolution Authorizing the Issuance of \$150,000 Bonds of the Town of Riverhead, Suffolk County, New York, to Pay the Cost of the Increase and Improvement of the Facilities of the Riverhead Ambulance District, in the Town of Riverhead, Suffolk County, New York

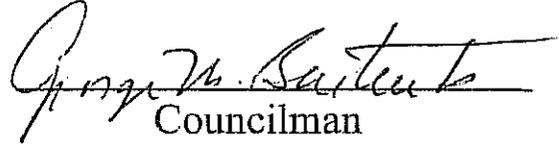
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Dated: Oct. 4, 2007  
Media Notified by  
Supervisor

TOWN BOARD MEMBERS  
of Riverhead, New York



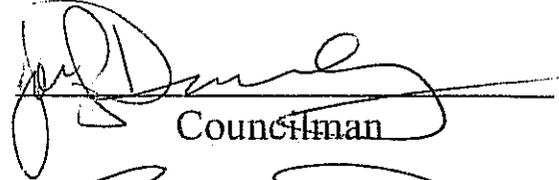
Supervisor



Councilman

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Councilwoman



Councilman



Councilman

Minutes of a Special Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York on Thursday, October 4, 2007, at 4:50 p.m.

**Present:**

Philip Cardinale,	Supervisor
Edward Densieski,	Councilman
George Bartunek,	Councilman
John Dunleavy,	Councilman

**Also Present:**

Barbara Grattan,	Town Clerk
Dawn Thomas,	Town Attorney

**Absent:**

Barbara Blass,	Councilwoman
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Supervisor Cardinale: "Hello, hello, okay. Hello, can you hear me? All right, let's go. This woman has to go home or she's going back to the dark side. Poor Jack, I haven't even had a chance to say hello. How are you, Jack? It's a wonderful world. You should have stayed in Montauk. Yeah, I know. I heard, good job. His job, good job. I don't know what the hell he does, but he gets 85 grand for it.

Yeah, she's coming back. IDA director. Yeah, she's coming back at five. We should be and probably will be.

I think that there's a language change that they need in a clause that he's waiting on a call on.

Fifteen is CDA. Oh, no, we're not doing 15 at the moment anyway. This one we're not doing today. We're just doing PC Richard and we should be doing Patchel. And we're doing a 150,000 bond for the ambulance. Okay."

(Some inaudible discussion)

Supervisor Cardinale: "Okay. We're doing the purchase from Mr. Patchel's corporation and you heard what I said this morning. We're doing the- PC Richard's opened up without a CO. We're going to Supreme Court to stop it because there's no lights. We're worried about safety. And finally we're going to bond for the ambulance. Okay, let's go. Reckler is- we're waiting a call on a clause-- some language- "

Councilman Densieski: "Before you start, can you explain the PC Richard's thing. I just heard about it today."

Supervisor Cardinale: "Sure. Sure. In fact, is Kevin out there? Because, okay, good."

Councilman Densieski: "I just want to be briefed before- "

Supervisor Cardinale: "I can tell you what I know."

Unidentified Speaker: "Is your mike on?"

Supervisor Cardinale: "Yeah, it is. Mine is on."

What it is, is- it came to my attention yesterday by Leroy. Leroy said he was concerned that they went- he has eight weeks to get the light that is required. He had to pay \$2,000,000 to Glenwood to get to that road but then he has to put a light at the end of that road."

Councilman Dunleavy: "Yeah, now, guess what I see? Then he has to widen it."

Supervisor Cardinale: "Whatever he has to do by- Planning Board insisted upon, he has to do what he has to do to get the light up. But he's losing money so they decided to just open up and Leroy is worried about it because people are going to get killed coming out of there without a light."

Councilman Dunleavy: "If there's an accident."

(Some inaudible comment)

Supervisor Cardinale: "Well, that's probably why they figured- but if a guy tries to make a left which is likely- "

(Some inaudible comment)

Supervisor Cardinale: "And there was one other thing. Oh, the fire marshal hadn't finished his- that's probably our fault that we're so far behind. So that's the serious one, the light."

Councilman Dunleavy: "I'll take (inaudible) place."

Supervisor Cardinale: "Fine. In fact, why don't you try that- do you want to do that full time?"

Barbara Grattan: "Well, Eddie, oh, okay. All right."

Supervisor Cardinale: "All right, I'd like to open the meeting, the special meeting of the town board of October 4<sup>th</sup>. We have two resolutions, one tabled from last week and one that just has come up and it's time sensitive.

The first is 962. Could Ed offer that, please?"

Resolution #962

Councilman Densieski: "Accepts offer of sale of real property located in the town of Riverhead, purported owner Fort-Pat Motel, Inc. So moved."

Councilman Dunleavy: "And seconded."

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

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

Councilman Densieski: "Yes. I did say- tell Barbara that I would say a couple words for her. Barbara wanted to be here for this vote because this is an important one to her but she had a family obligation so Barbara Blass wanted Mr. Patchel to know that she is completely in agreement with this and the community, that she is in complete agreement with this."

Now I'll say something for myself. I think this is a great purchase for our town and it's going to make a great addition to our beaches and I'll vote yes."

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

Supervisor Cardinale: "I also agree with both John and Ed that this is a good purchase for the town. I am pleased to be able to accomplish this with the board's assistance.

So I will vote yes and move on to the contract."

Resolution #963

Barbara Grattan: "Resolution #963, Councilman Densieski."

Councilman Densieski: "I'm getting there."

Councilman Bartunek: "I'll read this one if you want me to."

Councilman Densieski: "Go ahead."

Councilman Bartunek: "Authorizes legal action against the owners, tenants, occupants and mortgagee of the property located at 1685 Old Country Road, Riverhead, New York. So moved."

Councilman Dunleavy: "And seconded."

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

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

Resolution #964

Councilman Dunleavy: "The following resolution offered and moved. This is for a \$150,000 bond to purchase the ambulance. So moved."

Councilman Densieski: "Second the motion."

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

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

Barbara Grattan: "And at this meeting, before you close formally, I must give to you and the board members this."

Supervisor Cardinale: "Thank you. And the budget as you know is available on line, it's available (inaudible), and I would like the board to review it and give me their thoughts. Thank you.

That is it."

Meeting adjourned: 4:54 p.m.

*Barbara Hatten*  
*Town Clerk*

Minutes of a Continuation of the Special Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York on Thursday, October 4, 2007, at 5:16 p.m.

**Present:**

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

**Also Present:**

Barbara Grattan,	Town Clerk
Dawn Thomas,	Town Attorney

Supervisor Cardinale: "Okay, we are resuming the special meeting of Thursday, October 4<sup>th</sup>. Barbara Blass was forced to absent herself for a family matter.

We have two resolutions, the first is a town board resolution which I'd like George call for you to offer the town board resolution, #961."

Resolution #961

Councilman Bartunek: "Authorizes the supervisor to execute conditional contract for sale of 300 plus or minus acre parcel of property within the light industrial portion of the EPCAL site with Repcal LLC. So moved."

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Councilman Dunleavy: "And seconded."

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

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

Supervisor Cardinale: "Come on up, Barbara, please. Okay. Thank you, I appreciate your coming back. Barbara is now rejoining us and we're offering 961 which is the town board resolution in regard to the EPCAL piece to authorize the chairman- I'm sorry, authorize the supervisor to execute conditional contract of sale for the parcel within the light industrial zone at the EPCAL site to REPCAL LLC. And we're into the vote with- and it is your vote."

Barbara Grattan: "Well, Eddie's voting now."

Councilman Densieski: "I'll vote last."

Supervisor Cardinale: "Yeah."

Councilwoman Blass: "Yes."

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

Councilman Densieski: "Rarely or, if ever, that I've been on the board have I voted for something that I think may be a bad business decision. I really strongly support this sale of the industrial property. I helped fight for the zone change and I think it's a great decision for the taxpayers of Riverhead."

I do have some serious concerns with the contract. One of them is the possibility of a phase 2 where the contract vendee has the right of first refusal and has to buy acreage that has part of the runway on it which would actually shorten the runway and allow more industrial space. I don't think that will ever happen, but it's in there.

And he has the right to buy that property. He paid two percent more than any other offers that we have. I believe there's a strong possibility that that will stymie other applicants from ever bidding on an RFP because they know they're going to spend time, money and energy and know that the other guy doesn't have to do anything and can bid two percent more. ~~I don't think that's a good business decision and I normally wouldn't support it.~~

But I don't think it will ever happen. My attorney who I've spent quite a bit of time- I've spent quite a bit of time with the board believes that the ball is in the town's court and they don't have any extra rights.

I do have some other concerns about delays in the contract. I

don't want to be responsible for another Burman contract. That was a complete nightmare that I had to live through that we adopted from somebody else. But I don't want to live through it again. I don't want the town taxpayers to have to deal with these nightmares.

But I think I had one of the best attorneys around- that's Frank Isler, I think he's a great attorney who works reasonably cheap for the town taxpayers and very hard and the price will probably go up. But I do think that so I'm saying it.

And my gut instinct says this is not a good move but on the advice of one of the best lawyers around, I hope he's right. I'm going to vote for it. Yes."

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

Supervisor Cardinale: "I appreciate the board's vote. I share some of- having negotiated through many- several months with Frank on this and now the board has participated and discussed and made some good changes.

I agree with a lot of Ed's- all of Ed's concerns but I'm convinced that this contract is a good contract and the best contract we will be able to sign and I'm anxious to move forward because the 21 month period to obtain all approvals will begin I hope soon after October 16<sup>th</sup> when the qualified and eligible sponsorship hearing is held and I'd like to see the ground broken out there and many a slip between cup and lip is possible as we all know, but this is something we're doing together as a united board and that gives me great satisfaction and it is true that Ed was very instrumental in moving for the zone change. It is true that the board all worked together and I think that we can work together through the completion of this deal and do a good thing for the town.

And I vote yes and I'm pleased to do so."

Barbara Grattan: ~~"That resolution is adopted."~~

Supervisor Cardinale: "This next- this is a- I would like to close the meeting of the town board."

Meeting closed: 5:22 p.m.

*Barbara Grattan*  
*Gov. Clerk*