

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, October 19, 2004, at 7:00 p.m.

Present:

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

Also Present:

Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.	Town Attorney

Supervisor Cardinale called the meeting to order at 7:00

Supervisor Cardinale: "We have to approve the minutes of the October 5th meeting and the Special Board meeting of October 12th. Can I have an offer of the minutes for approval?"

Councilwoman Sanders: "So moved."

Supervisor Cardinale: "Moved by Rose."

Councilman Densieski: "Second."

Supervisor Cardinale: "And seconded by Ed. Vote, please."

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

Supervisor Cardinale: "Great. Could you tell us, Barbara, about the Reports this week?"

REPORTS:

Receiver of Taxes	Utility collection report for 9/24. Total collected was \$367,120.43
Animal Control	9 month statistics from

January to September, 2004

Barbara Grattan: "That concludes Reports."

Supervisor Cardinale: "Any Applications?"

Barbara Grattan: "No Applications."

Supervisor Cardinale: "Correspondence, please."

CORRESPONDENCE:

Petition

Regarding no kill animal
sanctuary 290 signatures

Peter Danowski

Re protest to new zoning
legislation - EMB Enterprises
LLC

Barbara Grattan: "Nothing on?"

Supervisor Cardinale: "Now it's going to work."

CORRESPONDENCE (cont'd.)

Martin Sendlewski

Regarding implementation of
commercial master plan zoning
Janis property

Davison Entertainment

opposition to the proposed
zoning variance for the former
Jamesport Manor Inn
Restaurant

Michael O'Connor,
Robert Rohmund, Jr.,
James Holzmann

Opposition to the commercial
zoning of Roanoke Node

Richard Vlacci
R&K Precision Autoworks,
Inc.

Regarding rezoning 3241 Sound
Avenue

Barbara Grattan: "That concludes Reports-- Correspondence."

Supervisor Cardinale: "Thank you. We can now go onto the

public hearings, the first of which is scheduled to begin at 7:00 p.m. It being 7:09."

Public Hearing opened: 7:09 p.m.

Supervisor Cardinale: "I'd like to call order the first public hearing for the consideration of a local law amending or more precisely repealing Chapter 108 Business A, Business B, Business C, Business D, Office/Service, Business G, Industrial A, Industrial B, Defense Institutional of the town code which have been replaced or are being replaced by various other zones.

Any person in the audience who would like to address this hearing in regard to- it's actually a housekeeping matter, the repeal of those zones that are superseded by our new zoning code come forward. Going one, twice, three times. If not, that was quick. It being 7:10, the public hearing is closed. I will keep it open until- for five days for any kind of written comment and then it will be totally closed."

Public Hearing closed: 7:10 p.m.
Left open for written comment for five days

Public Hearing opened: 7:11 p.m.

Supervisor Cardinale: "7:05 p.m. in the next hearing for the consideration of the proposed local law to amend Chapter 95 of the town code entitled Taxation which I have a feeling all the men in uniform are here concerning- could we open that hearing?"

Councilman Densieski: "And women."

Supervisor Cardinale: "And women. Men and women, oh there are women here, oh, there you go. Men and women.

And we have a woman tax assessor who wants to address us. So it's open 7:11, the hearing is opened. Laverne our tax assessor will tell us what the hearing is about."

Laverne Tennenberg: "Good evening. The town previously had passed a local law to allow for a property tax exemption for volunteer firefighters and ambulance workers. However in that statute there was a cap on how much they could receive in benefits.

Currently the maximum savings at the town level is \$20.38 per year. So legislation was recently passed at the state level which is why we're here tonight removing that cap and allowing a straight 10% of assessed value to come off their tax bills and to be multiplied by the town tax rate.

The average individual savings would go to \$148.95 using last year's tax rate because that's the only tax rate that we know of. The highest savings would be \$356. The lowest would be \$17. Because 10% would be applied to the individual assessed valuation and it ranges from very high to people in a mobile home park.

So that's why we're here tonight, is to remove the cap. The overall dollar amount that I had calculated at one point was \$25,767 based on last year's tax rate, based on the current applications we have on file. That's all subject to change based on who is eligible come March 1, 2005 and what the new tax rate will be."

Supervisor Cardinale: "And the 148 to 3 seventy something, estimated range, is that for- "

Laverne Tennenberg: "No. Seventeen dollars to \$356. One forty eight is the average and as you know averages, there's higher and lower."

Supervisor Cardinale: "The 17 to 356 averaging at 148- "

Laverne Tennenberg: "Correct."

Supervisor Cardinale: "-- is that for the town tax?"

Laverne Tennenberg: "That's strictly for town tax. The school district, I understand, is contemplating adopting this. The county has already adopted that and the school districts have been given the financial impact to their school exempt amount and the tax amount."

Supervisor Cardinale: "So that number 17 to 356 averaging at 148, represents 10% of the town tax?"

Laverne Tennenberg: "Of their assessed value times the tax rate. Right."

Supervisor Cardinale: "Assessed value times the tax rate. Okay."

Laverne Tennenberg: "I'll be here to answer any questions."

Supervisor Cardinale: "Thank you, Laverne, you did that so well. We'd like to hear from any members of the public that would like to comment on whether we should proceed with the passage of the proposed legislation."

Laverne Tennenberg: "I just want to add one comment. If you do not pass this, then the exemption will cease to exist because it does not exist at- in its current form. So if you don't pass it, there will be no exemption. That's something else to think about."

Supervisor Cardinale: "I should mention also in the interests of the 8:19 game, that- I polled the Board, they're leaning in favor on and inclined to support this legislation, so don't screw it up."

Anybody who wants to speak, please come up."

Bernadette Voras: "Thank you for thinking of us. Bernadette Voras, Riverhead. I think that even just that \$25,000, all our department members are worth far more than that. And all you have to do is have one little chimney fire, you know, just one little something at home or at a business and you realize the tremendous value, the sacrifice of these people."

And I think that that's the least we could do. We can start with the 10%. I would hope that the Board would really support it all the way. And the school board and everybody else."

Supervisor Cardinale: "Thank you, Bernadette."

Angela DeVito: "Angela DeVito, South Jamesport. I can only echo what Bernadette has said. You know, the heart of firefighting on Long Island is all of our volunteers and I don't think we do enough to thank them. This is one way of doing it. I just think it's a very, very worthwhile effort and I know you are going to do it, so I shouldn't even have to stand up and say do it, but you know it is something that- I can't think of something better to do at this particular point for people who are on call 24 hours a day and they're volunteers, you know. They give up time with their families, they go to training, they give up time to do that. I mean they're really, you know, an integral part of our community and this is one way of letting them know that we thank them."

Supervisor Cardinale: "Thank you, Angela. Yes, sir."

Kevin Davis: "Chief Davis, Riverhead Fire Department. We'd just ask the Board to consider adopting this 10% at the 100%. The reason being is the volunteers put in a lot of time, effort, a lot of training hours and it's also- this 10% decrease has also been put forth for the reason such as we're trying to take in newer members, younger members.

Right now the younger generation, they could buy a home, sometimes they just can't afford to pay the taxes. So hopefully this will keep them around for a little while and we can bring them in and hold them in and just make it a little more affordable for them to stay here."

Supervisor Cardinale: "Thank you. Is there any other comment? We'd be glad to hear it. As indicated, probably we will not take a profile in courage moment to pass this legislation. It might take a profile in courage not to but we're not contemplating that either.

I think we'd like to- we're appreciative of the comment because it gives us a sense of community. I'm going to- if there's no further written- oral comment, I'll leave it open for written comment for five days and then consider it closed and we'll proceed to act on the legislation and it is 7:17 now.

I want to thank members of the Fire Department for showing, your showing up to support the legislation. It also gives us a sense of how important it is to your community. So thank you very much."

Public Hearing closed: 7:17 p.m.

Left open for written comment for five days

Supervisor Cardinale: "We now have a third public hearing which is the consideration of a local law to amend Chapter 108 entitled Zoning and the attendant zoning use district map of the town of Riverhead.

This has to do with the intersection of Sound Avenue and Park Road. We would like to hear from the public, it being seven- oh, gee, we're moving so fast tonight, I have to wait for seven minutes before I can open the next one.

Thank you very much, members of the Fire Department. Okay. We have eight minutes before we can open the hearing in regard to Park.

Accordingly, I'd like to take comment on any of the resolutions. There's one resolution from the Community Development Agency setting a public hearing for qualified and eligible sponsor for the Suffolk Theater offer. We also have 47, I think, other resolutions.

I should point out while I have the moment that we actually don't have 47 because we're going to not pass 990, 991, 992, 993, and 994 and 5 tonight. Those are the adoption of rural neighborhood business zone CR, hamlet center, village center, rural corridor, and the zoning use district and the map. We're going to pass that on Thursday at a special board meeting.

What time is this meeting going to take, Rose? What- "

Councilwoman Blass: "In the afternoon."

Councilwoman Sanders: "Afternoon."

Supervisor Cardinale: "-- in the afternoon at 2:00 p.m. At 2:00 p.m. And the only reason for that is because the members of the Board- of the Committee, both Barbara and George particularly have been working exceedingly hard with a representative of our office, have what they want to pass but they want to review it more carefully over the next 40 hours, so there is no text problems or anything of that nature by rushing it tonight. So we'll do that on Thursday and keep on pace for passage of all of this by the end of the month.

Now we've got five minutes. Who wants to make comment- yeah, Rolf, on the resolutions. Comment on the resolutions. And we're not- other than 990 through 995. Excuse me? Thank you.

You know this really stinks, this system. I have to eat this mike in order to make it work. But I will, because it's tasty and I haven't had dinner. Go ahead."

Rolf Koesling: "Okay. Rolf Koesling, Wading River. I wanted to comment on Resolution 990 because that's the one I'm interested in and naturally the resolutions weren't out there."

Supervisor Cardinale: "Right."

Rolf Koesling: "So perhaps you can just tell me a little about this, this way I can save a little time. Adopts zoning of Riverhead town code Business CR, the rural neighborhood business zoning use district. Now I want to know, does this include the CR down on the

corner of Hulse Landing and North Wading River Road? Is this part of it?"

Supervisor Cardinale: Barbara will answer."

Councilwoman Blass: "Mister- "

Rolf Koesling: "He's the gentleman that was complaining and he wanted a continuing use on that, I mean he wanted it continued commercial. Well, I'm just up on the north- on the western part of that, about 800 feet up and I'm in this CR rural neighborhood. If he gets his way, I want my way, too. Don't stop just by him. You continue the whole district right up to my place. It's only fair. It's not fair to cut anybody else out.

Yes, I'm residential. I intend to keep it residential. But when I'm six feet under, I don't know what my heirs will want to do and it's worth more as commercial. So if you're giving him or making any provisions for him what he wants, I want it, too. Thank you."

Supervisor Cardinale: "Thank you. And you will- Barbara knows and I do, too, what the map is likely to show on Thursday but- and she's ready to tell you and I would, too, but I don't know. It would spoil the fun of coming Thursday and seeing what the map actually shows.

But if we were to grant the relief requested by that individual, we certainly would give it to you as well because that would only be fair.

I wouldn't anticipate it in either case. Okay. Any other comment on, yes, ma'am. These are on any resolution- this is good. If I have no more comment on the resolutions, I could start passing them."

Barbara Gallo: "Barbara Gallo, Aquebogue. I'm here speaking tonight for property that we own on Hubbard Avenue in Riverhead and I have a question on Resolution- is it 95?"

Supervisor Cardinale: "Yeah, the one that we don't have. Right. Amends the zoning use district map?"

Barbara Gallo: "That's townwide."

Supervisor Cardinale: "That's correct."

Barbara Gallo: "Okay. Now I don't know if this is the place to speak or whatever. I've met with George a couple times. We're Fred Gallo Used Auto Parts. We've been Industrial A since forever. By dumb luck I stopped here, they're zoning us to residential. Okay?"

In turn I talked to George the first time because TJ's corner, the old TJ was being zoned to BC, Business Center. Across the street from us, the old Riverhead Brake, the whole corner is being zoned for BC and we're residential. Okay?

When I first called, the first time I was told by Mr. Hanley, looks like an error. But it went on. Then in turn George told me write a letter. We wrote a letter; dropped it off to the town to request the zone change to BC which we have been part of that business district forever. You had TJ's Transmission, us, TJ's, Riverhead Bake, Tire Country, and it went right to Elton Street. You've got JP Hunter and then you have the machine shop. Okay.

And the whole- by Riverhead Brake, there's a whole strip there with the dirt road, Tite's Drive, that's all getting the BC. That's right across the street from us. Okay.

I came back the other day, talked to George. Now if I have it right, maybe I misunderstood George, that the old TJ's now because it's going to go to CRC and then we're going to go to CRC. And I just don't think- he gave me copies of what we would lose. I've talked to a real estate person generally in between. It's a big loss for us from going to industrial A to CRC.

Basically I was reading the papers under CRC. It's supposed to be provide locations for offices and professional offices which offer legal, medical, accounting, real estate, travel, whatever. We have buildings on our property. We can't use- that's my future, that's my retirement. We have no plans to sell or anything like that.

But the only permitted uses now if we're going to be put in that CRC is offices, banks, restaurants, single family houses. We're industrial. We've been industrial. I just don't think it's the proper zoning that if anything, we're losing from industrial if we were put in the business center zoning. Warehousing, which would be if we wanted to, ideal. For us to run a small service shop. We have all the buildings.

In the current zoning, we're- I don't know if this is going to be passed or whatever, putting us to CRC, we're only talking offices,

banks and houses, townhouses. I don't think it's the proper thing.

George mentioned because we have the creek that goes behind us, okay, it's very narrow, we've dealt with it all our lives there with the creek. If we had to do something, we still have to go to the DEC, site plan to the town. We'd have to meet any kind of requirements that you would put on us to do anything business-wise.

Yes, we're grandfathered in where we are right now but that's as far as we can go. It's like our- my and my husband's and my son's future is just diminished and I really don't think going from industrial A which was- we were there probably before zoning, to come down to the CRC which to me is only houses and after reading the paper, it's just basically professional offices, offices, medical, accountants in between. And I wish the Board would review it, go over it, and that's it."

Supervisor Cardinale: "Okay. Thank you very much. And we will."

Barbara Gallo: "Okay, thank you."

Supervisor Cardinale: "We're going over each of these as they come up, the Committee, and then they're bringing it to the Board."

Barbara Gallo: "Will this be Thursday or is this for the whole zoning Thursday or- "

Supervisor Cardinale: "This- when is that scheduled, Barbara, that's the following week, the- it's either the 26th or the 29th that the CRC zone is to be passed."

Barbara Gallo: "Okay."

Supervisor Cardinale: "So we will- so it would be at that point that we would pass the map for that zone as well."

Barbara Gallo: "Thank you."

Councilman Bartunek: "Thank you, Barbara."

Supervisor Cardinale: "Thank you, Barbara. Okay. It is now 7:29."

Public Hearing opened: 7:29 p.m.

Supervisor Cardinale: "We have a hearing, the final hearing that is scheduled for this evening. It was scheduled for 7:25 in regard to the local law to- consideration of a local law to amend Chapter 108 of the town code entitled Zoning and the attendant zoning use district map for the properties near the intersection of Sound Avenue and Park Road.

And we'd like to hear any comment from the public or any member of the public who wishes to speak. And we've had a good deal of comment in previous meetings so if there is not comment this evening, I would be glad to close the hearing but no such luck. Come on up."

Dorothy O'Hare: "I'm Dorothy O'Hare and I represent Sound Park Heights. It's Reeves Park Property Owners Association which has declared itself as an interested party in this matter.

The Association is in favor of the proposed amendment. The first meeting we came to, we all spoke from our emotions. We didn't want our area destroyed by commercial development containing 10 eating places. We didn't want the loud music from the planned summer concerts, the smells from the steakhouse and restaurants so close to homes.

It was too dangerous to have such a large number of stores exiting on the only access and egress road that the Reeves Park area has, Park Road. It would increase the response time for ambulance or fire truck and a dozen other reasons.

Since then, we've learned a lot. I, myself, have read the entire master plan proposal and realize that the professionals thought exactly as the residents did. Also, the site is over an area that is particularly fragile in regard to the aquifer and we have lived through a water contamination situation before and we don't want to go through that again.

A huge number of septic tanks would be needed to support such intense development and groundwater in this area flows to Long Island Sound where there's a town beach as well as numerous privately owned beaches. And we do not want to swim in the effluent from these tanks and the beaches are what brought most of us, most of the residents of this area, here in the first place.

A master plan update is a tremendous undertaking and the top

priority and the main goal- it- shall I go on?"

Supervisor Cardinale: "Please."

Dorothy O'Hare: "-- is the common good. The residential portion of this update was challenged by property owners not in favor of the change and the plan was upheld by the court. Professional firm (inaudible) prepared the plan, recommended that the business CR zoning of the property surrounding the intersection of Park Road and Sound Avenue be changed to residential because pressure to develop the properties would ruin the rural atmosphere of the area.

The planning board, the township planning board, reversed the recommendations of the professionals because originally there was a decision made to add 5,500 residential parcels north of Sound Avenue and the planning board thought that stores would be needed closer to all these homes. That decision has been changed to 500 and the original recommendation fell through the cracks and was never returned to.

The stores are not needed, they're not wanted, and they're directly opposed to the intent and purpose of the master plan that the taxpayers paid over \$400,000 to obtain.

The first three chapters of the master plan explain this, saying that threats of increasing traffic would lead to a proliferation of unattractive sprawl and strip development and worst of all a diminishment of the town's unique countryside character that attracted so many residents in the first place. That's a quote.

Chapter 3, another quote. The rural character of Riverhead is not just a visual nicety. It is an economic asset. Agro-tourism is able to thrive because the rural scenery is so attractive to visitors and compromising the town's rural character and scenic quality could limit the town's future economic possibilities.

Sound Avenue is singled out in Chapter 5 as a known and beloved bucolic country road designated in 1974 by the State Department of State Parks and Historic Preservation. The Citizens Advisory Committee, focus groups and residents who worked with the professionals for the five years it took to complete this plan, repeatedly expressed the wish to maintain the character and beauty of the road. The planners stressed do not blighten Sound Avenue. Actually because of the historic designation they can't.

But Chapter 7 says it best. The degradation of those scenic historic resources could actually diminish the town's ability to attract business and that the continued success of the wine country tourism depends on the protection of the north fork's rural character. And Riverhead is the next big center for office space.

There's so many more examples but time is limited. I would like to add to the record of this meeting a copy of the original planner's recommendation for Roanoke Landing and the changed version. If you read both copies, you will see that it was done hastily and only partially changed.

Also a copy of the March 17, 2004 final report from the Last Chance Riverhead Coalition. An association of 18 civic groups worked for years with the planners and specifically agreed that commercial zones on Sound Avenue should be removed. And as the date specifies, they were unaware that the planning board had already reversed the professional planners.

And a copy of the September 10, 2004 letter from the Coalition reiterating their position that commercial zones should be removed.

I want to thank you for the opportunity given to the residents to voice their very serious concerns regarding the decisions that will affect our quality of life and the common good of the residents of all of Riverhead must be your deciding factor. And the master plan is full of reasons, economic and aesthetic, to enable you to change these zones so that they agree with the recommendations of the professional planners.

Thank you."

(Unidentified - from the audience): "I didn't get the name of the organization that she represents."

Councilwoman Sanders: "Sound Park Heights."

(Unidentified - from the audience): "Sound Park- is that an association of (inaudible)."

Supervisor Cardinale: "Okay. Is there any other comment from any member of the public in regard to this matter? Bernadette Voras."

Bernadette Voras: "Bernadette Voras, Riverhead. I stood before

you many times before and I have said all I have to say about the smaller points. Dorothy has said everything quite completely.

There is one thing I would like to say to the Board. I want you to appreciate the fact that I know I realize and I know other people realize that involved in this possible change is the law and I don't know what will transpire. I can only hope that the law would allow a change.

In 1997 to 2000, there was this open spirit. I have read this in the actual documents that are addendums to the master plan. It describes in Chapter 1 very, very much so what went on. Up to the year 2000, everything was known by everybody, all of those 18 groups. Then all of this was put on paper, it was revised, and as of 2002, there was a formal version created as I understand it in the writing.

As of January, 2003, something happened. The something as far as I can see is that in the previous years, all the changes were brought back to the people in meetings so that they could know the updated version. That did not happen after 2002 for some reason.

I have a copy of Element 6 on the business- the business (inaudible), and that is June- from June, 2003. In that copy, is all the original wording of 2002 and there is an area in gray which appears in the November issue of the same document. But also on that piece of paper is what was removed and that is what we're dealing with now.

I have no idea except that I know that in the paper, in the Times Review, the head of the planning board then and now has said that they felt that the place would be very developed and, therefore, this commercial mode would be very valuable. As Dorothy said, that isn't going to happen. Not in the magnitude as was originally foreseen.

Therefore, I'm hoping that the law would back you if you so choose to go to the original intent of all of the people and even the planning board before December, 2002. Because whatever they came up with after January 1, 2003 to June, there was the change. There was the decision. I don't know if we'll ever know because I asked for freedom of information and I was told a most unusual thing.

There are videotapes of every meeting that was publicly down with all of the 18 groups, the planning board and everybody else. But after the submission in 2002 of the final draft at that point, any of the planning board meetings, because I asked for the minutes, I knew

that- from going to zoning board, minutes are not taken as here but that everything is recorded in one way or another. I was told that there is not in existence any of that data. I don't know why. I was told that by the planning department, that the people on the planning board met when they could and when it was convenient for them in that period from January 1 of 2003 to June of 2003.

So we will never know unfortunately when that decision and why that decision did not come up before 2002. I don't know how that stands in the legal community. But I think it should stand for something. I think that's where the change occurred. I have narrowed it down as closely as I can.

I wouldn't want to be in your shoes but I will say this. You know that we would like to have this done as originally was intended. But I don't think that I would be willing if it's going to cost the town a few million dollars and not a few in a lawsuit, if that's going to be the choice. So I know that our lawyers will find out just how much backing and standing we have and I hope that that would be your guidance. Because I see how thrifty you are trying to be.

I go to the meetings. I see how every penny is used properly and as best as it can be. And I know that I would not want to see millions of dollars given away to somebody for a lawsuit that we should have known ahead of time that we could never win.

So I understand your difficulty. And I thank you very much for accepting it."

Supervisor Cardinale: "Thank you. Any other comment from members of the public? Please come up."

Rich Vlacci: "Rich Vlacci, Riverhead. I just want to make a comment on the Park Road, Sound Avenue properties. I own R&K Precision Auto, I repair vehicles for our community and most of the people here in the room.

My property is involved with this rezoning because of that land to agricultural protection. I don't have agricultural property, I'm an auto repair business that's zoned CR. I would not want to lose my CR zoning because of land that's empty across the street.

I applaud your efforts, the Town Board, trying to preserve open farmland in Riverhead. We need to do something for our businesses also. I am not for or against the center across the street. I'm only

here tonight to represent my business CR zoning, to retain that."

Supervisor Cardinale: "Thank you."

Rich Vlacci: "Thank you."

Supervisor Cardinale: "Yes, sir."

Bob Hammel: "My name is Bob Hammel from Reeves Park. My family owns a couple homes there. We've been there since 1948. I'm opposed to the proposal for the north side of Sound Avenue and Park Road. What it comes down to is basically money. I think it should be granted a subdivision for residential homes. There's an opportunity to make quite a bit of money there and that's what I have to say about that. I'm against the commercial zoning for it. Leave it residential. There's money to be made for everyone. Thank you."

Supervisor Cardinale: "Thank you."

Brenda Kowalski: "Hi. My name is Brenda Kowalski. I live in Reeves Park and I'll be reiterating much of what has already been said. If I had the money, I would buy the property myself and I could make it into a park and put an end to all of this. This wouldn't hurt the aesthetics of the area.

But being I cannot afford to buy the property, I'm hoping that my opinion will be considered. I've lived here all of my life. I'm a year round resident. My father's family farmed the land near Reeves Park many years ago. He and his family thought so much of the area that they chose to settle here. My father built the house my husband and I live in 52 years ago for his family. My husband Chet has only lived here eight years with me but agrees that this place means so much to us and we feel so proud to live here.

As many have said, having stores and restaurants and such will severely change the wonderful character of the area that we so love. We don't mind traveling to town to shop or grab a bite to eat. I'm hoping you will consider what is important to all of us here from the Park when you make your decision to change the zoning to residential. Thank you for listening and allowing me to state my opinion."

Supervisor Cardinale: "Thank you. Is there any further comment? Pete, you want to come up and then that young lady you can follow Pete up."

Peter Danowski: "I was curious on a couple of questions. One was we have a public hearing on two different zonings on two different sides of the street and I wasn't sure whether you didn't intend to have two separate hearings. All I know it was only advertised for one and there's two different zones proposed, I think the APZ on one side and two acre residential on the other.

I also had some questions about SEQRA. I believe the town is of an opinion that they properly concluded SEQRA with regard to the adoption of the master plan and so when the master plan was reviewed and went through the environmental review process as is mandated by the state, the town was required and I think is of an opinion that they properly and correctly put to bed the SEQRA process.

I now raise the question whether you can adopt legislation inconsistent with the adopted master plan. It is a New York State law that you must adopt zoning consistent with the adopted master plan. I have provided each of you with a letter with an enclosure of a case that deals with something very similar to what you may be attempting to do here. I think it violates the state law to do it.

However, I think you also have to come to grips with whether you can reopen the SEQRA process or must reopen the SEQRA process before having this hearing.

I also as I've mentioned before, have indicated that my client closed on this property. We've provided the Town Clerk and the Town Board with a copy of that deed. We've expended funds in reliance on the adopted master plan. I'm handing up tonight to make part of the record just a mere part of the bills that relate to the development of this property. We've paid the surveying engineering firm Young & Young over \$25,000- shouldn't say paid, some of the bills haven't been paid yet but we will pay. And I really think in the sense of fairness and I know fairness has been a word used by some people over the last year that when you adopt a master plan and you then recognize the law, means that you have to legislate consistent with that master plan.

And you then find out someone has purchased property and spent over a year going through town required processes including the payment of \$17,000 of site plan fees to have the matter reviewed, and then the Town Board considers the application and brings you back for further discussions and then- and then you try to change the zoning inconsistent with the master plan, you will end up in court.

I just don't think it's fair and that is my comment. I presume

you may keep comment periods open subsequent to tonight and I'll put matters in writing if that is the case. I would like to hand up this document and that's all I have to say tonight."

Supervisor Cardinale: "Thank you for your comment and you can hand that up to the Clerk. Can I have the next comment?"

Linda Gatz: "Linda Gatz, Zdunko Lane. I wasn't going to talk tonight. Personally I don't understand the master plan. My personal opinion is they're worthless. They're made by people who have no roots in this area, who know nothing about the area of the town and they cost us a lot of money. That's my personal opinion.

I doubt that there are many people in this hall tonight that have as many years in this town as my family has. I love this town. I've been here for- how many generations go back to when it was Southold town, Riverhead broke away. I moved away for a couple of years and I came back because I love this town. I mean this is where my family is.

I have seen it change so many horrible ways from what it was. I don't know, some were probably good, some were not so good. I grew up before zoning and I don't really think zoning is a good thing for Riverhead town.

I don't understand why so many people want to spend so much money to build buildings and have businesses when we have so many businesses and buildings empty all over town. And why do they want to come up on Sound Avenue and bother our whole life style. I just don't understand it.

You know there was a time when nobody wanted to live on Sound Avenue. You know, who wants to live up on Sound Avenue? You know, I grew up one mile from Peconic Avenue. I grew up right across the street from Riverhead Brake. My father's home is out behind Riverhead Brake. We could walk up street Saturday night to the movies and come home safe. Girls. We could walk to the movies and come home 11:00 at night and we didn't have to worry about it.

Now I belong to a lodge that has a meeting at 8:00 at night. We're on the corner of 2nd Street and Roanoke Avenue and we have to have men there to make sure that when we come out of our meeting from 10:00 to 11:00 whatever, that we can get to our car safely.

And this town has a lot of empty buildings all over, on 58, on

Main Street, and people want to spend millions of dollars to destroy Sound Avenue. I just don't understand it. I'm not for it. I'm sorry, I wasn't going to speak. I'm sorry I took up your time but I just had to say something. Thank you."

Supervisor Cardinale: "Thank you for your comment. Next comment, please. Bob."

Robert Kozakiewicz: "Thank you, Mr. Supervisor, Board members. For the record, Robert F. Kozakiewicz, I'm here on behalf of Alan (inaudible) who is a majority owner in properties with partners, brother Bill, wife Teresa, and brother-in-law James.

Alan Zilnicki (phonetic) is someone I know who is familiar to the Town Board. He's an individual who has participated in the past in the development rights program. He sold land to the town as well as to the county. He is someone who has chosen to settle in the town of Riverhead, going to school here, and he lives with his wife, Teresa, and his son on Roanoke Avenue.

Bill and Alan Zilnicki are third generation farmers and they are doing what a lot of farm families haven't continued to do, farm. And I can remember literally the Zilnicki boys running from field to field as we grew up to keep irrigation pipe in the fields going so that the crops would not wilt. And Bill and Alan are still doing that, running full time to keep- but they have fondness in their heart of farming.

Alan has in the past used his development rights proceeds to buy more farmland. It's a classic case where the development rights program has worked. A classic case. In fact with the last sale of development rights, he purchased land together with his partners from the Estate of (inaudible). It's one of the parcels that's the subject of today's hearing. The other is a parcel that's on Zdunko Lane.

When he bought the property, Alan Zilnicki did what he generally did in the past. He went to see if it might make sense to sell the development rights. He was told that it was worth approximately four times the value if it had been zoned in agricultural. He was considering that. However, that's not going to happen likely.

Having heard what the town is considering doing, he's got to re-think and reconsider his options. He's not asked me to threaten you. I'm not here to threaten you. I am here, however, to point out that there are impacts and effects of what you're considering doing and I ask you to give it serious thought. Thank you."

Supervisor Cardinale: "Bob, what's the tax map number on that parcel?"

Robert Kozakiewicz: "I will get them. It's 042- "

Supervisor Cardinale: "Right."

Robert Kozakiewicz: "-- 1-20 and 042-1-17."

Supervisor Cardinale: "And those are parcels that are encompassed in the zone change contemplated by this hearing?"

Robert Kozakiewicz: "Yes."

Supervisor Cardinale: "Where are they located?"

Robert Kozakiewicz: "South side of Sound Avenue, right across- there's one right next to Zdunko and one directly across the street from Park Road."

Supervisor Cardinale: "And what's the acreage?"

Robert Kozakiewicz: "The respective acreages are 17 acres and 21 acres."

Dawn Thomas: "Bob, were they to the east or the west of the auto repair?"

Robert Kozakiewicz: "They are around the auto repair."

Dawn Thomas: "Right, around."

Supervisor Cardinale: "East of the auto- "

Robert Kozakiewicz: "One is east, one is west. Right. One is behind."

Supervisor Cardinale: "All right. We'll take a look at that."

Robert Kozakiewicz: "Thank you."

Supervisor Cardinale: "Thank you very much."

(Some inaudible discussion among the Board members)

Supervisor Cardinale: "Thank you. We'll check those pieces. Yes, ma'am."

Mary Beth Vetta: "Hi. I also was not prepared to speak tonight. My name is Mary Beth Vetta and I have a home on Park Road in Reeves Park. I think the bottom line here is that something went seriously wrong with this adjustment to the master plan. It clearly does not reflect the best interests of the Reeves Park residents.

I do understand the magnitude of lawsuits and the money that is involved and the price that will be paid by the person who has purchased the property. But the bottom line of all this is that if this is developed to that extent, the residents of Reeves Park are the ones that are going to pay the price and it is going to be a serious price.

I mean the traffic, the pollution issues. The crime issues we can get into in the environmental impact statement if it comes down to that. But it is a long term price that all of us are going to pay as homeowners and as residents and as people in general and the north fork of Long Island eventually will suffer from it as well.

I think that you really need to look at the magnitude of everybody here and all of us represent 10, 15 people who are at home, it goes way beyond the lawsuits. It's our future for our children and our grandchildren. And we did not make this error and quite honestly I don't think that we should be the ones to pay such a serious price for it."

Supervisor Cardinale: "Thank you. Yes, is there any other comment from a member of the public who has not yet spoken? Yes, that young lady that wanted to speak earlier."

Elizabeth Szchmanski: "Good evening. My name is Elizabeth Szchmanski. I'm a 12 year all year round resident of Reeves Park. I just- subjectively first of all I'd like to say that I worked in Manhattan on 77th and Lexington between Lexington and Park and I traveled by car from my home in Reeves Park into Manhattan doing 14 and 16 hour shifts. My investment personally in where I live was more than eight years of travel time in and out of New York City.

When I came here it was as though I was in God's country. The difference in the environment from the other communities west of here is great. When I come down Sound Avenue, a whole new vista opens up. It's not so spoiled. It's untouched. The air is fresher. It was

worth that investment of my person to do all that traveling from Manhattan to Reeves Park all those years.

I mean how can you even imagine strip malls on Sound Avenue? Can you imagine what that's going to do? As the lady before me said, we're going to pay a price with traffic, with so many other things. But the thing is that another young man said once it's done, it's over, you can't change it again.

Now, I have a question. If I want to build a second floor on my house, I have to let everybody around me get variances of one thing of another. How come nobody let us know about the change from the original master plan to the change that came to make it all commercial? Nobody let us know. If they had let us know, we would have been down here as we are now but nobody said a thing to us until it became humongous.

Our hearts and our minds are certainly with the gentlemen that have invested all their money. It's reality. They have invested an awful lot but so have we.

Another thing just for your information. There is not a sign on Sound Avenue that goes towards Riverhead. Not one sign that says to the outlets on Osborne, there's nothing on Roanoke that says Riverhead business district. Or the aquarium. There's not one sign on 105 directing the traffic that comes to us to go into town. Not one sign. We're lucky we have one hospital sign out there.

Do you stop and think that you are sabotaging the town when you allow commercial zoning on the north side of Sound Avenue? You sabotage the town because everybody that goes down Sound Avenue, they're either going to the ferry, they're for pumpkins, they're for Christmas trees, they come for the flowers, they come for the produce, and if they had a sign that says the aquarium down Roanoke, don't you think that maybe they'd stop and go there, too?

Sometimes people just want to come here because it's the last open frontier. They just want to be here, they want to get away from the strip malls. They don't want to come here for another strip mall. Please don't let greediness destroy our land and please put some signs up so that you don't sabotage the wonderful things you're attempting to do for downtown Riverhead.

A lot of these people are tourists and they just come for the wine or for the day and if there were signs they'd be redirected and

they'd investigate. Thank you."

Supervisor Cardinale: "Thank you. Yes, comment please."

Mark Terry: "Hi. Mark Terry, Sound Avenue. I'm going to read excerpts of a letter that appeared in response to the business country rural zoning district. I won't go, you know- aspects of it.

The first- start off with a question. Did the newly adopted master comprehensive plan originally intend upon retaining the business CR zoning district at the Roanoke location? Was the amendment made by the planning board to retain he business CR district legally made? Those are two very important questions.

In comparison the adopted goals and policies of the adopted master comprehensive plan to the current and proposed business CR zoning district areas leads one to arrive at the conclusion that the business CR zoning district for the Roanoke location is misapplied. The retaining of the zoning district is not only inconsistent with the master comprehensive plan, goals and policies, the master comprehensive plan's goals and policies are, in fact, in conflict with themselves.

Case in point. Chapter 6, the business district element, page 6-81 outlines goals 6.36 which states reduce the potential commercial sprawl outside downtown, Route 58 and hamlet centers. In addition, the supporting policy that follows that goal, 6.26A also states eliminate- and the key word is eliminate, commercial zoning in Wading River, east, Roanoke, Laurel and north of downtown and Route 25 in Calverton and replace it with residential or agricultural zoning consistent with surroundingland use and zoning. The goal and policy are clear in that section of the code. Here's where the problem is.

However, in the preceding paragraph 3 titled Roanoke, line 5 contradicts the above goal and policy. It reads begin quotes, small residential neighborhoods are found on the north side of Sound Avenue. Competition from nearby Route 58 has curtailed market demand for development, meaning commercial, as this area is the only existing commercial zoned area along the length of Sound Avenue corridor, the existing commercial zoning should be retained. Obviously the words were switched, you see the point.

As we are all aware of the conflict of the result of the late change initiated by the planning board to retain the business CR zoning district at the Roanoke location and the adoption of the change

by the town board. However, the fundamental problem with the document and a very significant oversight is that the change was not carried through the document. For example, throughout the business district element in areas where zoning was to be retained, Route 25, specific responsible planning policies were recommended and outlined as in table 6-3. In all other areas designated for commercial development, the plan outlines a comprehensive listing in goals and policies that promote the function of zoning districts.

Now, the consultants didn't do that for this location because they recommended that it be eliminated so the follow through-- the entire document didn't follow the word retain. For reasons discussed above, the proposed changes to the business CR zoning district do not. These vital omissions fail to provide a cohesive plan that integrates uses in an area which contains irreplaceable natural, cultural, historical and scenic attributes. No such recommendations were made for the business CR areas due to the fact that the consultants recommended that the commercial zoning be eliminated.

The change (inaudible) late in the process also prompts questions in regard to evolution of the master comprehensive plan and whether the SEQRA review was performed correctly. Skip that.

The late change by the planning board has put the town board in a very difficult position implementing the original recommendations change of zone from business CR to a residential or agriculture use, a recommendation made by all involved parties including the local communities comprises of town citizens.

One problem with the business CR district as proposed is that it would allow McDonald's, CVS's, and things like that and they would be permitted by right on Sound Avenue.

As far as drive-thru's go, I didn't see very strong content in the proposed business CR code to eliminate drive-thru's and things to retain the rural quality as far as these franchise and multi-chain uses are developed. That's a very large problem in a designated scenic and historic corridor. Also the fact that the buildings could be 9,999 square feet.

Then it goes into- I think you actually saw this list. It goes into specifics about the business CR zoning.

As Supervisor Cardinale pointed out, the planning board's recommendation was based upon a projected need, although I think it

was a perceived need, it wasn't an assessed need, a very big difference, upon a projected need due to the expected high density of residences north of Sound Avenue. The need assessed by the planning board to retain the business CR has changed due to the 500 unit cap placed on residential transfer of development rights credits. The cap warrants that the planning board re-evaluate the need.

The town board must recognize that the retaining of business CR at the Roanoke location will result in boundless adverse economic impacts to the agra-tourism businesses along Sound Avenue, local businesses on Route 58 and downtown. In addition, the congested traffic flow as a result of the large commercial development on Sound Avenue would (inaudible) spread throughout the northern township as tourists and seasonal residents search out alternative routes.

I implore the town board to act on the consultant's original recommendation, the recommendation of the involved communities and the local communities valid concern and change the business CR zoning district on Sound Avenue to a less intense use. Such a decision would support the past town board's intent and designate Sound Avenue as a scenic corridor for future generations. This decision is critical to the future of Sound Avenue, how the corridor functions, what it provides and what it represents.

I ask the town board to recognize that Sound Avenue is a destination for what it doesn't offer, large commercial developments, and support what it currently offers. If the wrong decision is made to retain the business CR zoning district, the result would further erode the rural fabric of this community and send boundless ripples of adverse impacts throughout. Conversely if the right decision is chosen, it would underscore the tireless efforts of an entire community working to preserve Sound Avenue, a rare cultural resource and continue to instill community pride in our history and our future."

Supervisor Cardinale: "Thank you."

Mark Terry: "You're welcome."

Supervisor Cardinale: "If there is any further comment, we'd like to take it at this time. If not, I intend to keep this hearing open for- feel free- 10 days following this final one comment that I believe needs to be made. And is there a second person who wishes to comment? Yes, go ahead, sir."

Ed Broidy: "Good evening, Supervisor and Councilpersons. My name is Edward Broidy and I'm proposing to build Old Baiting Hollow Village Center. I purchased this property which is just shy of 15 acres on the west side of Park Avenue and Sound- and fronting on Soundview for this purpose. Five acres were zoned rural commercial business, the rest of it was residential zone.

I bought this property because it was zoned the way I wanted it to be in order to build a campus style, New England village for the local residents, like a local bank, a pizza parlor, a deli for milk and bread, small steak restaurant like the Elbow Room, a barber shop, shoe repairs that sells shoes, and a few nautical type shops. And, of course, the gas going up so high and the congestion on 58, this is probably an ideal situation.

I also propose- do we have people that have to be removed from here, Supervisor? Do I have the right to talk?"

Supervisor Cardinale: "Yes."

Ed Broidy: "Thank you, sir."

Supervisor Cardinale: "Could you keep it down so Mr. Broidy can express his point of view for the record?"

Ed Broidy: "I also propose to build a gazebo where there could be small concerts on one night a week like they have in Westhampton, Southampton, and Sag Harbor. One of the buildings, the Quincy Building, will have a basement to be used as a community room where local residents could come and have meetings, parties, Boy Scouts can meet there, Lions group and so forth. This is not a mall. This is not mass commercial use. This is a local residential facility. This park like campus will have a small pond with a bridge going over it, a wishing well on the other side, a large American flag to honor our country. This is the situation that we want to propose here.

I sent out letters to 70 residents letting them know what I planned to do. I had 13 phone calls, one person was very nasty, probably with himself as well as with the whole world. Three people didn't even know what was coming on. Three people were very sympathetic to my proposal and wanted to know more, so I told them to come to the meeting tonight. And six people were in favor of my proposal. Thirteen answers is not bad as a result.

Sometimes residents have mistaken views of what's happening and

they live, you know, some of them live in a dream world. But they have to face reality and allow me to build my facility which I purchased. This is what it was zoned for and this is what my intention was. I did not ask for any special zoning, no variances. I complied 110% with what this town board wanted and recommended.

I hope you can understand that I have civil rights as well as all the people who are here tonight and there shouldn't be no drastic changes to the zoning. It will cost me millions of dollars. I purchased this land basically to do what I'm intending to do here. I have also plans made, this campus style facility will have six small little buildings. There is no mall. You can't build more than 5,000 square feet according to your code. It has to be less than 5,000 each building. I have four buildings that are 4,800 feet; two buildings that are 1,800 feet.

And, again, I did mention to you earlier, one of the buildings will have an elevator to provide for elderly people who want to attend the meetings.

The change in the zone on my land is not beneficial. I pay taxes where I won't have children going to school. I pay taxes to benefit the community, the rest of the town benefits from it.

Let's look at it this way. If we want to appease everyone here tonight, we really can but how many here are willing to spend money like I did? Will they spend \$.95 a day to keep me out of here? If they spent \$.95 a day, every one of them, for 10 years, they can own the land. The town will purchase it as a park district. It's as simple as that.

So, Supervisor and Councilpeople, you heard, they would like you to purchase this property from me for four million dollars. It would excess them \$.95 a day each one of them for 10 years. I'd be a happy man. But to go through what I have to go, I want to build this project out.

There's a lot of residents here who are retired, a lot of residents still working. They know when they were working they got a paycheck every two weeks and they retired and now they have the benefits of it. Ones that are still working get a paycheck every week again. Well, this is my paycheck. I have no retirement. My money is in the land. This is what I do for a living and to be thrown away like nothing, I don't think it's fair. I mean I don't know if that's what you have in mind, but I know that this project should be built.

As a matter of fact, 38% of the people in the community don't live there. They have- they're summer residents and they pay lower taxes. As a matter of fact, most of the people, according to the tax rolls, it's called seasonal tax rating and their taxes are lower than the rest of the people in the town of Riverhead. They do pay school taxes, but they're lower, if you look at the records. I went and took a look at them and I'm telling you the facts. Their taxes on a seasonal rate is less than other people and in the rest of the town of Riverhead, their taxes are lower. Yes, they pay taxes but not as much as the others. And that's something to be considered.

I'm not using misleading words here, I'm stating facts. I listen to the people talk tonight, Dorothy O'Hare, wonderful speech and I'm proud to hear that she's a member of an association because that's the only people I could sue is an association. I have to say that because they're here to crucify me and to stop me from earning- "

(Inaudible comment from the audience)

Supervisor Cardinale: "I'm not sure but I do think that you can sue other people other than an association. But thank you for your comment. If you're complete, we'll go on."

Ed Broidy: "I didn't say I was suing, I said they can be."

Supervisor Cardinale: "Okay. Let's keep it- I would like to complete this."

Ed Broidy: "I can be sued, every one of you can be sued, that's the law. That's why we live here in the United States. We have a right. You're all here for the same right I'm here."

Supervisor Cardinale: "Mr. Broidy- "

Ed Broidy: "You're trying to take away my right."

Supervisor Cardinale: "Yeah, address the Board because those are the five people that will make this decision."

Ed Broidy: "Thank you, sir. Other people have talked about how this is going to look. Well, it's going to look pretty; it's going to look nice. It's not going to be bad. This is the 21st century. You've got to go with the 21st century and you've got to go with the codes that abide by it. But basically this land was purchased basically because the town said it was zoned and that's the way I

bought it.

I could go on and I don't want to take too much more of your time. Everyone made a statement and it was interesting but, again, there's no mass mall construction here. It's a campus style New England village. And, of course, if I agreed with all those people and they agreed with me, then one of us would be unnecessary. Thank you."

Supervisor Cardinale: "Thank you. Mr. Terry has a final point and if there's anyone else who would like to comment, please follow and then we'll keep it open for 10 days for further written comment and then close it."

Mark Terry: "Mark Terry, Baiting Hollow. I guess the point here is that was this site ever intended to retain its business CR zone. That's a very, very important point. If it was, and I don't think it was, then the code that's proposed that would allow all the commercial uses and whatnot should apply. If it was not, the consultants, I'm sure who are professional planners, would have recommended a less intense use. They would have dropped it down to RC, rural corridor, which essentially what it is. They would have dropped it down to- their original proposal was to be ag and residential uses.

So there's a degree of risk when you purchase a property in a master plan update process. That's a given. And that degree of risk doesn't warrant that a site plan should go through at the intense use that was supposed to be reduced. The use was supposed to be reduced but not eliminated. And it never got a chance to go through. So that's my point.

We- Mr. Broidy's site plan is actually beautiful. I've actually seen it. I've seen it on paper. It just doesn't belong there. The traffic problems would be monumental. We would- the environmental impact statement would mitigate but it's not going to mitigate enough to where I think it would be a functional site plan. I think that you bottleneck there. You'd have to get a light. You'd have to get crosswalks and what not. It's just not a good spot for such a large site plan. Thank you."

Supervisor Cardinale: "Thank you."

Susanne (inaudible): "Susanne (inaudible), Marine Street in Reeves Park. And just as an fyi. I used to spend five and a half

hours a day commuting to New York at 2 Penn Plaza to go to work Before Ronkonkoma was electrified which cut off at least an hour and a half every day. Port Jeff was a long way from Reeves Park.

But since Mr. Broidy wants to build on Soundview Avenue and Park Avenue, I don't think we need to worry anymore because I believe that's in Brookhaven township. Also if he did pay, I believe the rate was 68,000 an acre, I think that comes to about \$1,200,000 so I think tripling his investment for the short time that he's had it would be excessive anyway."

Supervisor Cardinale: "All right, I hope this will be the final comment."

Ed Broidy: "I hate these rebuttals but, you know, I don't count her money. I don't know why she should count mine and furthermore it isn't excessive. It happens to be a proper plan for the proper area and it's zoned like that. It's been like that for 25, 30 years so there is no question of what's happening here. Thank you again."

Supervisor Cardinale: "Thank you. Okay, I'm going to leave this open for the next 10 days for further written comment. I appreciate the people coming out and giving the board their views because without proper information we cannot make a good decision and that's all that we really want to do in this matter is make a good decision. We have now to return- "

(Unidentified - from the audience): "Can I say something?"

Supervisor Cardinale: "Yes, you can but if there's anyone else who wants to- yes, please."

(Unidentified): "I live in Reeves Park. I will pay \$.95 a day for the rest of my life to keep any commercial development from Sound Avenue and Park Road."

Supervisor Cardinale: "Thank you very much. Okay. We'd like to- that being the final hearing of the evening and the final comment, it's open for written comment for 10 days from today so that would be through the close of business of the 29th. The previous hearings were opened through the close of business for written comment through the 24th, that would be 5:00 p.m."

Public hearing closed
Left open for written comment for 10 days

Supervisor Cardinale: "The next thing we have to do is pass these resolutions that we have in front of us. Is there any further comment on the resolutions? We are going to take general comment as soon as we go through the resolutions so hang on and we'll take those comments. So let's get started.

Is Andrea Lohneiss here?"

Councilwoman Blass: "Point of order."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "I believe- "

Supervisor Cardinale: "We're going to have the CDA director come in and take the first resolution and offer it to us. Yes."

Councilwoman Blass: "I think we need to take the first town board- the resolution that declares lead agency before we do the CDA resolution. The SEQRA resolution should come first."

Supervisor Cardinale: "The SEQRA resolution."

Councilwoman Blass: "The SEQRA resolution with respect to this should come first so Resolution 749 needs to be called first."

Supervisor Cardinale: "Thank you. Any particular- is that a requirement?"

Councilwoman Blass: "Yes."

Supervisor Cardinale: "Okay. And this is 949? Okay."

Councilwoman Blass: "The very first resolution. We need to take that one first."

Supervisor Cardinale: "We are now ready and Barbara is going to call the first resolution 949 for the town board. Could you go out to the hall, those people who are at the doors? Thank you."

Resolution #949

Councilwoman Blass: "Resolution #949 declares the lead agency and determines the environmental significance of the conveyance of the Suffolk Theater. So moved."

Councilman Densieski: "Second the motion."

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

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

Supervisor Cardinale: "Okay. Now I'm going to adjourn for a moment the town board meeting."

Meeting adjourned: 8:30 p.m.

Supervisor Cardinale: "All right, that being done, we'd like to resume the meeting of the town board and look at Resolution #950, Barbara."

Resolution #950

Councilman Densieski: "Accepts offer of sale of development rights for John and Ray Kujawski, that's 30 acres of agricultural land. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #951

Councilwoman Sanders: "Approves the military leave of absence for a police officer, that officer Timothy McAllister for a period through April 13, 2006. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. May we have a- is Jack Hansen here? Chief, is Jack Hansen here?"

This leave of absence, Chief, for Officer McAllister, was there any question on this? I think Jack had inquired as to- "

(Some inaudible discussion among the Board members)

Supervisor Cardinale: "And this was acceptable to Labor counsel? Okay. I just wanted to make sure it had been reviewed. All right, if it's been reviewed by Labor counsel, let's go on for a vote."

(Some inaudible discussion among the Board members)

Supervisor Cardinale: "We can use him anyway up here, I'm sure we'll have another question."

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

Resolution #952

Councilwoman Blass: "Resolution 952 accepts a 5% security bond of Calverton Enterprises, Inc. for the Hess Service Station. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #953

Councilman Densieski: "Accepts a resignation of George Ortiz as a crossing guard. So moved."

Councilman Bartunek: "Seconded."

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

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

Resolution #954

Councilman Bartunek: "Adopts a local law to amend Chapter 62 entitled Excavations of the Riverhead town code. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #955

Councilwoman Sanders: "Adopts a local law to amend Chapter 86 of the Riverhead town code entitled Rental Dwelling Units. So moved."

Councilman Densieski: "Second the motion."

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

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

Councilman Densieski: "I've got a little concern with this. If you read 86-7 where it says in lieu of an inspection by the code enforcement, anybody in this town can tell you that there certainly is a rental problem, unscrupulous landlords putting 20, 30 individuals in a home and they're going to have to sign an affidavit. Well, they're already breaking the law. I don't think that affidavit is going to carry a lot of weight, so I'm going to abstain on this."

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

Supervisor Cardinale: "Okay. In regard to this I had the same concern, discussed it with the town attorney and apparently as I understand it, there will be an inspection at the initial permitting but because we are unable constitutionally to demand re-inspections, we were going to use the affidavit format to make our statute consistent with the case law. Is that correct?"

Dawn Thomas: "Yes."

Supervisor Cardinale: "Okay, so I agree with your concern but unfortunately we're required to do this to conform our statute to the

law and I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #956

Councilman Densieski: "I have Blass. 956."

Barbara Grattan: "We changed that. Councilman Densieski."

Councilman Densieski: "Okay. Authorizes the Supervisor to execute a letter agreement with Montecalvo Asphalt Corp. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #957

Councilman Bartunek: "Appoints a part time recreation aide K. Klein to the Riverhead Recreation Department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #958

Councilwoman Blass: "Appoints a part time recreation aide to the Riverhead Recreation Department. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #959

Councilman Densieski: "Approves a Chapter 90 application of Harbes Family Farm LLC. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #960

Councilwoman Sanders: "Authorizes the Chief of Police to enter into an agreement with Developmental Disabilities Institute Division for Children. So moved."

Councilwoman Blass: "And seconded."

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

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

Councilman Densieski: "My only thought on this is this is for the Developmentally Disabled Institute to bring the children to town hall in case of a natural disaster. This is the last building they should be in in case of a disaster but I will vote yes."

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

Resolution #961

Councilwoman Blass: "Authorizes the Town Clerk to advertise for bids for the replacement of Well No. 5-2 in the Riverhead Water District. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #962

Councilman Densieski: "Authorizes the Town Clerk to publish and post a help wanted ad for guards in the Sanitation Department. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #963

Councilman Bartunek: "Awards bids for street light and traffic signal maintenance repair parts. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #964

Councilman Densieski: "Awards a bid for snow removal equipment. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #965

Councilwoman Blass: "Promotion to water treatment operator IIB in the Riverhead Water Department. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #966

Councilwoman Blass: "Promotes a Maintenance Mechanic III in the Riverhead Water Department. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #967

Councilman Densieski: "Resolution and consent approving the dedication of highways known as North Woods Road and recharge basin with a map of Deep Hole Road. So moved."

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

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Oh, sorry. Now it's seconded. Vote, please."

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

Resolution #968

Angela DeVito: "There is an error in the text. You need to amend it."

Supervisor Cardinale: "Thank you, you point that out."

Councilman Bartunek: "Where's Sal?"

Angela DeVito: "It's on- he's not here tonight and I missed the open period there. On the actual text of the Supreme Court thing on the first page there- "

Supervisor Cardinale: "Yes."

Angela DeVito: "-- item #2 at the bottom, it says that they have already received \$100,000 and the balance of \$124,000 and then in parenthesis it has \$110 shall be paid because they're only getting \$210,000, so you need to correct that."

Supervisor Cardinale: "The written out \$24,000 should be- "

Angela DeVito: "One ten, one hundred and ten."

Supervisor Cardinale: "Twenty-four is deleted and ten is substituted. With that change- "

Councilwoman Blass: "Thank you, Angela."

Supervisor Cardinale: "Thank you, Angela."

Barbara Grattan: "Okay, we're ready for a vote?"

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

Resolution #969

Councilman Bartunek: "Appoints crossing guards to the police department. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #970

Councilwoman Blass: "Approves the site plan of East End Wireless, Inc. So moved."

Councilman Densieski: "Second the motion."

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

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

Resolution #971

Councilman Bartunek: "Before we get into this, was the- I made the suggestion that we were going to waive the fees in lieu of them donating the sand to the town."

Supervisor Cardinale: "Right."

Councilwoman Blass: "That offer was declined. That was the one."

Supervisor Cardinale: "That was?"

Councilwoman Blass: "That was declined by the applicant."

Supervisor Cardinale: "I can't imagine why. Yeah, they're going to get the permit for the additional excavation and it was passed onto them that they would like to donate the sand instead of paying \$2.00- "

Councilman Bartunek: (Inaudible)

Supervisor Cardinale: "Well, if it were, it didn't, huh?"

Councilwoman Blass: "I don't believe so."

Supervisor Cardinale: "We'll try again but we can still grant the permit and then they'll have an option of either paying us the \$2.00 per cubic yard or we take a contribution of the sand which we desperately need for the winter if it's a bad winter. So if you'll offer it, Ed?"

Councilman Densieski: "Sure. Grants permit for additional excavation at Reeves Farms, NF Development LLC. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #972

Councilman Bartunek: "Authorizes the Town Clerk to publish and

post public notice of a public hearing to consider a proposed local law for an amendment to Chapter 12 entitled Coastal Erosion Hazard Areas of the Riverhead town code. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #973

Councilman Densieski: "Adopts a local law amending Chapter 101 entitled Vehicles and Traffic of the Riverhead Town Code for weight limits. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #974

Councilwoman Sanders: "Amends site plan of NF Management on Lincoln Street. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #975

Councilman Bartunek: "Oakleigh Avenue road improvement budget adjustment. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #976

Councilwoman Blass: "Wyl Lane and Lynn Lane Road improvement budget adjustment. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #977

Councilwoman Sanders: "2002 recreation capital improvement project budget adjustment. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Discussion. On the public notice, the hearing date noted was the 19th of October. It should be- yeah, publish the public notice- I'm sorry, I'm way ahead of you. That's just ducky. We'll cancel that. The other one is- "

Councilwoman Blass: "We were about to."

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

Resolution #978

Councilman Densieski: "Authorizes the Town Clerk to publish a public notice for a public hearing to consider an amendment to Chapters 108 and 92 entitled Sidewalks and Zoning of the Riverhead town code. So moved."

Supervisor Cardinale: "On that one, before we second, the public notice calls for the 19th day of October hearing which is going to be tough since we're here, so when are we meeting, the 3rd of November?"

Barbara Grattan: "November 3rd, it's in the afternoon."

Supervisor Cardinale: "Okay, the 3rd of November at- "

Councilwoman Blass: "We have something already- "

Councilman Densieski: "It's going to be a three minute public hearing."

Supervisor Cardinale: "At 200 Howell Avenue on the 3rd of November and we have a hearing scheduled for that day."

Barbara Grattan: "There's a couple hearings."

Supervisor Cardinale: "So at sometime around 2:30, would you check it? Okay. Whatever time is next for the hearings. Yes."

(Some inaudible discussion)

Supervisor Cardinale: "Yeah, just the amendment page should be published. Otherwise we're going to have a big bill for the publication."

(Some inaudible discussion among the Board members)

Supervisor Cardinale: "Ed- "

Councilman Densieski: "Yes."

Supervisor Cardinale: "You presented this, right?"

Councilman Bartunek: "And I would second it as amended."

Supervisor Cardinale: "This is a- if you look at it just so the Town Board is aware of what we're going to be hearing, I think Rose (inaudible) you may not have been present. The underlined area is very limited and it's on page- on- third from the last page, top of the page and what it's adding is that pedestrian walkways abutting property proposed to be used for commercial purposes shall be improved or repaired to meet the most current standards for construction of such walkways as described in the New York State building code but not limited to patching- including but not limited to patching, leveling and resurfacing. And this is all part of our article on site plan review that we would be looking at the sidewalk more closely and demanding that that work be done as part of site plan. Right?"

Councilman Densieski: "It's never been done, yeah."

Supervisor Cardinale: "It sounds like a reasonable idea and we're going to have a public hearing on that."

Barbara Grattan: (Inaudible)

Supervisor Cardinale: "That's fine. And then we have just that one page that's being amended."

Barbara Grattan: "Yup."

Supervisor Cardinale: "Okay."

Barbara Grattan: "Are we ready for a vote here?"

Supervisor Cardinale: "I think so."

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

Councilman Densieski: "I'd like to thank the handicapped committee who came up with this concept and idea. I think it's a good one. I'm going to support it. Yes."

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

Resolution #979

Councilman Densieski: "Appoints a part time senior citizen aide, that's Lisa Darrell. So moved."

Councilman Bartunek: "Is it important in the first Now Therefore that we change the comma to a period in the number, so it's not thirteen thousand something?"

Supervisor Cardinale: "Yes."

Councilman Bartunek: "Would that make- "

Supervisor Cardinale: "That would be good. At an hourly rate of \$13.22."

Councilwoman Sanders: "I said it first."

Supervisor Cardinale: "Not thirteen thousand twenty two cents."

Councilman Bartunek: "Second this as amended."

Supervisor Cardinale: "Okay, moved and seconded with that amendment. Vote, please."

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

Resolution #980

Councilman Bartunek: "Town Board special projects fund budget adjustment. So moved."

Councilwoman Sanders: "And seconded."

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

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

Resolution #981

Councilwoman Sanders: "Refuse and Garbage district budget adjustment. So moved."

Councilwoman Blass: "And seconded."

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

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

Resolution #982

Councilwoman Blass: "Approves the temporary sign permit of Riverhead Used Car Superstore. So moved."

Councilman Densieski: "Second the motion."

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

The Vote: "Bartunek, yes; Sanders."

Supervisor Cardinale: "What do we do with this one?"

Councilwoman Sanders: "Well, we did it again. We do temporary sign permit. I don't know why we do this all the time. We do temporary sign permit for three months because we have the discretion-- "

Supervisor Cardinale: "Right."

Councilwoman Sanders: "-- of making it three months and we always entertain resolutions that have six months and we wind up amending it."

Supervisor Cardinale: "Okay, yeah. I remember we discussed this at the work session. It is-- there is a distinction of difference on the Board as to whether we want to make it three or six, but I would like to make this one three and I support that if you wish to amend it."

Councilwoman Sanders: "I would like to amend it."

Supervisor Cardinale: "Okay."

Councilwoman Sanders: "And that would be January-- I believe, January 19th if that falls on the appropriate day, 2005."

Supervisor Cardinale: "Okay. So you're asking it to be amended to January 19th. Anybody want to second that?"

Councilwoman Blass: "I'll second that amendment."

Supervisor Cardinale: "All right. Can we re-vote it as amended? See if we've got the support to January 19th."

Barbara Grattan: "Okay."

The Vote: "Bartunek."

Councilman Bartunek: "Actually, I support the six months for reasons that were explained to me by a sign maker in the town that by the time somebody gets the permit, it may take six months before they get the permanent sign approved. So I would vote no. I would leave it six months."

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

Councilwoman Sanders: "And the reason I would support the three

months is because we've seen time and time again and who's ever fault it is isn't really what we're addressing here, the fact that temporary signs stay up for long periods of time. And reducing it to three months required the applicant to come back and at least take notice rather than have them up there for that period of time. So I'll vote no."

Barbara Grattan: "You vote not?"

Councilwoman Sanders: "I'm sorry, I vote yes."

Barbara Grattan: "Okay."

Councilwoman Sanders: "As amended."

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

Councilwoman Blass: "Yes, as amended."

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

Councilman Densieski: "The reason why-- first of all, businesses get punished when they do things right around here. They come in, they ask for a temporary sign, we routinely vote no because they have a phone number or we don't like the font or whatever.

But the fact of the matter is, businesses need these signs. They're not putting them up because they want to waste money or because it will be bad for their business. They need these signs. They're temporary signs. They need them to do business so they can pay the taxes in this town and there's a reason why Riverhead is considered in the entire-- an un-business friendly town. Probably because we are.

We have to start changing that and then we won't be giving out tax increases. We can give lower tax increases or even decreased like other towns are doing. So I'm going to vote no. This is a lot bigger issue than just three months. I'm going to vote no to the amendment and yes to the six months."

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

Supervisor Cardinale: "I think that the proper way to proceed is to correct the problem. The problem will be corrected by a new sign ordinance which will be passed in November.

As far as the solution of three months, six months, the solution in my mind is one suggested in a work session. I'd be glad to make it six months if at the same time the individual applied for a permanent sign. That would solve the problem, particularly if the permanent sign was moved promptly by the Architectural Review Board.

I think that there is some abuse of people getting temporary signs and continuing to not make permanent application so I think the correction of the problem is by a new sign ordinance and then by an assurance that you get a six month temporary sign only if you simultaneously make application for a permanent sign.

I would vote yes. And I do not think that we're unfriendly to business, in fact, most of the people who opened on Main Street this past spring, would testify otherwise and I hope lot will be opening this coming spring will testify otherwise. So I'm voting yes."

Barbara Grattan: "Okay, that resolution is adopted as amended for three months."

Resolution #983

Councilman Densieski: "Authorizes the Town Clerk to publish and post a notice of public hearing to consider the adoption of the 2005 preliminary annual budget for the town of Riverhead. So moved."

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

The Vote: "Bartunek."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "I'm sorry. Now it's seconded. I'm trying to get home for the game, I'm sorry."

Councilman Bartunek: "It might be over."

Supervisor Cardinale: "I'm waiting for my coffee, too, that they said was coming."

Barbara Grattan: "Okay. Are you ready, George>"

Councilman Bartunek: "Yes."

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

yes; Cardinale, yes. The resolution is adopted."

Resolution #984

Councilwoman Sanders: "Appoints Jennifer Mesiano to the grants coordinator position beginning on November 1, 2004. So moved."

Councilwoman Blass: "And seconded."

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

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

Councilwoman Blass: "Yes. I'd just like to say that the personnel committee interviewed 12 very highly qualified individuals, most of whom came from this town. They really have a tremendous pool of talent and it was a very difficult decision. But I think Jennifer is going to do a great job for us. Yes."

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

Councilman Densieski: "Yeah, I agree with Barbara. There were other qualified applicants, too, but I will vote yes."

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

Supervisor Cardinale: "Yes. And it's a critical position. I'm glad to see that we will have competent staff in it. At least we hope we'll have competent staff. I'll let you know in six months. Yes. I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #985

Councilwoman Blass: "Accepts the certified check as security for Crown Recycling. So moved."

Councilman Densieski: "Second the motion."

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

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

Supervisor Cardinale: "Metal frame building, okay, very good."

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

Resolution #986

Councilman Densieski: "Classifies action of special permit for Kent Animal Shelter office expansion, and refers petition to the Planning Board. So moved."

Councilman Bartunek: "And seconded."

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

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

Resolution #987

Councilwoman Sanders: "Declares lead agency and determines significance on site plan application of Horizon at Jamesport Horizon at Jamesport/Hamlet at Jamesport. So moved."

Councilman Bartunek: "(inaudible) as "S" to the whereas, next to the last whereas."

Councilwoman Blass: "Second, with an amendment."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "Mr. Supervisor, this is more appropriately described as a draft environmental impact statement. It is not a generic. So on the second page, the last two Resolved paragraphs both refer to a DGEIS. We need to strike the words generic."

Supervisor Cardinale: "Okay."

Councilwoman Blass: "In fact, on the final page as well. So anytime you see the word generic, we need to strike it. It's a draft environmental impact statement, not a generic draft."

Supervisor Cardinale: "Not a generic draft. Thank you very much."

Councilwoman Blass: "You're welcome. I'll second that as amended, please."

Supervisor Cardinale: "Okay. That was prepared by- okay. Not that I'm, but it's good, the format. Otherwise the format is correct. Great. I'm confident that it is. Okay, moved and seconded as amended for a vote, please."

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

Resolution #988

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

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please. If there are any questions on this, this was one that set me off in work session because we are raiding the appropriated fund balance for various-- to adjust various accounts."

At a lengthy meeting, it seemed like the whole day, with Jack Hansen our budget officer, he explained to me various, each of them. He also-- we also changed a few of them to diminish them. So if anybody has any questions, Jack is here to answer them, otherwise we can vote. I'm comfortable with the new-- with the format as stated. He's here to explain anything you would like explained.

So it's moved and seconded. Vote please."

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

Resolution #989

Councilman Densieski: "989 is a sense of the Board. It's an opposition to the psychiatric facility at the historic Henry Perkins Hotel. So moved."

Councilman Bartunek: "And seconded."

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

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

Councilman Densieski: "Mr. Supervisor-- "

Supervisor Cardinale: "Yes."

Councilman Densieski: "This is not a very long resolution. We did not get to discuss this in the work session because I only wrote it at 2:30 this afternoon after talking to some of our state representatives.

If you don't mind, I'd like to read this so the community is aware."

Supervisor Cardinale: "Yes."

Councilman Densieski: "Thank you.

Whereas, the Riverhead Town Board is continuing with the ongoing revitalization of the downtown Riverhead; and

Whereas, the Henry Perkins Hotel is an historic building that serves as the gateway for downtown Riverhead; and

Whereas, the Henry Perkins Hotel is proposed to be purchased and used as a residence for individuals with psychiatric disabilities; and

Whereas, the Riverhead Town Board strongly believes in helping all Riverhead residents with psychiatric disabilities in locations other than our historic downtown.

Whereas, the people of Riverhead feel strongly about the revitalization of our downtown and feel this use would be inconsistent with the goals set forth in the town's adopted master plan; and

Whereas, the psychiatric residential facilities do not enhance the historic downtown.

Whereas, the Riverhead Town Board seeks immediate and active assistance and support from all county, state and federal officials.

Now, therefore, be it resolved, that the Rivehead Town Board is adamantly opposed to the historic Henry Perkins Hotel being used as a psychiatric residential facility and

Be it resolved that the Riverhead Town Board calls upon all elected officials to pose and thwart any efforts to establish or support any psychiatric facility in downtown Riverhead.

And then we've cc'd everybody. One of the most disturbing things that happened to me today was when I called one of our state representatives and the staffer told me that that individual strongly opposes it but the money and policies are all in place. Well, to me that's a coward's way out.

We want leaders that will lead and fight for the people, especially for the people of Riverhead who have been known as a dumping ground forever. I would like our county, state and federal representatives to stand up and stop Riverhead from being a dumping ground. I think it's a very big issue and I'd like to thank Dawn and the Supervisor who have helped shine this up a little bit.

I'll vote yes."

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

Supervisor Cardinale: "Yes. Thank you, Ed. Ed stated well our concern. It is a very- it's a one- it's a good use but not for downtown. It's a good- Ed stated well the policy of this Board and I think the resolution states it well. The use is inappropriate under our master plan, the use is inappropriate for various reasons in historic downtown area. The use is necessary and we support that use within the town of Riverhead at appropriate locations. This is not one of them. So I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #990

Barbara Grattan: "Now we've got Resolution 990 which is bills."

Supervisor Cardinale: "Yes."

Councilwoman Blass: "Motion to pay bills."

Councilman Densieski: "Second."

Supervisor Cardinale: "Moved and seconded to pay the bills. Vote, please."

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

Supervisor Cardinale: "Yeah, we're going to pay the bills but

I've also discussed after the work session where I was concerned about the appropriated fund balance being raided at the end of the year, that Jack and I are going to work out a format that you actually will understand what bills we're paying from now on out and won't just be numbers and gobbley gook on a page.

So I'm going to approve this. I vote yes, but as of our November meeting we'll have a new format listing the bills we're paying."

Barbara Grattan: "Now we've got one more resolution."

Councilman Densieski: "Okay."

Supervisor Cardinale: "Yeah, there's one more that was tabled, get it off the table if we could."

Councilman Densieski: "I'd like to take Resolution 884 off the table. So moved."

Supervisor Cardinale: "Moved to come off the table is 884 establishing a lateral water main Kelbridge Meadow development."

Councilman Densieski: "Just off the table first."

Supervisor Cardinale: "Yes. Second, please."

Councilwoman Sanders: "Yes."

Supervisor Cardinale: "It's moved by Ed and seconded by Rose as indicated and we have a- may we have a vote to take it off the table?"

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

Supervisor Cardinale: "Yes to take it off the table. May we have now a vote- may we have a motion to move it for a vote?"

Councilman Densieski: "Sure. 884 is an order establishing a lateral water main for the Kelbridge Meadow development, lateral water main Riverhead Water District. So moved."

Councilwoman Sanders: "And seconded."

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

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

Supervisor Cardinale: "Yeah. We went through this. Bill I saw earlier here-- Bill's last name-- Bill Kasperovich who had asked us to establish a policy for when we are going to do dead end water mains, we have established a policy. It is appropriate in this instance to do what we're doing here and I vote yes."

(Some inaudible discussion)

Supervisor Cardinale: "Yes. I want to reiterate at the suggestions of Barbara and my deputy supervisor Jill Lewis that the resolutions 990 through 995 were not passed tonight regarding zoning, are expected to be passed on Thursday at a work session, afternoon session, 2:00 p.m. We're going to have the whole board there, we're going to-- the only reason they weren't passed tonight is because the text although complete has now been completely reviewed by committee and I wanted not to rush them in important work but we're going to be doing it Thursday."

Okay, that takes care of the resolutions. We have an opportunity to take comment on any subject that the public would like to comment upon. Is there any comment out there? There is one from George as there is one from Rolf, so why don't we hear from George and then Rolf? Okay, Rolf, would you like to take the first shot at comment, and this is on any matter before-- that the Board has within its purview.

Oh yeah, I would also like to note and acknowledge the presence of Larry Oxman, good to see you back, well, sort of maybe. And how's the farming going? No, I didn't say that. Go ahead, Rolf."

Rolf Koesling: "Rolf Koesling, Wading River."

Supervisor Cardinale: "Yeah."

Rolf Koesling: "The first question, what happened to that list that we signed outside for people that want to speak?"

Barbara Grattan: "It should be brought in here and it wasn't tonight."

Supervisor Cardinale: "It should be brought in. I have always-- that would be appropriate at this point only though, on comment on

general comment. Were you on the general comment list?"

Rolf Koesling: "We're on general comment now."

Supervisor Cardinale: "Jack, would you bring that list in because we can quickly call anyone besides Rolf who was on it."

Rolf Koesling: "It never came in, huh?"

Supervisor Cardinale: "No, it never came in."

Rolf Koesling: "About the third or fourth time."

Supervisor Cardinale: "Exactly. Let's assign somebody to bring it in."

Rolf Koesling: "Okay. Can I continue?"

Supervisor Cardinale: "The Town Clerk. I'm going to ask- so that way you can blame Barbara from now on if it doesn't come in."

(Some inaudible discussion)

Rolf Koesling: "What am I, chopped liver?"

Supervisor Cardinale: "Okay, we've got a couple people here, first was- and on this list is Rolf Koesling, there you go."

Rolf Koesling: "Okay, reading the public notices which I always do, I notice on November 3rd there's a public town meeting regards to the town taking over some of these private roads and they were all listed. Now the only question I have on that, how come Wildwood Hills roads weren't listed? That was tabled, that resolution."

Supervisor Cardinale: "Right. I can answer that even. The other roads that we're going to have a public hearing- is it November 3rd- on November 3rd we're going to have a public hearing on all those public roads. And we want everybody to look at that just as you do to see if their road is on it because there's eighty something roads and it might- my suspicion is there may be some roads that are private that people may not wish us to assume into the public road system of the town.

Those roads that are listed are being considered because the Superintendent of Highways advises us that in those instances of those

roads, we are in fact maintaining them and have for the past 10 years according to his records. Therefore, we will take them in if there is no objection in all likelihood.

The Wildwood situation is a little different. That's why they did a separate- we went through this at work session, a separate resolution, because there they're offering us a deed, an actual deed to those roads, and therefore it has to be done by separate resolution.

We promised- or he promised me, the Superintendent of Highways, and I promised the Board we would sit down and go through every one of the 84 roads on the resolution to be heard on the 7th- on the 3rd and every one of the roads in the Wildwood subdivision I guess it is, to make sure that all of those roads are appropriately- appropriate for taking into the system and we'll be passing Wildwood probably sometime after November 3rd assuming it to be appropriate roads to take in."

Rolf Koesling: "But the town has been maintaining the roads for many, many years."

Supervisor Cardinale: "Right. But Wildwood actually has a deed they want to give us for those roads. The others do not."

Rolf Koesling: "Yeah, they're from Hulse. They only got a hold of that deed I think it was much, much later around the '50's or '60's before it was turned over to them."

Supervisor Cardinale: "Apparently, yes."

Rolf Koesling: "You probably wonder why I don't live in Wildwood Hills any longer, but my folks bought there 1936, they were charter members and I attended practically every meeting until my mother passed away and I sold the house. So I still have a little interest in it. I still live across the street on North Wading River Road but I have some friends there yet. Okay, case one."

What I spoke last time on that - got that senior moment again, it happens, what I spoke about before where they're going to change the zoning to residential from CR, I just want to make a play. I'm 100% for changing to residential but I don't want to be left on the edge where this is commercial and I'm residential, which also devalues my property. But otherwise go ahead, knock it all residential. I'll be happy.

The two places that would fall under that a little different is the (inaudible) Lodge, but you take 2 by 4 restaurant, that's only continuing use, the deli that's up a little further is only continuing use. So even though that was closed for more than a year I see it opened up again.

Okay, got that, got that. Oh, incidentally when the gentleman over here mentioned about seasonal residents, I can show you some of my tax maps on my mother's house that said seasonal residence but that was dropped around the '50's or something like that.

And final- oh here's another one. Resolution 974, it's not on here."

Barbara Grattan: "It's not on the agenda?"

Rolf Koesling: "It's not on the agenda."

Barbara Grattan: "Yeah, I know it isn't because the copy machine- "

Rolf Koesling: "How can there be any comment if it's not on the agenda. Okay. All right, I guess that's it. The rest doesn't mean that much. Thank you."

Supervisor Cardinale: "That was the appointment of the grants coordinator, Jennifer Mesiano."

Rolf Koesling: "I'll see you Thursday."

Supervisor Cardinale: "Okay. Thank you. Look forward to seeing you on Thursday at the work session. Yes, let's see, Mister, did you want to be- Mr. Kasperovich, you'd like to speak and Mr. Schmelzer you would like to speak and I would like to hear from you. So go ahead."

George Schmelzer: "Talking about roads. Well, when the town declared a road a road way back, they didn't describe where it was very accurately. I noticed when they made a survey for the county, declared River Road four rods wide. I looked at the road record here, it's Parker Road three rods wide and (inaudible) the monuments. That's another story though.

But all I know is what I read in the paper, that's what Will Rogers said. And about the land that was cleared on 58, paper said it

is zoned but you can't use it for farming. Geez, I never heard of that before. Thought they wanted to promote farming."

Supervisor Cardinale: "There's farm- there's the farmer right there."

George Schmelzer: "Yeah. So and then these people that want a buffer and that started a couple years ago when the people in those apartments by the bridge in Calverton when Tanger bought the land on the east, they kicked about it. Because they used the woods. They had no business to use the woods, they didn't pay tax on it, not theirs, and the apartments were built right at the edge of the property. So you had nothing to kick about. If they wanted the woods for a buffer area, they should have bought it."

Same goes on 58 where those trailers are. The trailers go out to the edge, that's their privilege but don't kick if somebody uses the land next to you. You didn't pay for it, you didn't rent it, you didn't pay taxes on it. So the hell with them. That's what I think."

Supervisor Cardinale: "You're certainly clear on that."

George Schmelzer: "Really, I get sick of these people. People, especially from the city, they come out here, don't put one foot on their land but they want the right to use- to control your land."

Supervisor Cardinale: "You don't believe in zoning, do you?"

George Schmelzer: "No. That's a soviet system. You see it doesn't work. You can't satisfy people, everybody wants to control everybody else's land but their own. And before we had this, you had no trouble, the Town Board didn't have to have a building this big. Now it isn't big enough because of this nonsense. I call it we're getting to be a soviet America and I think you know it, too."

Supervisor Cardinale: "Do you know that went to the Supreme Court, the issue of the constitutionality of zoning in 1922, Euclid versus Ohio (phonetic) and they seriously argued exactly as you're arguing, unfortunately unsuccessfully, but they argued that it was a deprivation of the constitutional right to life, liberty and property."

George Schmelzer: "Well, our basic law here goes back to the patents. The patents was the first law in the state to recognize that, say that this land here was declared, there was no town, no

county, no state and no nation. So that's the first law and it still holds.

I was speaking to the Attorney General last year when he had gone to Farm Bureau, he said that's true, they have to abide by the patents and if the DEC wants to put fish into Southampton's fresh water, they've got to get permission of the Trustees. They don't like that though. But I wish you'd- I don't like what's going on with- we're becoming more of a soviet America this way. Pretty soon you- well, I don't want to use the word but you know what I mean, you'll need a permit for everything."

Supervisor Cardinale: "Yeah, incidentally before you leave we should talk about another of your favorite topics."

George Schmelzer: "My ear is not good, I can't hear good."

Supervisor Cardinale: "One of the things you talked to this Board about when I was a Councilman and you talked to me in the last year about is the fact that in upstate New York, when the state of New York takes over property for parks- "

George Schmelzer: "Oh yeah."

Supervisor Cardinale: "-- in the Adirondacks, they continue to pay taxes but as in the downstate area they do not. And recently it was brought to the attention of- by Laverne, in Putnam County the Governor elected to make- pass legislation which permitted them to pay taxes for an area that the state had taken over as a park. And when I was speaking to the newspaper about that today, they said what do I think?

I said I think I've heard this for the last eight years from George, it's nothing new, that in some areas of this state when you have a public park, you continue to receive tax monies despite the fact it's a park and in some areas you don't and that strikes me as fundamentally unfair. And I know you'd like to elaborate, so go ahead."

George Schmelzer: "Well, I- when this- when Grumman gave the land to Riverhead town, I begged Riverhead town not to give any land to the state without them agreeing to pay taxes. And they had us- they didn't do it, they gave it to him. And I had a meeting with the Supervisor Grucci of Brookhaven and brought a tax map along, a taking map, and said don't give it to the state unless they agreed to pay

taxes like they've done upstate. All what happened was he asked me for my map and I gave it to him, but I gave it to him anyway and I think that's the fault some of our state Senator, he doesn't care."

Supervisor Cardinale: "We have Wildwood State Park, we have Key Span."

George Schmelzer: "They've got this environmental stuff. He brags about his environment but I know he lives in the area where we don't have any scenic river though to bother him."

Supervisor Cardinale: "Another of your topics."

George Schmelzer: "Yeah."

Supervisor Cardinale: "Pretty good and you've gotten through them in about six minutes."

George Schmelzer: "That's all I've got to say, only repetitious. And it doesn't do much good because- I think we're going to have a- I was 12 years old when they had the crash in '29. I can see another one coming because we have a trade loss of a billion and a half a day and the foreigners will own all our money. They'll buy us from the inside and that's the end and I think it's coming in a couple years."

And like this 9/11 what happened in New York, both parties agree not to talk about it. All they had to have that time was if the pilots had guns and they could lock the cockpit doors. That's what Israel Airlines has. They don't have the trouble. Surrounded by Arabs even though they're cousins. And if it did that, wouldn't happen. But both parties agree not to talk about it, blame somebody else."

Supervisor Cardinale: "We've had a request from the right side of the Board here that you've worked in some new material such as the last and all the old material but could you end with one of your favorite topics about the extension of the Long Island Expressway?"

George Schmelzer: "Yeah, you want me to mention it now?"

Supervisor Cardinale: "I think so. This could be the finale."

George Schmelzer: "Well, if you wish less traffic on 58 and Sound Avenue, extend the expressway to 105. If you continue on from

58 you can't get off until you get off at 105 except for emergency, have a ramp at Roanoke Avenue for hospital use only. And two lanes each way, not three. And that's the only thing you do. And I read in the paper about that study the county did, same thing as before."

Supervisor Cardinale: "Well, the good news is that the county is going to work on- "

George Schmelzer: "What's the matter here they say it will hurt the farmland, well pretty soon we will need to widen straighten out Sound Avenue, that will take farmland if this traffic continues on the way it is. Really. And don't expect the county to do it. It's not their fault, the state did by dumping off everything there."

Supervisor Cardinale: "You know what? The county- the good news is they're doing it; the bad news is it won't be finished 'til 2013."

George Schmelzer: "Yeah. Why should the county pay for it? I don't- they didn't create it."

Supervisor Cardinale: "Is there an expression about a difficult choice? Now here's my difficult choice. If you're completed, which, God, we all pray you are, you would be finished, but Bill, you are going to comment. So would you finale, you know, finish and then Bill has a comment and then if you've forgotten something, you can come back."

George Schmelzer: "Okay."

Supervisor Cardinale: "All right?"

George Schmelzer: "Yeah. I can't find a copy of that letter I gave you. Maybe I can get a copy from you because somebody- some planning company wrote me a letter about the county study, I guess they want me to answer them. I'm surprised, they wrote to me. But I wanted to give them a copy of that letter. Maybe- "

Supervisor Cardinale: "I will see if I can locate it and I can't- I'm not surprised that the county would know you to be a person who has great interest in the area of the subject matter so that's probably why they got your name."

George Schmelzer: "Yeah."

Supervisor Cardinale: "Bill, would you like to make a comment? Why don't you come on up?"

George Schmelzer: "Okay."

Supervisor Cardinale: "Thank you very much."

George Schmelzer: "Okay, thank you."

Supervisor Cardinale: "Incidentally, Gary got us all black coffee or coffee with milk."

Councilman Densieski: "Wherever he is, thank you."

Councilwoman Sanders: "Thank you, Gary."

Supervisor Cardinale: "You're very nice. Good evening, Bill."

William Kasperovich: "Good evening. I realize how much time has passed since I've been able to get back in my activity, civic activity in the township and you'll forgive me if I fumble a bit. But some of these things do need attention.

Resolution 989 which you prepare a resolution to oppose a mental health facility in Riverhead. First of all- "

Councilman Densieski: "It says downtown, not Riverhead."

William Kasperovich: "Well, isn't downtown in Riverhead? It's part of the township. It's not detached. It's not like the boroughs in New York City where you've got Brooklyn, Manhattan and Queens, the Bronx and Staten Island. This is Riverhead. Although the area I live in is called Wading River, I'm still living in Riverhead.

The title or the designation of Henry Perkins Hotel is a misnomer. The Perkins estate sold the hotel to a business many decades ago, long, long time ago. It was then started- adopted to a retirement home and then it got to be a nursing home and then it changed hands. Now last winter it emptied out and it started again as a retirement nursing home.

Now in all that procedure, in all these decades of years, where was the township to object to this? They were caring- making allowances to accommodate people with mental health and people that had no other avenue of assistance and couldn't help themselves, they

came in from all over the island.

Now this was not a hotel. When the Perkins estate sold the property it was no longer a hotel, and yet the resolution is written as if this was- you were closing down a hotel. This has been accommodating mental health for a long, long time. So you can't say that we're objecting to this as opposed to having a hotel."

Supervisor Cardinale: "We should probably have said building."

William Kasperovich: "However you describe it, it's- the tone and attitude of wordage in the resolution is wrong. And you can even say false. Because you're asking other people to participate in our town objecting to this.

Now where was the Town Board for so many decades to come to this point that we have to use this subterfuge to close down this mental health facility? And that I object to and I think it's wrong.

Now the area I live in is Wildwood Acres area in Wading River and Mr. Alonzo Hulse (phonetic) broke up the property because the family was in such dire straits financially. And the deeds- most of the deeds as mine is written the road in front of the- it was a codicil to the deed- "

Supervisor Cardinale: "Right."

William Kasperovich: "-- the road was not deeded to the purchaser of the land. It was just given a right with others to use as a road."

Supervisor Cardinale: "That's in Wildwood Acres."

William Kasperovich: "That's Wildwood Acres, yes. So that area involving some 300 odd residences just grew by who bought what and how much. It was getting so much for 10 feet of frontage and whoever bought it, that extended the map so there are three or four revisions to the map to show the current purchases. But it was- the most- all of this was not directly deeded. It was a codicil to the deed to show rights with others. The same was as the beach is used with right to others. Both these two items are on the majority of the land- deeds of the land sold by Alonzo Hulse."

Supervisor Cardinale: "Thank you."

William Kasperovich: "So that type of subdivision development was entirely different and very basic and crudely handled."

Supervisor Cardinale: "Is that the same one as Hulse Landing Road is named after, Alonzo Hulse?"

William Kasperovich: "That's right."

Supervisor Cardinale: "Okay, now I learned something. Every time I go to a meeting, I learn something."

William Kasperovich: "No, it was named after the father of Alonzo Hulse. Alonzo Hulse's father. It goes further back than Alonzo Hulse."

Supervisor Cardinale: "What was his name, do you know?"

William Kasperovich: "I don't remember his first name."

Supervisor Cardinale: "Senior."

William Kasperovich: "That family name goes back to the colonial days."

Councilman Bartunek: "You don't like baseball, do you?"

Supervisor Cardinale: "My Board is reminding you if we could give you say to 9:30. At that point, they're really concerned for the Yankees' future and they want to- it's nothing-nothing, what inning? Top of the fourth. Zero-zero. Okay, I'm sorry. Go ahead. If you could wrap it up by 9:30, I'd appreciate it."

William Kasperovich: "All right. Tonight you people remind me of what people- how the presidential campaign is going on where what the President did and did not do to getting our troops into Iraq is in a miniature size the same thing you people are doing. And the Town Boards before you were doing. They didn't look past their nose. They just took care of their current situation and getting re-elected. The same thing as Bush and Kerry are doing."

Supervisor Cardinale: "They don't seem to be doing that too well either."

William Kasperovich: "Well you people aren't doing too well either."

Supervisor Cardinale: "I mean getting re-elected, they don't seem to be doing too well either."

William Kasperovich: "Well, now one man we only hear from when the budget comes up because he's on the list of elected officials and that's our Highway Superintendent. But where the hell is he at the Town Board meetings? Where can we direct our concerns and involvements on the roads and the maintenance and uses which is a big item in this township that we can't do face to face with him as an elected official? And this is inexcusable to me. He wants our vote to get his position but he can't take the time to be a part of the Town Board meeting and I think you should put it forth directly and legally that he should be part of the Town Board meeting if not in full in part."

Supervisor Cardinale: "Well, I will certainly consider that. I must admit though that Mark is very accessible. I would give you his cell phone because most everybody else has it but I don't know if he'd forgive me for that. So- but he is pretty accessible. If you call the Highway Department he honestly does get back."

William Kasperovich: "Well, you yourself was always accessible when you were a Councilman. That is no criteria of a (inaudible)."

Supervisor Cardinale: "Yeah, I guess that's true."

William Kasperovich: "You have the time, you're accessible."

Supervisor Cardinale: "Right."

William Kasperovich: "If you don't have the time, there's always three or four excuses."

Supervisor Cardinale: "I think implicitly that was-accessibility does not necessarily imply competence."

William Kasperovich: "All right. The last thing I wanted to get across here is that whenever I bring up a point to an official or somebody that's taking a salary in this township, that they acknowledge what they are given by mail to the complainer."

Supervisor Cardinale: "Right. You're right about that."

William Kasperovich: "You call up on a telephone, you have to come down to the Town Board to yak about it to get it done. Now it's-

ordinarily inexcusable that it isn't done. Now- "

Supervisor Cardinale: "You mean he doesn't respond to mail, the Superintendent of Highways?"

William Kasperovich: "I'm just using that as an example because it's quite an irritable point with me and I don't want to bring up the specifics at this point."

Supervisor Cardinale: "Okay."

Councilman Densieski: "Thank you, Bill. Motion to adjourn."

William Kasperovich: "If you call in a complaint- if you call in a complaint or you verbally give the complaint to the person however, and it should be acknowledged by mail so that there is something on paper that's a follow up."

Supervisor Cardinale: "Sure. I think that's right."

William Kasperovich: "This way it's not something you said last March or something you asked for. I asked for something in season, the season's been and gone and we're in the wet weather and this can't be done. But that was a stall on their part to get it to the wet weather so they can now have a legal reason to say we can't do it."

Supervisor Cardinale: "Maybe what we can do, Bill, and I'd be glad to do it before as we are breaking the meeting now or adjourning it, let me talk with you if there's a specific thing that he's- that we're not getting- that he's not getting back to you on and I'll make sure that he does."

William Kasperovich: "That's not only the Highway Department. I get that from Gary in the Water Department, I get that in every department. Of course, in the Building Department Mr. Barnes runs down at the end of the hall when I come in the building."

Supervisor Cardinale: "Are you sure it's not you? Are you sure- "

William Kasperovich: "Well, if you're so wrong, you should run out of the building."

Supervisor Cardinale: "Right. Well, you may- all right, motion to adjourn is- "

Councilwoman Blass: "I was just going to make sure that Mr. Kasperovich is aware of the fact that the Building Department is now across the street in case he would like to visit Mister- "

Supervisor Cardinale: "Right. Yeah, we are now in the building across the street for the Building Department. Bill, I'm going to, if I may, I'm going to let my Board go because it's late."

Meeting adjourned: 9:30 p.m.

Barbara Heaton
Town Clerk